

### Commissioners

Kelly Cochran, Chair  
Jeff Craig, Co-Chair  
Karen Wilson  
Chris Rule  
Erika Bartholomew  
Jennifer McKinney  
Vacant



## City of Orting Planning Commission Agenda

September 9, 2021, Thursday  
7:00pm  
City Hall Council Chambers

If joining virtually:

Phone Dial-in - Charges may apply  
+1.408.419.1715

To join the meeting on a computer or mobile phone:

[https://bluejeans.com/231809628/8548?src=join\\_info](https://bluejeans.com/231809628/8548?src=join_info)

Meeting ID: 231 809 628  
Password: 8548

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### A. CALL MEETING TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

You may attend this meeting virtually via the platform Blue Jeans by clicking the link or by telephone, or in person at City Hall. Per the Governor's directives, all in-person attendees shall comply with social distancing regulations and non-vaccinated attendees shall wear a face covering.

1. Is there a motion to excuse Commissioner(s) from this meeting?

### B. AGENDA APPROVAL

1. Does the agenda require an addition or removal of a topic?

### C. PUBLIC COMMENTS

Comments may be sent to the Planning Commission Secretary [moharra@cityoforting.org](mailto:moharra@cityoforting.org) by 1:00pm on the day of the meeting and will be read into the record at the meeting. In the case of a question, the chair will refer the matter to the appropriate administrative staff member. Comments that come in after the deadline will be read into the record at the next Planning Commission meeting.

### D. APPROVAL OF MINUTES

1. Are the minutes of the August 2, 2021 meetings correct and accurate?

### E. ARCHITECTUAL DESIGN REVIEW

### F. NEW BUSINESS

1. Public Hearing – Deck Code Amendments: Review, Public Hearing, Deliberations
2. Public Hearing – Supportive & Transitional Housing Code Amendments (ESSHB 1220): Review, Public Hearing, Deliberations

### G. OLD BUSINESS

### H. GOOD OF THE ORDER

1. Planned Absences:
2. Report on Council Meetings:
3. Agenda setting:

### I. ADJOURN

**NEXT PLANNING COMMISSION MEETING: Monday October 4, 2021**

**City Council Meeting: 2<sup>nd</sup> & last Wednesday of each month at 7:00pm**

**City Council Study Session: 3<sup>rd</sup> Wednesday of each month at 6:00pm**

**Planning Commission: 1<sup>st</sup> Monday of each month at 7:00pm**

**City of Orting**  
**PLANNING COMMISSION MINUTES**  
August 2, 2021

Chair Kelly Cochran called the meeting to order with the flag salute at 7:07 pm in the City Hall Council Chambers. Roll call found Commissioners Jeff Craig, Karen Wilson, Jennifer McKinney, Chris Rule and Erika Bartholomew in attendance; a quorum was present. There is one (1) Commissioner position that remains vacant.

**ATTENDANCE:**

City	City Clerk Kim Agfalvi, Commission Secretary Margaret O’Harra Buttz
Professional Representatives	City Planner Emily Adams, City Engineer JC Hungerford
Guests (including Virtual Log-in)	Thomas Myung (on-line), Rebecca Taylor-Hewett (on-line), Steve & Helen Botsford, Ashley Kurty, Bonnie Walkup

**AGENDA APPROVAL:**

Agenda Approval	Commissioner Craig moved to approve the agenda as presented. Commissioner Rule seconded the motion and it carried.
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**AUDIENCE PARTICIPATION:**

None

**MINUTES:**

Approval of Minutes for July 7, 2021	Commissioner Craig moved to approve the July 7, 2021 minutes as amended. <ul style="list-style-type: none"><li>Meeting Extension: Commissioner Craig moved to extend the meeting from 8:28pm to 9:00pm. Commissioner Wilson seconded the motion and it carried.</li></ul> Commissioner Rule seconded the motion and it carried.
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**ARCHITECTURAL DESIGN REVIEW:** None

