

Commissioners

Kelly Cochran, Chair
Jeff Craig, Co-Chair
Chris Rule
Erika Bartholomew
Dan Swanson
Joe Pestinger
Tom Bush



**City of Orting
Planning Commission Agenda**

Thursday, September 5th, 2024
7:00pm
City Hall Council Chambers

If joining virtually:

Phone Dial-in - Charges may apply
+1.253.215.8782

To join the meeting on a computer or mobile phone:

<https://us06web.zoom.us/j/86734768003?pwd=s09MhbKgOFV9v9ALjcXLTafJajtDH.1>

Meeting ID: 867 3476 8003
Password: 056435

1. CALL MEETING TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

The public may attend this meeting virtually via the platform Zoom by clicking the link above or by telephone, or in person at City Hall.

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

2. AGENDA APPROVAL

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

3. PUBLIC COMMENTS

Comments may be sent to the Planning Commission Secretary Danielle Charchenko at clerk@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.

4. APPROVAL OF MINUTES

A. Are the minutes of the August 5th, 2024 meeting correct and accurate?

5. ARCHITECTURAL DESIGN REVIEW

A. ADR 2024-08 – City of Orting - Street Light Conversion.

B. ADR 2024-09 – The Wellness Shop – Signage.

6. NEW BUSINESS

A. Public Hearing – RV Code Amendments

7. OLD BUSINESS

A. Safe Parking.

B. Comprehensive Plan Updates.

i. Transportation Element and OMC Title 13 – AHBL.

ii. Economic Development Element – EcoNW.

C. Dumpster Violations.

D. Sign Code Violations.

8. GOOD OF THE ORDER

1. Planned Absences.

2. Report on Council Meetings.

3. Agenda setting.

9. ADJOURN

NEXT PLANNING COMMISSION MEETING: Monday, October 7th, 2024

Commissioners

Kelly Cochran, Chair
Jeff Craig, Co-Chair
Chris Rule
Erika Bartholomew
Dan Swanson
Joe Pestinger
Tom Bush



ORTING PLANNING COMMISSION
Planning Commission Meeting Minutes
104 Bridge Street S, Orting, WA
Zoom – Virtual
August 5th, 2024
7:00 p.m.

1. CALL MEETING TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL.

Co-Chair Craig called the meeting to order at 7:00pm. Commissioner Bush led the pledge of allegiance.

Commissioners present: Co-Chair Jeff Craig, Commissioners Tom Bush, Erika Bartholomew, and Joe Pestinger.

Absent: Chair Kelly Cochran, Commissioners Dan Swanson and Chris Rule.

Commissioner Pestinger made a motion to excuse Chair Cochran, Commissioner Swanson and Commissioner Rule. Seconded by Commissioner Bartholomew.

Motion passed (4-0).

Staff present: City Administrator Scott Larson, Planning Commission Secretary Danielle Charchenko, Community Development Director Kim Mahoney.

Virtual: AHBL Planner Nicole Stickney, AHBL Planner MillieAnne VanDevender.

2. AGENDA APPROVAL.

Commissioner Bartholomew made a motion to approve the agenda as prepared. Seconded by Commissioner Pestinger.

Motion passed (4-0).

3. PUBLIC COMMENTS.

A written public comment, received from Marlene Bartram in favor of Safe Parking, was distributed to the Planning Commission.

4. APPROVAL OF MINUTES

Commissioner Pestinger made a motion to approve the July 1st, 2024 minutes. Seconded by Commissioner Bartholomew.

Motion passed (4-0).

5. ARCHITECTURAL DESIGN REVIEW

None.

Next Planning Commission Meeting: Thursday, September 5th, 7:00pm

6. NEW BUSINESS.

A. Comprehensive Plan Updates

Community Development Director Kim Mahoney provided information about the public feedback process in regards to the Comprehensive Plan Update. She stated the City will host a booth this Friday during the Orting Valley Farmer's Market and the Touch a Truck event for public outreach.

AHBL Planner Nicole Stickney gave a presentation highlighting the proposed changes to the Capital Facilities and Utilities chapter, Title 12 Subdivision Regulations, and a review of the Land Capacity Analysis.

B. OMC Update – Senate Bill 5290

Community Development Director Kim Mahoney briefed the update on the mandates of Senate Bill 5290 and the impact on the City of Orting. She stated SB 5290 predominantly impact the final decision timelines for project permit applications that local jurisdictions are required to adhere to. The proposed draft amendments to OMC Title 15, Development Code Administration, incorporate the requirements of SB 5290 and maintain compliance with state legislature.

C. RV Code Amendments – Workshop

AHBL Planner MillieAnne VanDevender briefed the redlined revisions to the proposed amendments that were suggested during the July Planning Commission meeting to revise OMC 10-5-3: A.1 pertaining to RV storage in front yards. She stated that once the Planning Commission completes their final review a public hearing will be scheduled to determine the recommend changes proposed to Council.

Planning Commission discussion followed.

D. Safe Parking

AHBL Planner MillieAnne VanDevender gave a presentation for potential municipal code updates related to safe parking. She started by providing a brief background and covering state regulations regarding safe parking. AHBL Planner MillieAnne VanDevender stated the intent of the presentation is for the Planning Commission to provide direction to staff on rules that should be applied to religious organizations hosting safe parking and whether the rules applicable to religious organizations should extend to non-religious organizations.

Public Comments:

- Marlene Bartram, Orting Resident - in favor of Safe Parking.
- Dave Weston, Orting Resident - in favor of Safe Parking.

Planning Commission will review the questions to consider and discuss during the September 5th meeting.

7. OLD BUSINESS

A. Dumpster Violations

Community Development Director Kim Mahoney stated there are no new reports on dumpster violations.

B. Sign Code Violations

Community Development Director Kim Mahoney stated there are no new reports on sign violations, most code enforcement activity has been focused on RV and boat parking. The Planning Commission asked for an update at then next meeting for Better Properties, The Wellness Shop, Los Pinos, Orting Yard, and Ukrop-Art.

Next Planning Commission Meeting: Thursday, September 5th, 7:00pm

9. GOOD OF THE ORDER.

1. Planned Absences.

Co-Chair Craig will be absent for the September Planning Commission meeting.

2. Report on Council Meetings.

City Administrator Scott Larson briefed the following highlights from the July Council Meetings:

- The approved Chip Seal Project will begin this week at Village Green, Chief Emmons Lane NW, and Eldredge Ave SW.
- Utility coordination is being finalized for the SR 162 Pedestrian Bridge and a temporary construction easement with the Orting School District is currently in review. After a conflicting sewer main is relocated the foundation construction will begin.
- No status update for the White Hawk Blvd Bypass project.
- Bridge Water Plat construction is anticipated to be complete with the final plat by the end of the year.

Commissioner Bush made a motion to extend the meeting to 8:45pm. Seconded by Commissioner Bartholomew.

Motion passed (4-0).

3. Agenda Setting.

The Planning Commission requested to tentatively schedule a Public Hearing for RV Code Amendments and Senate Bill 5290 Code Amendments and requested to bring back Comprehensive Plan Updates, Safe Parking, Dumpsters Violations, and Sign Code Violations under Old Business.

10. ADJOURNMENT.

Commissioner Pestinger made a motion to adjourn. Seconded by Commissioner Bartholomew.

Motion passed (4-0).

Co-Chair Craig adjourned the meeting at 8:33pm.

ATTEST:

Kelly Cochran, Commission Chair

Danielle Charchenko, Planning Commission Secretary

Next Planning Commission Meeting: Thursday, September 5th, 7:00pm

City of Orting Staff Report

Planning Commission

City of Orting ADR 2024-08 Street Light Conversion

APPLICANT / OWNER:

Ryan McBee - Applicant
Puget Sound Energy – Installer

LOCATION OF PROPOSAL:

Carbon River Landing and White Hawk Developments

DESCRIPTION OF PROPOSAL: The City of Orting has received \$49,000 in grant funding from the Transportation Improvement Board. A portion of the funding will be used to convert 29 decorative street lights to PSE standard LED luminaries. The Public Works Department recommends that the PSE standard LED luminaries become the standard for future replacements of decorative fixtures in the City.

STAFF REPORT:

The property is located in the “Residential - Urban” (RU) zone. The proposed use of this property is subject to the conditions of OMC 13-6-7 “Architectural Design Review”.

- The applicant has submitted the decorative luminary specifications with the application; see attached.
- There will be a total of 29 decorative luminary replacements between Carbon River Landing and Whitehawk Development.
- The replacement light fixtures will be UTR Traditionarie LED, Early American design with a width of 17” and height of 30 ¾”.
- The light fixtures are finished in a super-durable black TGIC polyester powder coat paint.
- LED lights will be 3000K to 4000K brightness with a warm white to natural white color temperature.
- The proposed light fixture designs are consistent with “turn of the century” styles, per OMC 13-6-7.

STAFF RECOMMENDATION: Staff recommends approval of ADR 2024-08 as presented.

PREPARED BY: Danielle Charchenko

****PLANNING COMMISSION DECISION – September 5th, 2024****

Kelly Cochran, Planning Commission Chair

Scott Larson, City Administrator

DESCRIPTION

The Traditionaire™ luminaire displays the old-fashioned charm of traditional area lighting, enhancing any setting with a distinctive styling. UL listed and CSA certified for wet locations.

As a decorative luminaire, the Traditionaire luminaire tastefully complements the architectural and environmental design of parks and roadways.

Catalog #		Type
Project		
Comments		Date
Prepared by		

SPECIFICATION FEATURES

Construction

HOUSING + COVER: Hinged (stainless steel hinge pins) die-cast aluminum housing and cover with cupola. 3G vibration tested to ensure strength of construction and longevity in application.

Optical

REFRACTOR: The injection-molded acrylic refractor panels are precisely designed utilizing a combination of refractive and reflective prisms to create Type II or Type V distributions while maintaining a consistent exterior form. High efficiency refractive optical systems constructed of lighting grade acrylic ensures long lasting optical clarity and resistance to the gradual discoloration that results from exposure to sunlight.

Electrical

LED DRIVER: Assembly incorporates quick disconnects for ease of installation and maintenance. **LED LIGHT ENGINE:** Solid State LED engine provides even and uniform illumination without the pixilation common to LED applications. Thermal management incorporates both conduction and natural convection to transfer heat rapidly away from the LED source and retain optimal efficiency and light output. The LED replacement module is backwards compatible with existing Traditionaire luminaire installations enabling retrofit opportunities. Traditionaire is suitable for -30°C to 40°C. Traditionaire LED system maintains a greater than 70% initial lumen output after 50,000 hours. Shipped standard with Cooper Lighting Solutions proprietary circuit module to withstand 10kV of transient line surge. The Traditionaire LED system also includes a standard three position tunnel type compression terminal block.

Mounting

Self-aligning pole-top fitter fits 3" O.D. pole tops or vertical tenons. Square headed 1-1/4" polymer coated mounting bolts with a lock nut.

Finish

Cast components finished in a super-durable black TGIC polyester powder coat paint, 2.5 mil nominal thickness for superior protection against fade and wear. Optional colors include: bronze, grey and white. RAL and custom color matches available.

Warranty

Five-year warranty.

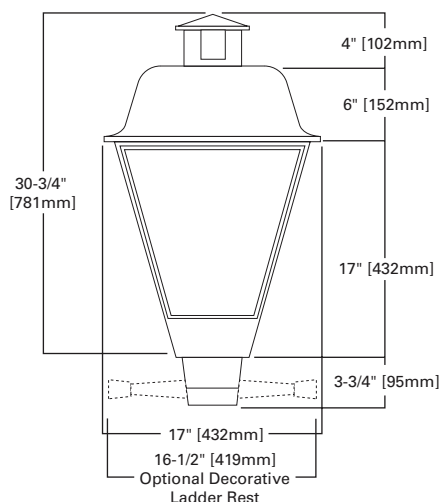


UTR TRADITIONAIRE LED

Solid State LED

DECORATIVE POST TOP
LUMINAIRE

DIMENSIONS



CERTIFICATION DATA

40°C Ambient Temperature Range
UL and cUL
LM79/LM80 Compliant

EPA

Effective Projected Area:
2.3 Sq. Ft.

SHIPPING DATA

Approximate Net Weight:
37 lbs. (17 kgs.)

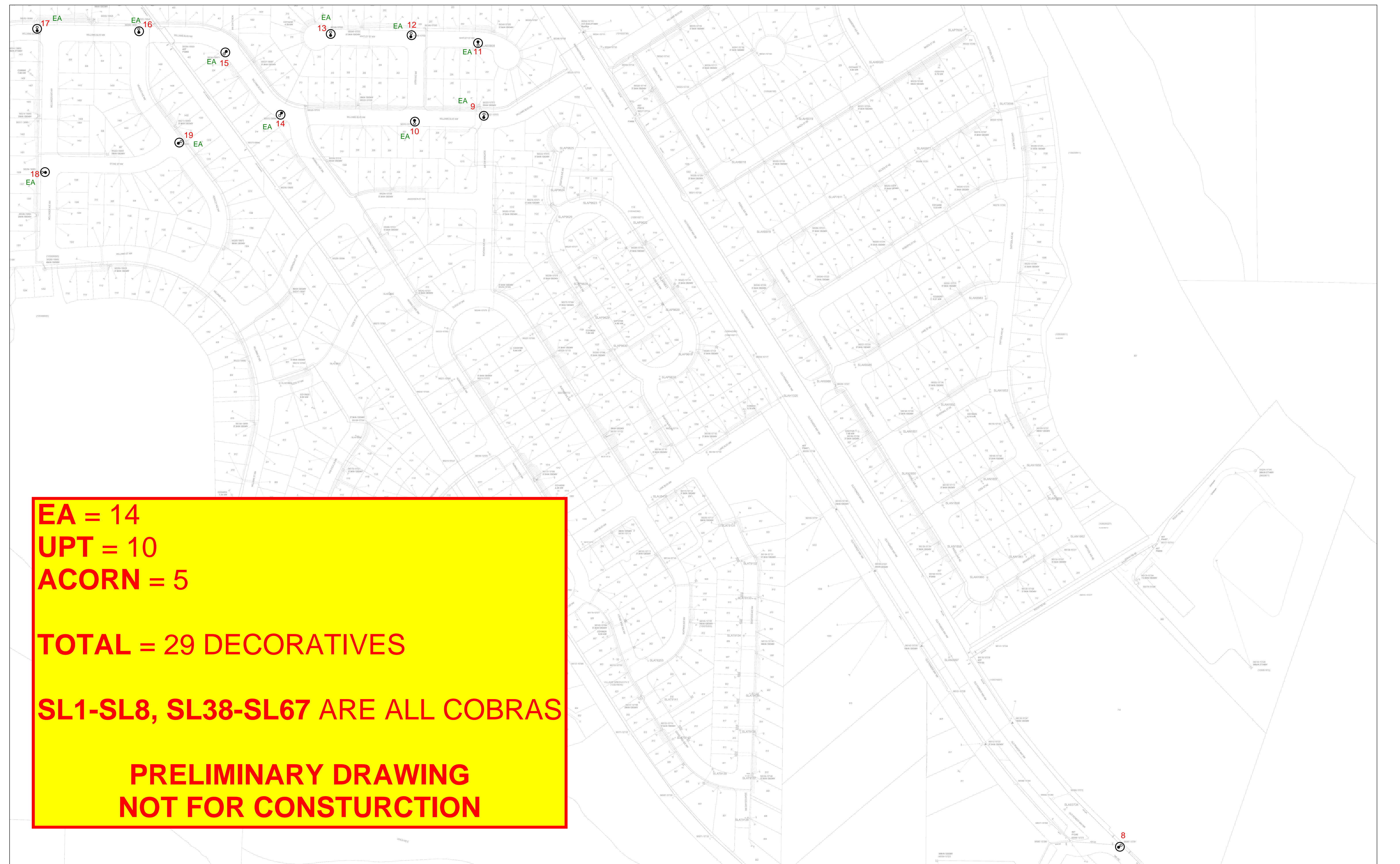
ORDERING INFORMATION

Sample Number: UTR080LEDEU22

Product Family	Lumen Package	Source Type	Ballast Type	Voltage	Distribution
UTR=Traditionaire	080=080 Series	LED=Solid State Light-Emitting Diodes	E=Electronic	U=Universal (120-277V)	22=Type II 55=Type V
Options (Add as Suffix)		Accessories (Order Separately)			
4=Internal NEMA Photocontrol Receptacle W=20" #10 Leads P=Polycarbonate Lens Panels S=Snap Latches for Tool-less Light Replacement U=UL/CSA Listed E=Factory Installed Cupola Cover with Cast Aluminum Eagle J=Factory Installed Ladder Rest 8030=80 CRI/3000K CCT 2L=Two Circuit ¹ SH=Street Side / House Side Switching Capable ¹ AP=Grey BZ=Bronze WH=White		TA1BK=Decorative Ladder Rest for Field Installation OA1222=10kV Surge Module Replacement UTR 50EU=5000 Lumen LED Replacement Module with 120-277V Universal Driver UTR 50EU2L=5000 Lumen LED Replacement Module with 120-277V Universal Driver and Bi-level Switching Capable ¹ UTR 50EUSH=5000 Lumen LED Replacement Module with 120-277V Universal Driver and Street-Side/House-side Switching Capable ¹			

NOTE: 1 Not available with terminal block.

EA = 14
UPT = 10
ACORN = 5
TOTAL = 29 DECORATIVES
SL1-SL8, SL38-SL67 ARE ALL COBRAS
PRELIMINARY DRAWING
NOT FOR CONSTRUCTION

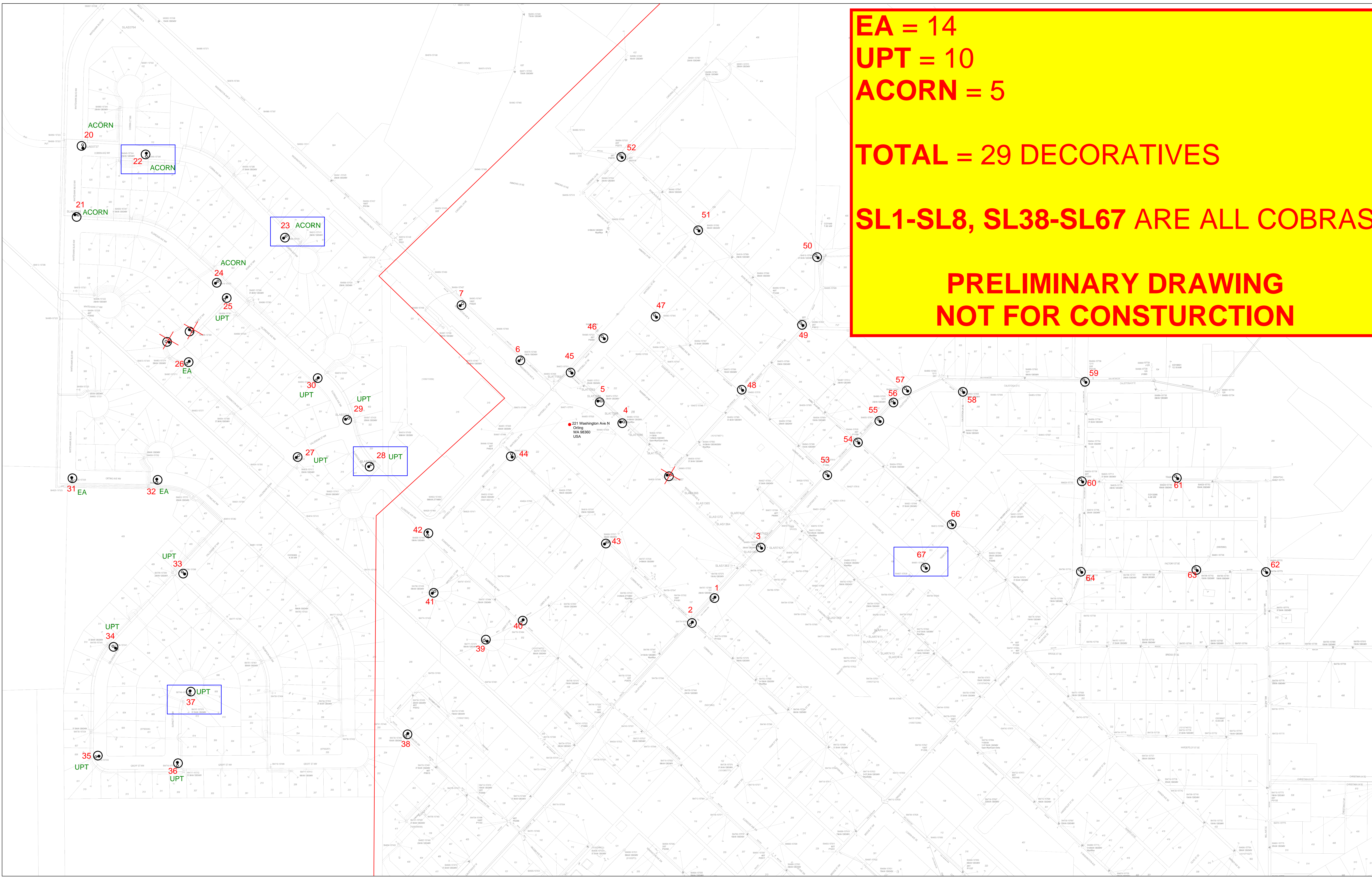


EA = 14
UPT = 10
ACORN = 5

TOTAL = 29 DECORATIVES

SL1-SL8, SL38-SL67 ARE ALL COBRAS

PRELIMINARY DRAWING
NOT FOR CONSTRUCTION



City of Orting Staff Report

Planning Commission

The Wellness Shop ADR 2024-09 Signage

APPLICANT / OWNER:

Alyssa Peavler, Business Owner
Valley Sign, Sign Builder

LOCATION OF PROPOSAL:

122 Washington Ave S, Orting, WA 98360

DESCRIPTION OF PROPOSAL: The applicant is proposing a new permanent sign for an existing building.

STAFF REPORT:

The property is located in the “Mixed Use - Town Center” (MUTC) zone. The proposed use of this property is subject to the regulations in OMC 13-7 “Sign Regulations”.

- The applicant submitted a wall sign design with the ADR application; design attached.
- The wall sign dimensions are 68.25” x 30” equaling 14.22 square feet.
- The building façade is approximately 60’ x 23.5’ equaling 1,410 square feet.
- The sign dimensions are within the 10% allowed in size, per OMC.
- The sign will be constructed of 1.75” sandblast carved and painted wood. The background will be carved down and the artwork and border will be raised.
- The sign is a company logo using script font for “The” and “Shop” with 8.5” tall letters. The text “Wellness” is 6.5” tall using the font Futura.
- The applicant has indicated Valley Sign as the sign builder and installer.

STAFF RECOMMENDATION: Staff recommends approval of ADR 2024-09 as presented.

PREPARED BY: Danielle Charchenko

****PLANNING COMMISSION DECISION – September 5th, 2024****

Kelly Cochran, Planning Commission Chair

Scott Larson, City Administrator



City of Orting

104 Bridge St. S., PO BOX 489, ORTING WA 98360

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

www.cityoforting.org

City use only

ADR#:	<u>2024-09</u>
Date Received:	<u>8/27/24</u>
Fee Paid:	<u>\$ 50</u>
Review Date:	<u>9/5/24</u>

ARCHITECTURAL DESIGN REVIEW

EXTERIOR SIGN PERMIT APPLICATION

The signs shall be planned to reflect the architectural concept of the "Turn of the Century/ Western-Victorian" style. All exterior signs shall be characteristic of the early 1900's in size, material, color, lettering, location, number, and arrangement. Signs may only be illuminated by indirect lighting; internally illuminated signs are prohibited. All materials used for the indirect lighting of exterior signs shall be UL listed. In addition, the Washington State Energy Code shall be adhered to and a Washington State Department of Labor and Industry Electrical Permit and inspection shall be required.

Business Name: The Wellness Shop **Parcel #:** 6565000170

Site Address: 122 Washington Ave S

Contact Person: Alyssa Peavler **Phone #:** 253-332-4139

Sign Builder: Valley Sign **Phone #:** 253-841-1003

Sign Installer: Valley Sign **Phone #:** 253-841-1003

A. Provide a copy of an accurate representation of proposed sign, including color and its relationship to the structure or building (site map showing the sign on the building or on the property in relation to the building).

B. Dimensions of sign: 30" tall x 68.25" wide x 1.75" thick (single sided)

C. Provide the following information:

1. Picture/drawing of lighting type proposed.
2. Drawing to scale showing the location of proposed lighting in relation to the sign and structure.
3. Provide color samples for lighting structure(s) and/or fixture(s).

D. Select sign type (OMC 13-7-8):

- Canopy Sign Projecting Sign Freestanding Sign
- Under Canopy Sign Wall Sign

E. Is this an existing sign, already in use? Yes No

F. Building Frontage Height (ft.): 23.5'

Building Frontage Width (ft.): 60'

G. Material used for sign construction: Sandblast carved and painted wood

H. Size and font of lettering and graphics: "The" and "Shop" are 8.5" tall letters, font is a script font. "Wellness" is 6.5" tall letters, font is Futura.

Comments: The lettering style for the sign is what is used for their company logo. They need their sign to match their logo and branding so they are requesting that the design be approved as is.

Please be advised that you will be required to obtain a Building Permit for demolition, construction, remodeling, and installation of signage. In addition, all contractors and sub-contractors must obtain a City of Orting Business License.

I certify that I have read the ADR Application requirements and that the information and exhibits herewith submitted are true and correct to the best of my knowledge.

Michael Thomas

Signature

8/26/24

Date

Sandblast carved and painted wood sign.
Background carved down and artwork/border raised.

68.25 in

30.00 in



Mike Thomas
Owner

📞 253.298.1860 📧 mike@valley-sign.com
📍 14504 134th Street Ct. E. Orting, WA 98360
🌐 www.valley-sign.com

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Planning Commission Staff Report

Project Name:	Code Amendments to OMC 10-14, 13-2-19, 13-4-2, and 13-5-3:K.1.a regarding temporary occupation of recreational vehicles (RVs)
Date of Staff Report:	August 27, 2024
Date of Meeting:	September 5, 2024
Staff Recommendation:	Recommend Approval to City Council
City Staff Contact:	MillieAnne VanDevender, AICP - Contract City Planner Wayne Carlson, FAICP – Contract City Planner Kim Mahoney - Community Development Director
60-Day Notice:	Distributed to the Department of Commerce on August 6, 2024.
Public Notice:	Notice of a public hearing was published in the Tacoma News Tribune and posted online on August 21, 2024, per OMC 15-7-3.
Exhibits:	<ol style="list-style-type: none">1. Draft Ordinance and proposed changes to the Orting Municipal Code (OMC)2. SEPA checklist and Determination of Nonsignificance (DNS)3. Comments from the Department of Health (email dated August 13, 2024)

Background

The Orting Municipal Code (OMC) contains conflicting regulations regarding when and where recreational vehicles (RVs) may be occupied and there are no provisions for short-term occupancy of an RV outside of RV parks. For instance, the building codes in OMC 10-14 allow occupation of an RV on private property anywhere in the city for up to 180 days with the possibility for an extension of another 180 days; however, the zoning code states in multiple chapters that RVs may not be occupied on lots outside of approved RV parks.

