

## Councilmembers

Position No.

1. Tod Gunther
2. John Kelly
3. Tony Belot
4. John Williams
5. Gregg Bradshaw
6. Greg Hogan
7. Scott Drennen



**Mayor Joshua Penner, Chair**

## ORTING CITY COUNCIL

### Regular Business Meeting Agenda

104 Bridge Street S, Orting, WA

Virtual Meeting

March 10<sup>th</sup>, 2021, 7:00pm.

### 1. CALL MEETING TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL. REQUEST FOR ADDITIONS OR MODIFICATIONS TO THE AGENDA.

**\*The City is utilizing remote attendance for Councilmembers and City employees. Please note: OPMA rules regarding provision for the public in a space have been suspended by proclamation of the Governor. The meeting is however, available for the public. To join the meeting on a computer or mobile phone: <https://bluejeans.com/905725685?src=calendarLink&flow=joinmeeting>  
Phone Dial-in +1.408.419.1715 or +1.408.915.6290 -Meeting ID: 905 725 685**

### 2. PUBLIC COMMENTS : *Public Comments may be sent to the City Clerk at: [jmontgomery@cityoforting.org](mailto:jmontgomery@cityoforting.org) by 3pm on March 10<sup>th</sup>, 2021, and will be read in to the record at the meeting. In the case of a question, the chair will refer the matter to the appropriate administrative staff member or committee.*

### 3. HEARINGS

**A. AB21-19-** Home Occupation Code Amendments- Ordinance No 2021-1074- An Ordinance Of The City of Orting, Washington, Relating to Home Occupation and Administrative Decision Noticing Requirements; Amending Orting Municipal Code Sections 13-5-4, 15-4-1 And 15-7-2;

✚ **Emily Adams**

**Motion: To adopt Ordinance No. 2021-1074 relating to home occupation and administrative decision noticing requirements; amending Orting Municipal Code sections 13-5-4, 15-4-1 and 15-7-2.**

**B. AB21-04-** HB 1923 Grant Code Amendments- Ordinance No 2021-1073, An Ordinance Of The City of Orting, Washington, Relating to Housing and Regulatory Streamlining; Amending Orting Municipal Code Sections 12-2, 12-4, 13-2, 13-3, 13-5, 15-2, 15-4 And 15-6;

✚ **Emily Adams**

**Motion: To Adopt Ordinance No. 2021-1073 Relating to Housing and Regulatory Streamlining; Amending Orting Municipal Code Sections 12-2, 12-4, 13-2, 13-3, 13-5, 15-2, 15-4 And 15-6. Providing for Severability; And Establishing an Effective Date.**

### 4. CONSENT AGENDA

**A.** Study Session Minutes of February 17<sup>th</sup>, 2021

**B.** Regular Meeting Minutes of February 24<sup>th</sup>, 2021

**C.** Payroll and Claims Warrants

**Motion: Move to approve Consent Agenda as prepared. OR Motion: To approve Consent Agenda with the exception of agenda item(s) # \_\_\_\_\_.**

### 5. EXECUTIVE SESSION

### 6. ADJOURNMENT

**Motion: Move to Adjourn.**

**Upcoming Meetings: Study Session, March 17<sup>th</sup>, 2021 6pm (Virtual), Regular Meeting: March 31<sup>st</sup>, 2021, 7pm (Virtual)**

# HEARINGS



**City Of Orting  
Council Agenda Summary Sheet**

	<b>Agenda Bill #</b>	<b>Recommending Committee</b>	<b>Study Session Dates</b>	<b>Regular Meeting Dates</b>
<b>Subject:</b> Home Occupation Code Amendments Public Hearing and Action	<b>AB21-19</b>	<b>N/A</b>	<b>2.17.21</b>	<b>3.10.21</b>
	<b>Department:</b>	Planning		
	<b>Date Submitted:</b>	<b>2.24.21</b>		
<b>Cost of Item:</b>	<u>\$NA</u>			
<b>Amount Budgeted:</b>	<u>\$NA</u>			
<b>Unexpended Balance:</b>	<u>\$NA</u>			
<b>Bars #:</b>				
<b>Timeline:</b>				
<b>Submitted By:</b>	<b>Emily Adams (Planner)</b>			
<b>Fiscal Note:</b>				
<b>Attachments:</b> Staff Report and Ordinance No. 2021-1074				
<b>SUMMARY STATEMENT:</b>				
<p>The home occupation code section is found in OMC 13-5-4. Under these regulations home occupations are currently only permitted in the RU, RC, and RMF zones in detached single-family dwelling. Recommended amendments are to permit home occupations in the MUTC zone and within duplexes. The type of decision home occupations is categorized under in OMC 15-4-2 is also proposed to be amended to align with current City practices.</p>				
<p><b>MOTION: To Adopt Ordinance No. 2021-1074 Relating To Home Occupation And Administrative Decision Noticing Requirements; Amending Orting Municipal Code Sections 13-5-4, 15-4-1 And 15-7-2</b></p>				



## City Council Staff Report

<b>Project Name:</b>	Home Occupation and Administrative Decision Code Amendments
<b>Applicant:</b>	City of Orting
<b>Date of Staff Report:</b>	February 10, 2021
<b>Staff Recommendation:</b>	Approval
<b>City Staff Contact:</b>	Emily Adams, AICP City Planner
<b>Public Comment Period:</b>	December 23 – January 4 and February 26 – March 10 following notice of public hearing.
<b>Public Notice:</b>	Type 5 applications do not require notice of application per OMC 15-4-1. Notice of a public hearing was published and posted 10 days prior to the hearing per OMC 15-7-3.

### Exhibits:

1. Staff Report
2. Ordinance
3. Published notice of Planning Commission public hearing
4. Posted notice of Planning Commission public hearing
5. Published notice of City Council public hearing
6. Posted notice of City Council public hearing

### Findings of Fact

The home occupation code section is found in OMC 13-5-4. Under these regulations home occupations are currently only permitted in the RU, RC, and RMF zones in detached single-family dwelling. There are numerous single-family dwellings located in the MUTC zone that therefore are not permitted to have a home occupation. There are also duplexes throughout the City are not permitted to have home occupations.

It is staff's opinion that home occupations should be permitted within the MUTC zone and within duplexes. The intent of the code is to permit home occupations in single family dwellings, as described below, this should therefore include single family dwellings in the MUTC zone. Duplexes have separate off-street parking (at least two spaces per unit) making it easy to regulate according to the home occupation performance standards. Further, duplexes (sometimes referred to as single-family attached) are often of similar size to a small single-

family home, giving sufficient space for a home occupation. It is staff's opinion that home occupations in duplexes would have similar affects as those in single family homes. The home occupation would be regulated in the same way as those in single family homes in compliance with OMC 13-5-4-D.

The type of decision home occupations is categorized under in OMC 15-4-2 is also proposed to be amended to align with current City practices. Home occupations have historically been processed as a Type 1 Administrator process; the table is proposed to be amended to accurately reflect that process. The "special use permit" listed under Type 1 has been revised to specifically state which permits that reflects as some "special use" permits must undergo other processes (such as a conditional use permit). Further, in reviewing the noticing procedures it has come to staff's attention that Type 1 and Type 2 Administrative decisions are not clearly separated and could potentially cause confusion regarding the process and proper noticing. Therefore, revisions to the noticing section (OMC 15-7-2) are also proposed.

### ***Proposed Amendments***

#### **13-5-4: HOME OCCUPATIONS:**

- A. Purpose: The purpose of this section is to provide standards which allow a resident of a single-family dwelling or duplex to operate a limited activity from their principal residence or permitted accessory structure while achieving the goals of retaining residential character, maintaining property values and preserving environmental quality.
- B. Applicability: Home occupations are only permitted in compliance with the below performance standards and as conditional uses in conjunction with a detached single-family dwelling or duplex in the MUTC, RC, RU, and RMF Zones.
- D. Performance Standards:
  - 2. General Provisions: The following general provisions shall apply to all home occupation activities:
    - a. The activity is clearly incidental and secondary to the use of the property for residential purposes and shall not change the residential character of the dwelling or neighborhood;
    - b. External alteration inconsistent with the residential character of the structure is prohibited;
    - c. Use of hazardous materials or equipment must comply with the requirements of the Building Code and the Fire Code;
    - d. The activity does not create noticeable glare, noise, odor, vibration, smoke, dust or heat at or beyond the property lines;
    - e. Use of electrical or mechanical equipment which creates visible or audible interference in radio or television receivers or fluctuations in line voltage at or beyond the property line is prohibited;

- f. Manufacturing shall be limited to the small scale assembly of already manufactured parts but does not preclude production of small, individually handcrafted items, furniture or other wood items as long as the activity meets the other standards of this chapter;
- g. Customers/clients are prohibited on the premises prior to six o'clock (6:00) A.M. and after nine o'clock (9:00) P.M.;
- h. Sales in connection with the activity are limited to merchandise handcrafted on site or items accessory to a service (i.e., haircare products for beauty salon);
- i. In addition to the single-family or duplex parking requirements, off street parking associated with the activity shall include one additional space in accordance with standards set forth in section 13-5-3 of this chapter;
- j. Only the resident can perform the activity; nonresident employees are prohibited;
- k. The activity shall be limited to an area less than five hundred (500) square feet or a size equivalent to fifty percent (50%) of total floor area of the living space within the residence, whichever is less;
- l. One vehicle, up to ten thousand (10,000) gross vehicle weight, is permitted in connection with the activity;
- m. The activity shall be performed completely inside the residence, an accessory structure or a combination of the two;
- n. There shall be no outside display or storage of materials, merchandise, or equipment.

15-4-1: PROCEDURES FOR PROCESSING PERMIT APPLICATIONS:

TABLE 15-4-2: DECISIONS

Type 1 (Administrator)	Type 2 (Administrator)
Permitted uses; boundary line adjustments; <u>cottage development</u> ; <u>home occupations</u> ; minor amendments to subdivisions and PUD; <del>special use permits</del> <u>nonconforming use permit</u> ; temporary construction trailer	Short plats; land clearing and grading; shoreline permits; administrative variances; administrative interpretations; <del>home occupations</del> ; landscape plan modifications

15-7-2: ADMINISTRATIVE APPROVAL:

A. Type 1 administrative approvals do not require notice.

B. Notice of Type 2 administrative approvals ~~subject to notice under section 15-7-1 of this chapter~~ shall be made as follows:

- 1. A. Notification Of Preliminary Approval: The administrator shall notify the adjacent property owners of his intent to grant approval at least fourteen (14) days prior to the effective date of the approval. Notification shall be made by mail only. The notice shall include:

a. 1. A description of the preliminary approval granted, including any conditions of approval.

b. 2. A place where further information may be obtained.

c. 3. A statement that final approval will be granted unless an appeal requesting a public hearing is filed with the city clerk within fifteen (15) days of the date of the notice.

### **Public Hearing**

A public hearing was held by the Planning Commission on January 4, 2021. No comments were received. The Planning Commission recommended approval of the amendments as proposed.

### **Staff Recommendation**

Staff's proposal is to amend the municipal code to permit home occupations in the MUTC zone and in duplexes in any of the permitted zones and to amend the process and noticing code to align with the City's historical procedural practices.

***Staff recommends approval of the ordinance and amendments as proposed.***

### **Reconsideration**

A party to a public hearing may seek reconsideration only of a final decision by filing a written request for reconsideration with the administrator within five (5) days of the oral announcement of the final decision. The request shall comply with OMC 15-10-4B.

### **Appeal**

Appeals from the final decision of the city council shall be made to Pierce County superior court within twenty one days of the date the decision or action became final in accordance with OMC 15-10-6.

**CITY OF ORTING  
WASHINGTON  
ORDINANCE NO. 2020-1074**

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**AN ORDINANCE OF THE CITY OF ORTING,  
WASHINGTON, RELATING TO HOME OCCUPATION  
AND ADMINISTRATIVE DECISION NOTICING  
REQUIREMENTS; AMENDING ORTING MUNICIPAL  
CODE SECTIONS 13-5-4, 15-4-1 AND 15-7-2; PROVIDING  
FOR SEVERABILITY; AND ESTABLISHING AN  
EFFECTIVE DATE**

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**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**, the City desires to revise its home occupation code to respond to citizen needs; and

**WHEREAS**, the City desires to revise its Type 1 and Type 2 permit noticing code to clarify procedures; and

**WHEREAS**, the current development code does not allow home occupations in the MUTC zone or in duplexes; and

**WHEREAS**, the current development code does not distinguish between Type 1 and Type 2 noticing procedures; and

**WHEREAS**, in accordance with the requirement set forth in RCW 36.70A.106, the City provided the Washington State Department of Commerce notice of the City's intent to adopt the proposed ordinance on December 16 for its 60-day review and comment period; and

**WHEREAS**, the City's Planning Commission held a public hearing on the proposed amendments on January 4, 2021 and proposed a recommendation which was forwarded to the City Council to adopt the proposed OMC amendments; and

**WHEREAS**, the City Council held a public hearing on the proposed OMC amendments on March 10, 2020, considered the proposed code amendments and the entire record, including recommendations from the Planning Commission; and

**WHEREAS**, the 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, DOES ORDAIN AS FOLLOWS:**

**Section 1. Recitals.** The Recitals set forth above are hereby adopted and incorporated as Findings of Fact and/or Conclusion of Law of the City Council. The City Council bases its findings and conclusions on the entire record of testimony and exhibits, including all written and oral testimony before the Planning Commission and the City Council.

**Section 2. OMC Section 13-5-4, Amended.** Orting Municipal Code Section 13-5-4 is hereby amended as follows:

- A. Purpose: The purpose of this section is to provide standards which allow a resident of a single-family dwelling or duplex to operate a limited activity from their principal residence or permitted accessory structure while achieving the goals of retaining residential character, maintaining property values and preserving environmental quality.
- B. Applicability: Home occupations are only permitted in compliance with the below performance standards and as conditional uses in conjunction with a detached single-family dwelling or duplex in the MUTC, RC, RU, and RMF Zones.
- D. Performance Standards:
  - 2. General Provisions: The following general provisions shall apply to all home occupation activities:
    - a. The activity is clearly incidental and secondary to the use of the property for residential purposes and shall not change the residential character of the dwelling or neighborhood;
    - b. External alteration inconsistent with the residential character of the structure is prohibited;
    - c. Use of hazardous materials or equipment must comply with the requirements of the Building Code and the Fire Code;
    - d. The activity does not create noticeable glare, noise, odor, vibration, smoke, dust or heat at or beyond the property lines;
    - e. Use of electrical or mechanical equipment which creates visible or audible interference in radio or television receivers or fluctuations in line voltage at or beyond the property line is prohibited;
    - f. Manufacturing shall be limited to the small scale assembly of already manufactured parts but does not preclude production of small, individually handcrafted items, furniture or other wood items as long as the activity meets the other standards of this chapter;
    - g. Customers/clients are prohibited on the premises prior to six o'clock (6:00) A.M. and after nine o'clock (9:00) P.M.;
    - h. Sales in connection with the activity are limited to merchandise handcrafted on site or items accessory to a service (i.e., haircare products for beauty salon);
    - i. In addition to the single-family or duplex parking requirements, off street parking associated with the activity shall include one additional space in accordance with standards set forth in section 13-5-3 of this chapter;

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**Section 3. OMC Section 15-4-1, Amended.** Orting Municipal Code Section 15-4-1, Table 15-4-2, is hereby amended as follows:

Type 1 (Administrator)	Type 2 (Administrator)
Permitted uses; boundary line adjustments; <del>cottage development</del> ; <del>home occupations</del> ; minor amendments to subdivisions and PUD; <del>special use permits nonconforming use permit</del> ; temporary construction trailer	Short plats; land clearing and grading; shoreline permits; administrative variances; administrative interpretations; <del>home occupations</del> ; landscape plan modifications

\*\*\*

**Section 4. OMC Chapter 15-7-2, Amended.** Orting Municipal Code Section 15-7-2 is hereby amended to read as follows:

A. Type 1 administrative approvals do not require notice.

B. Notice of Type 2 administrative approvals ~~subject to notice under section 15-7-1 of this chapter~~ shall be made as follows:

1. A. Notification Of Preliminary Approval: The administrator shall notify the adjacent property owners of his intent to grant approval at least fourteen (14) days prior to the effective date of the approval. Notification shall be made by mail only. The notice shall include:

a. 1. A description of the preliminary approval granted, including any conditions of approval.

b. 2. A place where further information may be obtained.

c. 3. A statement that final approval will be granted unless an appeal requesting a public hearing is filed with the city clerk within fifteen (15) days of the date of the notice.