**NEW BUSINESS:**

Public Hearing – Final Plat Tahoma Valley Estates	The City Planner provided a brief introduction to the documents before the Commission.  The Public Hearing was opened at 7:15pm and closed at 7:33pm after hearing public testimony from Ashley Kurty and Luke Smith.  The City Planner and the City Engineer provided answers to several questions raised during the public hearing.  Commissioner Craig moved to recommend Council approval of the Final Plat for the Tahoma Valley Estates with the revision(s) discussed with the City Planner. Commissioner McKinney seconded the motion and it carried.
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**OLD BUSINESS:**

Public Hearing: Sign Code Amendments	City Planner reviewed the revised amendments as addressed by the Planning Commission.  The Public Hearing was opened at 8:13pm and having no public testimony offered, the hearing was closed at 8:18pm
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Commissioner Craig moved to recommend approval of the Sign Code Amendments to the City Council. Commissioner Rule seconded the motion and it carried.

**GOOD OF THE ORDER:**

Meeting Extension	None
Planned Absences	Commissioner Craig will not be at the September meeting.
Report on Council Meetings	Planner Adams gave a brief report.
Agenda Setting	At the September 7, 2021 meeting: <ul style="list-style-type: none"><li>• Deck Code Amendments with Public Hearing</li><li>• Housing Code Amendments with Public Hearing</li></ul>

**ADJOURNMENT:**

Meeting Adjournment	Commissioner Craig moved to adjourn the meeting at 8:28pm. Commissioner McKinney seconded the motion and it carried.
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**ATTEST:**

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Kelly Cochran, Commission Chair

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Margaret O'Harra Buttz, Commission Secretary



## Planning Commission Staff Report

<b>Project Name:</b>	Deck Code Amendments
<b>Applicant:</b>	City of Orting
<b>Date of Staff Report:</b>	August 18, 2021
<b>Date of Meeting:</b>	September 9, 2021
<b>Staff Recommendation:</b>	Approval
<b>City Staff Contact:</b>	Emily Adams, AICP Contract City Planner
<b>Public Comment Period:</b>	August 30 – September 9, 2021 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. Notice Planning Commission public hearing – posted
3. Notice Planning Commission public hearing – published
4. Proposed Ordinance

### Findings of Fact

Recently an application came before the City that included a request to build a deck in the existing 8-foot side yard setback. Upon review of the code it became evident this area of code needs to be reviewed to ensure it was best serving the community.

The code currently allows uncovered porches and decks which do not exceed 30" from finished lot grade to project into any setback, provided such projections do not extend more than six feet into a front yard setback or 18" into a side yard setback. For lots that are built to the 8-foot side yard setback in the RU zone, this only allows a 1.5-foot-wide deck along the side of a house.

There are different approaches City's use in regard to decks extending into setbacks, examples:

#### *Buckley*

Uncovered porches, platforms and decks that are less than 30 inches above grade may intrude no closer than five feet to the side lot line and six feet into the front lot setback area

*Issaquah*

Minor structural elements, such as decks, porches and patios, may intrude into a required setback as follows:

Any portion of a minor structural element which equals or exceeds thirty (30) inches above finished grade at the setback location may intrude into a required setback a distance no greater than twenty (20) percent of that setback, keeping at least five (5) feet of undisturbed setback. Any portion of a minor structural element which is less than thirty (30) inches above finished grade at the setback location may extend within three (3) feet of the side or rear lot line.

*Poulsbo*

Open/uncovered porches, decks, walkways or stoops less than eighteen inches in height may extend to within one and one-half feet to any lot line. If greater than eighteen inches in height they may extend one and one-half feet into any required side or rear yard; and may extend up to six feet into any required front yard.

*Tacoma*

Uncovered, ground level decks (deck surface no more than 30-inches in height from surrounding grade) may occupy up to 50 percent of a required setback area and may also extend into required side yard setbacks to within 3-feet of the property line.

Coverage limits would continue to apply to the site, and decks would not be allowed to exceed those limits.

The City’s Building Official, Tim Lincoln, has indicated a preference to not allow decks within 5-feet of property lines due to building codes and fire-resistant construction standards. If the deck is closer than 5-feet to the property line it must be fire-resistance rated for 1 hour on the underside, or heavy timber, or fire-retardant-treated wood.