Staff have recently fielded many questions from the public about long-term and short-term occupation of RVs. The City Council asked the Planning Commission to consider updates to the conflicting municipal code sections related to RVs and to consider revisions to the codes to allow short-term occupancy of RVs in residential zoning districts. Staff drafted updates to the applicable code sections and the Planning Commission held three workshops to refine the amendments. At the conclusion of the third workshop, the Planning Commission set the public hearing for September 5, 2024, to provide an opportunity for the public to comment on the proposed changes to the Building and Zoning codes.

Proposal

The proposal to amend the Building and Zoning codes includes updating several code sections pertaining to RVs to align the codes and ensure consistency. Providing cohesive regulations allows predictability for those wishing to live temporarily in an RV and clarifies the rules for permit reviewers and enforcement staff.

In addition to minor text changes throughout that are necessary for clarity, Staff is proposing the following updates:

OMC 10-14: removing references to mobile homes from the code sections related to temporary uses. The term “mobile home” refers to a product that has not been built since 1976.

OMC 10-14-1: adding OMC 10-14-1:C to reference the definition of recreational vehicle that is in Title 13.

OMC 10-14-2: adding a time limit of 24 hours in a 180-day period for emergency or temporary parking of RVs in the right-of-way.

OMC 10-14-3: removing the section regarding RVs on public property because City staff and the City attorney have determined that it is unnecessary and possibly inappropriate for the regulations pertaining to RVs in the right-of-way to be located in the building and zoning codes. Further, the Right-of-Way code would supersede the Building and Zoning codes, there is not an appeal process that correlates with provisions as located, and the City Council is the appropriate body to establish the limits for RVs in rights-of-way.

OMC 10-14-3:C: changing to resolve the conflict between the building codes and zoning codes to allow temporary occupation of an RV for 180 days when it is located on a permitted remodeling or building site in a residential zoning district (with the potential to renew for another 180 days). Staff proposes additional updates to specify that when temporary occupancy is allowed permit fees must be paid, the RV may not be located in the right-of-way, and the RV must not be leaking illicit discharges.

OMC 10-14-5: repealing this section because permit fees are not determined by resolution of the Mayor and City Council, and to avoid redundancy with OMC 10-14-3:C.

OMC 13-2-19: revising the definition of recreational vehicle to include travel trailers and other types.

OMC 13-4-2:C: creating a new section for temporary classrooms to provide clarity and provisions for the use. Temporary classrooms are currently an allowed temporary use listed under the section titled “Temporary Housing Unit.”

OMC 13-4-2:D: revising the section titled “Temporary Housing Unit” to ensure consistency with OMC 10-14-3:C. Such revisions include requiring compliance with OMC 10-14-3, requiring placement on a site consistent with OMC 13-5-3, requiring provisions for water and sewer, and clarifying that the regulations do not pertain to RVs located in an approved RV Park.

OMC 13-4-2:E: adding OMC 13-4-2:E to allow short-term occupancy of an RV, for a period no greater than 14 days, pursuant to the granting of a temporary use permit, when the RV is not located in the right-of-way, and the RV is not connected to sewer or water.

OMC 13-5-3: updating the section to clarify that either one RV and one boat, or two boats may be stored in the front yard of a lot if it is being stored on an improved surface and meets all other applicable code sections.

Public Comments

As of the time of the report, the City has not received comments from the public and has received one comment from the Department of Health.

SEPA Environmental Review

The City issued a Determination of Nonsignificance (DNS) on August 21, 2024. Staff issued the Notice of DNS by publishing in the newspaper of record, posting on the City's website, and posting on-site at City Hall, per OMC 15-14-5-3. The comment period for the DNS concluded on September 4, 2024, and the City had not received any comments at the time of this report. Anyone may file an application to appeal the City of Orting's environmental determination within 10 days of the end of the final SEPA comment period pursuant to OMC 15-14-7-5. The DNS and Annotated SEPA Checklist may be accessed on the Department of Ecology SEPA Register.

Findings and Review

The draft Ordinances, as provided with this staff report under Exhibit 1 shows the suggested findings for the adoption of the ordinances. Exhibit 2 documents environmental elements included under SEPA and details the current codes (local, state, etc.) and adopted plans that protect such elements, or provide for mitigation from impacts.

Recommendation

Staff recommends the Planning Commission forward to the City Council a recommendation of approval of the draft ordinance and the code amendments as proposed.

Public Hearing

A public hearing will be held by the Planning Commission on September 5, 2024.

Appeal

Per OMC 15-10-2, applicants or parties of record may appeal recommendations of the Planning Commission to the City Council.

CITY OF ORTING

WASHINGTON

ORDINANCE NO. 2024-X

AN ORDINANCE OF THE CITY OF ORTING, WASHINGTON, RELATING TO THE CITY'S REGULATIONS FOR THE PARKING AND TEMPORARY OCCUPATION OF RECREATIONAL VEHICLES WITHIN THE CITY; AMENDING ORTING MUNICIPAL CODE (OMC) CHAPTER 10-14, OMC 13-2-19, OMC 13-4-2, AND OMC 13-5-3.K.1.a; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Orting, Washington is fully planning under the state Growth Management Act (GMA); and

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

WHEREAS, the City of Orting amended sections of Titles 10, 13, and 14 of the Orting Municipal Code (OMC) relevant to the parking and occupation of recreational vehicles (RVs) through Ordinance 2019-1053; and

WHEREAS, there are conflicting regulations within various code sections of the Orting Municipal Code regarding temporary occupation and parking of RVs; and

WHEREAS, the City of Orting desires to clarify and amend the regulations pertaining to the occupation and parking of RVs; and

WHEREAS, the City Council intends by this ordinance to allow very short-term occupancy of RVs on lots in the residential zoning districts; and

WHEREAS, the Planning Commission held a public hearing and considered this Ordinance on September 5, 2024; and

WHEREAS, a 60-day notice of intent to adopt the proposed amendments in this Ordinance was provided to Department of Commerce on August 6, 2024; and

WHEREAS, on **Month X, 2024** the City Council held a public hearing on the proposed code amendments in this Ordinance; and

WHEREAS, the City Council has determined that the proposed code amendments in this Ordinance are consistent with the goals and policies of the City’s comprehensive plan, and will serve the public health, safety and general welfare;

NOW, THEREFORE, the City Council of the City of Orting, Washington, do ordain as follows:

Section 1. Amendment: Orting Municipal Code (OMC) Chapter 10-14, OMC 13-2-19 (definition of “Recreational Vehicle” only), OMC 13-4-2, and OMC 13-5-3.K.1.a and are hereby amended as set forth in **Attachment A**, attached hereto.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this Ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

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. Transmittal to State. Pursuant to RCW 36.70A.106, a complete and accurate copy of this Ordinance shall be transmitted to the Department of Commerce within ten (10) days of adoption.

Section 5. Effective Date. This Ordinance shall take effect and be in force five (5) days after its approval, passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE **XX DAY OF Month, 2024.**

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Kim Agfalvi, City Clerk

Approved as to form:

Charlotte A. Archer
Inslee Best
City Attorney

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

Attachment A

TITLE 10 BUILDING AND CONSTRUCTION

CHAPTER 14 PARKING AND OCCUPYING ~~MOBILE HOMES~~ RECREATIONAL VEHICLES

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

- A. Prohibition: It is unlawful, within the City limits, for any person to park or occupy any ~~mobile home~~ ~~or~~ recreational vehicle within the City except as provided in this Chapter.
- B. Exception: This Section shall not apply to manufactured homes as defined in OMC 13-2-14. (1973 Code § 14.40.010; amd. Ord. 2019-1053, 11-25-2019)
- C. For purposes of this chapter, "recreational vehicle" shall have the same meaning as stated in OMC 13-2-19.

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

Emergency or temporary stopping or parking of ~~a mobile home or a~~ recreational vehicle is permitted on any street, alley or highway for a period of no longer than twenty-four (24) hours in a 180-day period, and subject to any other regulation or ordinance prohibiting or restricting parking. (1973 Code § 14.40.020; amd. Ord. 2019- 1053, 11-25-2019)

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

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

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

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

C. Temporary Parking for a ~~Mobile Home or~~ Recreational Vehicle:

~~1. Mobile Homes: That a mobile home may be parked for a period not to exceed one hundred eighty (180) days on private property, provided the person desiring to so park and occupy the same shall first apply and obtain from the Code Enforcement Officer, a permit to do so, which application shall~~

~~state the location at which the mobile home is to be parked, the motor vehicle license number and a general description of the mobile home for which permission is requested, and shall pay a permit fee in an amount set by Resolution of the City Council; provided, further, that such occupancy shall at all times comply with all regulations relating to health and sanitation, and shall also comply with electrical requirements of applicable ordinances. The permit to park and occupy the mobile home may be extended by the Code Enforcement Officer upon written request setting forth the need of extending the time, but such extension shall not exceed one hundred eighty (180) additional days. Parking and occupancy of recreational vehicles and mobile homes shall continue to be subject to restrictions set forth in OMC 13-5-3(k)(1)(a).~~

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

~~3. Recreational Vehicles on Private Property: A recreational vehicle may stand or be parked and used or occupied on private property with the permission of the lawful occupant thereof~~ owner of the lot upon which it will be placed, for a period not to exceed one hundred eighty (180) days within a twelve (12)-month period. ~~;~~ provided, that: The temporary occupation of the recreational vehicle shall be accessory to an active building or remodel permit that has been issued for construction located on the same lot where the recreational vehicle is placed and is subject to the following:

1.a. The lawful occupant of the ~~premises~~ recreational vehicle shall register with the Code Enforcement Officer prior to occupying the recreational vehicle on the premises, and pay required permit fees as established by resolution of the City Council; ~~and~~

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

3.e. The recreational vehicle shall be located on ~~the premises~~ a lot in a residential zoning district in accordance with the provisions of OMC Title 13, Chapter 5; ~~and~~

4.d. Such use or occupancy shall not create a public health hazard or nuisance, as determined by the City;-

5.e. The recreational vehicle ~~Shall~~ shall not be parked on or overhanging a public right of way (street or sidewalk); and

6.f. The recreational vehicle shall not leak or cause illicit discharges to stormwater drainage systems, surface water or groundwater in accordance with OMC 9-5A-9:H; sites are subject to inspection for illicit discharges in accordance with OMC 9-5B-10.

7. Once a recreational vehicle is registered for occupation on private property for a period of one hundred eighty (180) days, the one hundred eighty (180) day period may be extended by the Code Enforcement Officer, upon written request setting forth the need of extending the time, but such extension shall not exceed one hundred eighty (180) additional days.

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

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

A. Any person violating any of the provisions of this Chapter is guilty of a civil infraction with penalties, plus statutory assessments, as follows:

1. The maximum penalty and the default amount for a first offense within a one year period, designated as a Class 4 civil infraction, shall be sixty dollars (\$60), not including statutory assessments;

2. The maximum penalty and the default amount for a second offense within a one year period, designated as a Class 3 civil infraction, shall be one hundred twenty dollars (\$120), not including statutory assessments;

3. The maximum penalty and the default amount for a third offense within a one year period, designated as a Class 2 civil infraction, shall be three hundred dollars (\$300), not including statutory assessments;

4. The maximum penalty and the default amount for a fourth offense and each additional offense within a one year period, designated as a Class 1 civil infraction, shall be six hundred dollars (\$600), not including statutory assessments.

B. Joint and Several Responsibility And Liability: Responsibility for violations subject to enforcement under this chapter is joint and several, and the city is not prohibited from taking action against a party where other persons may also be potentially responsible for a violation, nor is the city required to take action against all persons potentially responsible for compliance. (1973 Code § 14.40.080; amd. Ord. 2019-1053, 11- 25-2019)

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

~~Permits for parking on private land shall cost such sum as provided by resolution of the Mayor and City Council for each trailer. (1973 Code § 14.40.060; 1996 Code)~~

10-14-6 : ~~VIOLATION~~; PENALTY:

Any person violating any of the provisions of this Chapter is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in Section 1-4-1 of this Code. (1973 Code § 14.40.080)

TITLE 13 - CHAPTER 2 (partial)

OMC 13-2-19: . . .

RECREATIONAL VEHICLE: A recreational vehicle is a factory built vehicular structure designed only for recreational use and not as a primary residence or for permanent occupancy, built and certified in accordance with NFPA 1192–15 or ANSI A119.5–09 consensus standards for recreational vehicles and not certified as a manufactured home. It is designed to be self-propelled or permanently towable and shall include, but not be limited to, travel trailers, campers, motor homes, and camping trailers.

. . .

TITLE 13 - CHAPTER 4 TEMPORARY USES/TEMPORARY HOUSING UNITS

13-4-1 : PURPOSE:

The purpose of this chapter is to establish allowed temporary uses and structures and provide standards and conditions for regulating such uses and structures. (Ord. 792, 7-29-2004)

13-4-2 STANDARDS

A. Temporary Construction Buildings: Temporary structure for the storage of tools and equipment or containing supervisory offices in connection with major construction projects, may be established and maintained during the progress of such construction on such projects, and shall be abated within thirty (30) days after completion of the project or thirty (30) days after cessation of work or for a period not to exceed the duration of the building permit, whichever is greater.

B. Temporary Real Estate Office: One temporary real estate sales office may be located on any new subdivision in any zone, provided the activities of such office shall pertain only to the selling of lots within the subdivision upon which the office is located; and provided further, that the temporary real estate office shall be removed at the end of a twelve (12) month period, measured from the date of the recording of the map of the subdivision upon which such office is located or at the time specified by the city council.

C. Temporary Classrooms: Portable, modular, or mobile structures that provide classrooms or other school related space are allowed as part of K-12 school facilities and are subject to the provisions of the underlying permit.

D. Temporary Housing Unit: ~~Singlewide mobile homes or manufactured homes~~ A factory built structure may be placed in any zone to provide on-site security and surveillance for public facilities, or a recreational vehicle may be placed in any residential zone for occupancy during the ~~period of time necessary to construct~~ construction or renovation of a permanent dwelling on the same lot or tract, ~~to provide on-site security and surveillance for public facilities, to provide classrooms or other school related space for public schools,~~ or to provide for residential occupancy when permanent homes have been destroyed or damaged by a disaster, provided:

1. The unit meets all applicable codes and regulations including OMC 10-14-3. ~~is removed from the site within thirty (30) days after final inspection of the project, or within one year from the date the~~

~~unit is first moved to the site, whichever may occur sooner.~~ A recreational vehicle may remain on site unoccupied as long as it meets all applicable development standards in Title 13 OMC;

2. The mobility gear is not removed from the unit and the unit is not permanently affixed to the site on which it is located.;

3. The ~~unit recreational vehicle~~ is located on private property in a manner consistent with OMC 13-5-3; ~~not located in any required front or side yard, where a rear yard is reasonably accessible, or a side yard is of sufficient size to accommodate the recreational vehicle;~~

4. A temporary permit is issued by the building department prior to occupancy of the unit on the ~~construction~~ site.;

5. Prior to the issuance of a temporary permit for a unit allowed per this section, the site shall be reviewed by the Pierce County health department to determine additional requirements for water supply and/or septic waste disposal or adequacy of existing utilities. The recreational vehicle may be inspected by the City if connected to sewer or to a Tacoma-Pierce County health department approved septic system;

6. In the event the site contains trees or other natural vegetation of a type and quantity to make it possible to partially or totally provide screening on one or more sides of the ~~security~~ unit, the city may require the unit be located so as to take advantage of the natural growing material available to screen said unit from adjacent properties.;

7. Prior to the issuance of a temporary housing permit, the city shall review the application and may require installation of such fire protection/detection equipment as may be deemed necessary as a condition to the issuance of the temporary housing permit.;

and

8. The unit shall not be placed in critical areas or their associated buffers.

9. Recreational vehicles located within an approved recreational vehicle park are not subject to the standards set forth in this Section.

E. A recreational vehicle may be occupied for up to 14 (fourteen) days in a six (6) month period, with one potential extension of 14 (fourteen) additional days, per year, with a temporary use permit when located on a parcel in the RC, RU, or RMF zoning districts, provided:

1. The recreational vehicle shall not be parked on or overhanging a public right of way (street or sidewalk), and

2. The recreational vehicle shall not be connected to sewer or water systems~~except as approved by the City after review of the temporary use permit.~~

The following code sections are included only to demonstrate that the numbering/lettering of sections would change with the proposed changes above. No other updates to the following sections are proposed at this time.

FD. Cargo Containers; When Allowed: Except pursuant to subsections A, "Temporary Construction LM and PF zones pursuant to a type 1 permit as an accessory use and in the RU zone pursuant to a type 3 permit as a conditional accessory use, subject to the following limitations as determined by the city administrator:

1. Only two (2) cargo containers will be allowed per lot with a maximum length of forty feet (40') per cargo container.

2. The cargo container must be located to minimize the visual impact to adjacent properties, parks, trails and rights of way. Property located across a public right of way is not regarded as adjacent property.

3. The cargo container must be sufficiently screened from adjacent properties, parks, trails and rights of way, as determined by the city administrator. Screening may be a combination of solid fencing, landscaping, or the placement of the cargo containers behind, between or within buildings. If a cargo container is located on a lot adjacent to a residential zone, the cargo container shall be no greater in size than ten by twenty feet (10 x 20'), and shall have a stick built structure, with a peaked roof, constructed to completely enclose the container. No stick built structure shall be required if the cargo container is totally screened from adjacent residential properties as determined by the city administrator.

4. If located adjacent to a building, the outdoor cargo container must be painted to match the building's color.

5. Cargo containers may not occupy any required off street parking spaces.

6. Cargo containers may not be used as an accessory dwelling unit.

7. Cargo containers shall meet all setback requirements for the zone.

8. Outdoor cargo containers may not be refrigerated.

9. Outdoor cargo containers may not be stacked.

10. Outdoor cargo containers must comply with all applicable requirements of title 11, "Critical Areas And Shoreline Management", of this code, as now or hereafter amended.

11. Cargo containers shall be prohibited from having windows, heating and cooling, plumbing, or multiple entrances. Cargo containers are allowed to have electric, ventilation, and drainage systems installed that would be necessary to meet the minimum codes and standards for lighting, circulation, and drainage.

12. No signage shall be allowed on any cargo container unless approved in accordance with section 13-7-1 of this title, as now or hereafter amended.

13. Cargo containers shall not be visible from any site designated or identified as a local or national historic landmark or natural area. This includes significant vegetative features, stream and creek corridors, buildings, sites, structures and/or identified viewsheds of historic and/or cultural significance.

14. Cargo containers shall be safe, structurally sound, stable, and in good repair.

15. The location of the cargo container shall not block or impede fire or emergency access and shall not be located within or upon the public right of way except as may be permitted by the governing body managing or controlling the public right of way.

16. Conditional use permit for placement in the RU zone requires that the property be at least five (5) acres or more in size.

GE. Temporary Portable Storage:

1. When Allowed: Cargo containers used for temporary portable storage may be located on property in all residential zones subject to the following:

a. Such cargo containers may be located on property within the city for a period not exceeding fourteen (14) consecutive days in duration from and including the date of delivery to the date of

removal, without registering the property upon which such cargo container is located as provided at subsection ~~E2~~G.2. of this section;

b. No more than one such cargo container may be located on a specific property within the city at one time and each such cargo container shall be individually limited in duration to the time period established herein;

c. Such cargo container may not be removed and relocated on a specific property more than two (2) times in any given thirty (30) calendar day period;

d. Such cargo container shall be located, if feasible, no closer than five feet (5') to the property line;

e. Such cargo container shall be placed on an existing impervious surface; provided that, in the event that it is unfeasible to place the cargo container on an existing impervious surface, the cargo container may be placed anywhere on the property that is otherwise in compliance with this subsection ~~E1~~G.1.;

f. It shall be the obligation of the owner or user of such cargo container to secure it in a manner that does not endanger the safety of persons or property in the vicinity of the cargo container. In the event of high winds or other weather conditions in which such structure may become a physical danger to persons or property, the appropriate law enforcement officers may require the immediate removal of such temporary structure;

g. No such cargo container shall be located in a manner that blocks access to a fire hydrant or obstructs the view of street intersections;

h. No such cargo container shall contain toxic or hazardous materials;

i. No such cargo container shall be located in the public right of way; and

j. No such cargo container shall be used to store solid waste, construction debris, demolition debris, recyclable materials, business inventory, or commercial goods (i.e., used for retail sales), or personal property not from the residential property where the cargo container is located.

k. "Temporary portable storage" shall mean an unoccupied cargo container that is used on a temporary basis for the transient storage of personal property of any kind and which is located for such purposes outside an enclosed building.

2. Registration Required: The owner or occupant of the residential property upon which a cargo container is located pursuant to this subsection ~~E~~G, shall not cause or allow such cargo container to remain on such property beyond the duration specified in subsection ~~E1a~~G.1.a. of this section, unless the property upon which such cargo container has been located is registered with the city administrator and the ten dollar (\$10.00) nonrefundable registration fee has been paid. The registration application shall contain the name of the applicant, whether the person owns, rents, occupies, or controls the property, the street address at which the cargo container has been placed (and assessor's tax parcel number if available), the delivery date, removal date, and a description of the cargo container and its location on the registered property. The effective date of the registration shall be the date of approval of the registration application and the registration shall be conspicuously posted on the cargo container. A cargo container may be located upon the registered property for a period not to exceed sixty (60) days from the date of approval. No property may be registered more than one time in any one hundred eighty (180) day period.

3. Revocation: A violation of any of the provisions of this subsection ~~E~~ shall, in addition to any other penalties provided herein, subject the registration approval to revocation by the city administrator.

4. Removal: The owner or occupant of the residential property is responsible for removing the cargo container from the property at the expiration of the registration approval or sooner if the registration is revoked by the city administrator.

5. Penalties: A violation of any of the provisions of this subsection ~~E~~ shall be and constitute a class IV civil infraction for each day that such violation continues, and any person found to have committed such a violation shall be subject to a maximum fine of twenty five dollars (\$25.00) for each such violation. Imposition of such penalties shall not preclude the city from exercising any other rights or remedies it may have to require or seek removal of a cargo container located in violation of this subsection ~~E~~. (Ord. 889, 9-8-2010)

TITLE 13 – CHAPTER 5 (partial) DEVELOPMENT STANDARDS

13-5-3: LOADING AREA AND OFF STREET PARKING REQUIREMENTS

K. Commercial Vehicles, Recreational Vehicles, And Boats: The following special requirements and performance standards shall apply to private properties located in the Residential-Urban, Residential-Multi-Family, and Residential-Conservation Zones, except as otherwise authorized by the City through a conditional use permit:

1. Outdoor Storage Of Vehicles: The outdoor storage of commercial vehicles, recreational vehicles, boats, and vehicle accessories is permitted in the residential zones, provided the following standards are met. For purposes of this section, "storage" means the keeping of such vehicles and accessories on any portion of any parcel of property for a period of seventy two (72) continuous hours or longer.

a. Recreational Vehicles And Boats: ~~Where a rear yard is reasonably accessible or a side yard is of sufficient size to accommodate the recreational vehicle, said r~~A recreational vehicle or boat shall not be stored in the front yard of a lot, unless said recreational vehicle or boat is stored on an improved, durable, dustless surface and where primary access is taken to and from the lot. In no instance shall a recreational vehicle or boat be stored such that any portion of the vehicle encroaches upon a site distance area that would create a traffic hazard; nor shall a recreational vehicle or boat be stored on or overhang a public right-of-way. A maximum of one recreational vehicle and one boat may be located in the front yard of a lot; it is also permissible to store two boats in the front yard of a lot when stored in conformance with Titles 8, 10, and 13 of the OMC. It is prohibited to store two recreational vehicles in the front yard of any lot. If located within a required ~~front or street~~ side yard that fronts a street, the storage area for a recreational vehicle or boat shall be improved with a durable and dustless surface and screened from views from adjacent properties.



CITY OF ORTING

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SEPA Determination of Non-Significance (DNS)

- Name of Proposal:** Code Amendments to Orting Municipal Code (OMC) 10-14, 13-2-19, 13-4, and 13-5 regarding temporary occupation and storage of recreational vehicles (RVs)
- Proponent:** City of Orting
- Responsible Official:** Kimberly Mahoney, Community Development Director
Orting City Hall, 104 Bridge Street South, Orting, WA 98360/ PO Box 489
- Description:** The proposed code amendments are in response to changes identified by staff and the City Council to regulate temporary occupancy and storage of RVs and ensure consistency within the code. Proposed amendments include amending the code language found in OMC 10-14 to require an active building or remodel permit to allow the temporary occupation of an RV on private property for an extended period of time; amending OMC 13-4-2 to create a permitting process to allow temporary RV occupancy with a time-limit in residential zones; creating provisions to allow RVs to be occupied on a very short-term basis; updates to the definition of Recreational Vehicle in OMC 13-2-19; and updates to OMC 13-5 to further clarify allowed locations for the storage of RVs on private property.
- 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 be widely applicable in the City of Orting.
- Lead Agency:** City of Orting
- Determination:** 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.
- Appeals:** The City of Orting's environmental determination may be appealed by filing an application with the Orting City Planner within ten (10) days of the end of the SEPA comment period pursuant to OMC 15-14-7:5.

This Determination of Nonsignificance (DNS) is issued under WAC 197-11-340. The Lead Agency will not act on this proposal for 14 days from the issue date (issue date: August 21, 2024. Comments must be submitted by 5:00 pm on September 4, 2024). Please submit written comments to Kim Mahoney at the address above, or by email to the City Planner at planner@cityoforting.org.