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**Section 5. 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 6. Codification.** The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the above, and publish the amended code.

**Section 7. 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 10<sup>TH</sup> DAY OF MARCH, 2021.**

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: 2.11.21  
Passed by the City Council:  
Ordinance No. 2021-1074  
Date of Publication:  
Effective Date:

## Ad Order Information

<b><u>Ad Number</u></b>	<b><u>Ad Type</u></b>	<b><u>Production Method</u></b>	<b><u>Production Notes</u></b>
0004835124-01	TAC-Legal Liner	AdBooker	

<b><u>External Ad Number</u></b>	<b><u>Ad Attributes</u></b>	<b><u>Ad Released</u></b>	<b><u>Pick Up</u></b>
		No	

<b><u>Ad Size</u></b>	<b><u>Color</u></b>
1 X 32 li	

<b><u>Product</u></b>	<b><u>Placement</u></b>
TAC-NT-News Tribune	0300 - Legals Classified
<b><u>Run Schedule Invoice Text</u></b>	<b><u>Position</u></b>
NOTICE IS HEREBY GIVEN the Orting Planni	0301 - Legals & Public Notices

**Run Dates**  
12/23/2020

<b><u>Product</u></b>	<b><u>Placement</u></b>
TAC-upsell.thenewstribune.com	0300 - Legals Classified
<b><u>Run Schedule Invoice Text</u></b>	<b><u>Position</u></b>
NOTICE IS HEREBY GIVEN the Orting Planni	0301 - Legals & Public Notices

**Run Dates**  
12/23/2020

NOTICE IS HEREBY GIVEN the Orting Planning Commission will be holding a Public Hearing. The purpose of this hearing is to receive public testimony regarding a proposal for code amendments related to home occupations and Type 1 and 2 permit noticing. The amendments propose to allow home occupations in the MUTC zone and in duplexes and revises code language on noticing administrative decisions to clearly state the difference between Type 1 and Type 2. **The hearing will be held at a virtual regular Planning Commission Meeting on Jan. 4, 2020 at 7:00pm. The City is utilizing remote attendance for the hearing. Comments made be made by the public by a log in or call in number and then entering the Meeting ID. To join the meeting/hearing on a computer or mobile phone:** Virtual: <https://bluejeans.com/934925109> or Phone Dial-in: +1.408.419.1715 or +1.408.915.6290 then enter meeting ID: 934 925 109

If you are unable to join the hearing written comments may be submitted to City Planner Emily Adams electronically, no later than 1:00pm on Jan 4, 2020 at EAdams@cityoforting.org. Written comments will be sent to the Commission prior to the hearing and will become part of the public record. Further information may be obtained by emailing Emily Adams or by phone at 253-284-0263.

# NOTICE OF ORTING PLANNING COMMISSION PUBLIC HEARING

**Monday, January 4, 2020 – 7:00 pm**

NOTICE IS HEREBY GIVEN the Orting Planning Commission will be holding a Public Hearing. The purpose of this hearing is to receive public testimony regarding a proposal for code amendments related to home occupations and Type 1 and 2 permit noticing. The amendments propose to allow home occupations in the MUTC zone and in duplexes and revises code language on noticing administrative decisions to clearly state the difference between Type 1 and Type 2 .

The hearing will be held at a virtual regular Planning Commission Meeting on Jan. 4, 2020 at 7:00pm. The City is utilizing remote attendance for the hearing. Comments made be made by the public by a log in or call in number and then entering the Meeting ID.

**To join the meeting/hearing on a computer or phone:**

Virtual: <https://bluejeans.com/934925109?src=calendarLink>

Phone Dial-in: +1.408.419.1715 or +1.408.915.6290

Then enter **meeting ID**: 934 925 109

If you are unable to join the hearing written comments may be submitted to City Planner Emily Adams electronically, no later than 1:00pm on Jan. 4, 2020 at [EAdams@cityoforting.org](mailto:EAdams@cityoforting.org) or by mail to the Planning Commission secretary at 104 Bridge St S, PO Box 489, Orting, WA, 98360.

Written comments will be sent to the Commission prior to the hearing and will become part of the public record. Further information may be obtained by emailing Emily Adams at the email above or by phone at 253-284-0263.



**Ad Order Information**

<b><u>Ad Number</u></b>	<b><u>Ad Type</u></b>	<b><u>Production Method</u></b>	<b><u>Production Notes</u></b>
0004879582-01	TAC-Legal Liner	AdBooker	

<b><u>External Ad Number</u></b>	<b><u>Ad Attributes</u></b>	<b><u>Ad Released</u></b>	<b><u>Pick Up</u></b>
		No	

<b><u>Ad Size</u></b>	<b><u>Color</u></b>
1 X 37 li	

<b><u>Product</u></b>	<b><u>Placement</u></b>
TAC-NT-News Tribune	0300 - Legals Classified
<b><u>Run Schedule Invoice Text</u></b>	<b><u>Position</u></b>
CITY OF ORTING NOTICE OF CITY COUNCIL	0301 - Legals & Public Notices

**Run Dates**  
02/26/2021

<b><u>Product</u></b>	<b><u>Placement</u></b>
TAC-upsell.thenewstribune.com	0300 - Legals Classified
<b><u>Run Schedule Invoice Text</u></b>	<b><u>Position</u></b>
CITY OF ORTING NOTICE OF CITY COUNCIL	0301 - Legals & Public Notices

**Run Dates**  
02/26/2021

**CITY OF ORTING  
NOTICE OF CITY COUNCIL  
PUBLIC HEARING**  
**NOTICE IS HEREBY GIVEN** that the City Council will be holding a Public Hearing and take action on the proposed amendments. The purpose of this hearing is to receive public testimony regarding a proposal for code amendments related to home occupations and Type 1 and 2 permit noticing. The amendments propose to allow home occupations in the MUTC zone and in duplexes and revises code language on noticing administrative decisions to clearly state the difference between Type 1 and Type 2.  
**The hearing will be held at a virtual regular City Council Meeting on March 10, 2021 at 7:00pm. The City is utilizing remote attendance for the hearing. Comments may be made by the public by a log in or call in number and then entering the Meeting ID. To join the meeting/hearing on a computer or mobile phone:**  
**<https://bluejeans.com/905725685>**  
Phone Dial-in: +1.408.419.1715 or +1.408.915.6290  
Meeting ID: 905 725 685  
If you are unable to join the hearing, written comments may be submitted by 1PM on March 10th to Emily Adams, City Planner, at [eadams@cityoforting.org](mailto:eadams@cityoforting.org). Written comments will be sent to the Council prior to the hearing and will become a part of the record. Questions may be directed to Emily Adams, City Planner at [eadams@cityoforting.org](mailto:eadams@cityoforting.org) or by phone at 253-284-0263.

# NOTICE OF ORTING CITY COUNCIL PUBLIC HEARING

Wednesday, March 10th, 2021 – 7:00 pm

**NOTICE IS HEREBY GIVEN** that the City Council will be holding a Public Hearing and taking action on the proposed amendments. The purpose of this hearing is to receive public testimony regarding a proposal for code amendments related to home occupations and Type 1 and 2 permit noticing. The amendments propose to allow home occupations in the MUTC zone and in duplexes and revises code language on noticing administrative decisions to clearly state the difference between Type 1 and Type 2.

The hearing will be held at a virtual regular City Council Meeting . The City is utilizing remote attendance for the hearing. Comments made be made by the public by a log in or call in number and then entering the Meeting ID.

To join the meeting/hearing on a computer or mobile phone:

<https://bluejeans.com/905725685>

Phone Dial-in: +1.408.419.1715 or +1.408.915.6290

Meeting ID: 905 725 685

If you are unable to join the hearing, written comments may be submitted by 1:00 PM on March 10th to Emily Adams, City Planner, at [eadams@cityoforting.org](mailto:eadams@cityoforting.org). Written comments will be sent to the Council prior to the hearing and will become a part of the record. The full drafts are available for review via request from [eadams@cityoforting.org](mailto:eadams@cityoforting.org). Interested citizens are encouraged to comment on the proposal and to attend the public hearing.





**City Of Orting  
Council Agenda Summary Sheet**

	<b>Agenda Bill #</b>	<b>Recommending Committee</b>	<b>Study Session Dates</b>	<b>Regular Meeting Dates</b>
<b>Subject: HB 1923 Grant Code Amendments Public Hearing and Action</b>	<b>AB21-04</b>	<b>N/A</b>	<b>1.20.21 2.17.21</b>	<b>3.10.21</b>
	<b>Department:</b>	Planning		
	<b>Date Submitted:</b>	<b>2.24.2021</b>		
<b>Cost of Item:</b>	<u>\$NA</u>			
<b>Amount Budgeted:</b>	<u>\$NA</u>			
<b>Unexpended Balance:</b>	<u>\$NA</u>			
<b>Bars #:</b>				
<b>Timeline:</b>				
<b>Submitted By:</b>	<b>Emily Adams (Planner)</b>			
<b>Fiscal Note:</b>				
<b>Attachments:</b>	Staff report, ordinance and exhibits			
<b>SUMMARY STATEMENT:</b>				
<p>Orting received a \$50,000 grant from the Department of Commerce through state legislation (HB 1923). City Council passed Resolution 2020-01 outlining the five selected actions in January 2020. Those selected amendments included authorizing duplexes on each parcel in one zoning district that permits single-family homes; authorizing lot size averaging; authorizing ADUs as outlined in the grant; authorizing a duplex on each corner lot within all zoning districts that permit single-family residences; allow for the division or redivision of land into the 9 lots through the short subdivision process.</p>				
<b>MOTION: <i>To Adopt Ordinance No. 2021-1073 Relating To Housing And Regulatory Streamlining; Amending Orting Municipal Code Sections 12-2, 12-4, 13-2, 13-3, 13-5, 15-2, 15-4 And 15-6; Providing For Severability; And Establishing An Effective Date.</i></b>				





## City Council Staff Report

<b>Project Name:</b>	HB 1923 Grant – Housing and Subdivision Code Amendments
<b>Applicant:</b>	City of Orting
<b>Date of Staff Report:</b>	February 22, 2020
<b>Staff Recommendation:</b>	Approve as proposed
<b>City Staff Contact:</b>	Emily Adams, AICP - City Planner
<b>Public Comment Period:</b>	September 8 – September 22 following SEPA DNS and November 27 – December 7 and February 26 – March 10 following notice of public hearing.
<b>Public Notice:</b>	Type 5 applications do not require notice of application per OMC 15-4-1. Notice of a public hearing was published and posted 10 days prior to the hearing per OMC 15-7-3.

### Exhibits:

1. Staff Report
2. Proposed ordinance for Council approval
3. Open House #1 Flyer
4. Open House #2 Flyer
5. SEPA environmental checklist
6. SEPA determination of nonsignificance
7. Published notice of SEPA DNS issuance
8. Posted notice of Planning Commission public hearing
9. Published notice of Planning Commission public hearing
10. Comment from JC Stewart dated June 4, 2020
11. Comment from JC Stewart dated September 26, 2020
12. Published notice of City Council public hearing
13. Posted notice of City council public hearing

### I. Background Information

In 2019 the Washington Legislature passed bill 1923 (HB 1923) to provide funds to Washington communities to support actions related to residential building capacity, production of a greater variety of housing types, and/or increase regulatory streamlining. This financial assistance comes through a grant from the Department of Commerce and has been widely used throughout the state for the funding of housing action plans or targeted code amendments. In the 2020 round of funding up to \$50,000 was available to cities with a population of less than 20,000 people.

The grant required applicants to choose at least two actions from a provided list of 12 eligible activities. The City of Orting elected to prepare code amendments that will address five different topics.

## **II. Findings of Fact:**

City Council passed Resolution 2020-01 outlining the five selected actions in January 2020. Those selected amendments include:

- Authorize at least one duplex, triplex, or courtyard apartment on each parcel in one or more zoning districts that permit single-family residences unless a city documents a specific infrastructure or physical constraint that would make this requirement unfeasible for a particular parcel.
- Authorize cluster zoning or lot size averaging in all zoning districts that permit single-family residences.
- Authorize attached accessory dwelling units (ADUs) on all parcels containing single-family homes where the lot is at least 3,200 square feet in size, and permit both attached and detached ADUs on all parcels containing single-family homes, provided lots are at least 4,356 square feet in size. Qualifying city ordinances or regulations may not provide for on-site parking requirements, owner occupancy requirements, or square footage limitations below 1,000 square feet for the accessory dwelling unit and must not prohibit the separate rental or sale of accessory dwelling units and the primary residence. Cities must set applicable impact fees at no more than the projected impact of the accessory dwelling unit. To allow local flexibility, other than these factors, accessory dwelling units may be subject to such regulations, conditions, procedures, and limitations as determined by the local legislative authority, and must follow all applicable state and federal laws and local ordinances.
- Authorize a duplex on each corner lot within all zoning districts that permit single-family residences.
- Allow for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW<sup>1</sup>.

The five selected actions will allow Orting's municipal code to be updated responding to citizen needs and streamline regulations. The City applied for the maximum amount allowed under the legislation, \$50,000. In March the City was notified that it would receive the grant at the requested amount, to be received upon passing the code amendments. A contract was executed with Department of Commerce in May 2020 and work began on the code amendments.

### **a. Lot Size Averaging Amendments**

Lot size averaging policies allow for individual lots located within a development to be smaller than typically permitted. The average lot size in the development as a whole would still be required to meet the district's minimum lot size and the density of the whole development must not exceed the district's maximum density standards. Lot size averaging is used by communities throughout the region (e.g. Sultan, Bellevue,

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<sup>1</sup> RCW 58.17.020(6) "Short subdivision" is the division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership. However, the legislative authority of any city or town may by local ordinance increase the number of lots, tracts, or parcels to be regulated as short subdivisions to a maximum of nine.

Snohomish County). Those codes were reviewed to help craft a lot size averaging code that fits in with Orting’s context and existing code.



Orting currently does not have prescriptive code for lot size averaging. It is currently only allowed to be used as part of a planned unit development (PUD). A PUD is a long process that requires approval by City Council and is typically only used for large subdivisions.

As the City of Orting becomes more and more built out available land will become (and is becoming) limited. Land that is available for (re)development is often encumbered by critical areas, shoreline restrictions or are unusually shaped parcels, making development difficult, and often expensive. Lot size averaging can allow for the available land to be developed with more flexibility while still protecting critical areas and maintaining the required density of the zone.

**b. Accessory Dwelling Unit Amendments**

An accessory dwelling unit (ADU) is a small, self-contained residential unit located on the same lot as an existing single-family home. An ADU has all the basic facilities needed for day-to-day living independent of the main home, such as a kitchen, sleeping area, and a bathroom. There are two types of ADUs:

- Attached ADUs are within the single-family dwelling unit and may be attached to the main unit or internal e.g. a basement unit.
- Detached ADUs are on the same property as the single-family dwelling unit but are a separate unit e.g. backyard cottage.