**Proposed Revised Deck Code**

13-5-1: DENSITY AND DIMENSION: C. 10. Projection Exception:

b. Uncovered porches and decks which do not exceed thirty inches (30") from finished lot grade may project into any setback, provided such projections do not extend more than six feet (6') into a front yard setback or no closer than five feet (5') to the side lot line ~~eighteen inches (18") into a side yard setback.~~

**Public Hearing**

A public hearing will be held by the Planning Commission on September 9, 2021.

**Staff Recommendation**

Staff recommends approval of the ordinance and amendments as proposed.

**Appeal**

Recommendations of the planning commission may be appealed, by applicants or parties of record, from the planning commission hearing, to the city council per OMC 15-10-2.

**CITY OF ORTING  
WASHINGTON  
ORDINANCE NO. 2021-XX**

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**AN ORDINANCE OF THE CITY OF ORTING,  
WASHINGTON, RELATING TO UNCOVERED PORCHES  
AND DECKS; AMENDING ORTING MUNICIPAL CODE  
SECTIONS 13-5-1-C; 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 project exceptions related to decks and uncovered porches to respond to citizen needs; and

**WHEREAS**, the current development code only allows uncovered porches and decks to project eighteen inches into a side yard setback; 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 July 9, 2021 for its review and comment period; and

**WHEREAS**, the City's Planning Commission held a public hearing on the proposed amendments on September 9, 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 September 29, 2021, 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 13-5-1, Amended.** Orting Municipal Code Section 13-5-1-C is hereby amended as follows:

**13-5-1: DENSITY AND DIMENSION:**

C. 10. Projection Exception:

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b. Uncovered porches and decks which do not exceed thirty inches (30") from finished lot grade may project into any setback, provided such projections do not extend more than six feet (6') into a front yard setback or no closer than five feet (5') to the side lot line eighteen inches (18") into a side yard setback.

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**Section 4. 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 5. Codification.** The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the above, and publish the amended code.

**Section 6. Effective Date.** This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  
THE \_\_\_ DAY OF \_\_\_\_, 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:  
Passed by the City Council:  
Date of Publication:  
Effective Date:



# NOTICE OF ORTING PLANNING COMMISSION PUBLIC HEARING

Thursday, September 9, 2021 – 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 to amend Orting Municipal Code Title 13-5-1-C: projection exceptions for uncovered porches and decks. The amendments to the code are to increase the amount decks can project into the side yard from 18-inches to within 5-feet of the side property line.

**The hearing will be held at a regular Planning Commission Meeting on Sept. 9, 2021 at 7:00pm. The City is utilizing both in person AND 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/231809628/8548?src=join\\_info](https://bluejeans.com/231809628/8548?src=join_info)

**Phone Dial-in:** +1.408.419.1715 then enter meeting ID: 231 809 628 and passcode: 8548

**In person:** City Hall, 104 Bridge Street South

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 Sept. 9, 2021 at [EAdams@cityoforting.org](mailto:EAdams@cityoforting.org) or by mail to the Planning Commission secretary at 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.





## Staff Report

<b>Project Name:</b>	Supportive and Transitional Housing Code Amendments (ESSHB 1220)
<b>Applicant:</b>	City of Orting
<b>Date of Staff Report:</b>	August 12, 2021
<b>Date of Meeting:</b>	September 6, 2021
<b>Staff Recommendation:</b>	Approval
<b>City Staff Contact:</b>	Emily Adams, AICP Contract City Planner
<b>Public Comment Period:</b>	August 30 - September 9, 2021 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. Notice of Planning Commission public hearing
3. Proposed Ordinance

### Findings of Fact

E2SHB 1220 was signed into law in May 2021. Its purpose is to encourage cities to take active steps to accommodate transitional housing, emergency shelters, and similar homelessness-related facilities through local planning and changes to local development regulations. This signed bill contains new requirements related to:

- Comprehensive plan housing element updates;
- Adoption of moratoria or interim zoning controls; and
- Zoning and development regulations regarding indoor shelters, permanent supportive housing, and transitional housing.

The bill states: "A city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed" and " a city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed." The bill does allow for reasonable occupancy, spacing and intensity of use requirements to be imposed on the uses.

The City's current code has no regulations related to the development and operation of transitional housing or permanent supportive housing or shelters. And currently hotels/motels are permitted in the

MUTC and MUTCN zones. Therefore, under this new law, emergency shelters, emergency housing, transitional housing, and permanent supportive housing would be required to be permitted in the MUTC and MTUCN zones.