Kimberly Mahoney, Community Development Director

8/21/2024

Date

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 [\[HELP\]](#)

1. Name of proposed project, if applicable:

Code Amendments to Orting Municipal Code (OMC) 10-14, 13-2-19, 13-4, and 13-5 regarding temporary occupation and storage of recreational vehicles (RVs)

2. Name of applicant:

**MillieAnne VanDevender, City Planner
City of Orting**

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

**Mailing Address: PO Box 489, Orting, WA 98360
Phone: 509-380-5883**

4. Date checklist prepared:

August 6, 2024

5. Agency requesting checklist:

City of Orting

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

The code amendments are a nonproject action undergoing public review. Amendments are anticipated to be adopted by City Council by Fall 2024.

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

The code amendments would be subject to review as needed in the future. Any new amendments will require separate environmental review.

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

Not applicable; the proposed code amendments do not provide for RVs to use or discharge water or sewer, expand upon utility use, or exceed already adopted impervious surfacing coverage standards that could feasibly reason preparation of environmental documentation.

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.

None.

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 and Notice to the

Washington State Department of Commerce.

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

The proposed code amendments are in response to changes identified by staff and the City Council to regulate temporary occupancy and storage of RVs and ensure consistency within the code. Proposed amendments include amending the code language found in OMC 10-14 to require an active building or remodel permit to allow the temporary occupation of an RV on private property for an extended period of time; amending OMC 13-4-2 to create a permitting process to allow temporary RV occupancy with a time-limit in residential zones; creating provisions to allow RVs to be occupied on a very short-term basis; updates to the definition of Recreational Vehicle in OMC 13-2-19; and updates to OMC 13-5 to further clarify allowed locations for the storage of RVs on private property.

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 be widely applicable throughout the City of Orting.

B. Environmental Elements

1. Earth

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

Topography within the city is generally flat across the valley floor, with steeper slopes surrounding the developed areas. The valley floor slopes gently from south (300 feet NAVD 88) to north (140 feet NAVD 88).

b. What is the steepest slope on the site (approximate percent slope)?

Not applicable (N/A), there is not a development proposal associated with the proposed amendments. Slopes throughout the city vary and will be assessed at the time of future site-specific permit applications.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

N/A. There is not a development proposal associated with the proposed amendments.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

N/A. There is not a development proposal associated with the proposed amendments. Soil studies will be conducted in conjunction with future site-specific permit applications in the city, as applicable.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

N/A. There is not a development proposal associated with the proposed amendments. Further, the proposed code amendments largely govern temporary uses which most likely would not require filling, excavation, and grading activities. If such activities are proposed, they will be assessed at the time of future site-specific permit applications in the city.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A. There is not a development proposal associated with the proposed amendments. Erosion impacts will be assessed at the time of future site-specific permit applications in the city.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A. There is not a development proposal associated with the proposed amendments. Impervious surface coverage will be addressed at the time of future site-specific permit applications in the city.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A. No development activity is proposed in conjunction with this non-project action; measures to reduce and control erosion caused by site development will be assessed at the time of future site-specific permit applications in the city.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

N/A. There is not a development proposal associated with the proposed amendments. Future proposals for temporary occupancy of Recreational Vehicles will be subject to

all applicable regulations for air quality. Emissions to the air would be assessed at the time of future site-specific permit applications in the city.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A. There is not a development proposal associated with the proposed amendments. Off-site sources of emissions will be assessed at the time of future site-specific permit applications in the city.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A. No development activity is proposed in conjunction with this non-project action; measures to reduce or control air emissions will be addressed at the time of future site-specific permit applications in the city.

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

N/A. This is a non-project action that would affect multiple parcels throughout the City. The Puyallup and Carbon Rivers are on or near some parcels in the City.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A. This is a non-project action that does not require work over, in, or adjacent to surface water bodies. Surface water impacts will be assessed at the time of future site-specific permit applications in the City.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A. There is not a development proposal associated with the proposed amendments. Fill and dredge material will be assessed at the time of future site-specific permit applications in the City.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A. There is not a development proposal associated with the proposed amendments. Surface water impacts will be assessed at the time of future site-specific permit applications in the City.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

The proposal is a non-project action applicable throughout the City. There may be some parcels that lie within a 100-year floodplain which would be assessed at the time of a site-specific

proposal in the City. Proposals to place an RV on a parcel in the floodplain will be subject to OMC 14-1-10 which contains regulations for RVs in flood prone areas.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

The non-project proposal includes the addition of code language prohibiting discharges to surface water or groundwater from RVs (OMC 10-14-3:C). Provisions for waste material discharge will be assessed at the time of future site-specific permit applications in the City and will be subject to any existing and proposed regulations.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

The proposed nonproject action would not cause direct impacts to groundwater within the City of Orting. Well water uses will be assessed at the time of future site-specific permit applications in the City.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

The proposed nonproject action would not cause any direct impacts to groundwater within the City of Orting. Any future site-specific development proposals with potential to impact groundwater would be subject to the provisions of further environmental review.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A. There is not a development proposal associated with the proposed amendments. Sources of water runoff will be assessed at the time of future site-specific permit applications.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

The non-project proposal includes the addition of code language prohibiting discharges to surface water or groundwater from RVs (OMC 10-14-3:C). Provisions for waste material discharge will be assessed at the time of future site-specific permit applications and will be subject to existing and proposed regulations.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

N/A. There is not a development proposal associated with the proposed amendments. Impacts

to drainage patterns will be assessed at the time of future site-specific permit applications in the City.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

N/A. No development activity is proposed in conjunction with this non-project action; measures to control/reduce runoff water and reduce impacts to drainage patterns will be assessed at the time of future site-specific permit application in the City.

4. Plants

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

The City of Orting supports a wide variety of vegetation types including deciduous, evergreen, wetland, and others. The proposed nonproject action would not directly impact plants.

b. What kind and amount of vegetation will be removed or altered?

N/A. There is not a development proposal associated with the proposed amendments.

c. List threatened and endangered species known to be on or near the site.

N/A. There is not a development proposal associated with the proposed amendments.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A. There is not a development proposal associated with the proposed amendments. Landscape design and vegetation retention will be assessed at the time of future site-specific permit applications in the City, as applicable.

e. List all noxious weeds and invasive species known to be on or near the site.

N/A. There is not a development proposal associated with the proposed amendments. Landscape design and vegetation retention will be assessed at the time of future site-specific permit applications in the City, as applicable.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

The City of Orting widely observes the presence of bird, mammal, and fish species. The proposed nonproject action would not directly impact animal species within the City.

- b. List any threatened and endangered species known to be on or near the site.

N/A. There is not a development proposal associated with the proposed amendments which pertain to temporary occupation of RVs. Threatened and endangered species will be assessed at the time future site-specific permit applications in the City as applicable.

- c. Is the site part of a migration route? If so, explain.

Anadromous fish, migratory birds, and other wildlife use the Puyallup and Carbon Rivers and the general vicinity of the Orting shoreline area as a migration route; however, effects to migratory birds or anadromous fish are not anticipated as a result of this nonproject action.

- d. Proposed measures to preserve or enhance wildlife, if any:

N/A. No development activity is proposed in conjunction with this non-project action; any necessary measures to preserve or enhance wildlife will be assessed at the time of future site-specific permit applications in the City.

- e. List any invasive animal species known to be on or near the site.

N/A. There is not a development proposal associated with the proposed amendments. Threatened and endangered species will be assessed at the time of future site-specific permit applications in the City.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A, there is no development activity associated with proposed code amendments. Energy needs for allowed temporary uses will be assessed at the time of future site-specific permit application.

- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.

N/A, there is no development activity associated with proposed code amendments. Impacts to solar energy will be assessed at the time of future site-specific permit application.

- c. What kinds of energy conservation features are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any:

N/A, no development activity is proposed in conjunction with this non-project action.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?
If so, describe.

N/A, there is no development activity associated with the proposed code amendments. The potential for environmental health hazards will be assessed at the time of future site-specific permit applications.

- 1) Describe any known or possible contamination at the site from present or past uses.

N/A, there is no development activity associated with proposed code amendments. Site contamination will be assessed at the time of individual development permit applications.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

N/A, hazardous chemicals or conditions will be assessed at the time of future site-specific permit applications.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

N/A, toxic or hazardous chemical storage will be assessed at the time of future site-specific permit applications.

- 4) Describe special emergency services that might be required.

N/A, special emergency services are not required for a non-project action. Allowed temporary occupancy of RVs may require emergency services similar to a single-family residential structure which is within the capacity of emergency service providers in Orting.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

N/A, no development activity is proposed in conjunction with this non-project action; proposed measures to reduce or control environmental health hazards will be assessed at the time of future site-specific permit applications.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

N/A. There is not a development proposal associated with the proposed amendments. Noises will be assessed at the time of future site-specific permit applications City.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

There is not a development proposal associated with the proposed amendments, however the updated codes would allow temporary occupancy of an RV. Allowed temporary occupation of an RV would produce levels of noise similar to a single-family residential structure.

3) Proposed measures to reduce or control noise impacts, if any:

N/A. There is not a development proposal associated with the proposed amendments. Proposed measures to reduce or control noises will be assessed at the time of future site-specific permit applications.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

N/A. There is not a development proposal associated with the proposed amendments. Site use and adjacent property use will be assessed at the time of future site-specific permit applications in the City.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

N/A. There is not a development proposal associated with the proposed amendments and there will be no agricultural or forest land of long-term commercial significance converted to other uses as a result of the proposal.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

N/A. There is not a development proposal associated with the proposed amendments. Surrounding uses will be assessed at the time of future site-specific permit applications in the City.

c. Describe any structures on the site.

N/A. There is not a development proposal associated with the proposed amendments. Site structures will be assessed at the time of future site-specific permit applications.

d. Will any structures be demolished? If so, what?

N/A. There is not a development proposal associated with the proposed amendments. Site

structures will be assessed at the time of future site-specific permit applications.

e. What is the current zoning classification of the site?

The City of Orting has multiple zoning districts, including mixed use, light manufacturing, public facilities, residential, open space and recreation, and water bodies. The proposed nonproject action would not change zoning within the city. The proposed code updates would allow temporary occupancy of recreational vehicles in residential zoning districts.

f. What is the current comprehensive plan designation of the site?

The City of Orting has multiple comprehensive plan designations, including mixed use, light manufacturing, public facilities, residential, open space and recreation, and water bodies. The proposed nonproject action would not change land uses within the city.

g. If applicable, what is the current shoreline master program designation of the site?

There are sites within the city with shoreline master program designations. The proposed nonproject action would not change these designations within the city. Such designations will be assessed at the time of future site-specific permit applications.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Portions of the city contain wetlands, fish and wildlife habitat, floodplains, and steep slopes. This nonproject action would not affect any currently designated environmentally critical areas within the City of Orting.

i. Approximately how many people would reside or work in the completed project?

N/A. There is not a development proposal associated with the proposed amendments. This will be addressed at the time of future site-specific permit applications within the City.

j. Approximately how many people would the completed project displace?

There is not a specific development proposal associated with the proposed amendments. However, the proposal to allow and regulate temporary occupancy of recreational vehicles is not expected to create any displacements.

k. Proposed measures to avoid or reduce displacement impacts, if any:

N/A. There is not a development proposal associated with the proposed amendments. Proposed measures to avoid or reduce displacement impacts will be assessed at the time of future site-specific permit applications.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

N/A. There is not a development proposal associated with the proposed amendments. Proposed measures to ensure compatibility will be assessed at the time of future site-specific permit applications.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

N/A. There is not a development proposal associated with the proposed amendments and there are no agricultural and forest lands of long-term commercial significance within the city.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Since this is a non-project action, no housing units would be created by the proposal. The proposed code updates would clarify the regulations pertaining to temporary occupancy of factory-built structures such as RVs.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

N/A, since this is a non-project action, no housing units would be eliminated.

c. Proposed measures to reduce or control housing impacts, if any:

N/A, since this is a non-project action to clarify the regulations pertaining to temporary occupancy of factory-built structures such as RVs, no housing units would be affected; therefore, no mitigation is proposed.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

N/A, since this is a non-project action, no structures will be constructed. Future site-specific proposals will be subject to all applicable regulations pertaining to building height(s) and material(s).

b. What views in the immediate vicinity would be altered or obstructed?

N/A, since this is a non-project action with no proposed development, no views will be impacted.

c. Proposed measures to reduce or control aesthetic impacts, if any:

No development activity will occur in conjunction with this non-project action; therefore, no mitigation measures are proposed.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A, no development activity will occur in conjunction with this non-project action; therefore, no new sources of light or glare will be produced. Light and glare will be assessed at the time of

future site-specific permit applications.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A. There is not a development proposal associated with the proposed amendments. Light or glare impacts will be assessed at the time of future site-specific permit applications in the city.

- c. What existing off-site sources of light or glare may affect your proposal?

N/A. There is not a development proposal associated with the proposed amendments. Off-site light or glare will be assessed at the time of future site-specific permit applications.

- d. Proposed measures to reduce or control light and glare impacts, if any:

N/A, no development activity is proposed in conjunction with this non-project action; proposed measures to reduce or control light or glare will be assessed at the time of future site-specific permit applications.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

There are many designated and informal recreational opportunities in the City of Orting.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

N/A. There is not a development proposal associated with the proposed amendments. The proposed code updates to allow temporary occupation of RVs or govern their storage will not cause displacement of recreational uses.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A, no development activity is proposed in conjunction with this non-project action; measures to reduce or control recreational impacts will be assessed at the time of future site-specific permit applications.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.

N/A. There is not a development proposal associated with the proposed amendments. Historical structures or sites will be assessed at the time of future site-specific permit applications in the City.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

N/A. There is not a development proposal associated with the proposed amendments. Evidence of Indian or historic use will be assessed at the time of future site-specific permit applications.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

N/A. There is not a development proposal associated with the proposed amendments. Methods to assess potential impacts to cultural and historic resources will be determined at the time of future site-specific permit applications in the City.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A. There is not a development proposal associated with the proposed amendments. Measures to avoid, minimize or compensate resource impacts will be assessed at the time of future site-specific permit applications in the City.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The City of Orting is served by a regional transportation system that includes State Route 162 and several local roadways. No direct impacts to the transportation system would result from the proposed nonproject action.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

The City of Orting is not served by public transit.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

N/A. There is not a development proposal associated with the proposed amendments.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

N/A. There is not a development proposal associated with the proposed amendments. The proposed temporary occupancy of recreational vehicles will not require any new or improvements to existing transportation infrastructure.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A. There is not a development proposal associated with the proposed amendments. Impacts to water, rail, or air transportation will be assessed at the time of future site-specific permit applications in the City.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

N/A. There is not a development proposal associated with the proposed amendments. Vehicular trips will be assessed at the time of future site-specific permit applications.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

N/A. There is not a development proposal associated with the proposed amendments. Impacts to/from the movement of agricultural and forest products will be assessed at the time of future site-specific permit applications.

h. Proposed measures to reduce or control transportation impacts, if any:

N/A, no development activity is proposed in conjunction with this non-project action; measures to reduce or control transportation impacts will be assessed at the time of future site-specific permit applications.

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

This non-project action will not result in an increased need for public services. This will be further assessed at the time of future site-specific permit applications.

b. Proposed measures to reduce or control direct impacts on public services, if any.

N/A, no development activity is proposed in conjunction with this non-project action. Temporary occupancy of RVs may require police or fire services akin to a single-family residence; these are expected to be infrequent temporary impacts and within the capacity of Orting's emergency service responders. As-needed measures to reduce or control public service impacts will be assessed at the time of future site-specific permit applications.

16. Utilities

a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

All listed utility services are provided within the City.

d. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A, exact utilities provided will be determined at the time of future site-specific permit applications but in no instance would permit water or sewer utility connections to RV temporary occupancy.

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 Kimberly Mahoney

Position and Agency/Organization Community Development Director, City of Orting

Date Submitted: August 21, 2024

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 proposed code amendments are 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 in the city will be subject to the City of Orting requirements for drainage; air emissions; production, storage, or release of toxic or hazardous substances; and noise. OMC Title 5 provides specific regulations related to noise control, air quality, and storage and disposal of toxic or hazardous substances. OMC Title 9 provides regulations for water quality and stormwater management. Compliance with these adopted provisions would inherently ensure compliance with the municipal stormwater permit issued to the City of Orting by the Washington Department of Ecology, further avoiding an increased release of toxins or hazardous substances.

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 protection of critical areas will not diminish or change under the proposed code amendments.

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, Title 13-5-2 – Preservation of Significant Trees and Vegetation, and the City of Orting’s Shoreline Master Program in order to protect or conserve plants, animals, and fish. The City will require landscape plans (including significant trees) and critical areas reports for project-level SEPA environmental review for proposals as required under OMC 11-2-1 and OMC 13-5-2, respectively. 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 code amendments do not affect any of the City’s adopted code in place to protect or conserve plants, animals, fish, or marine life.

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

The proposed code amendments would not result in the depletion of energy or natural resources.

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 aids in the conservation of natural resources. The City of Orting has also 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 liquefied petroleum gas installations shall be NFPA 58 (storage and handling of liquefied 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;**
- 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 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.**

The proposed code amendments do not affect the aforementioned adopted codes that protect or conserve energy and natural resources.

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 proposed code amendments 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 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 application of the City's critical areas regulations is applied equally to properties in all zones and are unaffected by the proposed code amendments subject to this nonproject action.

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

Impacts to critical areas will not increase as a result of the proposed code amendments. The proposed amendments will not alter how Title 11 – Critical Areas, Title 14 – Flood Control, and Title 13-5-2-C – Preservation of Significant Trees and Vegetation, are applied to sites in order to protect or conserve plants, animals, floodplains, and critical areas.

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

The proposed code amendments would not allow or encourage land or shoreline uses incompatible with existing plans but would clarify when and where temporary occupancy of RVs and where their parking is allowed.

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

The proposal would limit the temporary occupancy of recreational vehicles to existing residential zoned areas. The proposed code updates also include regulations regarding duration of use and prohibition of placing units in critical areas or associated buffers. Additionally, the proposal includes code language to clarify the use of temporary classroom structures and specifies the use is subject to the provisions of the underlying permit. Compliance with permits required for RV storage or their temporary occupancy would avoid or reduce impacts to shorelines and land uses.

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

This is a non-project action and will not increase demands on transportation or public services/utilities since there is no construction associated with the proposal.

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

The proposed code updates would allow temporary occupancy of a recreational vehicle either on a construction site in a residential zone or for a very limited amount of time on a lot in a residential zone. The proposed code updates include prohibitions for connecting to the City's sewer system. The temporary use of RVs would require issuance of a temporary use permit which would include measures to reduce or avoid demands on public services and utilities.

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.

From: Johnson, Deborah L (DOH) <deborah.johnson@doh.wa.gov>

Sent: Tuesday, August 13, 2024 12:39 PM

To: Guida, Eric (COM)

Cc: Planner

Subject: RE: Planview Submission #2024-S-7318 from Orting

Thanks for spotlighting this, Eric. The timing worked out well as I am monitoring an online meeting much of today so could put an eye to this immediately. I am providing you & Orting's planner with a few observations here.

Presumably any RVs (as defined, to also cover trailers, campers, etc.) in good operating condition are served by holding tanks for potable & waste water. I see several clauses relating to this:

- (existing language to remain) The recreational vehicle shall be inspected by the City if connected to sewer or to a Tacoma-Pierce County health department approved septic system.
- (new added language) The recreational vehicle shall not leak or cause illicit discharges to stormwater drainage systems, surface water or groundwater in accordance with OMC 9-5A-9:H; sites are subject to inspection for illicit discharges in accordance with OMC 9-5B-10
- (existing language as amended) Prior to the issuance of a temporary permit for a unit allowed per this section, the site shall be reviewed by the Pierce County health department to determine additional requirements for water supply and/or septic waste disposal or adequacy of existing utilities. The recreational vehicle may be inspected by the City if connected to sewer or to a Tacoma-Pierce County health department approved septic system
- (existing language as amended) The recreational vehicle shall not be connected to sewer or water systems.

That last bullet is a bit problematic. First, it appears to conflict with the 1st/3rd bullets. If an RV is not allowed to connect to sewer or OSS, where will it dump? Are there commercial pump-outs available in the city to service such needs? Over the time period allowed for occupancy, it will need to empty the holding tank repeatedly.

The size of an RV's holding tanks depends on the type of tank and the type of RV:

Freshwater tanks

Typically range from 20–100 gallons, with larger tanks allowing for longer periods between refills

Black water tanks

Also known as wastewater tanks, these can range from 15–50 gallons, depending on the RV's design. The number of people using the RV and how often the tank needs to be emptied depends on its size

Gray water tanks

These can range from 25–95 gallons, depending on the type of RV. For example, a class A RV might have a 40–65 gallon tank, a fifth-wheel might have a 95 gallon tank, and a travel trailer might have a 25–45 gallon tank. In some cases, the gray tank might be about half again as big as the black tank. ^

(Source: Google AI Overview)

The level of RV use in this scenario doesn't involve or trigger provision of potable water via a public (Group A or B) drinking water system, as it would for a commercial RV park, for example. But that last bullet appears to prohibit a hookup if the "host" property is already served by a public water system. It would then need to rely on holding; similar to the pump-out issue, the question would become how/where they are to refill it.

To address both of these concerns, the City should consider including provisions specifying how & where these units are going to get rid of waste water (legally) & refill potable water.

There is one other problematic clause: "The unit shall not be placed in critical areas or their associated buffers." Orting does not recognize wellhead protection areas, which overlay part of the city, as CARAs. But it does recognize the following areas by soil type/slope (ref. OMC 11-3-5):

High Significance Aquifer Recharge Areas: High significance aquifer recharge areas are areas with slopes of less than fifteen percent (15%) that are underlain by coarse alluvium or sand and gravel.

B. Moderate Significance Aquifer Recharge Areas: Moderate significance aquifer recharge areas are:

1. Areas with slopes of less than fifteen percent (15%) that are underlain by fine alluvium, silt, clay, glacial till, or deposits from the electron mudflow; and

2. Areas with slopes of fifteen percent (15%) to thirty percent (30%) that are underlain by sand and gravel.

(1973 Code § 15.20.050)

C. Low Significance Aquifer Recharge Areas: Low significance aquifer recharge areas are:

1. Areas with slopes of fifteen percent (15%) to thirty percent (30%) that are underlain by silt, clay, or glacial till; and

2. Areas with slopes greater than thirty percent (30%). Low significance aquifer recharge areas are not designated critical areas and are exempt from critical areas review requirements.

I couldn't locate the map folio referenced in OMC 11-1-6 in a quick search, but to the extent these CARAs have been mapped, no RVs would be allowed in those areas. Depending on the extent, this could easily knock out most

or all of the city. (Further, the City may wish to create a cumulative critical areas map to see how much area is precluded from hosting RVs, not just CARAs but all critical area types.)

As with anything for which expedited review is requested, I assume this is being fast tracked for adoption – but I’d encourage the City to step back to consider these points. Also, I don’t see this in the SEPA Register—or any other code amendments for Orting since late 2022—so they will need to wait out SEPA anyway; this would build in some time to address these issues.

Thank you again for checking in. Please let me know if I can provide additional information or answer any questions.

Deborah Johnson

Wellhead Protection Program Coordinator
Office of Drinking Water
Environmental Public Health Division
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From: Guida, Eric (COM) <eric.guida@commerce.wa.gov>
Sent: Tuesday, August 13, 2024 11:16 AM
To: Johnson, Deborah L (DOH) <deborah.johnson@doh.wa.gov>
Subject: Planview Submission #2024-S-7318 from Orting

Hi Deborah,

Orting has made the above-referenced submission, a draft ordinance related to parking and occupation of RVs, for expedited review in Planview.

I’m attaching the PDF of the draft ordinance here.

Here at Commerce, we don’t have a problems approving the submission for expedited review, but I want to check with DOH to see if you had any concerns re RVs and sanitation/public health issues.

If you could let me know by this Thursday, 8/15, that would be great.

Thank you,

Eric

Eric Guida | Senior Planner
Direct: 360.725.3044
Email: eric.guida@commerce.wa.gov

<https://www.commerce.wa.gov/serving-communities/growth-management/>



TO:	Planning Commission	DATE:	August 5, 2024
FROM:	Kim Mahoney, Community Development Director MillieAnne VanDevender, AICP and Wayne Carlson, FAICP Contract City Planners	PROJECT TYPE:	Municipal Code Amendment
		SUBJECT:	Safe Parking – Planning Commission Workshop

At the City Council Government Affairs Committee meeting on January 7, 2024, councilmembers discussed a proposal from the *Recovery Café of Orting Valley* to designate a few on-site parking spaces as a transitional/ emergency Safe Parking facility for people experiencing homelessness. Although the *Recovery Café of Orting Valley* may be the only community organization that is currently seeking to create Safe Parking, the City must consider the possibility that future requests may occur. Council discussed the topic at subsequent committee meetings and study sessions since January and concluded that the City should work on adopting ordinances to allow and regulate Safe Parking by both religious and non-religious Safe Parking providers. The Council asked the Planning Commission to evaluate Safe Parking, or the overnight, temporary occupation of vehicles in the city; Washington State rules regarding Safe Parking; and how to manage these activities. This memo provides goals for the Planning Commission’s workshop discussion, background information on Safe Parking, and questions for the Commission to contemplate and provide guidance for staff in drafting code language to regulate Safe Parking.

Workshop Goals

1. Gain an understanding of Safe Parking and the state regulations that apply to Safe Parking.
2. Provide direction to staff on the rules that should apply to religious organizations hosting Safe Parking.
3. Provide direction to staff on whether the rules applicable to religious organizations should extend to non-religious organizations, and if not, what rules should apply to non-religious organizations.

Background

The Orting Municipal Code (OMC) does not address overnight parking and occupancy of vehicles by those who are experiencing homelessness and using a vehicle as their primary residence. The State refers to this use as “Vehicle Resident Safe Parking” and other communities may call it simply, “Safe Parking.” For instance, Pierce County has adopted extensive regulations pertaining to Safe Parking, including definitions of relevant terms and an entire chapter of county code dedicated to the matter.

The following definitions are included in the Pierce County Code (PCC) 18.25.030 and are helpful for understanding this issue. The City of Orting may choose to adopt similar definitions but has no obligation to do so.

“Safe parking” means an off-street parking lot that is legally established, not including off-street parking areas and driveways for single-family or duplex dwellings, which offers, without charge, parking spaces

in a safe and secure place for people experiencing homelessness who are living in passenger or recreational vehicles. Access to health and social services may also be provided.

"Safe parking host organization" means a non-profit, religious, or governmental organization that hosts safe parking for unhoused people in an existing parking lot.