ADUs are intended to increase the supply of affordable and independent housing for a variety of households, provide supplemental earnings for people with limited incomes, and increase residential densities with minimal cost and disruption to existing neighborhoods.

Orting’s code permits ADUs in all single-family zones and outlines the purpose, procedures, and general requirements for an ADU. Currently, there are no provisions for lot size standards and parking requirements in the City’s code and there are restrictions in place that discourage the building of ADUs. Further the code does not always differentiate between ADUs and accessory structures making the application of some standards unclear. The current code exempts ADUs from all impact fees. It is anticipated an increase in the development of ADUs will have impacts on traffic but will have nominal impacts to parks and schools. The proposed code amendments will require traffic impact fees for ADUs. ADUs will continue to remain exempt from park and school fees.

Staff has received interest in multiple of these topics over the past year. Prior to applying for the grant staff had been in contact with multiple citizens who wanted to develop a duplex or accessory dwelling unit (ADU) but who were unable to or discouraged from doing so due to restraints in the current code.

Following meeting with the planning commission, staff recommended parking requirements for ADUs as “no additional on-site parking spaces are required for an ADU up to 700 square feet in size. For ADUs greater than 700 square feet in size one (1) off street parking space is required.” This is of note as it varies from the grant language which states no parking be required for ADUs.

**c. Duplex Amendments**

Duplexes can add additional housing units to an area without big density increases. This can provide for more building capacity and home availability in the City in a context-sensitive manner that ensures existing neighborhoods are not disrupted. Further, the smaller unit size typically associated with duplexes can help create more affordable housing compared to the predominant single-family homes in Orting. Currently, duplexes in Orting must go through the Architectural Design Review process. Through these amendments, additional design standards can be included depending on the duplex type. For instance, the design of duplexes on corner lots can be made to more closely resemble a single-family home as each unit’s front door can be required to face different streets.

Currently in Orting, duplexes are not permitted in every zone that permits single-family homes. In residential zones where they are permitted, there are onerous standards that make them hard to build. Under current development regulations a lot double the size of that needed to build a single-family home is required to build a duplex, leaving many citizens unable to develop or redevelop a duplex on their property. Despite the building footprint often not being much larger than a single-family home, duplexes must adhere to the development standards as two units, making them difficult to build due to density and lot size standards. For example, in the RU zone, with a density of 6 du/acre a lot would need to be 14,520 SF for a duplex to be built (7,260 SF per unit – the minimum lot size). Orting’s code needs to be updated to provide a clear, appropriate process for duplex development as well as include specific design guidelines for duplexes to ensure they blend in with the character of the community.

**d. Short Plat Amendments**

Short plat code amendments were chosen as it provides an opportunity to encourage new residential development by streamlining the permitting process for plats of up to nine lots. A plat is a scale drawing of a subdivision showing lots, blocks, streets or tracts or other divisions or dedications of land to be subdivided. A short plat, also referred to as a subdivision, is defined in the current code as the division or redivision of land into four (4) or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, except as provided in this title.

The Orting Municipal Code (OMC) classifies short plats/subdivisions as a “Type 2” decision and thus follows the Type 2 procedure for permit applications (Figure 1).

Division or redivision of land into more than four lots, tracts, parcels, sites or divisions is classified as a “Type 4” decision and thus follows the Type 4 procedure for permit applications which includes a number of additional steps including a City Council meeting and decisions.

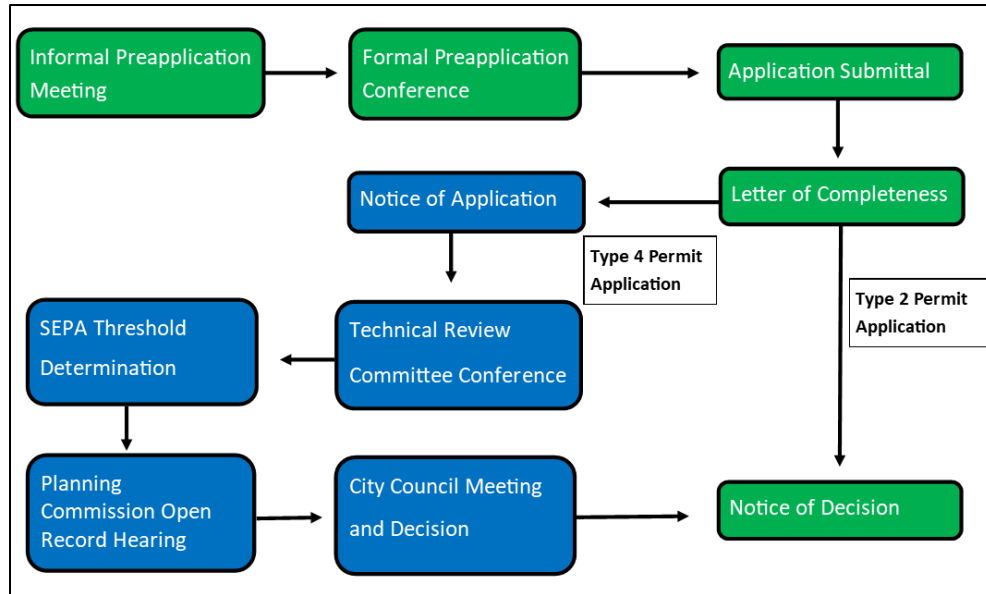


Figure 1.0: Type 2 and Type 4 Application Process

For the City to meet the requirements of the grant action the number of divisions or redivisions of land for a short plat/subdivision in the OMC will need to be increased from four to nine. This would allow divisions or redivisions of up to nine lots to be considered a ‘Type 2’ decision. As divisions or redivisions of land in to 5-9 lots is likely to create more public interest and impact the surrounding area the proposed code amendment includes a note in the ‘Procedures for Permit Applications’ table to specify separate notice requirements for short plats of five or more lots.

### III. Consistency with Comprehensive Plan and Development Code

The proposed code amendments are intended to harmonize with the City’s Comprehensive Plan and its Municipal Code by removing impediments to the construction of duplexes, ADUs and the design of subdivisions through the use of lot averaging. The code amendments do not change any zoning or land use designations. Land use impacts resulting from extending the allowance of duplexes in the RC zone and ADUs on lots meeting minimum lot size standards will be mitigated through development regulations found in OMC Title 13 to alleviate effects on adjacent land uses. Specifically, the proposal is consistent with the following goals and policies of the comprehensive plan:

**Goal LU 4** Provide a variety of housing choices for new residents;

**Pol. LU 4.1** Promote residential areas that offer a variety of housing densities, types, sizes, costs, and locations to meet future demand;

**Goal H 1** Ensure adequate housing for all current and future residents of Orting by achieving and maintaining high quality housing and neighborhoods;

**Pol. H 1.1** Provide for a variety of housing types and densities in appropriate areas; Goal H 2 Encourage the availability of a wide range of affordable housing to meet the needs of households with varying economic status;

**Pol. H 2.1** Ensure that development regulations provide opportunity for a variety of housing densities and types, including mixed use in the downtown;

**Pol. H 2.2** Encourage creative design and development of denser, urban housing in and near the downtown;

**Pol. H 2.3** Guide sensitive development of accessory dwelling units in all residential zoning classifications;

**Goal ED 7** Encourage a variety of affordable housing choices so that people who work in Orting can live here.

#### **IV. Public Involvement**

*Virtual Open House #1:* The first open house was held virtually over Zoom on July 22, 2020 at 6:00 pm. The AHBL planning team gave a presentation and discussed the grants purpose, initiation, and funds, and provided information on the five selected actions the City would be pursuing code amendments for. There were 11 people in attendance. Following the presentation, a question and answer portion was held, there were discussions on density, traffic, impact fees, and utility concurrency.

*Virtual Open House #2:* The second virtual open house was held over zoom on October 8, 2020 at 6:00pm. The AHBL planning team gave a presentation that briefly talked about the actions and went into more detail on the proposed amendments themselves. There were five people in attendance. During the presentation polls were taken about each topic, the questions and responses are as follows:

- Topic: ADU Size
  - Should the maximum size of an ADU be 1,200 SF? (Single Choice)
    - Yes, the maximum ADU size should be 1,200 SF as proposed → 100%
    - No, the maximum ADU size should be greater than 1,200 SF → 0%
- Topic: Lot Size Averaging
  - When using lot size averaging, should lots be able to be reduced by more than 25% of the minimum lot size? Example: A lot in the RU zone reduced by 25% from the minimum lot size (7,260 SF) would be 5,445 SF (Single Choice)
    - Yes, lot sizes should be allowed to be reduced by more than 25% from the minimum lot size. → 100%
    - No, lot sizes should only be allowed to be reduced by 25% from the minimum lot size. → 0%
    - No, lot sizes should be allowed to be reduced by less than 25% from the minimum lot size. → 0%
- Topic: Duplex lot size
  - Are you satisfied that the City's development and design criteria (height, setbacks, coverage, lot size etc.) will ensure that duplexes can be blended into residential areas in a manner consistent with the City's residential character? (Single Choice)

- Yes → 25%
  - No → 25%
  - Unsure → 50%
- Topic: Short Plat Noticing
  - Should a notice of application be required for short plats of 5-9 lots? Notice of application requirements includes posting on site, publishing in the paper and includes a 14-day comment period. (Single Choice)
  - Yes, require a notice of application for short plats of 5-9 lots → 100%
  - No, do not require notice of application for short plats of 5-9 lots. Keep requirements as they currently are for short plats of 1-4 lots. → 0%

**V. Comments Received**

No comments were received from city departments or other agencies with jurisdiction. Citizen comments are attached to this staff report as an exhibit.

**VI. SEPA Determination**

After review of the environmental checklist a SEPA Determination of Nonsignificance was issued September 8, 2020 with a 14-day comment period ending on 5:00 pm September 22, 2020. The notice of determination was published in the Tacoma News Tribune. No comments were received.

**VII. Staff Recommendation**

Staff recommends approval of the code amendments as proposed.

**VIII. Planning Commission Hearing and Recommendation**

On December 7, 2020 at 7:00 pm the Planning Commission held an open public hearing regarding the proposed amendments. One public comment was read into the record in support of the proposed amendments.

The planning commission recommends **approval with an amendment** to the staff proposal. The planning commission recommends increasing the required parking by modifying OMC 13-5-6-C.5 to read “Parking: One parking space is required for an ADU up to 700 square feet in size. For ADUs greater than 700 square feet in size one off street parking space is required.”

**IX. Reconsideration and Appeal**

A party to a public hearing may seek reconsideration only of a final decision by filing a written request for reconsideration with the administrator within five (5) days of the oral announcement of the final decision. The request shall comply with OMC 15-10-4B.

Appeals from the final decision of the city council shall be made to Pierce County superior court within 21 days of the date the decision or action became final per OMC 15-10-6.




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<b>FOR:</b>	Mayor and City Councilmembers	<b>DATE:</b>	February 9, 2021
<b>PREPARED BY:</b>	Emily Adams, AICP Contract City Planner	<b>PROJECT NAME:</b>	HB 1923 Grant Code Amendments
<b>SUBJECT:</b>	Supplemental information regarding January study session discussion		

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### January Study Session

The study session on January 20, 2021 introduced the HB 1923 code amendments for duplexes, ADUs, lot size averaging, and short plats. Following a staff presentation there was a discussion regarding the amendments. This memo serves to provide more information about questions and topics that were raised by Councilmembers during the study session.

### Duplex Minimum Lot Size

One of the main discussions was around the duplex minimum lot size. The staff recommendation is as follows:

- Residential Conservation (RC):
  - Duplex minimum lot size: Two (2) acres
- Residential Urban (RU):
  - Duplex minimum lot size: 7,260 square feet
- Residential Multi- Family (RMF):
  - Duplex minimum lot size: 7,000 square feet

The RC and RU zone recommendations reflect the same minimum lot size currently in place for single family homes. The RMF is the existing code, no change is recommended. These amendments can help provide for more building capacity, housing diversity, and home availability in the City in a context-sensitive manner that ensures existing neighborhoods are not disrupted. The smaller unit size typically associated with duplexes can help create more affordable housing compared to the predominant single-family homes in Orting.

Duplexes often have a footprint that is similar to a single-family home. The bulk standards including setbacks, height, building coverage, and hard coverage are not proposed to be amended. The parking requirement would remain at two off-street spaces per unit, so a total of four would be needed for a duplex.

The included map gives an idea of where duplexes are most likely to develop in the City within the RU zone (as RMF standards have not changed and the RC zone is very limited) under the staff proposed code amendments. This is based on single-family residential parcels (developed or undeveloped) that have an improvement value equal or less than the land value (often a small single-family home on a large lot) and meet the minimum lot size of 7,260 SF. A total of 70 lots meeting these criteria were identified.



### Potential Minimum Lot Sizes

There was interest from some Councilmembers to increase the duplex minimum lot size from the staff recommended minimum lot size, but amending it below where it is now. Discussion was centered around the RU zone, as it is the most prominent, and thus impacted, in the City. Below is a comparison of potential increases and the potential number of lots that would be redeveloped.

There are total of 3,096 parcels in the City of Orting. The numbers below are derived from GIS calculations from Pierce County GIS and City of Orting data.

Minimum lot size increase	Minimum lot size	Number of parcels greater than or equal to lot size in the RU zone	Number of parcels greater than or equal to lot size in the RU zone and with an improvement value of 1 or greater ( <i>most likely to redevelop</i> )
None ( <i>staff's recommendation</i> )	7,260 SF	1,944	70
10%	7,986 SF	1,254	61
15%	8,349 SF	1,145	61
20%	8,712 SF	928	60
25%	9,075 SF	791	57
33%	10,890 SF	387	51

### ADU Separate Sale

One of the grant requirements for ADUs is that the code must not prohibit the separate sale of accessory dwelling units and the primary residence. There were concerns about how this worked, what it looked like, and the impact it could have on neighborhoods. As noted in the meeting, this is not a common practice, I could only find two documented examples of it happening in Portland, Oregon.

#### *How it Works*

The separate sale of an ADU and primary residence does not allow for the lot to be subdivided. As with any other lot, the only way it could be subdivided is if the lot meets minimum lot size standards. The separate sale works like a condo with the property being legally structured as a condominium. This is largely a legal and surveyor practice. Condo unit owners each own their unit plus an undivided interest in the shared elements of the condominium property (called "General Common Elements") as drawn on the Plat and defined in the Declaration. These typically include the underlying land and any structures or parts of structures that need to be maintained by the association rather than by individual unit owners. The condo process yields separate legal descriptions and tax ID numbers for the two homes, allowing them to each serve as collateral for a different buyer's mortgage financing. They are taxes based on an assessment just like single family homes that considers the property value, size, location etc.

#### *Code*

How a building is owned or financed is typically completely outside of the purview of the city that does the zoning review and issues building permits. For instance, the decision of a developer to either retain ownership of a multi-family building and rent each unit out, or separate each unit to be owned as condominiums is not known during the review process as it does not impact the zoning and building codes. The state condominium act does impose its own complex and rigorous requirements, including the preparation and recording of a declaration of condominium (with appropriate survey maps),

creation of a condominium association, giving rights of first refusal to existing tenants, and creating of a “public offering statement” that must be given to all prospective purchasers of a unit (RCW 64.34).

The code could include stipulations that an ADU that has been made part of a condominium unit must remain an ADU (i.e., the ADU unit is subject to all of the restrictions of the ADU Ordinance, including the requirement that the ADU unit may never contain more than 1,200 square feet of living area). This portion of the code would be added to the proposed ADU code amendments in OMC 13-5-6.