**Proposal**

City staff have not had sufficient time to evaluate the needs to transitional housing or permanent supportive housing and develop regulations between the time that ESSHB 1220 was signed by the Governor and became law. Staff is therefore proposing interim zoning regulations, which would expire in six months if not renewed. During the six month period these regulations would be in place, staff would work to develop and propose long-term zoning regulations consistent with the requirements of ESSHB 1220.

These regulations would adopt definitions emergency shelters, emergency housing, transitional housing, and permanent supportive housing. Transitional housing and permanent supportive housing would be added to the table as conditional uses with the stipulations that the number of units allowed on any given property shall be no more than the number of standard dwelling units that would be allowed under the zoning of the property and that neither may be located within half a mile of another property than contains permanent supportive housing or transitional housing. Hotel and motel would be removed as a permitted use as part of the interim regulations to give staff time to research and create permanent regulations for each of the uses.

**Public Hearing**

A public hearing will be held by the Planning Commission on September 9, 2021.

**Staff Recommendation**

Staff recommends approval of the ordinance and amendments as proposed.

**Appeal**

Recommendations of the planning commission may be appealed, by applicants or parties of record, from the planning commission hearing, to the city council per OMC 15-10-2.

**CITY OF ORTING  
WASHINGTON  
ORDINANCE NO. 2021-XX**

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**AN ORDINANCE OF THE CITY OF ORTING,  
WASHINGTON, RELATING TO INTERIM ZONING  
CONTROLS PERTAINING TO PERMANENT  
SUPPORTIVE HOUSING AND TRANSITIONAL HOUSING  
FOR A PERIOD OF SIX MONTHS IN RESPONSE TO ESSHB  
1220; PROVIDING FOR SEVERABILITY; AND  
ESTABLISHING AN EFFECTIVE DATE**

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**WHEREAS**, under the authority of RCW 35A.63.220 and RCW 36.70A.390, the City may impose interim regulations to be effective for a period of up to six months, and for six-month intervals thereafter; and

**WHEREAS**, earlier this year the state legislature enacted Engrossed Second Substitute House Bill (ESSHB) 1220 signed by Governor Inslee on May 12, 2021, became Chapter 254, Laws of 2021 and will take effect on partially on July 25, 2021 and partially on September 30, 2021; and

**WHEREAS**, Section 3 of ESSHB 1220 contains the following preemption of local zoning authority:

A code city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed. Effective September 30, 2021, a code city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit.; and

**WHEREAS**, the City of Orting has no regulations related to the development and operation of transitional housing or permanent supportive housing needed to protect the community and residents of these units; and

**WHEREAS**, the City has not had sufficient time to evaluate the needs associated with transitional housing or permanent supportive housing and develop regulations between the time that ESSHB 1220 was signed by the Governor and became law; 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 for its expediated review and comment period; and

WHEREAS, the City’s Planning Commission held a public hearing on the proposed amendments on September 6, 2021 and proposed a recommendation and forwarded it 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 September 29, 2021, considered the proposed code amendments and the entire record, including recommendations from the Planning Commission; and

WHEREAS, in response to ESSHB 1220 the Orting City Council would like to make certain changes to its development regulations on an interim basis to give City staff and the Planning Commission time to make a recommendation to the City Council with respect to recommendations that will keep the City compliant with ESSHB 1220 on a permanent basis;

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

**13-3-3: USES**

**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		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>
Adult family homes	P	P	P	P	P			
Attached ground related residences					P			
<u>Permanent Supportive Housing</u>	C <sup>26</sup>	C <sup>26</sup>	C <sup>26</sup>	C <sup>3,26</sup>	C <sup>3,26</sup>			
Single room occupancy sleeping units								C
<u>Transitional Housing</u>	C <sup>26</sup>	C <sup>26</sup>	C <sup>26</sup>	C <sup>3,26</sup>	C <sup>3,26</sup>			
Other <sup>6</sup>		C	P	C				