These definitions were chosen as examples for two reasons: they provide context on how the county is regulating the uses and they provide examples of the complexity of the issue and the decisions that must be considered. For instance, per the definitions, Pierce County allows RVs to be occupied for Safe Parking purposes and the Orting City Council does not wish to allow the same.

State Regulations

The City must allow a religious organization to host Safe Parking in an on-site parking lot per RCW 35A.21.360¹ and city codes should reflect this allowance but must not impose conditions other than those necessary to protect public health and safety and as stipulated in the RCWs. As it relates to Safe Parking, the State defines "Religious organization" in RCW 35A.21.360(6)(c) as the following:

"Religious organization" means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.

The City Council discussed whether non-religious organizations should be regulated similarly and recommended that the regulations pertaining to religious and non-religious host organizations be mirrored as close as possible in the city codes if in fact the City elects to allow non-religious institutions to host Safe Parking. There are, however, State rules that apply to religious organizations that may or may not be appropriate to apply to non-religious organizations such as the following:

- The City must not require a religious organization to obtain insurance pertaining to the liability of a municipality with respect to homeless persons housed on property owned by a religious organization or otherwise requires the religious organization to indemnify the municipality against such liability (RCW 35A.21.360(2)(b)).

¹ RCW 35A.21.360 (1) *A religious organization may host the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings.*

RCW 35A.21.360 (2) *Except as provided in subsection (7) of this section, a code city may not enact an ordinance or regulation or take any other action that:*

RCW 35A.21.360 (2)(g) *Limits a religious organization's availability to host safe parking efforts at its on-site parking lot, including limitations on any other congregationally sponsored uses and the parking available to support such uses during the hosting, except for limitations that are in accord with the following criteria that would govern if enacted by local ordinance or memorandum of understanding between the host religious organization and the jurisdiction:*

(i) No less than one space may be devoted to safe parking per ten on-site parking spaces;

(ii) Restroom access must be provided either within the buildings on the property or through use of portable facilities, with the provision for proper disposal of waste if recreational vehicles are hosted; and

(iii) Religious organizations providing spaces for safe parking must continue to abide by any existing on-site parking minimum requirement so that the provision of safe parking spaces does not reduce the total number of available parking spaces below the minimum number of spaces required by the code city, but a code city may enter into a memorandum of understanding with a religious organization that reduces the minimum number of on-site parking spaces required.

Should the City require non-religious organizations to obtain insurance for these purposes?

- According to RCW 35A.21.360, Safe Parking shall not be prohibited at sites owned or controlled by religious organizations. Religious organizations and churches are not defined in the Orting Municipal code but the use table in OMC 13-3-3 lists churches as a use in the city. For the purposes of this discussion, we will assume that all religious organizations would fall under the “churches” category in the OMC. Churches are currently allowed with a conditional use permit in the residential zones (RC, RU, and RMF) and are permitted in the mixed use (MUTC and MUTCN) zones. Therefore, Safe Parking could occur in those zones, when affiliated with a permitted church. If the Planning Commission recommends that the City Council allow non-religious organizations to host Safe Parking, then staff is seeking direction on determining in which zones non-religious organizations will be allowed to host Safe Parking.

In what zoning districts should Safe Parking affiliated with non-religious organizations be allowed?

- RCW 35A.21.360(4) says that if the City requires a host religious organization to ensure that the City or local law enforcement agency has completed sex offender checks of all adult residents and guests, then the host religious organization retains the authority to allow such offenders to remain on the property.

Should the City require sex offender checks of all adult Safe Parking residents and guests of religious and non-religious organizations?

Council and Staff Recommendations

- The City Council Community and Government Affairs (CGA) Committee expressed concern for the use of the word *Secular*² and asked for a definition to explain if the term would include nonprofit social services. Staff’s use of the term secular was intended to refer to all organizations that are not affiliated with a religious entity. To avoid confusion, staff recommends using “non-religious,” as well as a similar term to what Pierce County (and other communities) use such as “Safe Parking host organization.”
- The City Council recommends that a public meeting be held if an organization applies to host safe parking and there should be guidelines for that hearing that also reference the RCW on how to publicize the meeting. RCW 35A.21.360(10) provides requirements for public notice of a meeting to discuss Safe Parking however, OMC 15-7 provides public notice requirements for development applications and public hearings that go above and beyond those required in the RCW. Staff recommends applying the existing public notice requirements set forth in the OMC, given that it provides more adequate time for interested neighboring property owners and the public to plan on attending public meetings or prepare public comments for the consideration of the decision maker.

² Staff used the term “Secular” to describe non-religious entities in previous memos and reports to the City Council.

Staff recommends that a Conditional Use Permit (CUP) be the appropriate permit vehicle for processing the review and approval of Safe Parking organized at any location (religious or otherwise). This permit type satisfies the desire for a public meeting which meets the criteria provided in RCW 35A.21.360(10). A CUP involves a public hearing before the Hearing Examiner and is required to be publicly noticed. Additionally, staff suggests regulations pertaining to Safe Parking should be added to Title 13 Development Regulations, Chapter 4 Temporary Uses / Temporary Housing Units.

- The City Council CGA Committee recommends a requirement for fencing at least six feet tall to protect the Safe Parking area. They acknowledged that fencing could be temporary or permanent with privacy slats or wooden fencing to ensure the area is secure and privacy is being safe guarded. Per OMC 13-5-1, the height of fences in front setbacks is limited to three to four feet, depending on fencing materials, and fences are limited elsewhere on a site to a maximum of six feet. Staff recommends that the height of required fencing for Safe Parking should not be greater than the maximums established by OMC 13-5-1. If the Planning Commission recommends fencing at least six feet tall to screen Safe Parking when located anywhere on a site, including within a front setback, then provisions of OMC 13-5-1 will need to be revised or the Hearing Examiner must expressly be granted the authority to modify fence heights through the granting of a CUP.
- The Council CGA Committee suggested a requirement to review the performance of a Safe Parking site after the first year in operation, a second review after the second year, and then two-year extensions after that. The Orting Municipal Code does not currently have an established practice or code language for requiring additional review of permits that have been given final approval or conditional approval although the Hearing Examiner could require annual reporting as a condition of approval. Such a review may only be applicable to non-religious Safe Parking providers. Staff would recommend that the City's regulations for Safe Parking should include measurable metrics pertaining to public health and safety. This will provide the community with the reassurance that a Safe Parking facility remains compliant with local codes.
- The RCW sets the following rules on how a city may or may not require parking spaces for Safe Parking:
 - * A city may not limit the number of parking spaces to less than 10 percent of the on-site parking spaces of a religious entity.
 - * A city may make a rule that religious organizations must provide the minimum number of required parking spaces for the use in addition to the Safe Parking spaces.
 - * The City may reduce the minimum number of required on-site parking spaces by entering into a memorandum of understanding (MOU) with the religious organization.

The Council recommends the maximum Safe Parking spaces be limited to 10 percent of on-site spaces, and indicated there should be a mechanism for allowing flexibility to reduce the number of parking spaces required by OMC 13-5-3 as well as situations where the applicant demonstrates a need to exceed the 10 percent maximum requirement. The MOU seems to be a

viable mechanism for allowing the flexibility the Council desires and details of a potential MOU are described in this memo below.

Taking the State requirements and Council recommendations into consideration, **does the Planning Commission concur with allowing up to 10 percent of on-site parking spaces be used for Safe Parking by approved religious and non-religious organizations, regardless of the site's current state of compliance with off-street parking requirements to serve its primary use?**

- The RCW supports regulations requiring restrooms and says a city can make a rule that access must be provided to either restrooms within buildings on the property or using portable facilities. This is an item included in the list of suggested terms of an MOU below but could be separated out and made a stand-alone requirement.
- RCW 35A.21.360(3)(a) allows a city to require a religious organization hosting Safe Parking to enter into a Memorandum of Understanding (MOU) to protect the public health and safety of both the residents of Safe Parking and the residents of the City. RCW 35A.21.360(3)(b) specifies the minimum requirements an MOU should contain. The Council recommends the City should adopt a rule that the Safe Parking host and the City of Orting enter into an MOU that includes the minimum requirements. They recommend that the MOU should include at least the following items:
 - a) The right of a resident of the facility to seek public health and safety assistance.
 - b) How the residents will be able to access social services on-site.
 - c) Ensure the residents can directly interact with the host organization, including how residents can express concerns regarding the managing agency.
 - d) A written code of conduct agreed to by the managing agency (if applicable), the religious organization, and all volunteers or staff working with the residents of the facility.
 - e) If the managing agency is publicly funded, then the host/religious organization can interact with residents of the facility using a release of information.
 - f) A requirement that the host/religious organization or its managing agency inform vehicle residents of how to comply with laws regarding the legal status of vehicles and drivers and provide relevant requirements in the code of conduct consistent with area standards.
 - g) A requirement to work with the local agencies administering the homeless client management information system as provided for in RCW 43.185C.180, if the host/religious organization works with a publicly funded managing agency or, if the host/religious organization does not work with a publicly funded managing agency, an encouragement to work with the local agencies administering the homeless client management information system.
(This is not a requirement or recommendation for temporary overnight extreme weather shelters operated out of religious organization buildings.)
 - h) That the host/religious organization and managing agency (if applicable) will not refuse to host any resident or prospective resident because of age, sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, as those terms are defined in RCW

49.60.040, if the host/religious organization and/or managing agency receive funding from any government agency.

- i) A site plan of the Safe Parking facility, including, but not limited to, ingress and egress, emergency access, location of sanitary facilities and number of facilities, location of utilities, temporary fencing locations, the layout of all existing parking that meets the minimum parking requirements of the OMC, and the locations of the individual parking spaces to be used for Safe parking as well as any other Safe Parking facilities and services.

Questions to Consider

We have compiled all of the questions asked throughout this memo into one list and request that the Planning Commission consider each question and prepare to discuss at the scheduled workshop in order to provide Staff with guidance for drafting code language.

- 1. Should the City apply the same rules to religious and non-religious organizations?**
 - a. Should there be a distinction between the two, or should proposed codes use a blanket term such as “Safe Parking host organization?”**
 - b. Should the City require non-religious organizations to obtain insurance for liability purposes?**
 - c. In what Zoning districts should Safe Parking affiliated with non-religious organizations be allowed?**
 - d. Should the City require sex offender checks of all adult Safe Parking residents and guests? If so, should there be different stipulations for religious and non-religious host organizations?**
 - e. Should there be regulations specifying which non-religious organizations may provide this use by requiring the organizations to have a demonstrated ability to offer comprehensive supportive services to support the vehicle residents?**
- 2. Should the Conditional Use Permit process be required to ensure an opportunity for a public meeting when an organization applies to host safe parking, and to ensure staff has an appropriate method for recommending conditions of the project’s approval that consider the protection of public health and safety? If not a CUP, what permit process would be more appropriate?**
- 3. Should there be a requirement for staff to review the performance of a Safe Parking site after the first year in operation, a second review after the second year, and then two-year extensions after that? If so, should there be a time limit of two years on a CUP issued for these purposes?**
- 4. Should there be a requirement for six-foot-tall fencing around Safe Parking sites or any other requirements for screening?**
- 5. Should religious and non-religious organizations be allowed to designate 10 percent, or more of their on-site parking spaces as Safe Parking spaces?**

6. **Should the City require religious organizations (and non-religious) to provide the minimum number of required parking spaces for the use in addition to the Safe Parking spaces?**
 - a. **If an organization (religious or non-religious) is currently non-conforming and does not meet its minimum parking requirements, should they be allowed to host Safe Parking on 10 percent of the existing parking spaces?**
7. **Should there be specific regulations pertaining to restrooms?**
8. **Should a Memorandum of Understanding be required?**

PROJECT MEMO



TO: Kim Mahoney
FROM: Nicole Stickney
Tacoma - (253) 383-2422
DATE: August 27, 2024
PROJECT NO.: 2230242.30
PROJECT NAME: Orting Comprehensive Plan Update
SUBJECT: Drafts Revisions to Title 13 for Planning Commission Review

We have prepared the attached set of suggested edits to Title 13 (Development Regulations) for review by your Planning Commission, relating to the City's Periodic Update of the Comprehensive Plan.

The edits are based on various factors and requirements such as:

1. Required updates to conform with new state laws passed by the Legislature amending the Washington State Growth Management Act
2. General changes to improve readability, better organize the information and modernize the code
3. Feedback previously provided by the Planning Commission and questions that have come up with recent permits among various applicants
4. Staff direction

In this memo we outline some of the key changes to provide the Planning Commission and other reviewers a guide to make it easier to understand the changes and the purpose.

It is important for everyone to understand that we are proposing many changes to the regulations. Still, there may be many other topics that we haven't addressed that also need to be changed. We have endeavored to provide the city with a set of proposed changes that meet the requirements, use the present opportunity to make improvements that are going to be helpful but aren't strictly "necessary" like updates to definitions, while working within the limits of our current scope. That being said, I'm certain that many involved will have ideas about future changes the city can contemplate for Title 13 and we can encourage the Planning Commission to develop a workplan to address additional topics as time and resources permit.

1. DEFINITIONS

The following definitions are proposed to be stricken because they are not used in the Title:

- *Animal clinic* (the code does use and defines "Veterinary Facilities")
- *Boundary Structure*
- *Festoon*
- *Floor Area*
- *Lot Line Adjustment*
- *Mitigation Contribution*
- *Property Buffer*
- *Roadway Buffer/ Cutting Preserve*

In addition, the definition for *City Administrator* is proposed to be stricken because it is the same term (same usage) as *Administrator*, which is already defined.

Next, we have added many definitions to address about 50 terms that appear in the code but were not previously defined. The majority of the terms are based on codes from neighboring localities that we consulted, and then we made some adjustments or refinements where needed to customize the definition for Orting. In addition, the following list of terms are specifically written to align with state statutes or administrative code:

- Open Record Hearing is from RCW 36.70B.020
- Solid Waste Facility is from WAC 173-350-100
- Transit Facility is from RCW 9.91.025
- Campground is from WAC 332-52-010

It is important to keep in mind that there are additional sets of definitions elsewhere in the Title, and we have not proposed any changes to (nor conducted any review of) those sections:



- Definitions in OMC 13-7-2 apply directly to Chapter 7 “Sign Regulations”
- Definitions in OMC 13-8-2 apply directly to Chapter 8 “Medical Cannabis”
- Definitions in OMC 13-9-16 apply directly to Chapter 9 “Wireless Communication Services Facilities”

Finally, some changes that may be of interest:

- In accordance with SB 5235 the city may not impose arbitrary limits on housing by regulating the number of persons occupying a housing unit beyond that which is in the building code or necessary for health / safety reasons. For that reason, we have shown that the definition of “Dwelling Unit” can be broadened to not just mention “families” and additionally have shown the definition of “Family” to also be broadened (removing references to the number of people and a requirement for relation via marriage / genetics, etc.)

2. ZONING AND PERMITTED USES

The following is a list of key changes we have prepared for consideration to modify *Table 1 – CITY OF ORTING PERMITTED LAND USES BY ZONING DESIGNATION* (OMC Section 13-3-3). This Table is a central component of the City’s zoning regulations as it sets out what types of uses are permitted (either outright or with a conditional use permit) in the City’s various zoning districts.

- We renamed the Table to be more descriptive
- We added ADUs to the Table under “Residential Uses” and removed them from Table 2 (Accessory Uses) to more appropriately address the use, as they really aren’t “accessory uses” in the same sense as the other items listed in Table 2.
- We cleaned up the table to remove footnotes that were no longer in use (or are proposed to be removed) and renumbered all footnotes. In addition, we relocated footnotes that apply to an entire row from the individual “P” or “C” within each column and instead put them into a footnote marker next to the land use category name in the first column to make the final table easier to read.
- We corrected “Multiple-family” to instead say “Multi-family”
- Arcades (as in, game arcades with vending machines and Pac-Man) is removed as a use, as it is outdated / antiquated.
- We added “wireless communication services facilities” to the “Commercial uses” section. The use was already defined in this Title, but not listed in the use table.
- Veterinary clinics was removed as it is synonymous with veterinary facilities for these purposes
- Changes are shown for Home Occupations (we propose removing the requirement for a conditional use permit and instead making them “permitted” in certain zones while referencing OMC 13-5-4 provisions).
- We have shown that “Equipment rental” should be added as a permitted use in the MUTC zone (provided that there is no outdoor storage).
- We are proposing to strike “landfills” as a conditional use in the RU zone (so that they would not be allowed).
- We are proposing to add “spas and health clubs” to the MUTC zone as a permitted use (subject to architectural design review).



Next, here is a list of Key Changes made to Table 2 – PERMITTED ACCESSORY USES BY ZONING DESIGNATION:

- We renamed the Table to be more descriptive
- We propose that “accessory structures such as garages, carports, and sheds” be changed from being permitted in “All residential zones” to instead be permitted in “All zones”
- For *barns and agricultural structures* we have proposed that the PF zone be added as a zone where those uses and structures are allowed (for example, barns could be needed for 4-H programs at schools or another example is that agricultural structures at the Orting Veteran’s Home would fit under this category).

3. OTHER PROPOSED CHANGES

- We updated the “Brief User’s Guide” at OMC 13-1-5 to add additional language and include references to Chapters 7, 8 and 9.
- Section 13-4-2 sets out standards for temporary uses and temporary housing units. There has been separate work conducted on this section which is not incorporated into this work product (the work is centered around provisions for RVs and those changes will instead be subject to separate review and adoption). However, we are proposing new standards and an approval process for “model homes” in the Temporary Uses / Temporary Housing chapter at OMC 13-4-2 (E) which is modeled after a nearby municipality’s regulations and is fairly straight-forward.

Section 13-5-3 shows some text with grey “highlighting.” A few years ago Ordinance 2019-1043¹ was adopted and the ordinance effectively changed some loading area and off-site parking requirements in this section. However, the changes made by ordinance were never incorporated into the online code document and staff have been unable to determine why that occurred. We have indicated what the code *should* say and with adoption of an ordinance to adopt changes to Title 13 these previous changes should be incorporated into what the online code says. There are additional proposed changes which are indicated in “tracked changes.” *(NOTE: In the near term the City will probably need to work on additional, future edits to this portion of the code, but for the time being an incremental approach suits the current timeline and requirements.)*

- An additional subsection (N) for an Administrative Parking Waiver is proposed for Section 13-5-3 to provide a permanent solution to ease parking regulations in the downtown core. The Waiver would waive the number of off-street parking stalls required in the downtown core and would be administered and reviewed on a case by case basis. The Waiver would require a parking study that considers the use, availability of nearby parking, and the totality of the request and its impact on the community’s access to parking and general public enjoyment in the downtown core.
- Section 13-5-4 covers Home Occupations. Subsection (h) and (i) were updated to codify changes made in an Administrative Interpretation on September 21, 2022 regarding sales in connection with the activity and parking quantity requirements.
- Section 13-5-6 covers Accessory Dwelling Units. With the passage of House Bill 1337, the state legislature has set out that by June 30, 2025 the Orting development regulations must be updated to allow up to two ADUs per lots in all zones allowing single family residential structures to be built, among other changes (this

¹ The ordinance is at the link: <https://www.cityoforting.org/home/showpublisheddocument/721/637427276455730000>



is codified at **RCW 36.70A.681**). We have incorporated changes to that section and to Table 1 in Section 13-3-3 so that the OMC can be in conformance.

- Section 13-4-2 covers temporary Uses. We propose updating this section to include standards for temporary school uses, such as temporary barns or pens located on a school site to be used for 4-H programs associated with the school. Additionally, we propose including standards for temporary Christmas tree lots.

4. KEY QUESTIONS FOR THE PLANNING COMMISSION

- Would the Planning Commission support codifying an Administrative Parking Waiver as set forth in the proposed addition Section 13-5-3-N?
- Does the Planning Commission support ADUs being allowed on nonconforming sized lots (as permitted per Commerce Guidance)? If so, how many ADUs shall be allowed? What standards should the ADUs be held against?
- Would the Planning Commission support the consideration of allowing tiny houses as ADUs? Tiny Houses are not currently mentioned in code, and the only prohibited ADUs currently listed in OMC 13-5-6-C-3(c) are “recreational vehicles” and “mobile homes”. The City could consider allowing Tiny Homes as ADUs if the appropriate connections and tie-downs are provided.

5. FUTURE CHANGES

The City will need to make additional, future code amendments in the near term as listed above, plus update the city’s Master Fee schedule: There are two places in Title 13 where fees are set out and it will be important to add these to the city’s list of fees the next time that document is updated / adopted: OMC Section 13-4-2, Subsection D5 and OMC Section 13-5-6, Subsection B3.

NS/ns

c: Scott Larson – City of Orting
Wayne Carlson, Anisa Thaci - AHBL

TRANSPORTATION ELEMENT



Purpose

~~The This~~ Orting ~~2040-2044~~ Transportation ~~Plan Element~~ defines the existing and future transportation vision for Orting and will ~~replace~~ ~~supplement~~ the ~~2015-2020~~ Transportation Element and Appendix from the Orting Comprehensive Plan published in ~~June 2015~~ ~~November 2020~~. This transportation plan contains a description of existing transportation conditions, travel forecasts, service standards and analysis, and transportation recommendations. The following analysis and conclusions will inform the City of Orting ~~2040-2044~~ Comprehensive Plan.

The City of Orting has a unique configuration with respect to transportation. The community lies in the Orting Valley between the Carbon and Puyallup Rivers. State Route (SR) 162 runs between the two rivers and links Orting with Sumner and Buckley. Orting is a small community of just over 9,100 residents—more than twice the population from 20 years ago. Many of the local city streets are quiet, tree lined, with low traffic volumes. The older portion of the City is laid out on a traditional grid system and some recent developments feature a curvilinear circulation pattern.

Existing Conditions

This section summarizes the existing ~~(2017)~~ transportation system for all modes of travel in Orting. This information supports the city's comprehensive planning process, which must, among other things, contain travel forecasts, a level of service standard, be regionally coordinated, and meet concurrency requirements. ~~The This~~ transportation element for the City of Orting must meet the requirements of the GMA and will be certified by the Puget Sound Regional Council. The element will contain a description of existing transportation conditions, travel forecasts, service standards and analysis, and transportation recommendations, all of which will be coordinated with the county and the state.

Transportation Network Overview

The roadway network in Orting consists of corridors serving different travel needs. The main thoroughfare is SR 162, which runs northwest/southeast through the center of Orting. Calistoga Street W is the other significant arterial in the city that provides an east/west link across the Puyallup River and to the Orting-Kapowsin Highway. There are minimal east/west regional connections into and out of Orting.

Roadway Functional Classification

As Orting continues to grow, the internal street network will continue to be developed. City streets are classified into different categories to guide development and define the degree to which they provide through movement and land access functions. Roadway classification is based upon guidelines prepared by the Federal Highway Administration (FHWA) and administered by the Washington State Department of Transportation (WSDOT). City streets in Orting are classified into four functional classifications that are accompanied by different land use policies and street standards. The four classifications are:

- **Principal Arterials**, which are streets and highways that carry the greatest portion of through or long-distance traffic. Such facilities serve the high- volume travel corridors that connect major generators of traffic. The selected routes provide an integrated system for complete circulation of traffic, including ties to the major rural highways entering urban areas.
- **Minor Arterials**, which are streets and highways that connect with remaining arterial and collector roads that extend into the urban area. Minor arterial streets and highways serve less concentrated traffic-generating areas, serve as boundaries to neighborhoods, and collect traffic from collector streets. Although the predominant function of minor streets is the movement of through traffic, they also provide for considerable local traffic that originates or is destined for points along the corridor.
- **Collectors**, which are streets that provide direct services to residential areas, local parks, churches, and areas with similar land uses. To preserve the amenities of neighborhoods, they are usually spaced at about 0.5-mile intervals in order to collect traffic from local access streets and convey it to major and minor arterial streets and highways. Collector streets are typically 1 to 2 miles in length. Direct access to abutting land is essential.
- **Local Access Streets**, which are the remaining streets that allow access to individual homes, shops, and similar destinations. They provide direct access to abutting land and to the higher classification of roadways. Through traffic is discouraged.

Figure T-1 shows the functional classification of the roadways within the City.

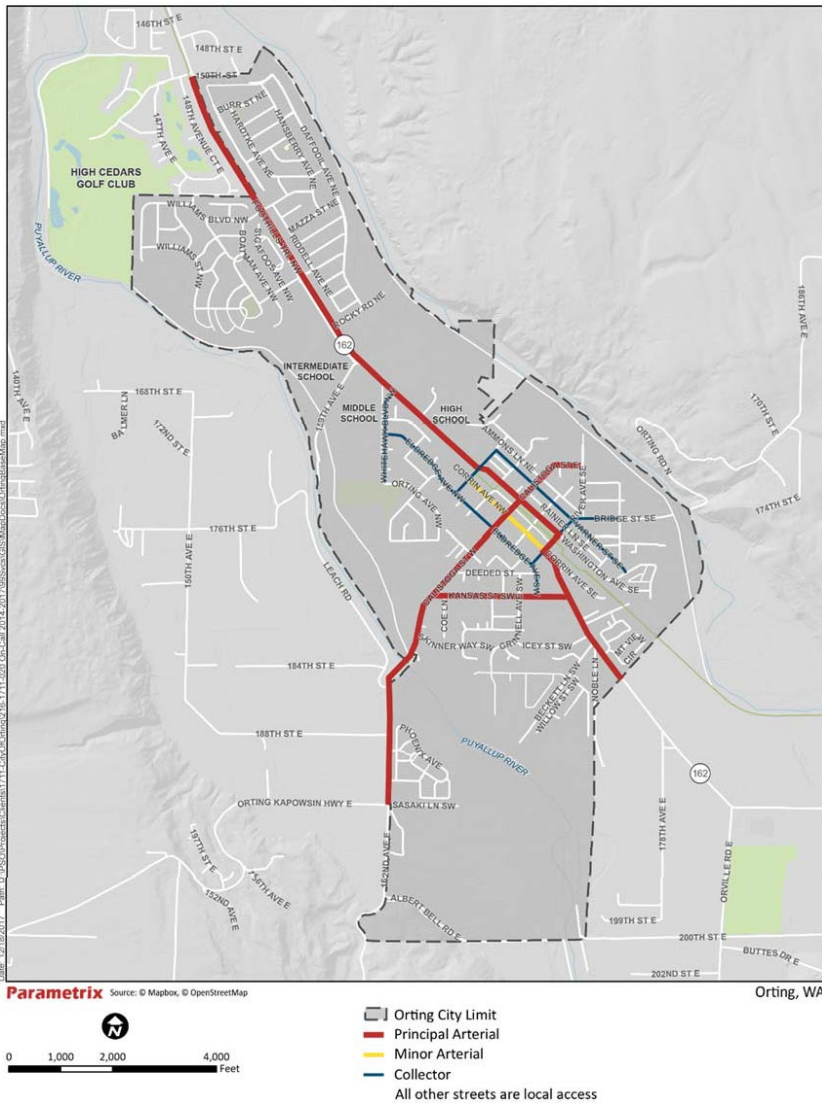


Figure T-1. Orting Roadway Functional Classification

Commented [INS1]: This map does not show a current road system- it appears to be rather out of date. Can you update the map (and all similar t this) to show the current road network please?