### **ADU Parking**

Parking requirements for ADUs have been revised as per Council’s request to match the Planning Commission recommendation. OMC 13-5-6-C.5 now reads: One (1) additional on-site parking space is required for an ADU up to 700 square feet in size. For ADUs greater than 700 square feet in size two (2) off street parking spaces are required. See attached ordinance.

### **Grant**

There was discussion around the grant itself and the funds to be received. As a point of clarification, following the Planning Commission recommendation of approval the City received 70% of the funds, \$35,000. The remaining \$15,000 will be received following City Council approval. The funds are not all or nothing. Partial amounts can be received dependent on which amendments are passed.

**CITY OF ORTING  
WASHINGTON**

**ORDINANCE NO. 2021-1073**

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**AN ORDINANCE OF THE CITY OF ORTING,  
WASHINGTON, RELATING TO HOUSING AND  
REGULATORY STREAMLINING; AMENDING ORTING  
MUNICIPAL CODE SECTIONS 12-2, 12-4, 13-2, 13-3, 13-5,  
15-2, 15-4 AND 15-6; PROVIDING FOR SEVERABILITY;  
AND ESTABLISHING AN EFFECTIVE DATE**

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**WHEREAS**, grants of up to \$50,000 were available for cities with a population of less than 20,000 that are fully planning under the Growth Management Act through the 2020 round of HB 1923 funding; and

**WHEREAS**, the City Council desired to pursue Washington State Department of Commerce grant funding authorized under the HB 1923; and

**WHEREAS**, on May 5, 2020 the contract was executed between the City of Orting and the Washington State Department of Commerce for the selected actions under the E2SHB 1923 Grant Program; and

**WHEREAS**, on July 22, 2020 and October 8, 2020 city staff held virtual public meetings to inform the public about the grant and its purpose and to solicit public feedback on the proposed code amendments; and

**WHEREAS**, the City's Planning Commission held a public hearing on the proposed amendments on December 7, 2020 and proposed a recommendation of approval with conditions of the amendments and forwarded the recommendation to the City Council; and

**WHEREAS**, the proposed code amendments were sent to the Department of Commerce on December 8, 2020 for the 60-day intent to adopt review; and

**WHEREAS**, the City Council held a public hearing on the proposed OMC amendments on March 10, 2021, considered the proposed code amendments and the entire record, including recommendations from the Planning Commission; and

**WHEREAS**, the City Council held a meeting on March 10, 2021 and made a closed record final decision on the proposed amendments; and

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

**Section 1. Recitals.** The Recitals set forth above are hereby adopted and incorporated as Findings of Fact and/or Conclusion of Law of the City Council. The City Council bases its findings and conclusions on the entire record of testimony and exhibits, including all written and oral testimony before the Planning Commission and the City Council.

**Section 2. OMC Section 12-2, Amended.** Orting Municipal Code Section 12-2 is hereby amended as follows:

**12-2-13: L:**

LOT, CORNER: A lot situated at the junction of and bordered by two (2) intersecting city streets, alleys and driveways are not considered public streets for the purposes of determining corner lots.

LOT LINE, FRONT: The line separating any lot or parcel of land from a street right of way~~The lot line adjacent to any public street.~~ On a through lot, the line abutting the street providing primary access to the lot. In the case of a corner lot, the front line shall be considered to be along both street lot lines.

**12-2-20: S:**

SHORT PLAT: See definition of ~~Plat~~Subdivision, Short in this chapter.

SUBDIVISION: The division or redivision of land into ~~five-ten~~ (510) or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, including resubdivision of previously subdivided land, except as provided in this title.

SUBDIVISION, SHORT: The division or redivision of land into ~~nine-four~~ (49) or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, except as provided in this title.

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**Section 3. OMC Section 12-4, Amended.** Orting Municipal Code Section 12-4 is hereby amended as follows:

- A. Number Of Copies: One original Mylar and ~~three (3)~~fifteen (15) copies. Standard drawing size is eighteen inches by twenty four inches (18" x 24"). Applicants are also encouraged to provide one digital copy ~~on a CD~~ in a CAD program compatible with AutoCad or ArcView.
- B. Pertinent Data: A proposed short plat must include pertinent survey data compiled as a result of a survey made by or under the supervision of a land surveyor registered in the state and engaged in land surveying.
- C. Application Contents: In addition to the requirements for a completed application set forth in ~~title~~ Title 15 of this code, an applicant for a short plat shall submit the following:

**12-4-2: TYPE OF APPLICATION:**

A short plat is a Type 2 (Administrator) ~~an administrative~~ decision, with the final decision being made by the administrator. The application shall be processed with procedures for such applications as set forth in ~~title~~Title 15, ~~chapter~~Chapter 9 of this code.

**12-4-3: CRITERIA FOR APPROVAL:**

The administrator shall approve the short subdivision and short plat after making a determination of:

- A. Compliance: Whether the application complies with ~~chapter~~Chapter 8 of this ~~title~~Title and Title 15 of this code;
- B. Specific Provisions: If appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainageways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school;
- C. Extension Agreement: A developer extension agreement, in accordance with ~~title~~Title 9, ~~chapter~~Chapter 4 of this code, has been executed; and
- D. Public Interest: Whether the public interest will be served by the subdivision and dedication.
- E. Development Agreement: As part of the approval, the city and the applicant may enter into a development agreement in accordance with Title 15, Chapter 15 of this code.

**~~12-4-4: FINDINGS AND CONCLUSIONS:~~**

~~The city shall not approve a short plat and short subdivision unless written findings are made that:~~

~~A.—Compliance: The application complies with chapter 8 of this title and title 15 of this code;~~

~~B.—Specific Provisions: Appropriate provisions are made for the public health, safety and general welfare and for such open spaces, drainageways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for those who walk to and from school;~~

~~C.—Public Use And Interest: The public use and interest will be served by the platting of such subdivision and dedication; and~~

~~D.—Development Agreement: As part of the approval, the city and the applicant may enter into a development agreement in accordance with title 15, chapter 15 of this code. (Ord. 792, 7-29-2004)~~

**12-4-6: PROHIBITION ON FURTHER DIVISION:**

Property in short subdivisions may not be further divided in any manner within a period of five (5) years without the filing of a final subdivision, except that when the short plat contains less than ~~four~~nine (94) parcels, nothing in this section shall prevent the owner who filed the short plat from filing an alteration within the five (5) year period to create up to a total of ~~four~~nine (94) lots within the original short plat boundaries. This requirement shall be stated on the face of the short plat.

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**Section 4. OMC Section 13-2, Amended.** Orting Municipal Code Section 13-2 is hereby amended as follows:

**13-2-2: A:**

ACCESSORY DWELLING UNIT (ADU): A separate, ~~subordinate, complete self-contained~~ dwelling unit attached to or contained within ~~the structure of the primary~~ a single-family dwelling; or contained within a separate structure that is accessory to the primary dwelling unit on the premises.

ACCESSORY STRUCTURE: A building or other structure that is subordinate to the principal building and is incidental to the use of the principal building on the same lot. Accessory dwelling units are not included in this definition.

**13-2-5: D:**

DUPLEX: A building with two (2) attached dwelling units with a common separation walls-wall or floor. ~~joining the units, neither of which overlaps the other vertically.~~

**13-2-13: L:**

LOT, CORNER: A lot situated at the junction of and bordered by two (2) intersecting city streets, alleys and driveways are not considered public streets for the purposes of determining corner lots. ~~A lot which has frontage on two (2) or more streets where the streets meet.~~

LOT LINE, FRONT: The line separating any lot or parcel of land from a street right of way. On a through lot, the line abutting the street providing primary access to the lot. In the case of a corner lot, the front line shall be considered to be along both street lot lines.

LOT LINE, REAR: The lot line opposite and most distant from the front lot line, and in the case of a triangular, irregular or other odd shaped lot, the line bordering the lot, generally parallel to, and at the maximum distance from the front lot line. ~~A lot line or lines which are opposite and most distant from the front lot line.~~

LOT SIZE AVERAGING: Lot size averaging is an approach to dividing land that allows a parcel to be divided such that some of the resulting lots are smaller than the minimum lot size required in the applicable zone, in order to preserve critical areas or other topographical adversities and provide greater flexibility, provided that the average lot size in the development as a whole meets that minimum lot size.

**13-2-20: S:**

SUBDIVISION: A division of land into ~~five-ten~~ (510) or more lots, tracts-, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, including resubdivision of previously subdivided land, except as provided in this title. ~~or other divisions. Subdivision includes resubdivisions of previously subdivided land.~~

SUBDIVISION, SHORT: A division of land into ~~nine-four~~ (94) or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, except as provided in this title.

**13-2-26: Y:**

YARD, FRONT: The area between the front lot line and the building line extending the full width of the lot. The front yard shall be the area between the front line which primary access is taken and the building setback line. On a corner lot there shall be two (2) front yards.

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Section 5. OMC Section 13-3-2, Amended. Orting Municipal Code Section 13-3-2 is hereby amended as follows:

- A. RC Residential-Conservation Zone:

1. Purpose And Intent: The Residential-Conservation Zone is intended to provide for low density single-family residential and duplex uses along the Puyallup and Carbon Rivers where there are critical areas such as frequently flooded areas, wetlands, and fish and wildlife habitat ~~preclude urban scale development.~~

B. RU Residential-Urban Zone:

1. Purpose And Intent: The Residential-Urban Zone is intended to provide for high density urban single-family, townhouse, cottage, and duplex residential uses which benefit from the full array of services and amenities available in the Town core.
- ~~2.—Residential Urban Low Zoning Designation On Figure LU-1 In The Orting Municipal Comprehensive Plan: For the purposes of this title, the Residential Urban Low Zone is subject to the regulations for Residential Urban Zone.~~

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**Section 6. OMC Section 13-3-3, Amended.** Orting Municipal Code Section 13-3-3 is hereby amended as follows:

**TABLE 1  
CITY OF ORTING LAND USE**

	Zones							
	RC	RU	RMF	MUTC	MUTCN <sup>2</sup>	LM	OS	PF
Residential Uses <sup>1</sup>								
Cottage	P	P	P		P			
Cottage Development		p <sup>3,4</sup>	p <sup>3,4</sup>		P			
Duplex	<u>p</u>	p <sup>10</sup>	P	P	p <sup>25</sup>			
Group Residences:		C	C <sup>3</sup>	C <sup>3</sup>				C <sup>22</sup>

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 E2 and E5 of this code.
3. Subject to architectural design review.
4. As a binding site plan.
- ...
10. ~~Duplexes and T~~ townhouses are not allowed on flag lots (pipestem) in the RU zone.
- ...
22. Redevelopment of the Orting Soldiers' Home subject to site plan and architectural design review approval.
- ...
25. For Senior Housing (aged 55+) only.

**TABLE 2 ACCESSORY USES**

To view Table 2: Accessory Use in PDF, click [HERE](#)

		Zones
Conditional accessory uses:		
	Cargo container	RU (CUP)
Permitted accessory uses:		
	Accessory <del>buildings</del> <u>structures</u> such as garages, carports, and sheds	All residential zones
	Accessory dwellings <u>units</u> <sup>1</sup>	All residential zones
	Barns and agricultural structures	RC
	Caretaker residences	LM, OS
	Cargo container	LM, PF
	Collective gardens <sup>2</sup>	All residential zones
	Maintenance and storage facilities and yards	OS
	Off street parking for 1 commercial truck or van used for commuting	All residential zones
	Parking lots	OS
	Private outdoor storage of small noncommercial trucks, boats and recreational vehicles in required setbacks	All residential zones
	Recreation facilities in conjunction with planned residential developments	All residential zones
	Required automobile parking for permitted principal and conditional uses	All zones
	Required truck loading facilities	All zones
	Restrooms and bathing facilities	OS
	Retail sales associated with the principal manufacturing or processing use and not occupying more than 10 percent of the site area	LM
	Stationary food vending	MUTC
	Uses customarily incidental to the principal uses <sup>3</sup>	MUTC
	Utility installations except solid waste disposal facilities	All zones

Notes:

1. Accessory dwelling units are subject to section 13-5-6 of this title.
2. Collective gardens must conform to chapter 8 of this title.
3. Such as seasonal displays, sidewalk sales, etc.

\*\*\*

**Section 7. OMC Section 13-5-1, Amended.** Orting Municipal Code Section 13-5-1 is hereby amended as follows:

**TABLE 1  
DEVELOPMENT STANDARDS**



Zones	Minimum Lot Requirements			Setbacks			Maximum Heights	Maximum Building Coverage	Maximum Hard Surface Coverage	Maximum Density <sup>2</sup>
	Width	Depth	Area <sup>3</sup>	Front	Rear	Side				
RC			2 acres	25' <sup>12</sup>	25'	8'	35'	20%	50%	1 DU/2A
RU			7,260 sq. ft.	25' <sup>12</sup>	25'	8'	35'	40%	65%	6 DU/A
RMF	40'	100'	5,450 sq. ft. <sup>45</sup> 7,000 sq. ft. <sup>56</sup> 4,000 plus 2,000 sq. ft. <sup>67</sup> None (nonresidential) <sup>78</sup>	25' <sup>12</sup>	25'	8'	35'	50%	75%	8 DU/A
MUTC	None	None	None	None	None	None	45' <sup>1415</sup>	100%	100%	None
MUTC N	None	None	None <sup>109</sup>	None <sup>110</sup>	None <sup>110</sup>	None <sup>110</sup>	35' <sup>1412</sup> 50' <sup>1213</sup>	100% <sup>1314</sup>	100%	n/a
LM	None	None	None	None	None	None	35'	100%	100%	n/a
OS	None	None	None	None	None	None	25'	None	None	n/a
PF	None	None	None	<sup>89</sup>	<sup>89</sup>	<sup>89</sup>	<sup>89</sup>	None	None	n/a

Notes:

1. Heights specified are for principal structures; maximum height for accessory structures in all zones is 20 feet. [Maximum height for accessory dwelling units is specified in 13-5-6.](#)
2. ~~Minimum setback for the nonfront yard of a corner lot is 20 feet.~~ [Duplex density may be increased in accordance with the minimum lot area found in 13-5-1-H of this title.](#)
3. [Lot size averaging is permitted pursuant to 13-5-1-I of this title.](#)
4. Except as modified in this chapter.
5. Minimum lot area for single-family detached dwellings.
6. Minimum lot area for ~~duplexes and~~ townhouses.
7. Minimum lot area for multi-family dwellings: 4,000 square feet for the first unit and 2,000 for each additional unit.
8. No minimum lot area for nonresidential uses.
9. Minimum setbacks and building heights consistent with the most intensive adjacent zone.
10. Minimum area for master plans is 5 acres.
11. Setbacks to be determined during site plan review.
12. In sectors 1 and 3.
13. In sector 2.
14. Minimum open space requirement is 1,000 square feet for every 10,000 square feet of building area.
15. Or 3 stories subject to architectural design review. Height limit applies to those portions of the MUTC Zone shown in figure A of this section.



dwelling unit level, a garage/carport may be built into the bank and set at least five feet (5') back from the right of way.

6. Accessory Structures, Interior Yard Exception: Detached one-story accessory structures may occupy twenty five percent (25%) of the total area of a side yard and shall maintain a minimum five (5) foot setback, except in the MUTC zone.~~(that portion of the yard exclusive of required setbacks)~~ This does not apply to Accessory Dwelling Units.
7. Accessory Structures, Rear Yard Exception: Detached one-story accessory structures may occupy fifty percent (50%) of the total area of a rear yard and shall maintain a minimum ~~three foot (3')~~five (5) feet setback, except in the MUTC zone. This does not apply to Accessory Dwelling Units.

...

A. Heights Standards:

...

