

**CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2022-1097**

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO ZONING CONTROLS
PERTAINING TO MANUFACTURED HOMES; AMENDING
ORTING MUNICIPAL CODE SECTION 13-3-3;
PROVIDING FOR SEVERABILITY; AND ESTABLISHING
AN EFFECTIVE DATE**

WHEREAS, in the City of Orting, under Orting Municipal Code 13-3-3, manufactured homes are allowed in the Residential-Conservation, Residential-Urban, and Residential-Multi-Family zones when on a legal lot with a permanent foundation; and

WHEREAS, the City of Orting had no regulations related to the age of manufactured homes when placed on a lot; and

WHEREAS, the City of Orting wishes to ensure that manufactured homes are up to current building codes; and

WHEREAS, in accordance with the requirement set forth in RCW 36.0A.106, the City provided the Washington State Department of Commerce notice of the City's intent to adopt the proposed ordinance for its review on June 20, 2022; and

WHEREAS, the City's Planning Commission considered the amendments on May 2, 2022 and held a public hearing on the proposed amendments on June 6, 2022 and forwarded a recommendation to the City Council to adopt the proposed OMC amendments; and

WHEREAS, the City Council, on June 15, 2022 considered the proposed code amendments and the entire record, including recommendations from the Planning Commission and, on July 13, 2022 had a closed record final decision; 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 13-3, Amended. Orting Municipal Code Section 13-3 is hereby amended as follows:

13-3-3: USES:

**TABLE 1
CITY OF ORTING LAND USE**

	Zones							
	RC	RU	RMF	MUTC	MUTCN	LM	OS	PF
Manufactured home park	C	C	C					
Mobile/manufactured home	P ⁷	P ⁷	P ⁷					
Multiple-family			P	P ³	P			

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 and no older than three years old on the date the home is placed on the lot.
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.


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

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

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

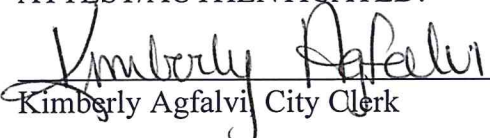
ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 31st of AUGUST, 2022.

CITY OF ORTING



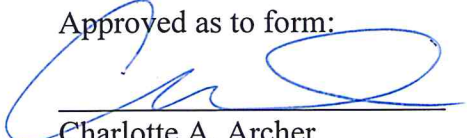
Joshua Penner, Mayor

ATTEST/AUTHENTICATED:



Kimberly Agfalvi, City Clerk

Approved as to form:



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

Filed with the City Clerk: 2.10.2022
Passed by the City Council: 8.31.2022
Date of Publication: 9.2.2022
Effective Date: 9.7.2022