Commented [JH2R1]: Pending updates (all figures)

State-owned Transportation Facilities & Highways of Statewide Significance

In 1998, the Washington State Legislature enacted the "Level of Service Bill" (House Bill 1487) that amended the GMA requires cities to identify the "Level of Service" to include additional detail regarding state-owned transportation facilities in the transportation element of comprehensive plans. PSRC, in 2003, adopted The Puget Sound Regional Council (PSRC) additionally sets level of service standards for regionally significant state highways. Regionally significant state highways are state transportation facilities that are not designated as highways of statewide significance. Within Orting, no roadways have been designated as a Highway of Statewide Significance in WSDOT's Highway System Plan. SR 162, which links Orting with Sumner and Buckley, is the only state-owned facility within the planning area and is designated as a Regionally Significant State Highway. WSDOT completed a study of SR 162 in June 2017 to identify strategies to increase mobility and improve safety in the corridor. Although the scope of the study was outside of the Orting City limits, potential improvement options could improve traffic flow and safety for vehicles exiting and entering Orting. These improvements include consideration of Intelligent Transportation System Improvements (ITS) at intersections, access management, and Commute Trip Reduction strategies such as park and ride and a Sound Transit extension to 136th Street. Locally within Orting, Corridor Sketch recommends the Orting Southwest Connector (Whitehawk Blvd Extension), and the Orting Pedestrian Bridge for Kids.

Commented [NS3]: Check vs corridor sketch info

Improvement strategies identified in the study will be incorporated in WSDOT's Corridor Sketch Phase II for SR 162 and prioritized for funding on a statewide basis.

Commented [NS4]: Check

Commented [JH5R4]: It does not appear "Phase 2" is not yet completed.

Roadway Network

The primary roadway network in Orting comprises the following:

- **State Routes** - SR 162 runs northwest/southeast through Orting, providing the primary connection to SR 512 and Interstate 5. Outside of the city limits, SR 162 is a two-lane principal arterial with limited shoulders and a posted speed limit of 50 miles per hour (mph). Within the city limits, the roadway is known as Washington Avenue N and is a two-lane principal arterial with a narrow painted median and paved shoulders and has parking on both sides of the road in the downtown core. The posted speed limit is 35 mph and reduces to 25 mph near Orting High School.
- **Pierce County Roadways** - Orting-Kapowsin Highway is a two-lane major arterial, with a posted speed limit of 35 mph along most of its length. Shoulders have a gravel surface, with a walking path along the east side of the road in some areas. It runs adjacent to the city limit line for a short distance south of the Puyallup River before turning into Calistoga Street W.
- **Local Transportation System** - Calistoga Street W is the primary local street that provides east/west travel. Calistoga Street W is a two-lane roadway with intermittently paved or graveled shoulders and sidewalks on the north side. Other local streets in the city provide access to the downtown area of Orting, and commercial and residential areas.

Table T-1 provides an existing conditions inventory of many of the roadways in the area, including functional classification, shoulder type, parking, sidewalks, bicycle lanes, and posted speed limits.

Table T-1. Roadway Inventory – Existing Conditions

ROADWAY	FUNCTIONAL CLASSIFICATION	SHOULDER	PARKING	SIDEWALKS	BICYCLE LANE	SPEED LIMIT (MPH)
SR-162/ Pioneer Way	Principal arterial	Paved	No	Interrupted	No	50/35/25
Washington Avenue N	Principal arterial	Paved	Yes	Both	No	25
Orting-Kapowsin Highway	Principal arterial	Gravel	No	No	No	35
Varner Avenue NE	Collector	Gravel/grass	Yes	Both	No	Not posted
Calistoga Street W	Principal arterial	Paved/gravel	Yes	Both	No	25
Whitehawk Boulevard	Collector	Paved	Yes	Both	No	25
Eldredge Avenue	Collector	Gravel/grass	Yes	Whitesell north – both sides; Safeway south – one side	No	Not posted
Whitesell Street	Collector	None	No	One side	No	Not posted
Corrin Avenue	Minor arterial	Paved	Yes (angle parking downtown)	Both	No	Not posted
Bridge Street	Collector	Gravel/grass	Yes	Both	No	Not posted
Kansas Street SW	Principal arterial	Paved	Yes	Both	No	Not posted
Harman Way	Principal arterial	Paved	Yes	Yes	No	Not posted

General Purpose Traffic

General purpose traffic volumes during the PM peak hour were collected at 19 intersections throughout Orting in April 2017. Recent publicly available traffic counts were evaluated and while a slight increase was identified at select intersections, it had negligible effects on the existing and future demand models:

- Intersection A: Washington Avenue N and Williams Boulevard NW
- Intersection B: Washington Avenue N and Lane Boulevard NW
- Intersection C: Washington Avenue N and Rocky Road NE
- Intersection D: Washington Avenue N and Old Pioneer Way NW
- Intersection E: Washington Avenue N and Whitehawk Boulevard NW
- Intersection F: Washington Avenue N and Ammons Lane NE
- Intersection G: Washington Avenue N and Cardinal Lane
- Intersection H: Washington Avenue N and Whitesell Street S
- Intersection I: Washington Avenue S and Calistoga Avenue W
- Intersection J: Washington Avenue S and Train Avenue S
- Intersection K: Washington Avenue SE and Bridge Street S
- Intersection L: Bridge Street S and Harman Way S and Corrin Avenue E
- Intersection M: Harman Way S and Kansas Street SW
- Intersection N: Calistoga Avenue W and Corrin Avenue SW
- Intersection O: Calistoga Avenue W and Eldredge Avenue SW
- Intersection P: Calistoga Street W and Kansas Street SW
- Intersection Q: Train Street SW and Van Scoyoc Avenue East
- Intersection R: River Avenue SE and Varner Avenue SE and Bridge Street SE

Commented [NS6]: We should have some sort of discussion to address how traffic volumes may have changed since the intersection counts were collected.

At the end of this document I dropped in some WSDOT traffic count data for SR162 spanning from 2017 to now.

Using that as a basis, would you say that given the rather low average annual growth rate in AADT (as I've calculated) on that facility that we can make some conclusions about how the system is still performing much like it was in 2017? If so please provide some data/ information to provide the context.

Additionally, I think it would be very good to describe when counts will need to be completed in the future.

- Intersection S: Eldredge Avenue NW and Whitesell Street S

Figure T-2 summarizes the intersection counts. Traffic volumes during the PM peak hour represent the highest hourly volume of vehicles passing through an intersection during the 4:00 to 6:00 PM peak period. Because the PM peak hour volumes represent the highest volumes of the average day, these traffic volumes were used for the base year operations analysis, and as the basis for future year traffic volume projections.

Intersection Level of Service

Intersection level of service (LOS) is a term used to describe the operating conditions and amount of delay a driver will experience while traveling through an intersection or along a roadway. LOS ranges from A (very little delay) to F (long delays and congestion). Table T-2 summarizes the amount of delay in seconds associated with each LOS designation. The LOS/delay criteria for stop-sign-controlled intersections are different than for signalized intersections because driver expectation is that a signalized intersection is designed to carry higher traffic volumes and experience greater delay. For signalized intersections, the LOS ranges from A with a delay of ~~less-fewer~~ less than 10 seconds to F with a delay of more than 80 seconds. For stop-sign- controlled intersections, LOS A also has a delay of ~~less-fewer~~ less than 10 seconds, while LOS F has a delay of more than 50 seconds.

Table T-2: Vehicle Level of Service and Delay

Level of Service	Description	Signalized Intersection Delay (sec/veh)	Unsignalized Intersection Delay (sec/veh)
A	Free flowing	<10	<10
B	Little delay	>10 and ≤20	>10 and ≤15
C	Some delay	>20 and ≤35	>15 and ≤25
D	Some driver frustration; moderate delay	>35 and ≤55	>25 and ≤35
E	High level of frustration; high levels of delay	>55 and ≤80	>35 and ≤50
F	Severe congestion; excessive delays	>80	>50

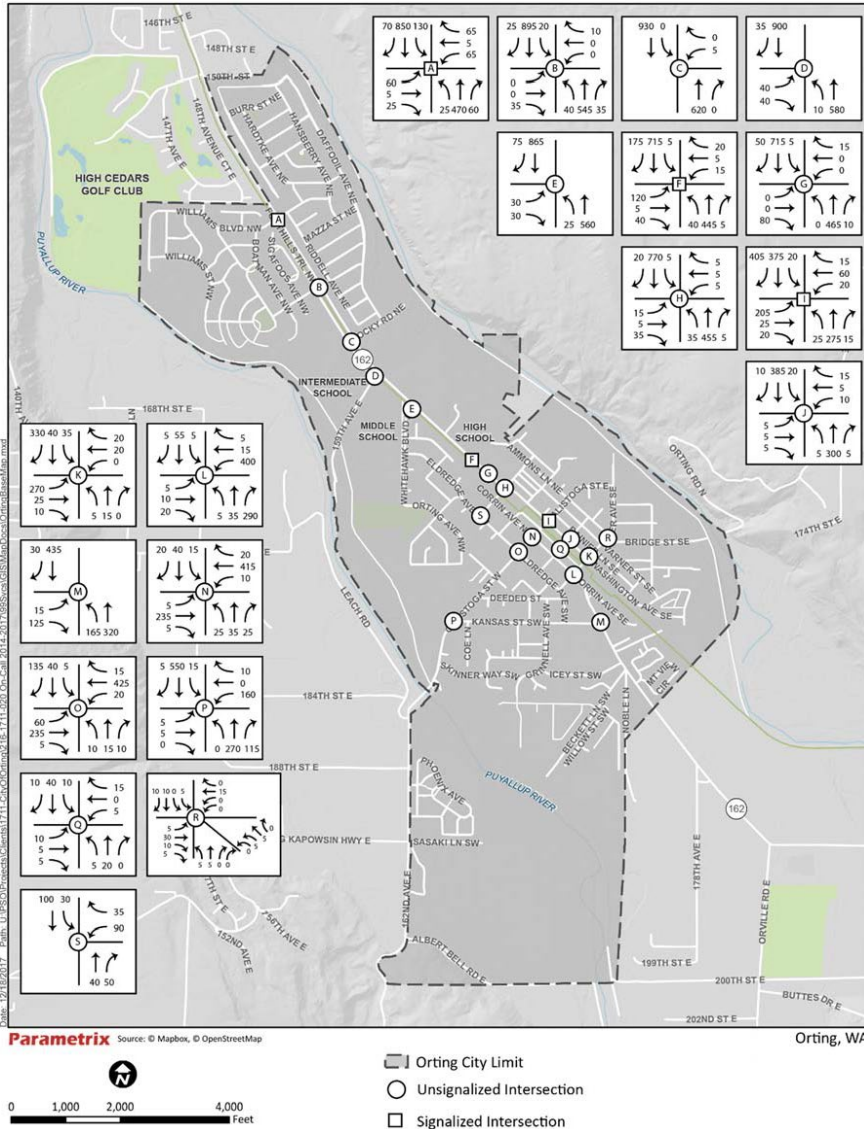


Figure T-2. Existing (2017) PM Peak Hour Intersection Traffic Counts

For unsignalized intersections, delay is reported for the worst-operating approach (typically, the minor street left turn). For signalized intersections, the average delay is reported for all vehicles. LOS D is the concurrency standard adopted by the City of Orting. **Figure T-3** shows the overall existing intersection LOS at the study intersections in Orting during the PM peak hour. For the purpose of this update, 2017 data was utilized as traffic counts were collected in that year. Most of the intersections in the City meet the concurrency standard adopted by the City of Orting. However, Washington Avenue N and Rocky Road NE (intersection C) and Calistoga Street W and Kansas Street SW (intersection P) exceed the threshold and operate at LOS E. At Washington Avenue N and Rocky Road NE (intersection C), the delay is experienced by very few vehicles, approximately five vehicles during the PM peak hour as summarized in **Figure T-2**. The Washington Avenue N and Whitehawk Boulevard NW intersection (intersection E) operates acceptably but at the City's concurrency threshold of LOS D.

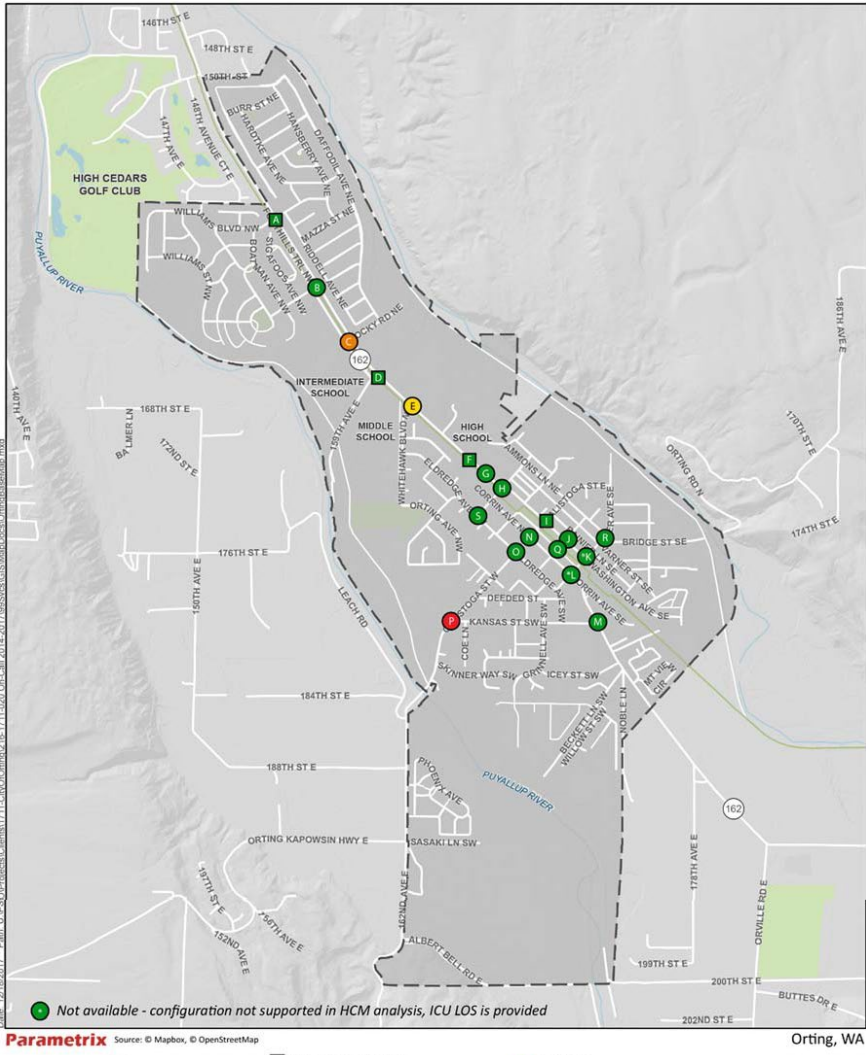


Figure T-3. Existing (2017) PM Peak Hour Intersection Operations

Collision History

WSDOT provided a history of reported collisions that occurred within the city limits of Orting for the period of January 1, 2012, through December 31, 2016. **Figure T-4** summarizes the locations where the collisions occurred in Orting. Total accidents averaged approximately 37 per year with a total of 186 over the 5-year collision period. Nearly 70 percent of collisions were property damage only. There were no fatal collisions and only three collisions were serious injury collisions. Five collisions involved non-motorized users. Most accidents (approximately 60 percent) were at intersections or driveways.

Table T-3 summarizes collisions by severity in the entire street network. As shown, most of the collisions along the roadways resulted in property damage only (135 of 186 total collisions). The remaining 51 collisions resulted in an injury.

Table T-3. Summary of Collisions by Severity for Entire Street Network (January 2012 to December 2016)

LOCATION	COLLISION SEVERITY			TOTAL
	FATALITY	INJURIES	PROPERTY DAMAGE ONLY	
SR 162 (Washington Avenue N)	0	34	58	92
SR 162 (Bridge Street S and Harman Way S)	0	4	17	21
Calistoga Street W	0	5	22	27
Kansas Street SW	0	1	1	2
Other (minor, collector, local access streets)	0	7	37	44
Total	0	51	135	186

Source: WSDOT Transportation Data and GIS Office

Disclaimer: Under 23 U.S. Code § 409, safety data, reports, surveys, schedules, lists compiled or collected for the purpose of identifying, evaluating, or planning the safety enhancement of potential crash sites, hazardous roadway conditions, or railway-highway crossings are not subject to discovery or admitted into evidence in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed in such reports, surveys, schedules, lists, or data.

In addition to summarizing the collision data by severity, the 51 injury collisions were summarized by type in **Table T-4**. For the entire roadway network, the majority of the injury collisions were rear end. Rear-end collisions often occur in congested locations. The other collision types along the entire network were entering at angle, fixed object, pedestrian and/or cyclist involvement, sideswipe, and turning (opposite direction) and none of these had more than five collisions over the 5-year period.

The following disclaimer applies to Tables T-3 through T-6: Under 23 U.S. Code § 409, safety data, reports, surveys, schedules, lists compiled or collected for the purpose of identifying, evaluating, or planning the safety enhancement of potential crash sites, hazardous roadway conditions, or railway-highway crossings are not subject to discovery or admitted into evidence in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed in such reports, surveys, schedules, lists, or data.

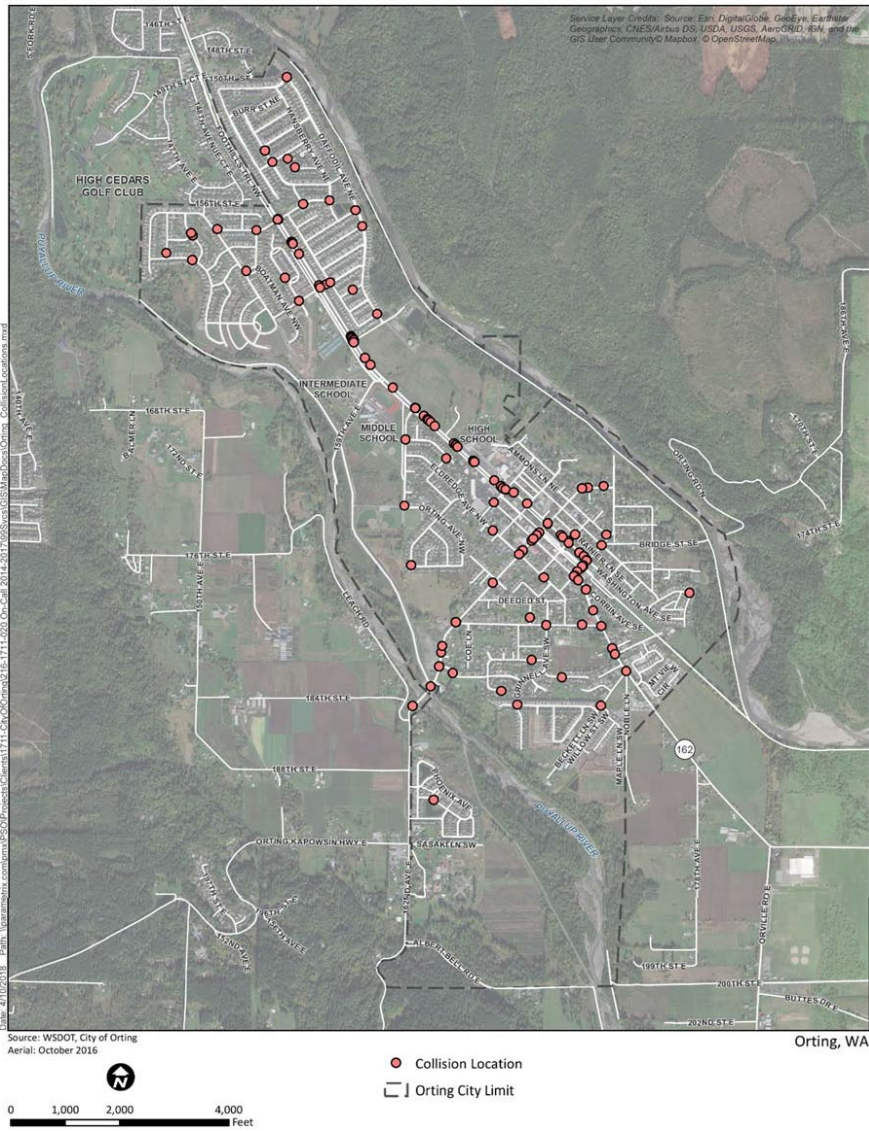


Figure T-4. All Collisions in the City of Orting (January 2012 to December 2016)

Table T-4. Summary of Injury Collisions by Type for Entire Street Network
(January 2012 to December 2016)

LOCATION	COLLISION TYPE									Total
	Entering at Angle	Fixed Object	Other	Parking	Pedestrian/Cyclist Involved	Rear End	Sideswipe	Turning (Opposite Direction)	Vehicle Overturned	
SR 162 (Washington Avenue N)	3	3	2	1	2	20	2	1	0	34
SR 162 (Bridge Street S and Harman Way S)	0	0	1	0	1	2	0	0	0	4
Calistoga Street W	1	0	0	0	1	1	1	1	0	5
Kansas Street SW	0	1	0	0	0	0	0	0	0	1
Other (minor, collector, local access streets)	1	0	0	2	1	1	1	0	1	7
Total	5	4	3	3	5	24	4	2	1	51

Source: WSDOT Transportation Data and GIS Office

Additionally, the collision history was reviewed for the study area intersections by severity and type. **Table T-5** summarizes the study area intersection collisions by severity. As shown, most of the collisions at the study intersections resulted in property damage only (75 of 107 total collisions). The remaining 32 collisions at study area intersections resulted in an injury.

Table T-5. Summary of Collisions by Severity at Study Intersections
(January 2012 to December 2016)

LOCATION	COLLISION SEVERITY			Total
	Fatality	Injuries	Property Damage Only	
A Washington Avenue N and Williams Boulevard NW	0	6	12	18
B Washington Avenue N and Lane Boulevard NW	0	0	5	5
C Washington Avenue N and Rocky Road NE	0	3	5	8
D Washington Avenue N and Old Pioneer Way NW	0	0	0	0
E Washington Avenue N and Whitehawk Boulevard NW	0	3	5	8
F Washington Avenue N and Ammons Lane NE/Driveway	0	5	2	7
G Washington Avenue N and Cardinal Lane	0	0	1	1
H Washington Avenue N and Whitesell Street S	0	3	7	10
I Washington Avenue S and Calistoga Avenue W	0	3	10	13
J Washington Avenue S and Train Avenue S	0	1	2	3
K Washington Avenue SE and Bridge Street S	0	3	4	7
L Bridge Street S and Harman Way S and Corrin Avenue E	0	2	4	6
M Harman Way S and Kansas Street SW	0	0	1	1
N Calistoga Avenue W and Corrin Avenue SW	0	2	4	6
O Calistoga Avenue W and Eldredge Avenue SW	0	1	5	6
P Calistoga Street W and Kansas Street SW	0	0	6	6
Q Train Street SW/Train Avenue S and Van Scoyoc E	0	0	0	0
R River Avenue SE/Verner Avenue SE and Bridge Street SE	0	0	2	2
S Eldredge Avenue NW and Whitesell Street S	0	0	0	0
Total	0	32	75	107

Source: WSDOT Transportation Data and GIS Office

The 32 injury collisions that occurred at study intersections were summarized by type in **Table T-6**. The majority of the injury collisions were rear end, specifically on the main arterial, Washington Avenue N/Bridge Street/Harman Way (SR 162). Rear-end collisions often occur at congested locations. The other collision types at study intersections were entering at angle, fixed object, pedestrian and/or cyclist involvement, sideswipe, and turning (opposite direction). Other than rear-end collisions, there were no more than five collisions of any type over the 5-year period.

Table T-6. Summary of Injury Collisions by Type at Study Intersections
(January 2012 to December 2016)

LOCATION		COLLISION TYPE									
		Entering at Angle	Fixed Object	Other	Parking	Pedestrian/ Cyclist Involved	Rear End	Sideswipe	Turning (Opposite Direction)	Vehicle Overturned	Total
A	Washington Avenue N and Williams Boulevard NW	0	1	1	0	1	2	0	1	0	6
B	Washington Avenue N and Lane Boulevard NW	0	0	0	0	0	0	0	0	0	0
C	Washington Avenue N and Rocky Road NE	0	0	0	0	1	2	0	0	0	3
D	Washington Avenue N and Old Pioneer Way NW	0	0	0	0	0	0	0	0	0	0
E	Washington Avenue N and Whitehawk Boulevard NW	2	0	0	0	0	0	1	0	0	3
F	Washington Avenue N/Ammons Lane NE and Driveway	0	0	0	0	0	5	0	0	0	5
G	Washington Avenue N/ Cardinal Lane	0	0	0	0	0	0	0	0	0	0
H	Washington Avenue N and Whitesell Street S	0	1	0	0	0	2	0	0	0	3
I	Washington Avenue S and Calistoga Avenue W	0	1	0	0	0	2	0	0	0	3
J	Washington Avenue S and Train Avenue S	1	0	0	0	0	0	0	0	0	1
K	Washington Avenue SE and Bridge Street S	0	0	0	0	0	3	0	0	0	3
L	Bridge Street S/Harman Way S and Corrin Avenue E	0	0	1	0	1	0	0	0	0	2
M	Harman Way S and Kansas Street W	0	0	0	0	0	0	0	0	0	0
N	Calistoga Avenue W and Corrin Avenue SW	0	0	0	0	0	1	1	0	0	2
O	Calistoga Avenue W and Eldredge Avenue SW	0	0	0	0	0	0	0	1	0	1
P	Calistoga Street W and Kansas Street SW	0	0	0	0	0	0	0	0	0	0
Q	Train Street SW/Train Avenue S and Van Scoyoc E	0	0	0	0	0	0	0	0	0	0
R	River Avenue SE/Verner Avenue SE and Bridge Street SE	0	0	0	0	0	0	0	0	0	0
S	Eldredge Avenue NW and Whitesell Street S	0	0	0	0	0	0	0	0	0	0
TOTAL:		3	3	2	0	3	17	2	2	0	32

Source: WSDOT Transportation Data and GIS Office

Freight Traffic and Network

Providing freight access to and through Orting is important in supporting economic activity and providing goods to residents. In Orting, the primary freight routes are along SR 162 and Calistoga Street to the Orting-Kapowsin Highway. WSDOT uses the County Road Freight and Goods Transportation System (FGTS) to classify state highways, county roads, and city streets according to the tons of freight that are carried on them each year. SR 162, between the northern city limits and Calistoga Street, is classified as a T-2 Route, carrying 4 million to 10 million tons per year. To the southeast of Calistoga Street, SR 162 is a T-3 Route, carrying 300,000 to 4 million tons per year. Calistoga Street W and the Orting-Kapowsin Highway are classified as T-3 Routes.