Manufactured home park	C	C	C				
Mobile/ manufactured home	p <sup>7</sup>	p <sup>7</sup>	p <sup>7</sup>				
Multiple-family			P	p <sup>3</sup>	P		
Single-family detached	P	P	P		p <sup>25</sup>		
Temporary Lodging							
Bed and breakfast	C	C	C	p <sup>3</sup>			
Hotel/motel				p <sup>3</sup>	P		
Rooming house			C	C <sup>3</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.
5. Not located along retail street frontages.
6. Housing more than 12 unrelated individuals.
7. On a legal lot with permanent foundation.
8. On upper floors above ground floor commercial only.
9. On upper floors above ground floor commercial, or in freestanding residential buildings.
10. Duplexes and townhouses are not allowed on flag lots in the RU zone.
11. In planned retail centers when building area is less than 10,000 square feet.
12. See section 13-5-4 of this title.
13. On site sales of agricultural products allowed.
14. Food stores only.
15. On upper floors above ground floor retail.
16. Including outdoor display or sales yards.
17. Not including overnight kennels or treatment facilities.
18. Machine shops, incinerators, wrecking yards, and feedlots may be permitted subject to appropriate mitigation of impacts on surrounding nonindustrial areas. Significant adverse noise, air quality, or other impacts caused by manufacturing processes shall be contained within buildings.
19. When entirely located in a building, not producing adverse noise or air quality impacts, and not located along retail street frontage. Ground floor area limited to 10,000 square feet maximum.
20. Private facilities.
21. Subject to all other City regulations regarding livestock.
22. Redevelopment of the Orting Soldiers' Home subject to site plan and architectural design review approval.
23. Three or more units per building.
24. May not have frontage along SR 162/Washington Avenue N. Must be screened from all adjacent residences with sight obscuring landscaping, 6-foot tall solid fencing.
25. For Senior Housing (aged 55+) only.
26. The number of permanent supportive housing units and transitional housing units allowed on any given property shall be no more than the number of standard dwelling units that would be allowed under the applicable zoning of the property. No permanent supportive housing or transitional housing may be located within one-half mile of another property than contains permanent supportive housing or transitional housing.

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

**13-2: DEFINITIONS**

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**13-2-6: E**

EMERGENCY HOUSING: Temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

EMERGENCY SHELTER: a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

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**13-2-17: P**

PERMANENT SUPPORTIVE HOUSING: One or more subsidized, leased dwelling units with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in the Residential Landlord Tenant Act, chapter 59.18 RCW.

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**13-2-21: T**

TRANSITIONAL HOUSING: A facility that is owner, operated, or managed by a nonprofit organization or governmental entity that provides housing and supportive services to homeless individuals or families for up to two years and whose primary purpose is to enable homeless individuals or families to move into independent living and permanent housing.

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**Section 4. Duration.** The interim zoning regulations adopted herein shall be in effect for one year, beginning upon the effective date of this Ordinance and ending six months thereafter, unless an ordinance is adopted prior thereto rescinding the interim zoning regulations adopted herein.

**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 \_\_\_ DAY OF \_\_\_\_, 2021.**

CITY OF ORTING

\_\_\_\_\_  
Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Kim Agfalvi, City Clerk, CMC

Approved as to form:

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

Filed with the City Clerk:  
Passed by the City Council:  
Date of Publication:  
Effective Date:



# NOTICE OF ORTING PLANNING COMMISSION PUBLIC HEARING

Thursday, September 9, 2021 – 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 to for interim (6 months to a year) zoning regulations in compliance with the requirements of ESSHB 1220. The proposal would amend Orting Municipal Code Title 13-3-3: Uses to add transitional and permanent supportive housing as conditional uses with stipulations about number and location, and remove hotel and motel as permitted uses. 13-2: Definitions would be amended to include definitions of emergency shelter, emergency housing, permanent supportive housing, and transitional housing . **The hearing will be held at a regular Planning Commission Meeting on Sept. 9, 2021 at 7:00pm. The City is utilizing both in person AND 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/231809628/8548?src=join\\_info](https://bluejeans.com/231809628/8548?src=join_info)

**Phone Dial-in:** +1.408.419.1715 then enter meeting ID: 231 809 628 and passcode: 8548

**In person:** City Hall, 104 Bridge Street South

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 Sept. 9, 2021 at [EAdams@cityoforting.org](mailto:EAdams@cityoforting.org) or by mail to the Planning Commission secretary at 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.