B. General Development Standards:

...

C. RU Zone Pipestem (Flag) Lot Development Standards

...

D. Cottage Housing Development Standards

...

E. Duplex Development Standards

1. Duplexes shall be designed to blend in with the single-family character of the neighborhood.
2. If located on a corner lot, each unit of the duplex shall face onto an adjacent street, and no two units' front doors and garages are permitted to face the same street frontage.
3. Lot size requirements for duplexes in residential zones are as follows:
  - i. Residential Conservation (RC):
    1. Duplex minimum lot size: Two (2) acres
  - ii. Residential Urban (RU):
    1. Duplex minimum lot size: 7,260 square feet
  - iii. Residential Multi-Family (RMF):
    1. Duplex minimum lot size: 7,000 square feet

F. LOT SIZE AVERAGING

1. Purpose: To allow flexibility in the creation of new subdivisions to accommodate development barriers including, but not limited to, shorelines, wetlands, and critical areas, provided that the average lot size in the development as a whole meets the district's minimum lot size and the density as a whole does not exceed the districts maximum density standards.
2. Applicability: Lot size averaging provisions of this chapter apply to and may be used by developers of land who are dividing land in conformance with the provisions of this title, and in which the land is located in the following zones:
  - i. RC Residential-Conservation Zone (OMC 13-3-2-A)
  - ii. RU Residential-Urban Zone (OMC 13-3-2-B)
  - iii. RMF Residential-Multi-Family Zone (OMC 13-3-2-C)
3. Standards

- i. Lot size averaging cannot result in a parcel being divided into a greater number of lots than would result from development at the normal minimum lot size required in the applicable zone.
- ii. In approved short plats and subdivisions, the individual lots shall be considered in compliance with minimum area requirements if the average of the areas of all the lots in the short plat or subdivision meets the minimum requirement for the zone in which the short plat or subdivision is located.
- iii. Lot size averaging only applies to creation of lots for detached single-family residences.
- iv. Lot size averaging shall not be used to create lots for duplexes or multifamily dwellings as defined by OMC 13-2-14.
- v. No individual single-family lot shall be reduced more than 25% from the district minimum required area.
- vi. No single-family lot shall be reduced in width to less than 40 feet (regardless of lot depth).
- vii. No single-family lot shall be reduced in depth to less than 70 feet (regardless of lot width).
- viii. All of the following are to be subtracted from the net square footage of a lot for the purpose of determining the area of a lot proposed for lot averaging:
  - 1. Public right-of-way;
  - 2. Private roads, private primary access easement; and
  - 3. Minor portion (pipestem) of pipestem lots.
- ix. The area of easements other than that of the primary access (public right-of-way or private easement) shall not be subtracted from the net square footage of a lot.
- x. Surface detention/retention facilities may count toward calculations for lot size averaging only if the detention/retention facility:
  - 1. is designed so as to appear as a natural wetland system, or
  - 2. provides active or passive recreational benefits in a natural landscaped setting.
- xi. Developments utilizing lot size averaging shall not receive preliminary or final approval as phased developments unless each phase meets the lot size averaging standards for the total land area included in that phase.

\*\*\*

**Section 8. OMC Section 13-5-3, Amended.** Orting Municipal Code Section 13-5-3 is hereby amended as follows:

I. Parking Spaces Required For Particular Uses: The minimum number of off street parking spaces required for nonresidential uses shall be as set forth in the following: (Ord. 943, 5-14-2014)

	Use	Parking Spaces Required

1.	All dwellings (RC, RU, RMF, MUTC)	2 off street spaces per unit <sup>1</sup>
2.	Daycare centers; home based	1 for each employee, plus 1 additional, not including required residential spaces
	Nonresidential	1 for each employee, plus 1 for every 10 children or adults
3.	Banks, savings and loan associations, business or professional offices	1 for each 400 square feet of gross floor area
4.	Bowling alleys	4 for each alley
5.	Churches	1 for each 5 seats in the principal place of assembly for worship, including balconies and choir loft
6.	Dance halls, skating rinks, youth cabarets	1 for each 25 square feet of skating or dancing area, plus 1 per 40 square feet of all other building area
7.	Establishments for the sale and consumption on the premises of food and beverages, including fraternal and social clubs <sup>1,2</sup>	1 for each 200 square feet of gross floor area
8.	Fraternity, sorority or group student house	1 for each 3 sleeping rooms or 1 for each 6 beds, whichever is greater
9.	Hospitals	2 for each bed
10.	Large group home, institution	1 for each 2 beds
11.	Libraries and museums	1 for each 250 square feet of floor area open to the public
12.	Lodging and rooming house	1 for each sleeping room
13.	Manufacturing uses, research and testing laboratories, creameries, bottling establishments, bakeries, canneries, printing and engraving shops	1 for each employee on a maximum shift
14.	Medical or dental clinics	5 for each physician or dentist
15.	Motels, hotels	1 for each unit
16.	Motor vehicle or machinery sales, wholesale stores, furniture stores	1 for each 400 square feet of gross floor area
17.	Retail stores	1 for each 300 square feet
18.	Schools; high schools	1 for each 8 students, plus 1 for each faculty member (exclusive of loading and unloading area)
	Elementary and junior high	1 for each faculty member
19.	Stadiums, auditoriums, community clubs, community centers, and other places of assembly	1 for each 4 seats
20.	Theaters	1 for each 3 seats

21.	Warehouses and storage buildings	1 for each 2,000 square feet of gross floor area, except that office space shall provide parking as required for offices
-----	----------------------------------	--

Notes:

1. See 13-5-6 for accessory dwelling unit off street parking requirements.

~~12.~~ Stationary vendor units used to provide food vending services are exempt from off street parking requirements; provided that, the principal use meets the established parking requirements for such principal use

\*\*\*

**Section 9. OMC Section 13-5-6, Amended.** Orting Municipal Code Section 13-5-6 is hereby amended as follows:

- A. Purpose: Accessory dwelling units (ADUs) are intended to increase the supply of affordable and independent housing for a variety of households, ~~increase home and personal security~~, provide supplemental earnings for people with limited incomes, and increase residential densities with minimal cost and disruption to existing neighborhoods. This should occur by utilizing the existing infrastructure and community resources while protecting the existing character of single-family neighborhoods.
- B. Procedures: Any owner/occupant seeking to establish an ADU shall apply for approval in accordance with the following:
  - 1. Application: The owner/occupant shall apply for a building permit for an ADU. A complete application form must demonstrate that all size thresholds and design standards are met.
  - ~~2. Affidavit: An affidavit affirming that the owner will occupy the principal dwelling or the ADU and agreeing to all the general requirements as provided in this title is required.
 
    - ~~a. An ADU shall be converted to another permitted use or shall be removed if one of the two (2) dwelling units is not owner occupied.~~~~
  - 2. Notice Of Title: Prior to occupancy of the ADU, the owner shall record a notice on the property title acknowledging the existence of the ADU with the Pierce County auditor. Such notice shall be in a form as specified by the city and shall include as a minimum:
    - a. The legal description of the property which has been approved for an ADU;
    - b. The applicability of the restrictions and limitations contained in this section;
    - c. A copy of the city approved floor/site plan; and
    - d. The property owner's signature on the notice. The signature shall be notarized prior to recording the notice.
- C. General Requirements: The creation of an ADU shall be subject to the following general requirements:
  - 1. Number: A maximum of ~~One~~ (1) ADU shall be allowed per lot of record as an accessory use in conjunction with any detached single-family ~~structuredwelling~~.
  - 2. Lot Standards:
    - a. An attached ADU shall be permitted on all parcels containing single-family homes where the lot is at least three thousand two hundred (3,200) square feet in size.

- b. Both attached and detached ADUs shall be permitted on all parcels containing single-family homes, provided lots are at least four thousand three hundred fifty six (4,356) square feet in size.
- 3. Type Of Unit:
  - a. An ADU shall be permitted as a second, subordinate 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.
- 4. Size: An ADU shall be no greater than one thousand, two hundred (1,~~000~~200) square feet.
- 5. Parking: One (1) off-street parking space is required for an ADU up to 700 square feet in size. For ADUs greater than 700 square feet in size two (2) off-street parking spaces are required.
- 6. Design: An ADU shall be designed to maintain the appearance of the principal dwelling as a single-family residence.
  - a. The entrance to an attached ADU shall not be directed towards any front yard unless utilizing an existing doorway.
  - b. Detached ADUs shall be no closer to the front lot line than the front face of the principal dwelling. This provision shall not apply to waterfront lots regulated pursuant to the city shoreline management program.
  - c. New construction of a detached ADU or conversion of an existing detached structure to an ADU shall not be permitted within the required front, side or rear yard setback as outlined in OMC 13-5-1.C, table 1. An exception to the required rear yard setback may be allowed if the rear yard abuts an alley.
  - d. If an ADU is created by constructing a new detached structure, the building height of the ADU shall not be greater than the principal dwelling's building height or 12 feet measured from the ground to the top plate, whichever is less. The roof pitch may not exceed that of the principal dwelling.
  - e. If an ADU is created by adding on to or converting an existing detached structure, the height shall not exceed the principal dwelling's building height.
  - f. An ADU shall have similar facade, roof pitch and siding to the principal dwelling unit.

\*\*\*

**Section 10. OMC Section 15-2-20, Amended.** Orting Municipal Code Section 15-2-20 is hereby amended as follows:

SUBDIVISION: A division of land into ~~five~~ten (10~~5~~) or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, including resubdivision of previously subdivided land, except as provided in this title. ~~or other divisions. Subdivision includes resubdivisions of previously subdivided land.~~

SUBDIVISION, SHORT: A division of land into ~~four~~nine (4~~9~~) or fewer lots, ~~or~~ tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, except as provided in this title.

\*\*\*

**Section 10. OMC Section 15-4, Amended.** Orting Municipal Code Section 15-4 is hereby amended as follows:

TABLE 15-4-1

	Procedure For Permit Applications					Legislative	
	Type 1	Type 2	Type 2a	Type 3	Type 3a	Type 4	Type 5
Recommendation by	n/a	n/a	Administrator	n/a	n/a	Planning commission	Planning commission
Final decision by	Administrator	Administrator	Planning commission	Hearing examiner	Planning commission	City council	City council
Notice of application	No	No <sup>1</sup>	No	Yes	Yes	Yes	No
Open record public hearing or open record appeal of final decision	No	Only if appealed. Open record hearing with hearing examiner	Only if appealed. Open record hearing with hearing examiner; recommendation made by hearing examiner to the city council	Yes, before hearing examiner	Yes, before planning commission	Yes, before planning commission	Yes, before planning commission
Closed record appeal/final decision	No	No, unless appealed to council	City council	No, unless appealed to council	No, unless appealed to council	Yes, before council	Yes, or council may hold another public hearing
Judicial appeal	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Note:

1. Notice of application is required for short plats of five (5) or more lots.

\*\*\*

**Section 10. OMC Section 15-6-2, Amended.** Orting Municipal Code Section 15-6-2 is hereby amended as follows:

**15-6-2: APPLICABILITY:**

- C. The following are exempted from impact fees:
  1. Alteration, expansion, reconstruction, or replacement of existing single-family or multi-family dwelling units that does not result in additional dwelling units.
  2. As for school impact fees only, any new dwelling unit subject to restrictions that may be legally enforced by a private party or governmental entity limiting occupants to a minimum adult age or to populations that do not include children under the age of eighteen (18), including nursing homes and retirement centers; provided that this



exclusion ceases if the exempted dwelling unit(s) is later converted to permanent use as a dwelling not subject to the restrictions.

3. As for school impact fees only, hotels, motels, and other transient accommodations provided that this exclusion ceases if the exempted development is later converted to permanent use as a dwelling not subject to these restrictions.
4. Accessory dwelling units ([exemption applies to school and park impact fees only](#)).
5. Development which has impact mitigation provided through environmental review under the state environmental policy act.

\*\*\*

**Section 11. OMC Section 15-6A-7, Amended.** Orting Municipal Code Section 15-6A-8 is hereby amended as follows:

**15-6A-7: CALCULATION OF IMPACT FEES:**

- A. The city shall calculate the transportation impact fees as set forth in attachment A as referenced in section 15-6A-2 of this article subject to the provisions of this article.
- B. In determining the proportionate share, the method of calculating impact fees [shall use trip generation methodology consistent with the latest edition of the Institute of Transportation Engineers Trip Generation Manual. Accessory dwelling units shall be calculated using ITE Use Number 220, Apartment customer type. The calculation](#) shall incorporate, among other things, the following:

**Section 12. 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 13. Codification.** The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the above, and publish the amended code.

**Section 14. 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 10<sup>th</sup> DAY OF MARCH, 2021.**

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

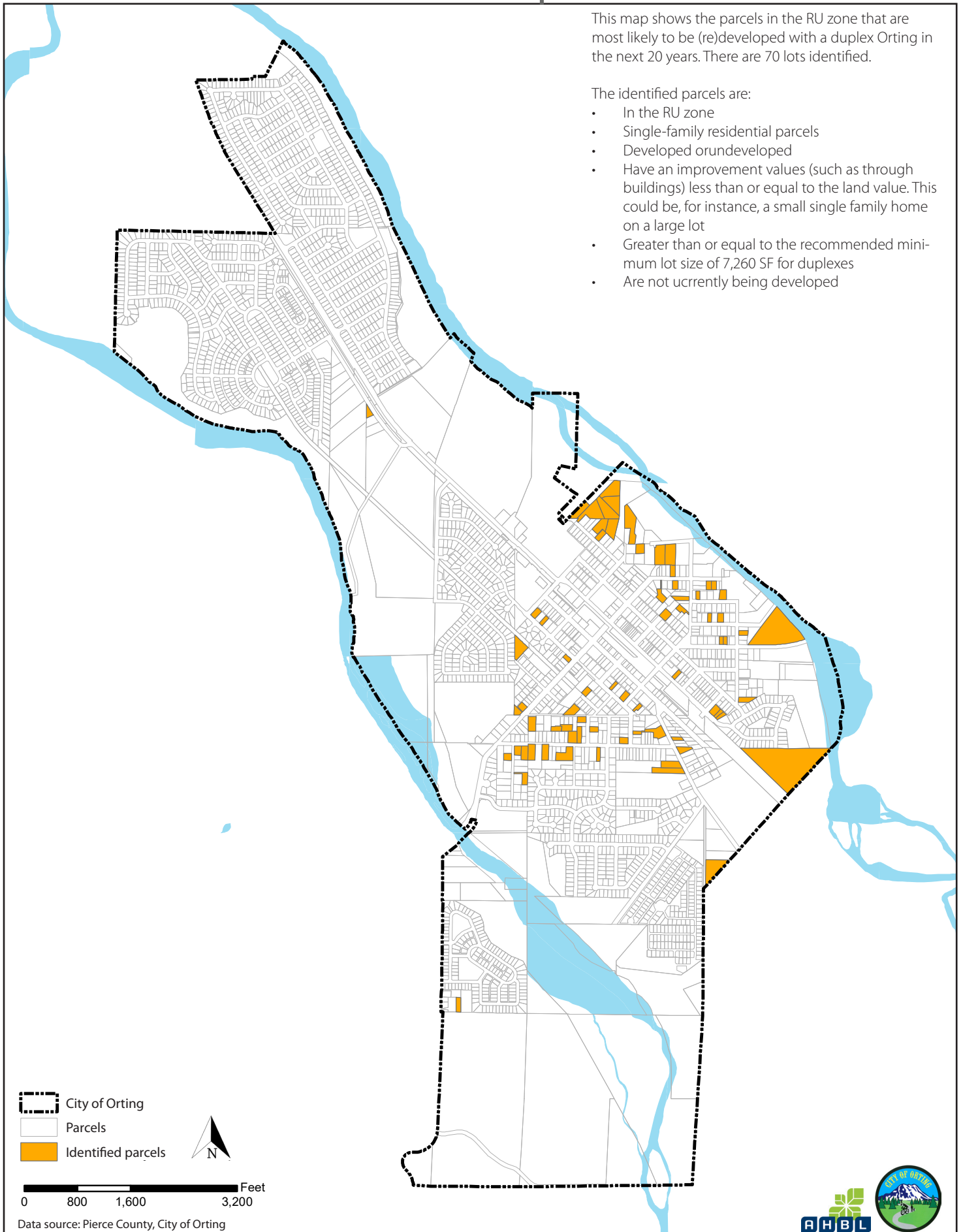
Filed with the City Clerk: 2.9.21  
Passed by the City Council:  
Ordinance No. 2021-1073  
Date of Publication:  
Effective Date:

# Potential Duplexes in the RU Zone

This map shows the parcels in the RU zone that are most likely to be (re)developed with a duplex in the next 20 years. There are 70 lots identified.