Non-Motorized Travel

In June 2017, the City of Orting adopted the Non-Motorized Transportation Plan (NMTP), which includes detailed information on non-motorized facilities, volumes, and policies for the City of Orting. For additional information on non-motorized travel in Orting, please see the NMTP.

Transit

There is no public fixed-route transit service in Orting. Pierce County Transit does provide vanpool services that serve groups traveling to and from work, whose trip origin or destination is within Pierce County. Sound Transit Sounder commuter rail service is provided nearby in Puyallup and Sumner with service south to Lakewood and north to Seattle and Everett. Fixed-route bus transit is also provided in nearby Sumner and Puyallup to other destinations.

Air and Rail Service

There are no public or private airports or rail lines within the city of Orting. The Meeker Southern Railroad, which is a Class III, private rail line, travels near Orting between Puyallup and McMillan.

Planned Transportation Improvements

This section summarizes the planned transportation improvements that would affect travel in Orting.

Pierce County Six-Year Transportation Improvement Program

The prioritization process for transportation projects in unincorporated Pierce County is implemented through the Pierce County Transportation Improvement Program (TIP). The [County's 2017-2022-2024-2029](#) TIP does not include projects within Orting. However, the following projects are included in the TIP and are located near the city of Orting¹:

- ~~176th Street E Extension: Construct a new roadway and roadway improvements between Calistoga Avenue E and Sunrise Boulevard E.~~
- Orting-Kapowsin Highway E/200th Street E **Intersection**: Construct a traffic signal and provide turn lanes ([Engineering in 2024: Right-of-Way acquisition and Construction is TBD](#)).
- ~~112th Street S/112th Street E: Widen roadway to provide turn lanes, pedestrian facilities, and illumination.~~
- Tehaleh Blvd Extension: McCutcheon Rd E. to Falling Water Blvd E. Public/private partnership to

¹ There are additionally some projects for fish passage improvements / culvert replacements which are not included here.

Commented [NS7]: Orting has adopted ORD 2023-1117A

An ordinance of the City of Orting, Washington, adopting new chapter 8-10 of the Orting Municipal Code, complete streets program to the City of Orting Municipal Code Title 8, Public Ways and Property, thereby encouraging walking, and biking along with the safe operation of cars and trucks; providing for severability; and establishing an effective date.

<https://www.cityoforting.org/home/showpublisheddocument/5756/638315858030830000>

There may be goals and policies from that document that can be incorporated into the Goal and Policies in this element

Commented [EE8R7]: Goal/policy added

Commented [NS9]: I don't see this on the map at <https://matterhornwab.co.pierce.wa.us/TIP/>

Commented [JH10R9]: I have deleted for now. There are still relic references to the project online but it seems to have lost support.

- construct a new arterial roadway.
- Falling Water Blvd. E (Tehaleh Blvd E to 181 Ave E) Public/private partnership to construct a new arterial roadway.
- Military Road E / 122 ST E (Shaw Rd E to SR-162): Widen and reconstruct roadway to provide additional lane(s). Alternative alignments will be evaluated.
- 128th Street E (SR 162 to Puyallup River Bridge) Public/private partnership to widen and connect to a new arterial roadway.

Commented [NS11]: https://mattgeocore.co.pierce.wa.us/report?path=*Transportation*tip-CF_PROJECT_ID&val=672

Orting Six-Year Transportation Improvement Program

The City of Orting’s Six-Year Transportation Improvement Program ~~2016-2022~~ 2022-2028 includes regrading, paving, parking, curb/gutter, sidewalks, and water, sewer, and storm improvements in the city of Orting. The following projects, listed in order of priority, are included in the Orting 2016-2022 TIP:

- ~~SR 162 (Washington Avenue) Two-Way Left Turn Lane: Provide a two-way left turn lane and complete minor widening on SR 162 between Cardinal Lane and Leber Street beginning in 2017.~~
- Kansas Street SW Regrade/Reconstruction: Complete regrading, and storm, sewer, and sidewalk improvements (with curb and gutter) plus lighting upgrades on Kansas Street between Coe Lane SW and Harman Way S and Calistoga Street W beginning in 2019 beginning construction in 2025.
- Calistoga Street W: Complete regrading, curb and gutter, parking, and sewer, storm, and water improvements, and provide sidewalks and planter strips between Corrin Avenue NW and the Puyallup River Bridge. Date TBD, beginning in 2020.
- ~~Eldredge Avenue NW Regrade: Complete regrading, paving, parking, storm, sewer, and sidewalk improvements between Whitesell Street NW and Calistoga Street W beginning January 2019.~~
- Whitehawk Boulevard/SR 162 Intersection Improvement: Signalize intersection with existing lane configurations beginning in ~~2020~~ 2026.
- ~~Bridge Street Regrade: Complete regrading, paving, parking, and curb and gutter improvements; provide sidewalks; and replace water main between Washington Avenue S and the River Avenue SE curve beginning in 2022.~~
- ~~River Avenue SE Regrade: Complete regrading, paving, parking, sewer, and storm improvements; provide sidewalks; and replace the water main beginning in 2023.~~
- Orting Emergency Evacuation Bridge System at Gratzter Avenue NW: Construct pedestrian bridge over SR 162/Washington Avenue beginning in ~~2020~~ 2024.
- Whitehawk Boulevard Extension: Construct two- to three-lane arterial from Orting Avenue NW to Calistoga Street at Kansas Street SW including water, sewer, storm, curb and gutter, and sidewalks beginning in 2028.
- Annual Pavement Preservation Program: The remaining projects included in the TIP are chip seal projects on various streets in Orting
- ADA Compliance Program: This program is to assess ADA deficiencies identified in the 2023 Self-Evaluation and ADA Program Access Plan (SCJ Alliance)

Commented [JH12]: Updates pending

Commented [NS13R12]: JC - I see on page 634 of the Washington STIP the project for:
Kansas Street SW Reconstruct
 “This project will completely reconstruct Kansas Street between Coe Lane SW and Harman Way S. Improvements will include new subgrade, roadway, curb and gutter, stormwater improvements, sidewalks, and lighting upgrades.”

Next on page 635:
Orting Foothills Trail Realignment and Safety Enhancement
 “Realign trail from west to east side of the park, install traffic control measures, enhanced wayfinding system that includes signage and maps, and improve landscaping.”

Page 636:
Orting Pedestrian Bridge
 This is a City of Orting lead project to construct a Non-Motorized Bridge Crossing SR 162. Project scope is for Final design, environmental, right of way acquisition, permitting, and construction includes: A new elevated bridge structure crossing SR 162 for non-motorized access by stairs and ramps that are ADA compliant, realignment and paving of Rocky Road Rd NE intersection with SR 162, utility relocations, illumination upgrades, stormwater mitigation, remove and replace signage, remove pavements markings, landscape repair, and tie in access to and from the Orting Foot Hills Trail.

Statewide Transportation Improvement Program

The following projects in or near Orting are included in WSDOT’s Statewide Transportation Improvement Program (STIP) during the ~~2018-2024~~ 2024-2030 planning timeframe:

- Whitehawk Boulevard Extension: This project will construct a new connector roadway, extending extend Whitehawk Boulevard NW between Orting Avenue NW to the intersection of Calistoga Street W and Kansas Street SW. The roadway will be one lane in each direction with a median in some locations and turning lanes at each end. A sidewalk or trail will also be provided along the length of the corridor and a signal roundabout will be installed at the intersection with SR 162 and Calistoga Street W. This project is scheduled to begin preliminary engineering in 2019. Engineering of this project is currently underway. This is the same project that is included in the City's TIP.
 - 1. Orting Kapowsin Highway E: This project includes resurfacing and restoring approximately 3.4 miles of the Orting Kapowsin Highway E from Orville Road E to 246th Street E. The project is scheduled to start preliminary engineering in 2018 and construction in 2020.
- Kansas Street Reconstruction: This project will completely reconstruct Kansas Street between Coe Lane SW and Harman Way S. Improvements will include new subgrade, roadway, curb and gutter, stormwater improvements, sidewalks, and lighting upgrades. This is the same project that is included in the City's TIP.
- Orting Foothills Trail Realignment and Safety Enhancement: The goal of this project is to realign trail from west to east side of the park in downtown Orting, install traffic control measures, enhanced wayfinding system that includes signage and maps, and improve landscaping. This is not yet incorporated into the City's TIP as grant funds were secured after adoption.
- Orting Pedestrian Bridge: This is a City of Orting lead project to construct a Non-Motorized Bridge Crossing SR 162. Project scope is for Final design, environmental, right of way acquisition, permitting, and construction includes: A new elevated bridge structure crossing SR 162 for non-motorized access by stairs and ramps that are ADA compliant, realignment and paving of Rocky Road Rd NE intersection with SR 162, utility relocations, illumination upgrades, stormwater mitigation, remove and replace signage, remove pavements markings, landscape repair, and tie in access to and from the Orting Foot Hills Trail. Construction will be starting in 2024 through State funds. This project is also identified in the City's TIP above.

Rhodes Lake Road East

The Rhodes Lake Road East project would widen 128th Street East from SR 162, north of Orting, and would construct a new arterial roadway from the Puyallup River to Falling Water Boulevard East. A roundabout will be constructed at the intersection of 128th Street East and SR162. The purpose of the project is to improve east-west mobility in the plateau area of Bonney Lake and east of the Puyallup River. The new roadway will accommodate travel to and from the planned community called the Cascadia Employment-Based Planned Community, which calls for nearly 10,000 jobs and over 6,000 homes. It is possible that some of the traffic traveling to and from the Bonney Lake Plateau will also travel through Orting. It is anticipated that the project will be complete in 2030.

Orting Emergency Evacuation Bridge System

Founded in 2002, the Bridge for Kids non-profit organization was awarded grant money from the State and Federal Government of nearly \$2.4 million to do a feasibility study and eventually design a more effective evacuation route off the valley floor. Pierce County Public Works administered the design process and funds. The engineering firm, Berger Abam was contracted to design the evacuation route and structures needed to meet ADA compliance and the 40-minute criteria. In 2023, Parametrix finalized the design of Phase 1, the pedestrian overcrossing of SR 162 at Rocky Road.

Phase 1 of the proposed three component Emergency Evacuation Bridge System as presented in October, 2014, was adopted by the City Council. The project is now identified as the "Orting

Emergency Evacuation Bridge System.” It consists of a bridge over the state highway at Rocky Road NE, an evacuation designation of Rocky Road NE, and an ADA compliant Bridge over the Carbon River. Through a stewardship agreement with the Federal Highway Administration (FHWA), the Washington State Department of Transportation (WSDOT) retained the approval authority for the final Bridge for Kids Alternative Analysis Report, which the Bridge for Kids Committee played a central role in developing. WSDOT determined that Pierce County had delivered a product meeting the intent of the federal grant funds, project is currently under construction with an anticipated completion date of mid 2025 and a cost of \$9 million. The project is funded by State grant funds allocated through the Department of Commerce and administered by WSDOT.

Phase 2 of the project consists of a pedestrian overcrossing of the Carbon River near the City Water Resource Recovery Facility (WRRF). Detailed design is not funded and has not started.

NEXT STEPS

The Bridge for Kids Alternative Analysis Report is the first report of a total of three consultant based efforts to successfully bring this project to 30-percent design, meeting the functional, aesthetic, and environmental requirements. The next project steps will be to proceed towards final design and construction. The City will assume the lead agency role working in joint collaboration with State, County and Federal agencies, seeking out sources of funding to proceed towards the successful completion of the project including: environmental documentation, finalizing design, preparing right of way plans, right of way estimates, and construction of the Bridge System.

Concurrency

The City of Orting requires that the capacity of public facilities and services is equal to or greater than the capacity required to maintain the LOS standards established by the City. The test for concurrency is not passed and a proposed project may be denied if the capacity of the public services or facilities is less than below the capacity required to maintain the adopted LOS D standards after the impacts associated with the requested permit are added to the existing capacity utilization. The City will prohibit approval of any development that causes the level of service to fall below adopted standards, unless necessary improvements are made concurrently with the development. This concurrency requirement means that improvements or strategies must be in place at the time of the development or that a financial commitment must be in place to complete the improvements or strategies within 6 years. Methods for the City to monitor these commitments include:

- Annual monitoring of transportation facilities within updates to the Six-Year TIP
- Assessing level of service
- Reviewing the comprehensive transportation plan and other related studies for necessary improvements
- Making appropriate revisions to the Six-Year TIP

Future Transportation Conditions

This section summarizes the future year (2040-2044) transportation system for all modes of travel in Orting.

General Purpose Traffic

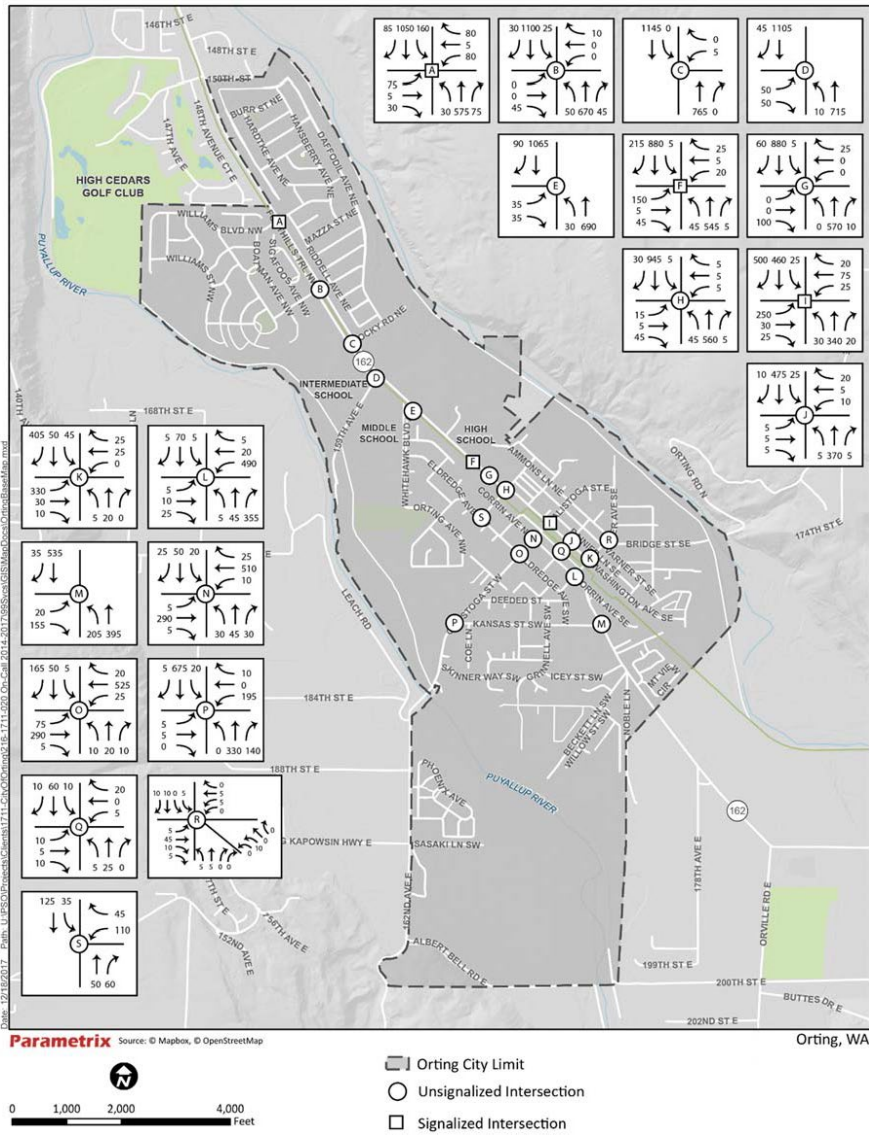
Traffic forecasting is a means of estimating future traffic volumes based on the expected growth in population and employment within an area. To estimate future traffic volumes resulting from growth, forecasts were prepared using ~~current existing~~ traffic counts ~~and review of publicly available updated counts, regional~~ traffic growth ~~described in the 2015 Orting Comprehensive Plan provided by PSRC's LUV-it model~~, and estimates of population and employment developed for the City's Comprehensive Land Use Plan. Future transportation conditions were evaluated for the year ~~2040~~2044. The projected ~~2040-2044~~ PM peak hour traffic volumes are provided on **Figure T-5**.

Intersection Level of Service

Most intersections within the city are unsignalized (controlled by a stop sign). As traffic increases in Orting, turning onto the major streets from a side street will become increasingly difficult. As described earlier, the LOS criteria for stop-controlled intersections is typically determined by the minor street left-turn movement.

The LOS results for the study intersections are provided for the year ~~2040~~2044. Similar to existing conditions, LOS is described for the worst approach for unsignalized intersections. For signalized intersections, the average delay for all vehicles is reported.

Figure T-6 shows the ~~2040-2044~~ PM peak hour traffic operations for the study intersections in Orting. ~~Three intersections are projected to exceed the threshold in 2044. Two of these intersections, which already surpass the threshold under existing conditions, are also expected to do so in 2044. The intersections are Washington Avenue N and Rocky Road NE (Intersection C), Calistoga Ave W & Eldredge Ave SW (Intersection O), and Calistoga Street W and Kansas Street SW (Intersection P), all of which are forecasted to operate at Level of Service E and/or F by 2044. The same two study intersections that surpass the threshold under existing conditions are forecast to exceed the threshold in 2040. Washington Avenue N and Rocky Road NE (intersection C) and Calistoga Street W and Kansas Street SW (intersection P) are forecast to operate at LOS F in 2040.~~ Similar to existing conditions, the side street delay at Washington Avenue N and Rocky Road NE (intersection C) would be experienced by very few vehicles as summarized in **Figure T-5**. Four other study intersections (D, H, M, and ~~Q~~N) are expected to operate acceptably but at the LOS threshold in ~~2040~~2044. It should also be noted that traffic operations at Washington Avenue N and Whitehawk Boulevard NW (intersection E) would improve because of the planned signal (see Section 4.3).



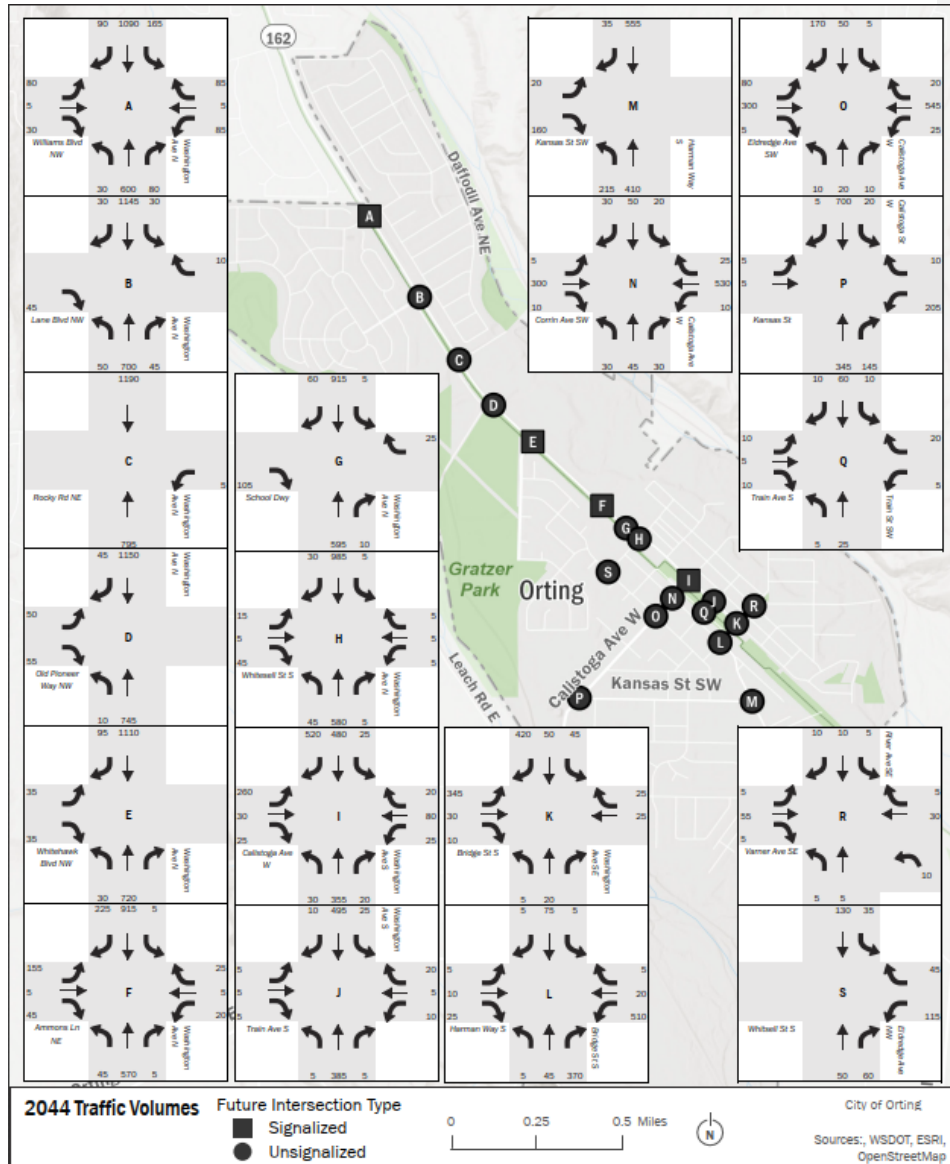
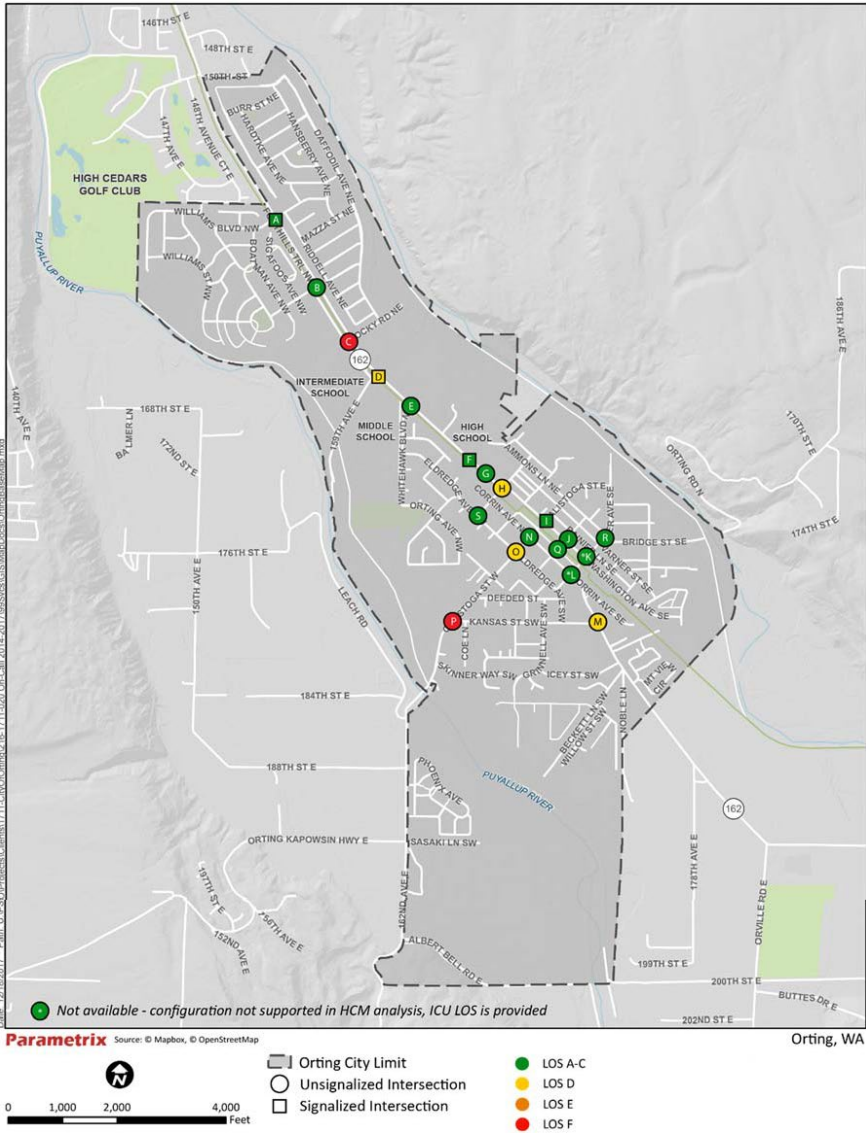


Figure T-5. 2040-2044 PM Peak Hour Intersection Traffic Volumes

Commented [NS14]: The map is fuzzy and difficult to read. Can you improve the quality?



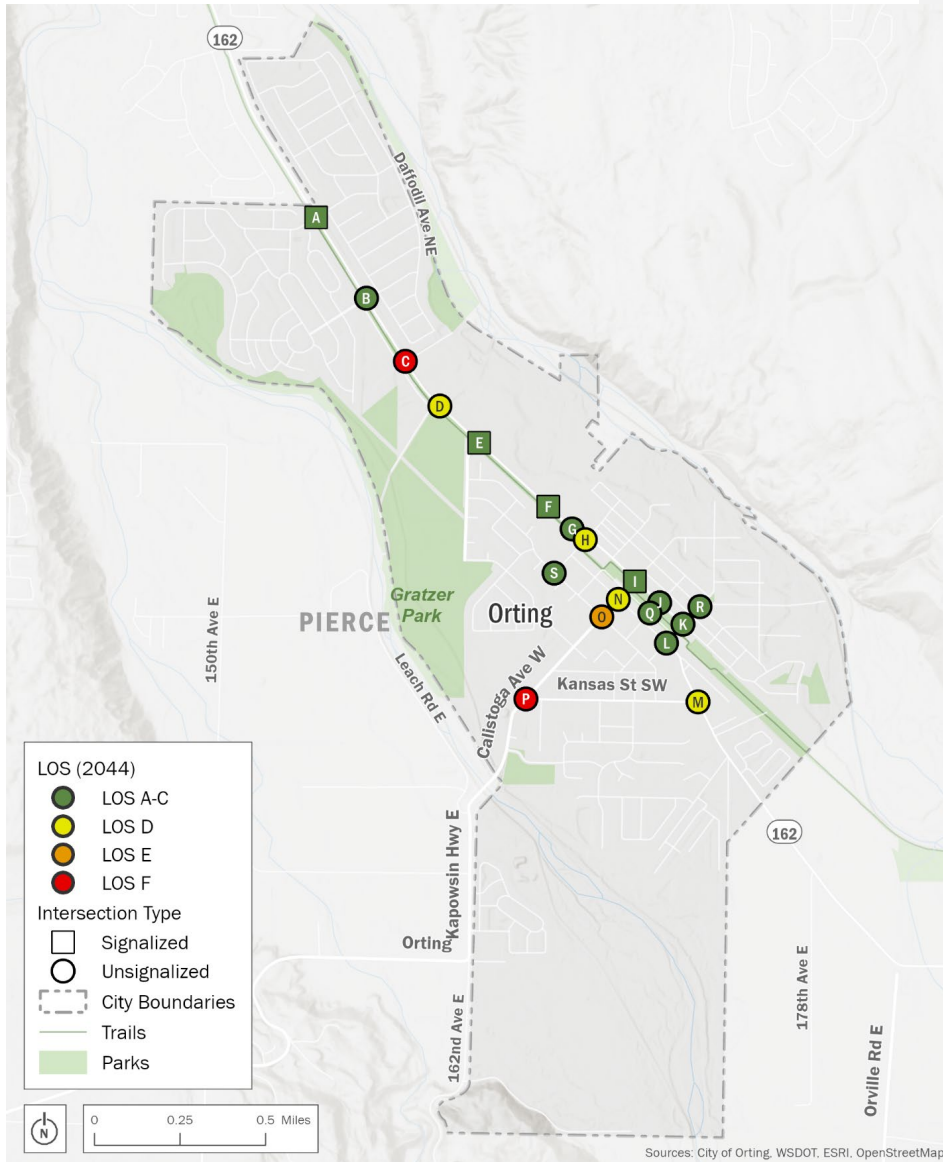


Figure T-6. 2040-2044 PM Peak Hour Intersection LOS

Commented [NS15]: Label more roads and make sure the full system is shown. Can you remove the label "PIERCE" as it is not needed.

Freight

Freight travel corridors would be expected to remain similar in ~~2040-2044 compared to existing conditions~~. SR 162 and Calistoga Avenue W ~~would be~~ are expected to carry most freight traffic through Orting. Intersection operations in ~~2040-2044~~ along both major freight routes would operate at LOS D or better except for Calistoga Street W and Kansas Street SW (intersection P). Although the intersection at Washington Avenue N and Rocky Road (intersection C) is located along a freight corridor and is expected to operate at LOS F, the delay would not be experienced by freight traffic traveling on SR 162/Washington Avenue N.

Non-Motorized Travel

The future non-motorized transportation network is described in the [2017 Non-Motorized Transportation Plan, NMTP \(NMTP\)](#). It is anticipated that non-motorized facilities would be similar to existing conditions except in locations where there are planned improvements to the sidewalk system, as identified in Section 4.3 and the NMTP.

Transit

Transit is expected to be similar in Orting in ~~2040~~2044. No public fixed-route transit service would likely be provided within Orting. Vanpool services would continue to be provided by Pierce Transit.

Pierce Transit and Sound Transit would continue to provide nearby transit service, including higher frequency transit to Puyallup and Sumner. Both agencies have developed long-range plans that describe future transit growth in Pierce County, which could include additional service for fixed-route bus service as well as commuter rail in nearby communities, such as Sumner and Puyallup.

Air and Rail Service

There would continue to be no public or private airports or rail lines within the city of Orting. The Meeker Southern Railroad would continue to operate near Orting between Puyallup and McMillan.

Sound Transit is currently examining a potential commuter rail connection between Orting and the Sounder south line service in Sumner. The study is a future investment study and any potential commuter rail connections between Orting and Sumner would not be included in this funding package.

Future Transportation Vision

To address the identified deficiencies in ~~2040~~2044, a list of potential improvements has been identified. Improvements are summarized by transportation mode.

General Purpose Traffic

Deficiencies for general purpose traffic were identified at intersections that would fail to meet the City of Orting's level of service goal of LOS D. Constructing a traffic signal is a common method for improving the LOS at a stop-controlled intersection. However, traffic signals should not be constructed unless certain factors are present, such as sufficient traffic volumes over long periods of the day, high levels of pedestrian traffic, or preventable accident history.

As summarized in Section 6.2, Washington Avenue N and Rocky Road NE (intersection C), [Calistoga Ave W & Eldredge Ave SW \(intersection O\)](#), and Calistoga Street W and Kansas Street SW (intersection P) are forecast to exceed LOS D in ~~2040~~2044. No improvements are recommended for Washington Avenue N and Rocky Road NE (intersection C), or at Calistoga Ave W & Eldredge Ave SW

Commented [NS16]: Is this current or does this need to be updated?

Commented [JH17R16]: It was in the Corridor Sketch. This is as "current" as is available.

([Intersection O](#)) because this delay would be experienced by very few vehicles (approximately five, and 40 respectively) on the stop approach.

At Calistoga Street W and Kansas Street SW (intersection P), a roundabout intersection control is recommended and ~~should be considered during design~~ will be incorporated into the design of the [Whitehawk Blvd Extension Project](#). The roundabout would improve traffic operations from LOS F to LOS A in [2040-2044](#) conditions. Calistoga Street W and Kansas Street SW (intersection P) will also become the eastern terminus of the Whitehawk Boulevard Extension. It is estimated that a roundabout at Calistoga Street W and Kansas Street SW (intersection P) would be approximately \$~~1.72~~ million to construct.

Although Harman Way S and Kansas Street SW (intersection M) is forecast to operate acceptably at the City's LOS D threshold, it is recommended that an eastbound left-turn lane be constructed on Kansas Street SW to improve intersection operations on the stop-controlled approach. This improvement would improve intersection operations from LOS D to LOS C in [2040-2044](#) conditions. This improvement would cost approximately \$~~450-800~~ thousand to construct.

The school district has also indicated that Ammons Lane NE and Washington Avenue N (intersection F), the entrance to the Orting High School and Orting Primary School, gets congested during pick up and drop off times. Congestion in the school property can create traffic queues on SR 162/Washington Avenue N for vehicles attempting to turn right and left into the school property. To address this issue, the City could convert Ammons Lane NE (intersection F) to an exit only. Vehicles entering the school property could use Whitesell Street S or other neighborhood streets to then access the schools. This improvement would reduce queuing onto SR 162/Washington Avenue N and potentially improve safety along SR 162/Washington Avenue N. This improvement would cost approximately \$~~530-925~~ thousand to construct and likely would be funded primarily by Orting School District.

Commented [NS18]: Is this still the case?

Commented [JH19R18]: I believe they are considering it but due to turnover at the Superintendent position, it may have fallen down the list of priorities.

Commented [SU20]: Same here

Figure T-7 shows the LOS at study intersections following these proposed improvements to the study intersections.

Freight Traffic

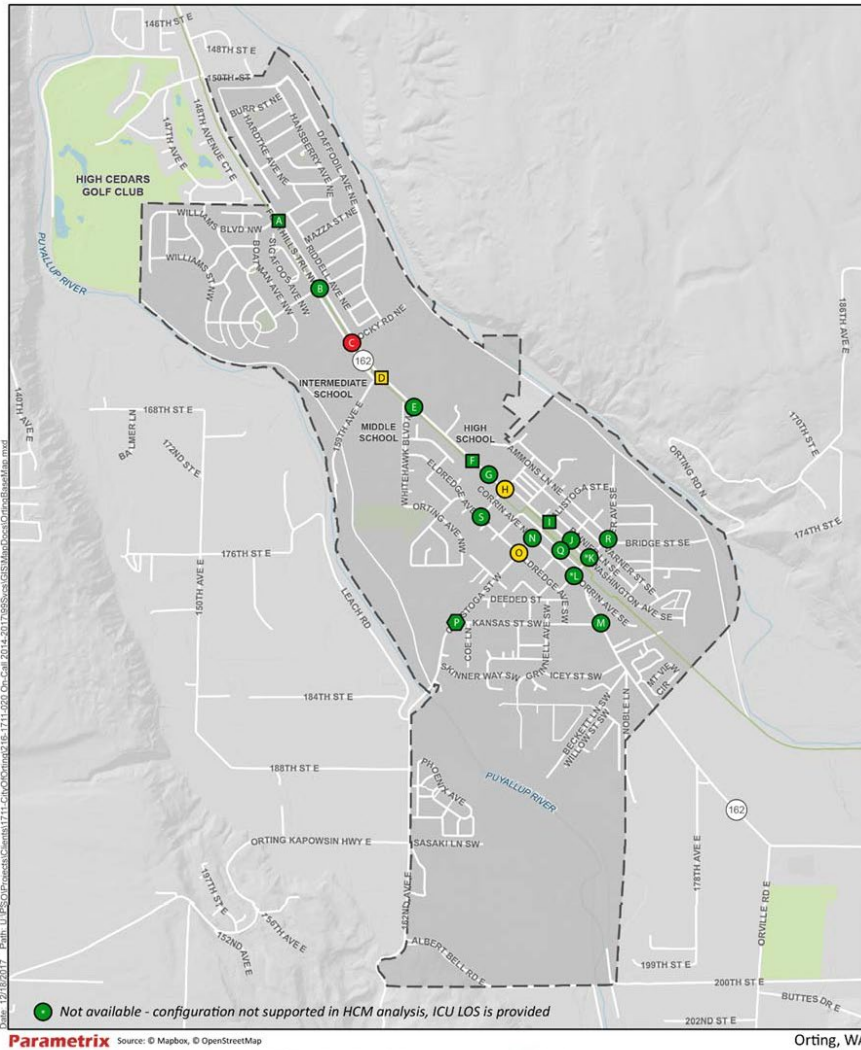
Deficiencies for freight traffic were identified at intersections along freight corridors that would fail to meet the City of Orting's level of service goal of LOS D. The improvements described in Section 7.1 would improve operations for freight traffic traveling through Orting.

Non-Motorized Travel

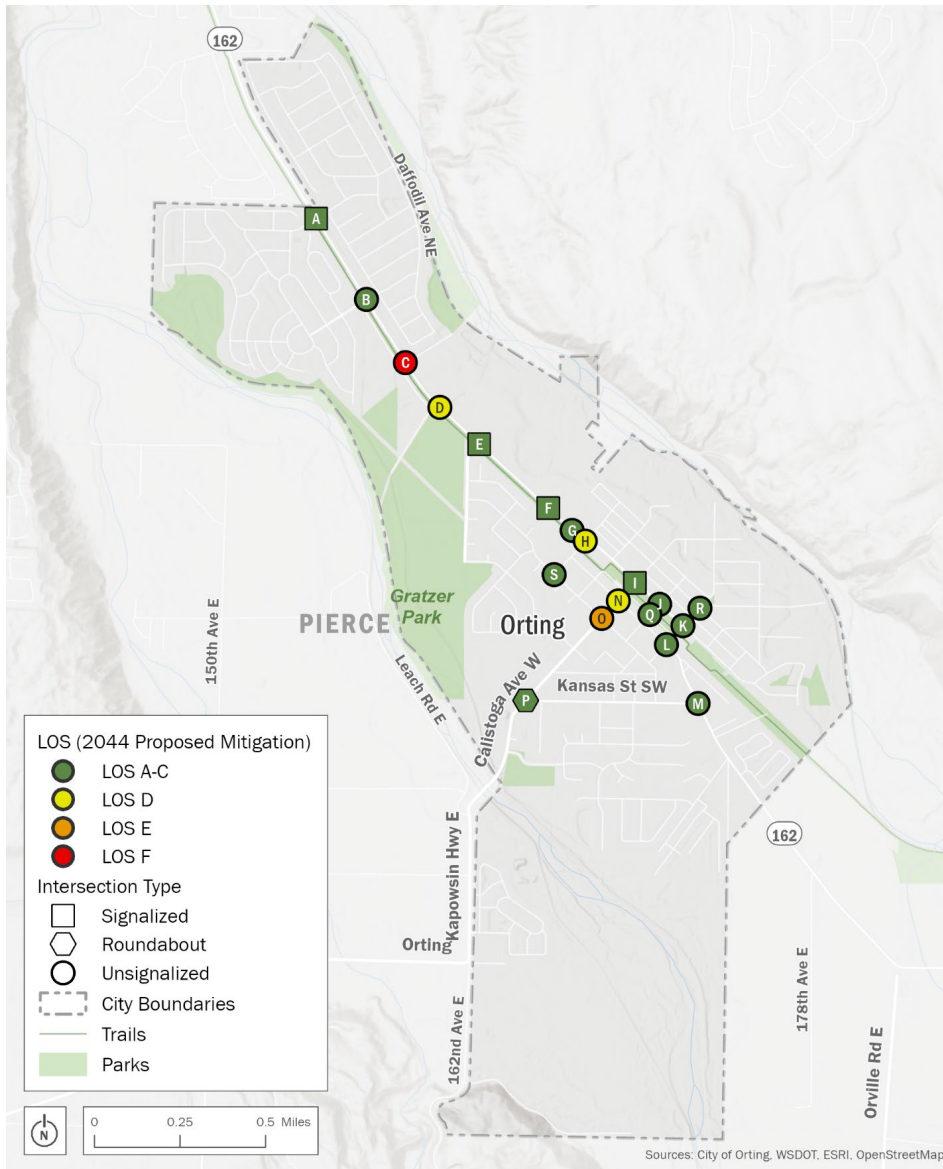
Deficiencies in the non-motorized transportation system have been identified using Pedestrian Level of Stress (PLOS)² and Bicycle Level of Stress (BLOS)³. Future improvements to the non-motorized network in Orting to address deficiencies are described in more detail in the NMTP.

² Pedestrian Level of Stress is a measure used to evaluate how well a transportation system accommodates pedestrian travel. Facilities are evaluated based on a number of different criteria, such as sidewalk width, curb presence, and vehicle speed, and assigned a score from 1 to 5 with 1 being low level of stress to 5 being high level of stress.

³ Bicycle Level of Stress is a measure used to evaluate how well a transportation system accommodates bicycle travel (also called Level of Traffic Stress, or LTS). Similar to Pedestrian Level of Stress, facilities are evaluated based on different criteria, such as street width, presence of on-street parking, and number of lanes, and assigned a score from 1 to 5 with 1 being low level of stress to 5 being high level of stress.



As described in the NMTP, the City will work to address areas with high PLOS (scores 4 to 5) by completing gaps in the sidewalk and trail system. Pedestrian improvements would be prioritized in



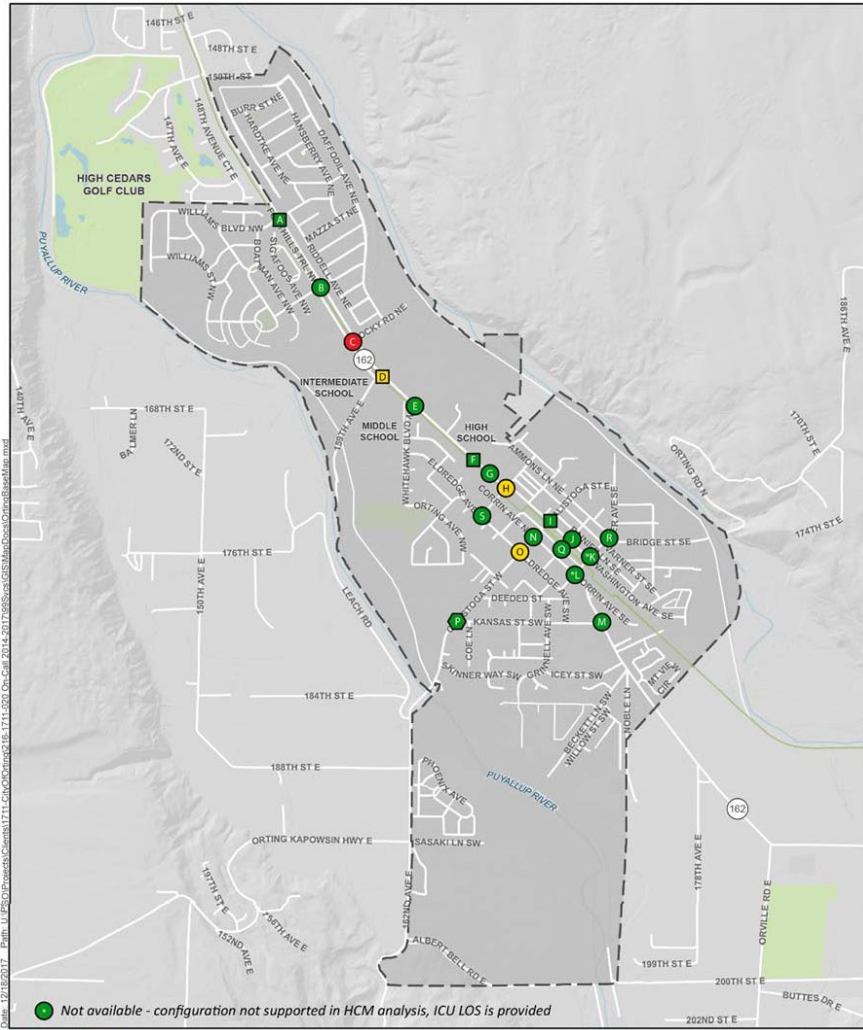
areas where pedestrian activity is higher and where pedestrian-oriented land use and destinations are located. Other pedestrian improvements include:

- Widen evacuation route along Calistoga Street W towards Soldiers home
- Widen the sidewalks on Calistoga Bridge
- Improve City's crosswalk safety
- Pursue opportunities to work with Pierce County to provide Americans with Disabilities Act (ADA) access to the levee system
- Complete the Orting Emergency Evacuation Bridge System
- Also described in the NMTP, BLOS is low for most facilities in Orting. Improvements to the bicycle network would include the following:
 - Improve connectivity to the Foothills Trail at Calistoga Street W
 - Improve connectivity to the Foothills Trail at Kansas Street SW
 - Construct bicycle lanes on Calistoga Street W and Kansas Street SW
 - ~~Restripe trail with "fast" and "slow" lanes for bicycle and foot traffic~~
 - Relocate intersection crossings with the Foothills Trail to be in front of the stop bar at intersections

Commented [NS21]: The above map needs to be labeled and improved consistent with other comments

Commented [NS22]: Should this say "the Foothills Trail" ?

Commented [JH23R22]: Remove. This was prior council priority.



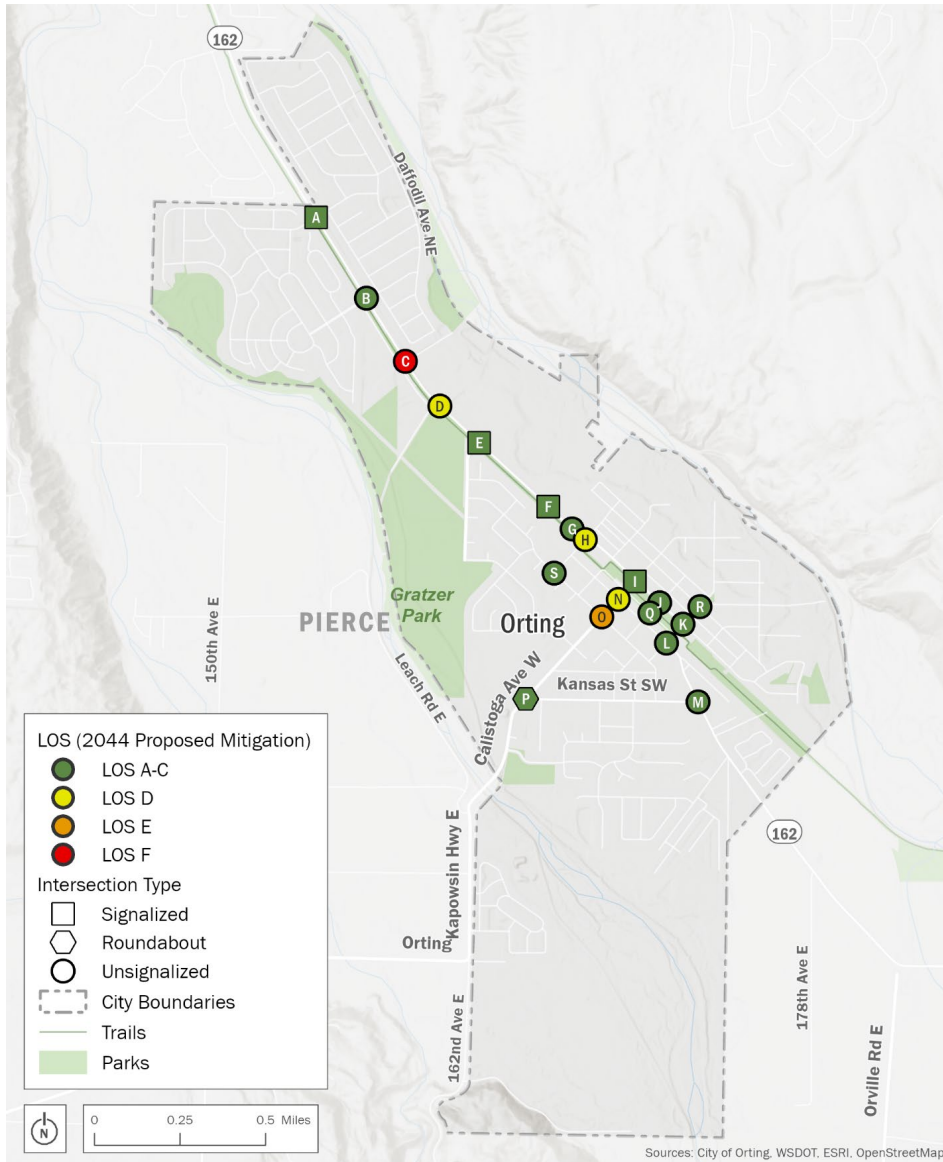


Figure T-7. 2040-2044 Transportation Vision-PM Peak Hour Traffic Operations

Transit

There are no recommended improvements for transit service.

Air and Rail Service

There are no recommended improvements for air and rail service.

Other Strategies and Programs

Other strategies and programs can be used to help improve travel in Orting include Transportation Demand Management.

Transportation Demand Management

Transportation Demand Management (TDM) strategies can be implemented to decrease the amount of drive-alone vehicle trips, which can help to reduce congestion and delay. Viable travel alternatives help to mitigate impacts of growth in vehicular traffic and provide feasible options for more people. TDM strategies include:

- Improving land use accessibility by promoting mixed-use zoning with housing, shopping, schools, and employment within localized areas to encourage short vehicle trips and/or use of other travel modes, such as bicycling and walking.
- Encouraging ridesharing and vanpooling to reduce drive-alone vehicle trips.
- Working with the Orting School District to implement School Trip Management; School Trip Management includes promoting and implementing strategies to encourage non-vehicle travel to and from school.
- Encouraging bicycle and pedestrian travel by providing inviting, safe, convenient, and connected routes; education and incentive programs; and support services such as bicycle racks, showers, and lockers.
- Maintaining and improving a network of highways, streets, and roads that moves people, goods, and services safely and efficiently; minimizes social and environmental impacts; and supports various modes of travel.
- Providing adequate connections and access among all transportation modes, especially non-motorized and transit.
- Limiting the number of access points and driveways on major streets in Orting.

Funding the Transportation Vision

The GMA requires that a jurisdiction's transportation plan contain a funding analysis of the transportation projects it recommends. The analysis should cover funding needs and funding resources, and it should include a multi-year financing plan. The purpose of this requirement is to ensure that each jurisdiction's transportation plan is affordable or achievable. If a funding analysis reveals that a plan is not affordable or achievable, the plan must discuss how additional funds will be raised, or how land use assumptions will be reassessed.

Table T-7 summarizes the proposed [2040-2044](#) Improvement Program as ~~was~~ described ~~in Chapter 7 and Chapter 4~~ above.

Table T-7. ~~2040-2044~~ Improvement Program

ROADWAY	IMPROVEMENT		COST ESTIMATE (\$1,000)	FUNDING SOURCE
	TYPE	DESCRIPTION		
Calistoga Street W/Kansas SW Roundabout	Capacity	Construct roundabout	\$2,380 \$2,000	City / Grants
Harman Way S/Kansas Street SW Left-turn lane	Safety and Circulation	Construct left-turn lane on Kansas Street SW	\$715 \$800	City / Grants
Ammons Lane NE/Washington Avenue N Exit Only	Safety and Circulation	Convert Ammons Lane NE to exit only	\$635 \$925	City/ WSDOT / Orting School Dist.
Whitehawk Boulevard Extension	Safety and Circulation	Extend Whitehawk Boulevard to Calistoga Street W	\$5,400	City / Grants

Commented [SU24]: Please confirm if the cost estimates are still the same as in 2020.

Commented [JH25R24]: Updated

Other City of Orting transportation improvement projects are adopted on an annual basis in the City of Orting Six-Year Transportation Improvement Program.

Federal Funding

Federal funding for transportation projects includes FHWA's Surface Transportation Block Grant Program funded through the Fixing America's Surface Transportation (FAST) Act. Many types of projects are eligible, including bicycle/pedestrian, safety, traffic monitoring/management, and planning projects along with more traditional road and bridge projects. These funds are distributed by PSRC through a competitive grant application process.

The PSRC also distributes Surface Transportation Program funds through the Rural Town Centers and Corridors (RTCC) program. The RTCC program was established to recognize and support the needs of the region's rural areas. Funds are distributed through a competitive grant process that includes two stages: a Countywide stage and a Regional stage.

Orting relies heavily on these funding sources to complete transportation projects. Should grant funds not be secured and capital projects will likely be delayed and preservation and maintenance will be prioritized.