The identified parcels are:

- In the RU zone
- Single-family residential parcels
- Developed or undeveloped
- Have an improvement value (such as through buildings) less than or equal to the land value. This could be, for instance, a small single family home on a large lot
- Greater than or equal to the recommended minimum lot size of 7,260 SF for duplexes
- Are not currently being developed



0 800 1,600 3,200 Feet

Data source: Pierce County, City of Orting



# HOUSING

## code amendments

The City of Orting received a grant from the Department of Commerce to fund housing code updates. The purpose of the grant and associated code updates is to improve the City's residential building capacity and streamline its regulatory code.



## VIRTUAL OPEN HOUSE

July 22, 2020 6:00 pm - 7:00 pm

This meeting will initiate the public process for these housing and subdivision code amendments. We invite you to attend the first open house to learn about the project, the types of potential code amendments that may be coming, the project timeline, and how you can stay involved throughout the process.

The City is utilizing remote attendance for this meeting. To join the meeting on a computer use the following link: <https://zoom.us/j/97853891287>

To join via a mobile phone: Dial (for higher quality, dial a number based on your current location): +1 253-215-8782 or +1 669-900-6833 or +1 346-248-7799 or +1 929-205-6099 or +1 301-715-8592 or +1 312-626-6799

Webinar ID: 978 5389 1287



For more information contact us:

Emily Adams | 253-284-0263 | [eadams@cityoforting.org](mailto:eadams@cityoforting.org)

# HOUSING

## code amendments

The City of Orting received a grant from the Dept. of Commerce to fund housing and subdivision code updates. The purpose of the grant and associated code updates is to improve the City's residential building capacity and streamline its regulatory code.



## VIRTUAL OPEN HOUSE #2

Sept. 28, 2020 6:00 pm - 7:00 pm

This meeting is the second open house in the public process for the housing and subdivision code amendments. We invite you to attend the open house to learn about the project, proposed code amendments, timeline, and how you can stay involved throughout the process. Find more information on the amendments including a video of the previous presentation at this website:

<https://ortingplanning.wixsite.com/codeamendments>

The City is utilizing remote attendance for this meeting. To join the meeting on a computer use the following link: <https://zoom.us/j/99198212671>

To join via a mobile phone: Dial (for higher quality, dial a number based on your current location): +1 253-215-8782 or +1 669-900-6833 or +1 346-248-7799 or +1 929-205-6099 or +1 301-715-8592 or +1 312-626-6799 *(note: these numbers are not toll-free).*

Webinar ID: 978 5389 1287



For more information contact:

Emily Adams | 253-284-0263 | [eadams@cityoforting.org](mailto:eadams@cityoforting.org)

# SEPA ENVIRONMENTAL CHECKLIST

## ***Purpose of checklist:***

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

## ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

## ***Instructions for Lead Agencies:***

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

## ***Use of checklist for nonproject proposals:***

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

## **A. Background**

1. Name of proposed project, if applicable:

**HB 1923 Grant - Housing Code Amendments**

2. Name of applicant:

**Emily Adams, AICP  
City Planner, City of Orting**

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

**Mailing Address: PO Box 489, Orting, WA 98360  
Phone: 253-284-0263**

4. Date checklist prepared:

**August 27, 2020**

5. Agency requesting checklist:

**City of Orting**

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

**The Housing Code Amendments are a nonproject action undergoing public review. Action on the amendments by the Orting City Council is anticipated in March 2021.**

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

**No.**

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

**The number of potential lots that may support accessory dwelling units (ADUs) and/or duplexes has been analyzed using Pierce County Assessor and GIS information. The number of potential 5-9 lot short plats has also been analyzed using Pierce County GIS data.**

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.

**The City of Orting currently has projects in the various stages of development review prior to issuance of preliminary and final plat.**

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

**The proposed amendments would require approval by the Orting City Council.**

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.)

**In 2019 the Washington Legislature passed bill 1923 (HB 1923) to provide funds to Washington communities to support a housing action plan or code amendments related to residential building capacity, production of a greater variety of housing types, and/or increase regulatory streamlining. The City of Orting applied for and received a \$50,000 grant and selected five of the 12 eligible actions related to code amendments to pursue. These actions include (per RCW 36.70A.600):**

- **Authorize at least one duplex on each parcel in one or more zoning districts that permit single-family residences unless a city documents a specific infrastructure or physical constraint that would make this requirement unfeasible for a particular parcel.**
- **Authorize cluster zoning or lot size averaging in all zoning districts that permit single-family residences.**
- **Authorize ADUs on all parcels containing single-family homes where the lot is at least 3,200 square feet in size, and permit both attached and detached ADUs on all parcels containing single-family homes, provided lots are at least 4,356 square feet in size. Qualifying city ordinances or regulations may not provide for on-site parking requirements, owner occupancy requirements, or square footage limitations below 1,000 square feet for the ADU, and must not prohibit the separate rental or sale of ADUs and the primary residence. Cities must set applicable impact fees at no more than the projected impact of the ADU. To allow local flexibility, other than these factors, ADUs may be subject to such regulations, conditions, procedures, and limitations as determined by the local legislative authority, and must follow all applicable state and federal laws and local ordinances.**
- **Authorize a duplex on each corner lot within all zoning districts that permit single-family residences.**
- **Allow for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW**

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 City of Orting is located between the Puyallup and Carbon Rivers in Pierce County, generally within Township 18N and 19N, Range 5E. This is a non-project action that would affect multiple parcels in the City of Orting.**



## B. Environmental Elements

No discussion of the individual Environmental Elements is required for GMA actions per WAC 197-11-235.3.b.

## 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: Emily Adams, AICP

Position and Agency/Organization: City Planner, City of Orting

Date Submitted: September 3, 2020

## D. Supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

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 amendments would not change the maximum coverage limits, or limit the use of required LID BMPs and is therefore not likely to increase discharge to water. The proposal is not expected to have any impact on air emissions, the production, storage, or release of toxic or hazardous substances or noise.**

Proposed measures to avoid or reduce such increases are:

**Any future development will be subject to the City of Orting requirements for drainage; air emissions; production, storage, or release of toxic or hazardous substances; and noise. Stormwater will be managed with designs that meet the standards of the 2012 Ecology Stormwater Management Manual for Western Washington, as amended in 2014. The 2012 Low Impact Development Technical Guidance Manual for the Puget Sound; and the 2013 Rain Garden Handbook for Western Washington are other design tools to ensure that stormwater is managed appropriately.**

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

**The City of Orting Municipal Code Title 11 governs the protection and uses allowed within critical areas and their buffers. These standards include management practices deemed by the Washington State Department of Ecology and the Washington State Department of Commerce to incorporate best available science. The lot size averaging code amendment will further aid in protecting critical areas by permitting flexibility in developments by allowing lots to vary in size in a manner that minimizes disturbance to critical areas.**

**The City's Critical Areas Code (Title 11) requires applicants proposing to develop sites containing or adjacent to critical areas have a qualified professional submit a critical areas special study for City review and approval. The proposed amendments will not influence the manner by which the City's Critical Areas Code is applied to development projects.**

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

**Development proposals will be required to comply with the standards found in Title 11 – Critical Areas, Title 14 – Flood Control, and Title 13-5-2-C – Preservation of Significant Trees and Vegetation, in order to protect or conserve plants, animals, and fish. The City will require landscape plans (including significant trees) and critical areas reports during project-level SEPA environmental review for proposals as required under OMC 11-2-1 and OMC 13-5-2, respectively. There will be no change in the application of these existing codes to development proposals.**

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

**The proposal could result in duplexes being developed on lots that previously would have only permitted single family homes, and the construction of additional ADUs being built. This increase in density and units on a site would result in an increase in energy use. The development of ADUs and duplexes could result in depletion of on-site natural resources such as vegetation and trees due an increase the amount of the lot covered by structures.**

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

**The retention of native vegetation and significant trees is a required stormwater management technique within the City of Orting which has the dual benefit of aiding in the conservation of natural resources. The City of Orting also has adopted a suite of building codes adopted by the Washington State Building Code Council WAC Title 15 to aid in the conservation of energy and resources.**

**These include:**

- 1. The International Building Code, published by the International Code Council, Inc.;**
- 2. The International Residential Code, published by the International Code Council, Inc.;**

3. **The International Mechanical Code, published by the International Code Council, Inc., including the International Fuel Gas Code and the National Fuel Gas Code, published by the International Code Council, Inc., except that the standards for liquified petroleum gas installations shall be NFPA 58 (storage and handling of liquified petroleum gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code);**
  4. **The International Fire Code, published by the International Code Council, Inc., including those standards of the National Fire Protection Association specifically referenced in the International Fire Code; provided that, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand held candles;**
  5. **Except as provided in Revised Code Of Washington 19.27.170, the Uniform Plumbing Code and Uniform Plumbing Code standards, published by the International Association of Plumbing and Mechanical Officials; provided that, any provisions of the Uniform Plumbing Code and Uniform Plumbing Code standards affecting sewers or fuel gas piping are not adopted; and**
  6. **The rules adopted by the City Council establishing standards for making buildings and facilities accessible to and usable by the physically disabled or elderly persons as provided in Revised Code of Washington 70.92.100 through 70.92.160, as now or hereafter amended.**
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?

**The proposal would not directly affect environmentally sensitive areas or areas designated (or eligible or under study) for government protection. The City's Critical Areas Code (Title 11) has the purpose of limiting development and alteration of critical areas and requires applicants proposed to develop sites containing or adjacent to critical areas have a qualified professional submit a critical areas special study for City review and approval. There will be no change in the application of the City's Critical Areas Code (Title 11) to development proposals.**

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

**As the proposal is not expected to negatively affect environmentally sensitive areas or areas designated for governmental protection no specific measures are proposed to avoid or reduce impacts to these resources. Development proposals will be required to continue complying with the standards found in Title 11 – Critical Areas, Title 14 – Flood Control, and Section 13-5-2-C – Preservation of Significant Trees and Vegetation, in order to protect or conserve plants, animals, floodplains, and critical areas. There will be no change in the application of the City's Critical Areas Code (Title 11), the Flood Control Code (Title 14), and the Significant Trees and Vegetation standards (Section 13-5-2-C) to development proposals.**

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 proposal will affect land and shoreline use by amending development regulations for duplexes, ADUs, and lot size averaging for parcels of land in zones that permit single-family residential dwelling units. The proposed amendments will streamline entitlement and siting provisions for duplexes and ADUs. This will likely impact on how land is developed during future site-specific development but will not allow or encourage land or shoreline use that is incompatible with existing plans. No zoning or land use designations in the City will change as a result of these amendments.**

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

**The proposed code amendments are intended to harmonize with the City's Comprehensive Plan and its Municipal Code by removing impediments to the construction of duplexes, ADUs and the design of subdivisions through the use of lot averaging. The code amendments do not change any zoning or land use designations. Land use impacts resulting from extending the allowance of duplexes in the RC zone and on all corner lots that permit single-family homes and ADUs on lots meeting minimum lot size standards will be mitigated through development regulations found in OMC Title 13 to alleviate effects on adjacent land uses.**

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

**The proposed amendments will create a higher residential capacity for the City. The amendments would allow for development and redevelopment of lots in a higher density, through duplexes and ADUs, than what is seen currently. The proposal is not expected to increase density rapidly, or excessively, but proposed to accommodate the anticipated population growth in the next 20+ years. The increase in housing will result in an associated increase in demands on transportation and public services. This increase in demands on services is anticipated to occur in incremental increases over the long-term in conjunction with population increases. Impacts associated with the traffic impacts will be mitigated at the time of development through the payment of traffic impact fees. In addition to traffic impact fees, proposals would not be permitted to develop if transportation infrastructure is not provided concurrent with development. Other public services and utilities such as water and sewer are considered adequate to accommodate the planned housing that would be created as a result of the amendments.**

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

**Future site-specific development applications will be subject to SEPA environmental review and code requirements. For larger projects, traffic impact analyses may be required to evaluate the impacts associated with development proposals, as determined by the City Engineer. Traffic impacts will be required consistent with OMC 15.6 (Impact Fees). Additional point impacts may also require mitigation. Concurrency for utilities is required for development in the City limits, requiring water and sewer availability to be built.**

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

**The proposed amendments to the City's municipal code are not known to conflict with any local, state or federal laws relating to the protection of the environment.**



## 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:** HB 1923 Grant - Housing Code Amendments

**Proponent:** City of Orting

**Description:** The City of Orting received a grant from the Department of Commerce through the Washington State Legislature. Through this grant, code amendments are proposed for the Orting Municipal Code related to:

- Authorizing at least one duplex on each parcel in one zoning district
- Authorizing lot size averaging in all zoning districts that permit single-family residences
- Authorizing attached accessory dwelling units (ADUs) in compliance with HB 1923 requirements found in RCW 36.70A.600
- Authorizing a duplex on each corner lot within all zoning districts that permit single-family residences
- Allowing for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW

**Location:** The City of Orting is located between the Puyallup and Carbon Rivers in Pierce County, generally within Township 18N and 19N, Range 5E. This is a non-project action that would affect multiple parcels in the City of Orting.


**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. 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.

**Responsible Official:** City Administrator or his/her authorized designee  
Mark Bethune, City Administrator  
City of Orting  
Orting City Hall, 110 Train St SE, Orting, WA 98360

Please submit written comments to Mark Bethune at the address above, or by email to Emily Adams, City Planner at eadams@cityoforting.org

*This Determination of Nonsignificance (DNS) 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: September 8, 2020. Comments must be submitted by 5:00 pm on September 22, 2020.)*

  
\_\_\_\_\_  
Mark Bethune, City Administrator

9/3/20  
\_\_\_\_\_  
Date

“Small Town – Big View”

## Ad Order Information

<b>Ad Number</b>	<b>Ad Type</b>	<b>Production Method</b>	<b>Production Notes</b>
0004748889-01	TAC-Legal Liner	AdBooker	

<b>External Ad Number</b>	<b>Ad Attributes</b>	<b>Ad Released</b>	<b>Pick Up</b>
		No	

<b>Ad Size</b>	<b>Color</b>
2 X 28 li	

<b>Product</b>	<b>Placement</b>	<b>Times Run</b>	<b>Schedule Cost</b>
TAC-NT-News Tribune	0300 - Legals Classified	1	\$264.09

<b>Run Schedule Invoice Text</b>	<b>Position</b>
SEPA Determination of Non-Significance (	0301 - Legals & Public Notices

**Run Dates**  
09/08/2020

<b>Product</b>	<b>Placement</b>	<b>Times Run</b>	<b>Schedule Cost</b>
TAC-upsell.thenewstribune.com	0300 - Legals Classified	1	\$65.50

<b>Run Schedule Invoice Text</b>	<b>Position</b>
SEPA Determination of Non-Significance (	0301 - Legals & Public Notices

**Run Dates**  
09/08/2020

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**Responsible Official:** Mark Bethune, City Administrator, City of Orting, 110 Train St SE, Orting, WA 98360 / Please submit written comments to Mark Bethune at the address above, or by email to Emily Adams, City Planner at eadams@cityoforting.org

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# NOTICE OF ORTING PLANNING COMMISSION PUBLIC HEARING

Monday, December 7, 2020 – 7:00 pm

NOTICE IS HEREBY GIVEN the Orting Planning Commission will be holding a Public Hearing. The purpose of this hearing is to receive public testimony regarding a proposal for housing and subdivision code amendments. The City of Orting received a grant from the Department of Commerce through the Washington State Legislature. Through this grant, code amendments are proposed for the Orting Municipal Code related to: Authorizing at least one duplex on each parcel in one zoning district; Authorizing lot size averaging in all zoning districts that permit single-family residences; Authorizing attached accessory dwelling units (ADUs) in compliance with RCW 36.70A.600; Authorizing a duplex on each corner lot within all zoning districts that permit single-family residences; Allowing for the division or redivision of land into the maximum number of lots through the short subdivision process provided in RCW 58.17.

The hearing will be held at a virtual regular Planning Commission Meeting on Dec. 7, 2020 at 7:00pm. The City is utilizing remote attendance for the hearing. Comments made be made by the public by a log in or call in number and then entering the Meeting ID. To join the meeting/hearing on a computer or phone:

Virtual: <https://bluejeans.com/455232308>

Phone Dial-in: +1.408.419.1715 or +1.408.915.6290

Then enter meeting ID: 455 232 308

If you are unable to join the hearing written comments may be submitted to City Planner Emily Adams electronically, no later than 1:00pm on Dec. 7, 2020 at [EAdams@cityoforting.org](mailto:EAdams@cityoforting.org) or by mail to the Planning Commission secretary at 104 Bridge St S, PO Box 489, Orting, WA, 98360.

Written comments will be sent to the Commission prior to the hearing and will become part of the public record. Further information may be obtained by emailing Emily Adams at the email above or by phone at 253-284-0263.





**Ad Order Information**

<b><u>Ad Number</u></b>	<b><u>Ad Type</u></b>	<b><u>Production Method</u></b>	<b><u>Production Notes</u></b>
0004817390-01	TAC-Legal Liner	AdBooker	

<b><u>External Ad Number</u></b>	<b><u>Ad Attributes</u></b>	<b><u>Ad Released</u></b>	<b><u>Pick Up</u></b>
		No	

<b><u>Ad Size</u></b>	<b><u>Color</u></b>
2 X 20 li	

<b><u>Product</u></b>	<b><u>Placement</u></b>
TAC-NT-News Tribune	0300 - Legals Classified
<b><u>Run Schedule Invoice Text</u></b>	<b><u>Position</u></b>
NOTICE IS HEREBY GIVEN the Orting Planni	0301 - Legals & Public Notices

**Run Dates**  
11/27/2020

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<b><u>Run Schedule Invoice Text</u></b>	<b><u>Position</u></b>
NOTICE IS HEREBY GIVEN the Orting Planni	0301 - Legals & Public Notices

**Run Dates**  
11/27/2020

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If you are unable to join the hearing written comments may be submitted to City Planner Emily Adams electronically, no later than 1:00pm on Dec 7, 2020 at EAdams@cityoforting.org. Written comments will be sent to the Commission prior to the hearing and will become part of the public record. Further information may be obtained by emailing Emily Adams or by phone at 253-284-0263.

## Emily Adams

---

**To:** Emily Adams  
**Subject:** RE: Orting ADU regulation update/change

**From:** [stewsjunk@comcast.net](mailto:stewsjunk@comcast.net) <[stewsjunk@comcast.net](mailto:stewsjunk@comcast.net)>

**Sent:** Thursday, June 4, 2020 11:08 AM

**To:** Emily Adams <[eadams@AHBL.com](mailto:eadams@AHBL.com)>

**Subject:** RE: Orting ADU regulation update/change

Hi Emily,  
Hope you are well at this odd time in our lives.

From my last email I wanted to add some info on the ADU subject. It would seem no telling when this will happen with much more pressing issues going on right now but since you will at one point forward an outline I wanted to forward this ahead.

It goes without saying the #1 ADU deal breaker is the owner occupied rule. This is first and foremost the biggest issue.

In review of the 1/15 meeting Mark acknowledges that fee costs for an ADU are unfairly the same as a 2000 sq ft home which is way out of line for something that may not be larger than 500 sq ft.. The reality is most of the fee structure in Orting is way out of whack right now. Case in point right now you have many older homes in Orting 1-2 bedrooms under 1000 sq ft paying the same utility charge as 3-4-5 bedroom 2000-3500 sq ft homes in the newer subdivisions. I believe its grossly unfair to ask a resident who owns a 2 bedroom home and wishes to build a 1 bedroom ADU to pay impact fees or General Facility Charges when their burden on the system is still far below your average sized home. To expand when you build a home in Pierce County on a septic system you build and pay for a system based on bedrooms. Regardless of what you ultimately build if you have a 4 bedroom system and build a 3 bedroom home you can convert or add another room at anytime without additional costs regarding impact or GFC. With the above said I think a far better way to approach any fees that are levied is to do so on a total bedroom count per lot. There has to be a baseline total bedroom and above and beyond has a cost per additional bedroom if they choose to do so. Now taking into consideration most ADU will "T" into existing side sewer and water lines the real impact is honestly nothing. I will be honest I have built ADU before and never incurred additional impact or any sort of additional water or sewer GFC charge

I had another concern when at the 1/15 council meeting was the mention of lot partition or selling of the ADU or primary residence. I hope not a whole lot of time is spent here. These are way down secondary issues and truthfully not relevant in Orting's outdated code. In fact in all the cities who have done revisions to ADU code this subject is not covered for a simple reason. An "ADU" by definition is a accessory dwelling unit on one parcel number. A separate dwelling that can be sold or broken off is not a ADU by definition. As well a separate dwelling on its own parcel number has far more value than an ADU that cannot be split off. An attached ADU cannot be broken off nor a detached be chopped off. Lot sizes wont permit it and since they are typically serviced by the main homes utilities its impossible.

The endgame here is the powers to be should understand the ADU is a win win. Property values will increase. Affordable housing and density will increase. Many cities around the nation and here in the

NW grasp the benefits and are aggressively stripping away the prior burdensome requirements from owner occupancy, parking and lot size and setback requirements. The State of Washington has gotten the message and its just a matter of time before this will be statewide law.

That's all I have for now. I keep watching but haven't seen anything new on the website.

Thanks again for keeping me in the loop,

JC

## Emily Adams

---

**From:** stewsjunk@comcast.net  
**Sent:** Saturday, September 26, 2020 7:41 AM  
**To:** Emily Adams  
**Subject:** Re: Orting Open House -Corner Lot Duplex ?

Hi Emily,

I took a look at the Open house #1 presentation and there was lots of great information on there. Well done ! I was not aware the City was also working on redoing the duplex rules specifically corner lots. I have a undeveloped corner lot and found the info interesting but have a few comments to add. First and foremost the example of the duplex in the presentation I get is just an example. I wanted you to know that type of structure is no longer cost effective unless the property is incredibly cheap. That's not the case here in Orting or any town in our area as you know. The truth is the only folks building any duplex are investors primarily. They now know the biggest return is in smaller units. They can look near exact as the homes in old town. I have a few examples below. The difference is the impact to the neighborhood. The small duplex likely only has one car per unit for a total of 2 cars. I look around the neighborhood and my neighbor next to my lot has 3 cars and a boat for his 3 bed house. The neighbor across the street has 3 cars plus a RV and a car trailer in front of his 1800 sq ft house. Investors typically have rules in place to regulate how many vehicles are allowed. My point is the small duplex will have a smaller impact then the single family 3 bed house in most cases. I don't think its wise or fair to put a preconceived notion of what a duplex may look like in regards to size. I know of 200 sq ft per side duplex's being built in Portland and they need a very small footprint.

I would like to cover lot size now. After watching the presentation I heard talk about lots in old town and size of lot. Let me take my lot specifically. Its a 4200 sq ft lot. I currently have approved variance on this lot giving me a 37x45 building envelope. I know of at least 20 duplex plans that look exactly like the old town homes that have a envelope under 30x30 two story. I have provided an example below that's 16x20 and 20x24. The look can match anything that's in the neighborhood. Lets not forget corner lots inherit additional space on two sides that is the homeowners responsibility to maintain as well as use.

I really hope some actual usable change comes in these code amendment's. If they don't address the direction of where things are heading and that's smaller with more density it will once again be largely code that wont work for Orting and its land owners. Nothing in Orting's current code promotes any density. Its cottage, duplex and ADU rules are all outdated and extremely project unfriendly. My sincere hope is some real change comes about. I suggest please do not put pre determined lot size rules in place. Its useless over regulation. Let the setback rules in place do their work. Orting has some odd dimensions. Let each project stand or fail on its own individual merits.

Thank you for the chance to share my viewpoint. Your accessibility is much appreciated.

JC

<https://www.ebay.com/itm/16x20-Duplex-574-sq-ft-PDF-Floor-Plan-Model-14E/264687890026?hash=item3da0a0ae6a:g:HDUAAOSwsRlcxe9Y>

<https://www.ebay.com/itm/20x24-Duplex-PDF-Floor-Plan-960-sq-ft-Model-2A/202717321665?hash=item2f32e4d9c1:g:cJkAAOSwfWBdES>

On 09/25/2020 1:40 PM Emily Adams <eadams@ahbl.com> wrote:

Hi JC,

I just wanted to let you know a virtual open house regarding the code amendments (including ADU amendments) will be happening on Monday.

The flyer attached contains all the pertinent information.

Have a good weekend,

**Emily Adams, AICP** | Project Planner

**AHBL, Inc.** | **TACOMA** • SEATTLE • SPOKANE • TRI-CITIES

253.383.2422 **TEL** | 253.284.0263 **DIRECT** | eadams@ahbl.com **EMAIL**

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<b><u>Ad Number</u></b>	<b><u>Ad Type</u></b>	<b><u>Production Method</u></b>	<b><u>Production Notes</u></b>
0004879585-01	TAC-Legal Liner	AdBooker	

<b><u>External Ad Number</u></b>	<b><u>Ad Attributes</u></b>	<b><u>Ad Released</u></b>	<b><u>Pick Up</u></b>
		No	

<b><u>Ad Size</u></b>	<b><u>Color</u></b>
1 X 49 li	

<b><u>Product</u></b>	<b><u>Placement</u></b>
TAC-NT-News Tribune	0300 - Legals Classified
<b><u>Run Schedule Invoice Text</u></b>	<b><u>Position</u></b>
CITY OF ORTING NOTICE OF CITY COUNCIL	0301 - Legals & Public Notices

**Run Dates**  
02/26/2021

<b><u>Product</u></b>	<b><u>Placement</u></b>
TAC-upsell.thenewstribune.com	0300 - Legals Classified
<b><u>Run Schedule Invoice Text</u></b>	<b><u>Position</u></b>
CITY OF ORTING NOTICE OF CITY COUNCIL	0301 - Legals & Public Notices

**Run Dates**  
02/26/2021

**CITY OF ORTING  
NOTICE OF CITY COUNCIL  
PUBLIC HEARING  
NOTICE IS HEREBY GIVEN** that the City Council will be holding a Public Hearing and taking action on the proposed amendments. The purpose of this hearing is to receive public testimony regarding a proposal for housing and subdivision code amendments. The City of Orting received a grant from the Department of Commerce through the Washington State Legislature. Through this grant, code amendments are proposed for the Orting Municipal Code related to: Authorizing at least one duplex on each parcel in one zoning district; Authorizing lot size averaging in all zoning districts that permit single-family residences; Authorizing attached accessory dwelling units (ADUs) in compliance with HB 1923 requirements found in RCW 36.70A.600; Authorizing a duplex on each corner lot within all zoning districts that permit single-family residences; Allowing for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW. **The hearing will be held at a virtual regular City Council Meeting on March 10th, 2021 at 7:00pm. The City is utilizing remote attendance for the hearing. Comments may be made by the public by a log in or call in number and then entering the Meeting ID. To join the meeting/hearing on a computer or mobile phone:**  
<https://bluejeans.com/905725685>  
Phone Dial-in- +1.408.419.1715 or +1.408.915.6290  
Meeting ID: 905 725 685  
If you are unable to join the hearing, written comments may be submitted by 1PM on March 10th to Emily Adams, City Planner, at [eadams@cityoforting.org](mailto:eadams@cityoforting.org). Written comments will be sent to the Council prior to the hearing and will become a part of the record. Questions may be directed to Emily Adams, City Planner at [eadams@cityoforting.org](mailto:eadams@cityoforting.org) or by phone at 253-284-0263.

# NOTICE OF ORTING CITY COUNCIL PUBLIC HEARING

Wednesday, March 10th, 2021 – 7:00 pm

**NOTICE IS HEREBY GIVEN** that the City Council will be holding a Public Hearing and taking action on the proposed amendments. The purpose of this hearing is to receive public testimony regarding a proposal for housing and subdivision code amendments. The City of Orting received a grant from the Department of Commerce through the Washington State Legislature. Through this grant, code amendments are proposed for the Orting Municipal Code related to: Authorizing at least one duplex on each parcel in one zoning district; Authorizing lot size averaging in all zoning districts that permit single-family residences; Authorizing attached accessory dwelling units (ADUs) in compliance with HB 1923 requirements found in RCW 36.70A.600; Authorizing a duplex on each corner lot within all zoning districts that permit single-family residences; Allowing for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW.

The City is utilizing remote attendance for the hearing. Comments made be made by the public by a log in or call in number and then entering the Meeting ID. To join the meeting/hearing on a computer or mobile phone:

<https://bluejeans.com/905725685>

Phone Dial-in: +1.408.419.1715 or +1.408.915.6290

Meeting ID: 905 725 685

If you are unable to join the hearing, written comments may be submitted by 1PM on March 10th to Emily Adams, City Planner, at [eadams@cityoforting.org](mailto:eadams@cityoforting.org). Written comments will be sent to the Council prior to the hearing and will become a part of the record. The full drafts are available for review via request from [eadams@cityoforting.org](mailto:eadams@cityoforting.org). Interested citizens are encouraged to comment on the proposal and to attend the public hearing.



# CONSENT AGENDA



## COUNCILMEMBERS

### Position No.

1. Tod Gunther
2. John Kelly
3. Tony Belot
4. John Williams
5. Gregg Bradshaw
6. Greg Hogan
7. Scott Drennen



**ORTING CITY COUNCIL**  
Study Session Meeting Minutes  
Virtual Meeting, Orting, WA  
February 17<sup>th</sup>, 2021  
**6PM.**

**Deputy Mayor Greg Hogan, Chair**

## 1. **CALL MEETING TO ORDER, PLEDGE AND ROLL CALL.**

Deputy Mayor Hogan made the following statement:

**“The City utilized remote attendance for Councilmembers and City employees. OPMA rules regarding provision for the public in a space were suspended by proclamation of the Governor. The meeting was available for the public to hear by a call-in number.”**

Deputy Mayor Hogan called the meeting to order at 6:00pm. Councilmember Bradshaw led the Pledge of Allegiance.

**Councilmembers Present:** Deputy Mayor Greg Hogan, Councilmembers Tod Gunther, John Kelly, Tony Belot, John Williams, Gregg Bradshaw, and Scott Drennen.

**Elected Official:** Mayor Penner.

**Staff Present:** Scott Larson, City Administrator, Jane Montgomery, City Clerk, Gretchen Russo, Finance Director, JC Hungerford, Engineer, Greg Reed, Public Works Director, Chris Gard, Chief of Police, Emily Adams, City Planner.

## 2. **PRESENTATION**

### **A. Legislative Update**

Mayor Penner introduced Joe DePinto the City's legislative advocate. Mr. DePinto discussed the following topics:

- Transportation Budget
- Police Reforms
- Proposed Taxes

Councilmembers were offered the opportunity to ask Mr. DePinho questions.

### **B. AB21-18- South Sound Housing Affordability Partners (SSHAP).**

Mayor Penner briefed on the availability of Housing in Pierce County. He gave a power point presentation which included the progression of his personal housing experience over the years. The Power Point also briefed on South Sound Housing Affordability Partners. Present was John Howell and Marty Kooistra. If Council chooses the City could sign an intergovernmental agreement with SSHAP. The Mayor represents Orting on the steering Committee. Council was offered an opportunity to ask questions of John Howell, and Marty Kooistra. The Mayor says it will help offset planning costs in the City. John Howell stated the notion of a joint collaboration is not new it has been utilized in King County South King, and Snohomish County. 1406 Money that the City can't use can be pooled and allows Cities to be part of the decision-making process. It also enables the City to use the money it was given rather than sending it back to the State.

SSHAPs mission is to provide resources to every member city to create housing policy regulation that they want and need, and secondly the opportunity to pool the City's voice with other cities to advocate for what would benefit each City. It does not create new government, it is a collaboration of City's who will work on housing affordability. They are a small nonprofit group, who were chosen by an RFP process. The Board is composed of each member City will create a work plan. The contract with SSHAP ends in June when jurisdictions decide if they want to join the group or not. Some topics that were addressed were:

- Would this distance/not distance us from our own City by joining a regional policy group?
- Would these policies prohibit builders from building smaller affordable housing?
- An opportunity to have a voice at the table
- The City does have the ability to withdraw if desired at a later date
- Benefits of pooling money and exerting influence
- This ILA does not give SSHAP power over individual City decisions
- Who is SSHAP?
- Opportunity to provide policy at less cost than we can do now in house
- Opportunity to have a leadership voice
- Not a Co-Op but a shared resource

**Action:** No action tonight. The agreement will be brought forward to a future meeting.

### 3. COMMITTEE REPORTS – (February)

#### **Public Works- CM Drennen / CM Bradshaw**

Councilmember Drennen and Bradshaw briefed on the topics discussed at the last meeting:

- SR 162 Bridge crossing – submittal made to legislature- PCTV will be producing a video to submit as well
- Side sewer ordinance coming soon
- Foothill Trail and Washington Avenue crossing- complaints regarding signage and, potential danger to pedestrians
- Going to look at the overall downtown corridor for pedestrian crossings and will review signage to make it more effective – will work with the state as SR 162 is their road
- Waste water treatment plant- moving forward with the Dept. of Ecology
- Village Green outfall project- moving forward with bid process
- Soil contamination at the cemetery well site
- Compliance issues at treatment plant being watched carefully during transition of retired WWTP supervisor

#### **Public Safety- CM Kelly / CM Belot**

Councilmember Kelly and Belot briefed on the following topics discussed at the last meeting:

- Tactical Interlocal Agreement
- Interlocal agreement with South Correctional Entity
- Concealed weapons permits- still in research process of feasibility of police department taking that service on
- Body cam/windshield cam demonstration coming soon with cost analysis
- Rash of street racing in the surrounding communities- Orting PD assisted in Tacoma
- Officers did a great job during the holiday season with gift giving to the community

#### **Community and Government Affairs- CM Gunther / CM Williams**

Councilmember Gunther briefed on the following that CGA worked on this past year:

- New reader board
- Zipline at Calistoga Park
- Drone Park
- New Deputy Mayor appointment process enacted
- Park plan legislation for children with disabilities
- Discussed moving Council committee reports to a regular meeting

### 4. STAFF REPORTS

#### **Public Works**

Greg Reed, Public Works Director, briefed on the following:

- Waste water treatment plant operator will start March 1<sup>st</sup>- he has a level 4 operator license.

- Interviews for Maintenance Worker 1 will be tomorrow February 18<sup>th</sup>, 2021
- The ADA spinner location has been prepped
- Getting downtown ready-pruning, beds, baskets
- Cottonwood on 177<sup>th</sup> has been removed

### **Planning**

Emily Adams, City Planner, briefed that the previous City Parks Plan expires in June of 2021, and updates will be coming soon to a study session. Carbon River RV Park was passed with conditions by Planning Commission. She reminded the City Council not to discuss the RV Park as they would hear an appeal if one is filed. The appeal period ends on March 1<sup>st</sup>, 2021.

### **Engineering**

JC Hungerford, City Engineer, briefed on the following:

- setting up training for new WWTP operator.
- Helping public works with well three improvement
- Creation of a 3D rendering of SR162 for PCTV to use in their video for the Bridge

### **Police**

Chris Gard, Chief of Police, briefed that vaccines are coming soon.

### **City Clerk**

Jane Montgomery, City Clerk, stated that Roberts Rules of Order books have been ordered for all Councilmembers.

### **Finance**

Gretchen Russo, Finance Director, stated that she sent out the 2020 financials to Councilmembers. She stated that 2020 expenditures are lower than anticipated. The General fund was also under budget. The City Hall expenditures came in \$100,000 less than anticipated. The final cost was 6.7 million dollars.

### **Executive**

Mayor Joshua Penner informed Councilmembers that Orting Municipal court successfully held their first in person court today.

## **5. AGENDA ITEMS**

### **A. AB21-04- HB 1923 Grant Code Amendments- Ordinance No 2021-1071, An Ordinance Of The City of Orting, Washington, Relating to Housing and Regulatory Streamlining; Amending Orting Municipal Code Sections 12-2, 12-4, 13-2, 13-3, 13-5, 15-2, 15-4 And 15-6;**

Emily Adams briefed on the HB1923 Grant Code Amendments. She provided a supplemental memo that addressed the main questions/ comments and amendment revisions following the study session discussions on 1/20/2021.

**Duplex minimum lot size.** The staff recommendation presented to Council was the following:

- Residential Conservation (RC): Duplex minimum lot size: Two (2) acres
- Residential Urban (RU): Duplex minimum lot size: 7,260 square feet
- Residential Multi- Family (RMF): Duplex minimum lot size: 7,000 square feet

### **ADU Separate Sale**

One of the grant requirements for ADUs is that the code must not prohibit the separate sale of accessory dwelling units and the primary residence. There were concerns about how this worked, what it looked like, and the impact it could have on neighborhoods.

### **ADU Parking**

Parking requirements for ADUs have been revised per Council's request to match the Planning

Commission recommendation. OMC 13-5-6-C.5 now reads: One (1) additional on-site parking space is required for an ADU up to 700 square feet in size. For ADUs greater than 700 square feet in size two (2) off street parking spaces are required. See attached ordinance.

#### **Grant**

There was discussion around the grant itself and the funds to be received. Following the Planning Commission recommendation of approval, the City received 70% of the funds, \$35,000. The remaining \$15,000 will be received following City Council approval. The funds are not all or nothing. Partial amounts can be received dependent on which amendments are passed.

**Action:** Move forward to the March 10<sup>th</sup>, 2021 meeting for a hearing.

#### **B. AB21-19- Home Occupation Code Amendments- Ordinance No 2021-1073- An Ordinance Of The City of Orting, Washington, Relating to Home Occupation and Administrative Decision Noticing Requirements; Amending Orting Municipal Code Sections 13-5-4, 15-4-1 And 15-7-2;**

Emily Adams briefed on the proposed ordinance. The home occupation code section is found in OMC 13-5-4. Under these regulations home occupations are currently only permitted in the RU, RC, and RMF zones in detached single-family dwelling. Recommended amendments are to permit home occupations in the MUTC zone and within duplexes. The type of decision to address home occupations is categorized under in OMC 15-4-2 and this was also proposed to be amended to align with current City practices.

**Action:** Move forward to the March 10<sup>th</sup>, 2021 meeting for a hearing.

#### **C. AB21-21- Tactical Response Team- Interlocal Agreement. (ILA)**

Chief Gard briefed on the Interlocal agreement. He provided Council with a memo which laid out his position on the merits of the ILA.

**Action:** Move forward to the consent agenda for the February 24<sup>th</sup> 2021, meeting.

#### **D. EXECUTIVE SESSION**

City Attorney Archer stated that the Council would recess to Executive session per RCW 42.30.110 (1) (i), for ten minutes, no action after.

Deputy Mayor Hogan recessed to executive session at 8:47pm.

Recessed to Executive session 8:47pm for 10 minutes.

8:57pm- Extended for 2 minutes.

8:59pm -Over.

Deputy Mayor Hogan called the meeting back to order at 8:59pm

#### **E. AB21-05-South Correctional Entity- Inmate Housing (SCORE), 2021 Contract Amendment.**

Chief Gard briefed on the contract amendment with SCORE. The Police Department has had a contract with SCORE since 2014. The Police Department has additional contracts for inmate services with other agencies, and they usually use Enumclaw Jail. Score has the ability to house individuals with mental health issues, and is used depending on individual circumstances. The proposed contract amendment is for 2021 services. SCORE will not raise their daily rates or premium medical surcharges for contract year 2022. Bed rates were presented to Council in Exhibit A. SCORE will be implementing a modest \$35.00 booking fee, but this fee will not be charged in 2021. The fee will go in to effect for contract year 2022.

**Action:** Move forward to the consent agenda for the February 24<sup>th</sup>, 2021.

#### **F. AB21-22-Police/Public Works Vehicle Purchases.**

Gretchen Russo, Finance Director, briefed that Council approved the purchase of two police cars and two public works vehicles in the 2021 budget. The proposed purchase would be completed through a State vehicle contract. No bidding process is required.

**Action:** Move forward to the consent agenda for the February 24<sup>th</sup>, 2021 Meeting.

**G. AB21-23- Naming City Hall Room 116 in Honor of Mark Bethune- Resolution No. 2021-03, A Resolution of The City of Orting, Washington, Authorizing the Dedication of City Hall Room 116 As The “Mark Bethune Commemorative Conference Room”.**

Administrator Larson briefed on the proposed resolution which would name Room 116, the small conference room in City Hall, in commemoration of the service former City Administrator Mark Bethune provided to the City from 2004 to 2020.

**Action:** Move forward as a stand-alone item at the meeting on February 24<sup>th</sup>, 2021

**H. Discussion- Lahar Signal.**

Mayor Penner stated that no legislative action is required on this agenda item, but was put on the agenda so that he could get Council input on the new Lahar signal. The old signal was a five-minute-long wale that was clearly heard and recognized. The Mayor stated that the State changed the signal which they say adheres to a statewide standard. The new signal is a chime, not easily heard, and does not last long. The Mayor stated he feels the new signal is not sufficient for Orting. The signal is supposed to be about preparedness for all citizens in the Orting community. The State took the opinions of Mayors from many jurisdictions who really don't have a “dog in the fight”. The Mayor would like to elevate the discussion on the new signal and would like Council support.

**Action:** Consensus of the entire Council was for the Mayor to move forward and express the opinion that the new signal is inadequate for the City of Orting.

**6. ADJOURNMENT**

Deputy Mayor Hogan adjourned the meeting at 9:14pm

**ATTEST:**

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**Jane Montgomery, City Clerk, CMC**

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**Joshua Penner, Mayor**

## Councilmembers

### Position No.

1. Tod Gunther
2. John Kelly
3. Tony Belot
4. John Williams
5. Gregg Bradshaw
6. Greg Hogan
7. Scott Drennen



## Orting City Council Regular Business Meeting Minutes

Virtual, Meeting  
104 Bridge Street South  
Orting, WA, 98360  
February 24<sup>th</sup>, 2021, 7:00pm

**Mayor Joshua Penner, Chair**

### **1. CALL MEETING TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL. REQUEST FOR ADDITIONS OR CORRECTIONS TO THE AGENDA.**

Mayor Penner called the meeting to order at 7:00pm, Deputy Mayor Hogan led the pledge of allegiance and roll call was taken.

**Councilmembers Present:** Deputy Mayor Greg Hogan, Councilmembers John Kelly, Tod Gunther, John Williams, Scott Drennen, Tony Belot, and Gregg Bradshaw.

**Staff Present:** Jane Montgomery, City Clerk, Gretchen Russo, Finance Director, Charlotte Archer, City Attorney, JC Hungerford, Engineer, Chris Gard, Chief of Police, Greg Reed Public Works Director.

### **REQUEST FOR ADDITIONS OR MODIFICATIONS TO THE AGENDA.**

No Requests were made.

Mayor Penner read the following announcement:

**\*The City utilized remote attendance for Councilmembers and City employees. Please note: OPMA rules regarding provision for the public in a space were suspended by proclamation of the Governor. The meeting was however, available for the public by a computer link or by phone.**

### **2. PUBLIC COMMENTS:**

#### **Sam Colorossi**

Mr. Colorossi sent a letter to Council, Mayor and Staff regarding the accomplishments of the members of the Orting Historical Society in 2020. He also shared their 2020 brochure, a picture of the donor sign below the sawdust burner, and the budget for the sawdust burner donor's sign. The comment was read in to the record.

#### **Charles Breider**

Mr. Breider sent comments to the City Clerk for Council, and the Mayor. The comments were in regard to the Orting Senior Center and the Orting Food Bank. Mr. Breider stated that the current buildings that house the food bank and the senior center are old and unsafe. He would like to see the Orting Food Bank and the Orting Senior Center moved to the old City Hall building. The comment was read in to the record.

### **3. CONSENT AGENDA**

**A.** Regular Meeting Minutes Of February 10<sup>th</sup>, 2021.

**B.** Payroll And Claims Warrants.

**C. AB21-05-** Authorizing The Mayor To Sign The Contract Amendment With South Correctional Entity-Inmate Housing (SCORE), 2021 Contract Amendment As Presented.

**D. AB21-22-** Authorizing The Mayor To Sign Contracts For The Purchase Of Two Public Works Vehicles, And Two Police Vehicles, And The Vehicles' Upfitting For An Amount Not To Exceed \$171,137.65.

**E. AB21-21-** Authorizing The Mayor To Enter In To The Interlocal Cooperation Agreement For Multijurisdictional Tactical Response Team As Prepared.

***Councilmember Belot Made A Motion To Approve Consent Agenda As Prepared. Second By Councilmember Bradshaw. Motion Passed (7-0)***

**4. OLD BUSINESS**

**A. AB21-23- Resolution No. 2021-03, A Resolution Of The City Of Orting, Washington, Authorizing The Dedication Of City Hall Room 116 As The Mark Bethune Commemorative Conference Room.**

Mayor Penner briefed on proposed Resolution No. 2021-03, which dedicates Room 116 at City Hall as the Mark Bethune Commemorative Conference Room. Council member comments followed.

*Deputy Mayor Hogan Made A Motion To Approve Resolution No. 2021-03 Authorizing The Dedication Of City Hall Room 116 As The Mark Bethune Commemorative Conference Room With Many Thanks. Second By Councilmember Bradshaw. Motion Passed Unanimously (7-0).*

**5. EXECUTIVE SESSION**

No session was called.

**6. ADJOURNMENT**

*Deputy Mayor Hogan Made e A Motion to Adjourn. Second by Councilmember Belot. Motion Passed (7-0).*

Mayor Penner recessed the meeting at 7:16pm.

ATTEST:

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**Jane Montgomery, City Clerk, CMC**

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**Joshua Penner, Mayor**