Goals & Policies

This Transportation Element contains goals and policies which are presented in a distinct way as compared to this Plan's other elements.

First, the goals do not have policies listed under them. This means there is not necessarily a "one-to-one" relationship between them; rather, there may be "many-to-one" relationships which means that many listed policies may support more than one goal.

Next, the policies are organized into four broad categories and are numbered according to the category.

Goals

- Goal T 1 Maintain a transportation system that accommodates the separation of through and local traffic, provides adequate internal circulation, and interconnects effectively to the regional highway, non-motorized, and public transportation systems is responsive to the mobility needs of City businesses and neighborhoods, and guides future developments.
- Goal T 2 Coordinate with local, regional, state, and federal agencies in the development and operation of the transportation system. In particular, support City, County, and state implementation of comprehensive solutions to capacity, safety, and circulation problems with SR 162.
- Goal T 3 Establish a safe and convenient pedestrian and bicycle circulation system linking residential communities with key destinations.
- Goal T 4 Provide "Complete Streets Infrastructure" into existing public streets as feasible.
- Goal T 5 Fund transportation facility improvements with federal, state, and local public and private sources.
- Goal T 6 Realize the vision for Washington Ave N/S as Orting's main street, providing high quality aesthetic design in conjunction with multi-modal mobility, pedestrian safety, and infill economic development.
- Goal T 7 Meet federal and state air quality requirements and work with state, regional and other local agencies to develop transportation control measures and/or mobile source emission reduction programs that may be warranted to attain or maintain air quality requirements.
- Goal T 8 Ensure preparedness and flexibility in the transportation network for changes in transportation technologies and mobility patterns.
- Goal T 9 Identify racial and social equity as a core objective when planning and implementing transportation improvements, programs, and services.

Part I. Vehicular Transportation Policies

Street Network

- T 1.1 Periodically update traffic forecasts and levels of service analysis on all arterials in the City.
- T 1.2 Provide adequate, system-wide capacity on arterial streets to avoid diversion of excess traffic from congested arterials to neighborhood streets.
- T 1.3 Maintain truck routes on Principal Arterials and enforce truck use accordingly.
- T 1.4 Develop the local street system to encourage connectivity between adjacent developments where feasible, and provide connections to arterials from neighborhood collectors.
- T 1.5 Existing non-through (dead-end) streets shall be linked together whenever practical.
- T 1.6 Minimize the use of cul-de-sacs, dead-end streets and other designs that reduce connectivity between neighborhoods.
- T 1.7 Protect street rights-of-way from encroachment by structures, fences, retaining walls, landscaping, or other obstructions to preserve the public's use of the right-of-way, and to ensure safety and mobility.
- T 1.8 Maintain and improve the network of highways, streets, and roads that moves people, goods, and services safely and efficiently; minimizes social and environmental impacts; and supports various modes of travel.

Street Classification

- T 1.9 Maintain a consistent classification of streets as Principal-, Minor-, and Collector Arterials, Neighborhood Collector Streets and Local Streets according to function, based on federal, state, and regional guidelines so that needed traffic capacity may be preserved and planned street improvements will be consistent with those functions.
- T 1.10 Limit the number of residences that can be served by a dead end/ cul- de-sac street.

Street Design Standards

- T 1.11 Maintain a comprehensive street improvement plan for city streets that implements the desired streetscape for each functional classification. Arterial street standards shall provide guidance on the width of lanes, driveway access, right-of-way width, sidewalks median treatments, setbacks, lighting, pedestrian facilities, landscaping, or other improvements.
- T 1.12 Design street improvements to fit the character of areas they serve.
- T 1.13 Maximize and maintain the capacity of arterial streets through the provision of turn lanes and other auxiliary lanes rather than street widening solutions.

- T 1.14 Encourage shared use of driveways served by arterials.
- T 1.15 Use street design standards to minimize pavement widths while accommodating on-street parking, and allowing cars to pass, thereby slowing the speed of vehicles on local streets, improving pedestrian safety and allowing for landscaping.
- T 1.16 Require safe, attractive sidewalks on all new streets.
- T 1.17 Provide comprehensive street lighting, including lights for pedestrians on sidewalks and trails, using such factors as adjacent land uses, hazardous street crossings, transit routes, schools, and parks.

T 1.18 Develop Complete Streets design criteria based on the latest relevant editions of the America Association of State Highway Officials (AASHTO), the National Association of City Transportation Officials (NACTO), and the Institute of Transportation Engineers (ITE) manuals.

T 1.19 Monitor and adopt transportation technology as appropriate to improve mobility throughout the complete transportation network.

T 1.20 Identify racial and social equity as a core objective when planning and implementing transportation improvements, programs, and services.

Traffic Safety

T 1.21 Monitor traffic accidents, citizen input/complaints, traffic violations, and traffic growth to identify and prioritize locations for safety improvements.

T 1.22 Ensure mobility choices for people with special needs, and consider the use of devices that increase safety of pedestrian crossings such as flags, in-pavement lights, raised crosswalks, colored and textured pavements.

Neighborhood Traffic Control

T 1.23 Consider design options for application of neighborhood traffic calming devices such as median barriers, speed humps, speed tables, raised crosswalks, raised intersections, traffic circles, roundabouts, chicanes, chokers, neckdowns, and textured pavements on local streets where traffic and pedestrian safety is of concern. Neighborhood Collectors shall receive the first priority followed by other local streets. Installation of neighborhood traffic control devices shall be avoided on arterials.

Property Access

T 1.24 Minimize local property access on Principal and Minor arterials.

T 1.25 Consolidate existing access driveways on arterials when street improvements are implemented, or redevelopment proposals are made.

Environmental

T 1.26 Participate in regional efforts to improve air quality by promoting alternatives to the single occupant vehicles; use of cleaner fuels; implementing transportation demand

management goals and policies and maintaining or improving the operating efficiency of the transportation system.

- T 1.27 Mitigate noise impacts when designing future roadway improvements.
- T 1.28 Reduce the amount of impervious surfaces (e.g., streets, driveways) to the extent practicable.
- T 1.29 Minimize harmful pollutants generated by transportation-related construction, operations, and maintenance activities from entering surface and groundwater resources.

Level of Service

- T 1.30 Maintain intersection level of service (LOS) according to the following standards: LOS E on arterial intersections in the Mixed-Use Town Center; LOS D on all other arterial intersections.
- T 1.31 Transportation improvement projects, strategies and actions needed to serve new developments shall be in place at the time new development occurs or be financially committed and scheduled for completion within six years of permit approvals.

Land Use / Transportation

- T 1.32 Consider the effect of the City's growth and transportation improvement programs on other adjacent jurisdictions through coordination with county, state, and regional agencies.

T1.33 Designate the Center of Local Importance (COLI) including the downtown area, school campus, and Gratzner Park as Orting's core for future major transportation improvements.

Development Impact Mitigation

- T 1.34 Maintain and apply standardized transportation impact mitigation procedures and strategies, including payment of traffic impact fees.
- T 1.35 Require dedication of right-of-way as a condition of development approval when the need for such right-of-way is determined in the permit approval process.
- T 1.36 Maintain a right-of-way use permit process to minimize environmental and traffic impacts during construction.

Part 2. Pedestrian and Bicycle Policies

- T 2.1 Promote pedestrian and bicycle networks that safely access commercial areas, schools, transit routes, parks, and other destinations within Orting and connect to adjacent communities, regional destinations and routes.
- T 2.2 Require new development to ensure safety, comfort and convenience of pedestrians and bicyclists.

- T 2.3 Designate and construct segregated internal pedestrian circulation systems in new or redeveloping commercial-retail districts. Provide connectivity to nearby transit stops using sidewalks, landscaping, covered walkways, or other treatments.
- T 2.4 Promote a comprehensive and interconnected network of pedestrian and bike routes within and between neighborhoods.
- T 2.5 Require trail routes and/or sidewalks where appropriate in PUD, plat and short plat approvals.
- T 2.6 Work progressively to provide and maintain sidewalks in established neighborhoods. Priority shall be given to all public facilities such as transit routes, schools and parks, and multi-family housing, commercial areas, and gaps in the existing sidewalk system.
- T 2.7 Provide striped, on-street bicycle facilities on arterial streets on paved shoulders or within wide curb lanes to ensure safety for bicyclists.
- T 2.8 Ensure that sidewalks meet requirements of the Americans with Disabilities Act.
- T 2.9 Identify non-motorized facility improvements on school walk routes to increase pedestrian safety.
- T 2.10 Require secure (racks and lighting) bicycle parking at commercial and institutional facilities along with automobile parking.

T 2.11 As feasible, incorporate "Complete Streets Infrastructure" into existing public streets to create a comprehensive, integrated, connected transportation network.

Part 3. Regional and Local Coordination Policies

- T 3.1 Ensure coordination and consistency with state, regional and local transportation plans.
- T 3.2 Coordinate the Six-Year Transportation Improvement Program with adjacent jurisdictions' where City projects have regional implications.
- T 3.3 Participate in regional transportation planning to ensure that the City's interests are reflected appropriately.

T 3.4 Promote the design of transportation facilities that support local and regional growth centers and high-capacity transit station areas and fit the community in which they are located.

Part 4. Funding and Implementation Policies

Funding

- T 4.1 Maintain a street utility for the purpose of supporting preservation and ongoing maintenance and operations of its transportation systems pursuant to RCW 82.80.
- T 4.2 Maximize outside funding from regional, County, State, or Federal sources.

- T 4.3 Emphasize multimodal enhancements to the transportation system in funding transportation programs.
- T 4.4 Ensure the adopted impact fee rate schedule reflects the current land use and transportation forecasts and needs.
- T 4.5 Update the six-year Transportation Improvement Program (TIP) annually to implement the Long-Range Capital Facility Plan.

T 4.6 During review and update of the six-year Transportation Improvement Program (TIP), capital funding shall be reviewed and prioritized. Should a funding shortfall be identified, capital projects may be delayed, and preservation and maintenance of existing facilities will be prioritized.

Implementation

- T 4.7 Maintain and monitor a scheduled street maintenance program including regular street sweeping to ensure that all arterial and neighborhood collector streets shoulders and/or designated bike lanes and trails are clear of sand, glass, and debris.

5. System Air Quality Policies

- T 5.1 The City's transportation system shall conform to federal and state Clean Air Acts by maintaining conformity with the Metropolitan Transportation Plan of the Puget Sound Regional Council and by following the requirements of Chapter 173-420 of the Washington Administrative Code.
- T 5.2 Travel in modes other than single-occupant vehicles shall be encouraged. Transportation demand management strategies will be employed to discourage the use of single-occupant vehicles and to encourage non-motorized transportation.
- T 5.3 Consider air quality effects of future development when considering annexations, amendments to the Comprehensive Plan and development regulations, and during project review processes.
- T 5.4 Establish standards for the control of particulate matter on paved public roads.

~~Goals & Policies~~

~~Goals~~

- ~~Goal T 1 — Maintain a transportation system that accommodates the separation of through and local traffic, provides adequate internal circulation, and interconnects effectively to the regional highway, non-motorized, and public transportation systems is responsive to the mobility needs of City businesses and neighborhoods, and guides future developments.~~
- ~~Goal T 2 — Coordinate with local, regional, state, and federal agencies in the development and operation of the transportation system. In particular, support City, County, and state~~

implementation of comprehensive solutions to capacity, safety, and circulation problems with SR 162.

- ~~Goal T 3 Establish a safe and convenient pedestrian and bicycle circulation system linking residential communities with key destinations.~~
- ~~Goal T 4 Fund transportation facility improvements with federal, state, and local public and private sources.~~
- ~~Goal T 5 Realize the vision for Washington Ave N/S as Orting's main street, providing high quality aesthetic design in conjunction with multi-modal mobility, pedestrian safety, and infill economic development.~~
- ~~Goal T 6 Meet federal and state air quality requirements and work with state, regional and other local agencies to develop transportation control measures and/or mobile source emission reduction programs that may be warranted to attain or maintain air quality requirements.~~

1. Vehicular Transportation Policies

Street Network

- ~~T 1.1 Periodically update traffic forecasts and levels of service analysis on all arterials in the City.~~
- ~~T 1.2 Provide adequate, system-wide capacity on arterial streets to avoid diversion of excess traffic from congested arterials to neighborhood streets.~~
- ~~T 1.3 Maintain truck routes on Principal Arterials and enforce truck use accordingly.~~
- ~~T 1.4 Develop the local street system to encourage connectivity between adjacent developments where feasible, and provide connections to arterials from neighborhood collectors.~~
- ~~T 1.5 Existing non through (dead-end) streets shall be linked together whenever practical.~~
- ~~T 1.6 Minimize the use of cul-de sacs, dead end streets and other designs that reduce connectivity between neighborhoods.~~
- ~~T 1.7 Protect street rights of way from encroachment by structures, fences, retaining walls, landscaping, or other obstructions to preserve the public's use of the right of way, and to ensure safety and mobility.~~

Street Classification

- ~~T 1.8 Maintain a consistent classification of streets as Principal, Minor, and Collector Arterials, Neighborhood Collector Streets and Local Streets according to function, based on federal, state, and regional guidelines so that needed traffic capacity may be preserved and planned street improvements will be consistent with those functions.~~

~~— T 1.9 — Limit the number of residences that can be served by a dead-end/ cul-de-sac street.~~

Street Design Standards

~~— T 1.10 — Maintain a comprehensive street improvement plan for city streets that implements the desired streetscape for each functional classification. Arterial street standards shall provide guidance on the width of lanes, driveway access, right-of-way width, sidewalks median treatments, setbacks, lighting, pedestrian facilities, landscaping, or other improvements.~~

~~— T 1.11 — Design street improvements to fit the character of areas they serve.~~

~~— T 1.12 — Maximize and maintain the capacity of arterial streets through the provision of turn lanes and other auxiliary lanes rather than street widening solutions.~~

~~— T 1.13 — Encourage shared use of driveways served by arterials.~~

~~— T 1.14 — Use street design standards to minimize pavement widths while accommodating on-street parking, and allowing cars to pass, thereby slowing the speed of vehicles on local streets, improving pedestrian safety and allowing for landscaping.~~

~~— T 1.15 — Require safe, attractive sidewalks on all new streets.~~

~~— T 1.16 — Provide comprehensive street lighting, including lights for pedestrians on sidewalks and trails, using such factors as adjacent land uses, hazardous street crossings, transit routes, schools, and parks.~~

Traffic Safety

~~— T 1.17 — Monitor traffic accidents, citizen input/complaints, traffic violations, and traffic growth to identify and prioritize locations for safety improvements.~~

~~— T 1.18 — Consider the use of devices that increase safety of pedestrian crossings such as flags, in pavement lights, raised crosswalks, colored and textured pavements.~~

Neighborhood Traffic Control

~~— T 1.19 — Consider design options for application of neighborhood traffic calming devices such as median barriers, speed humps, speed tables, raised crosswalks, raised intersections, traffic circles, roundabouts, chicanes, chokers, neckdowns, and textured pavements on local streets where traffic and pedestrian safety is of concern. Neighborhood Collectors shall receive the first priority followed by other local streets. Installation of neighborhood traffic control devices shall be avoided on arterials.~~

Property Access

~~— T 1.20 — Minimize local property access on Principal and Minor arterials.~~

~~— T 1.21 — Consolidate existing access driveways on arterials when street improvements are implemented, or redevelopment proposals are made.~~

Environmental

- ~~T 1.22~~ Participate in regional efforts to improve air quality by promoting alternatives to the single-occupant vehicles; use of cleaner fuels; implementing transportation demand management goals and policies and maintaining or improving the operating efficiency of the transportation system.
- ~~T 1.23~~ Mitigate noise impacts when designing future roadway improvements.
- ~~T 1.24~~ Reduce the amount of impervious surfaces (e.g., streets, driveways) to the extent practicable.
- ~~T 1.25~~ Minimize harmful pollutants generated by transportation-related construction, operations, and maintenance activities from entering surface and groundwater resources.

Level of Service

- ~~T 1.26~~ Maintain intersection level of service (LOS) according to the following standards: LOS E on arterial intersections in the Mixed Use Town Center; LOS D on all other arterial intersections
- ~~T 1.27~~ LOS D on all other arterial intersections Transportation improvement projects, strategies and actions needed to serve new developments shall be in place at the time new development occurs or be financially committed and scheduled for completion within six years of permit approvals.

Land Use / Transportation

- ~~T 1.28~~ Consider the effect of the City's growth and transportation improvement programs on other adjacent jurisdictions through coordination with county, state, and regional agencies.

Commented [NS26]: The LU element has "Designate the Center of Local Importance (COLI) including the downtown area, school campus, and Gratzler Park as Orting's core for future major transportation improvements. " Perhaps that should also appear here in some form?

Commented [EE27R26]: Agreed. Added

Development Impact Mitigation

- ~~T 1.29~~ Maintain and apply standardized transportation impact mitigation procedures and strategies, including payment of traffic impact fees.
- ~~T 1.30~~ Require dedication of right of way as a condition of development approval when the need for such right of way is determined in the permit approval process.
- ~~T 1.31~~ Maintain a right of way use permit process to minimize environmental and traffic impacts during construction.

Part 2. Pedestrian and Bicycle Policies

- ~~T 2.1~~ Promote pedestrian and bicycle networks that safely access commercial areas, schools, transit routes, parks, and other destinations within Orting and connect to adjacent communities, regional destinations and routes.
- ~~T 2.2~~ Require new development to ensure safety, comfort and convenience of pedestrians and bicyclists.

- T 2.3 — Designate and construct segregated internal pedestrian circulation systems in new or redeveloping commercial retail districts. Provide connectivity to nearby transit stops using sidewalks, landscaping, covered walkways, or other treatments.
- T 2.4 — Promote a comprehensive and interconnected network of pedestrian and bike routes within and between neighborhoods.
- T 2.5 — Require trail routes and/or sidewalks where appropriate in PUD, plat and short plat approvals.
- T 2.6 — Work progressively to provide and maintain sidewalks in established neighborhoods. Priority shall be given to all public facilities such as transit routes, schools and parks, and multi family housing, commercial areas, and gaps in the existing sidewalk system.
- T 2.7 — Provide striped, on street bicycle facilities on arterial streets on paved shoulders or within wide curb lanes to ensure safety for bicyclists.
- T 2.8 — Ensure that sidewalks meet requirements of the Americans with Disabilities Act.
- T 2.9 — Identify non motorized facility improvements on school walk routes to increase pedestrian safety.
- T 2.10 — Require secure (racks and lighting) bicycle parking at commercial and institutional facilities along with automobile parking.

Part 3. Regional and Local Coordination Policies

- T 3.1 — Ensure coordination and consistency with state, regional and local transportation plans.
- T 3.2 — Coordinate the Six Year Transportation Improvement Program with adjacent jurisdictions' where City projects have regional implications.
- T 3.3 — Participate in regional transportation planning to ensure that the City's interests are reflected appropriately.

Part 4. Funding and Implementation Policies

Funding

- T 4.1 — Maintain a street utility for the purpose of supporting preservation and ongoing maintenance and operations of its transportation systems pursuant to RCW 82.80.
- T 4.2 — Maximize outside funding from regional, County, State, or Federal sources.
- T 4.3 — Emphasize multimodal enhancements to the transportation system in funding transportation programs.
- T 4.4 — Ensure the adopted impact fee rate schedule reflects the current land use and transportation forecasts and needs.

~~T 4.5 Update the six year Transportation Improvement Program (TIP) annually to implement the Long Range Capital Facility Plan.~~

Implementation

~~T 4.6 Maintain and monitor a scheduled street maintenance program including regular street sweeping to ensure that all arterial and neighborhood collector streets shoulders and/or designated bike lanes and trails are clear of sand, glass, and debris.~~

5. System Air Quality Policies

~~T 5.1 The City's transportation system shall conform to federal and state Clean Air Acts by maintaining conformity with the Metropolitan Transportation Plan of the Puget Sound Regional Council and by following the requirements of Chapter 173 420 of the Washington Administrative Code.~~

~~T 5.2 Travel in modes other than single-occupant vehicles shall be encouraged. Transportation demand management strategies will be employed to discourage the use of single-occupant vehicles and to encourage non-motorized transportation.~~

~~T 5.3 Consider air quality effects of future development when considering annexations, amendments to the Comprehensive Plan and development regulations, and during project review processes.~~

~~T 5.4 Establish standards for the control of particulate matter on paved public roads.~~

TITLE 13 DEVELOPMENT REGULATIONS

CHAPTER 1 INTRODUCTION

13-1-1: TITLE:

This title shall be known as the ZONING DEVELOPMENT CODE.

13-1-2: PURPOSE:

The general purposes of the development code are:

- A. Implement Comprehensive Plan: To implement the comprehensive plan in accordance with Revised Code of Washington 36.70 et seq. (planning enabling act) and 36.70A et seq. (growth management act);
- B. Promote Health And Safety: To promote public health, safety, and general welfare through regulation of physical development of the city;
- C. Orderly Development: To plan for future development of the city in an orderly and predictable fashion;
- D. Adequate Public Facilities: To provide for adequate public facilities and services to support land development;
- E. Promote Well Being: To promote social and economic well being through integration of aesthetic, environmental, and economic values;
- F. Protect Property Rights: To protect property rights;
- G. Protect Resources: To encourage protection of environmentally critical or historically significant resources;
- H. Ensure Adequate Space: To ensure provision of adequate space for commercial, industrial, residential, and other activities necessary for public welfare;
- I. Administration Of Regulations: To provide for efficient and effective administration and enforcement of the regulations;
- J. Provide Light And Access: To provide adequate light, air, privacy, and convenience of access to property;

K. Elimination Of Nonconforming Uses: To provide for the gradual elimination of those uses of land, buildings and structures which do not conform to the standards of the district in which they are located and are adversely affecting the development and taxable value of property in the district.

13-1-3: INTERPRETATION AND APPLICATION; GENERAL:

A. Minimum Requirements: In interpreting and applying the provisions of this title, they shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and general welfare. It is not intended by this title to interfere with or revoke or invalidate any easement, covenant, or other agreement between parties.

B. Greater Restrictions: When the provisions of this title impose greater restrictions than are imposed by other applicable city, Pierce County, state, and federal regulations, the provisions of this title shall control.

C. Ambiguities Or Differences: In case of any ambiguity or difference of meaning or inconsistencies between the text and any illustrations or other graphics, the text throughout this title shall control.

D. Construction Of Words: Unless the context clearly indicates otherwise, words in the present tense can include the future tense, and words in the singular can include the plural, or vice versa. Except for words and terms defined in the beginning of each chapter of this title and in chapter 2 of this title, all words and terms used in this title shall have their customary meanings.

E. Shall, Should, May: The words "shall" and "should" are always mandatory and not discretionary. The word "may" is discretionary.

13-1-4: SEVERABILITY:

If any section, subsection, clause, or phrase of this title is for any reason held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this title.

13-1-5: BRIEF USER'S GUIDE:

A. Chapters: The development code, this title, contains ~~six-nine (69)~~ chapters:

1. Introduction: Establishes the purpose, title and basic rules for using the city development code.

2. Definitions: Provides definitions for words used throughout the title. Words or terms used only in one chapter may be defined in that chapter.

3. Zone Classifications: Lists and describes the zoning classifications, allowed uses for each zone, and categorization of uses. Table 1 “City of Orting Permitted Land Uses by Zoning Designations” is included in this chapter.

4. Temporary Uses/Temporary Housing Units: Allows temporary uses and structures and provides standards and conditions for regulating such uses and structures.

5. Development Standards: Provides development standards, such as density, setbacks, height, lot width, landscaping, buffering, parking, access, and other standards to cover general and specific uses; also covers home occupations, accessory dwelling units, adult entertainment, transfer of development rights, and sign standards.

6. Special Use Permits: Establishes the permit processes and criteria for permits provided by this title, e.g., nonconforming use permits, conditional use permits, planned unit development permits, and variances.

7. Sign Regulations: Establishes the permit processes for various sign types and provides regulations for the installation, alteration, relocation, maintenance, use, and removal of signs, including permitted and prohibited sign types; number, size, and height limitations; and architectural details.

8. Medical Cannabis: Provides regulations for medical cannabis use including personal use and collective gardens and sets forth penalties for noncompliance.

9. Wireless Communications Services Facilities: Defines various types of wireless communication services facilities including general macro facilities, temporary facilities, and small facilities and provides regulations for each including standards for locations, monopoles, height, screening, etc. This chapter also establishes the permit process and timelines.

B. Numbering Scheme: The numbering scheme used in this title operates as shown below:

13 5 1 A.1.a.(1)(A)

Title Chapter Section subsections

C. Format: Each chapter begins with a listing of the sections and a purpose statement for the chapter. General definitions are contained in chapter 2 of this title; specialized definitions may be found at the beginning of the chapter where those definitions are used. Cross references to other chapters and sections of this title can be found throughout the title.

CHAPTER 2 DEFINITIONS

13-2-1: GENERAL PROVISIONS:

As used in this title, unless the context or subject matter clearly requires otherwise, the words or phrases defined in this chapter shall have the indicated meanings.

13-2-2: A:

ACCESSORY DWELLING UNIT (ADU): A separate, subordinate, self contained dwelling unit attached to or contained within a single- family dwelling; or contained within a separate structure that is accessory generally subordinate in size 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 (such as sheds or barns associated with a single-family residence). Accessory dwelling units are not included in this definition.

ACCESSORY USE: A use that is clearly incidental and subordinate to the principal use on the same lot.

ADMINISTRATOR: The city administrator, chief supervisory staff person or his/her designee. Uses of the term "City Administrator" shall mean the same as "Administrator."

ADULT BUSINESS: Any business which sells, rents, displays, or provides adult stock in trade depicting, describing or relating to specified sexual activities or specified anatomical areas, or engages in or permits specified sexual activities on the premises, and which excludes any person by virtue of age from all or part of the premises. Adult businesses include, but are not limited to:

- A. Adult bathhouse.
- B. Adult bookstore in which ten percent (10%) or more of the stock in trade is adult stock in trade.
- C. Adult cabaret which presents go-go dancers, strippers, male or female impersonators or similar entertainment.
- D. Adult massage parlor in which massage or touching of the human body is provided for a fee. This does not include a licensed spa or health club / medical clinic.
- E. Adult retail store in which ten percent (10%) or more of the stock in trade is adult stock in trade.
- F. Adult sauna parlor.

G. Adult theater, including a building, portion of a building, enclosure or drive-in theater which displays adult stock in trade.

H. Adult video store in which ten percent (10%) or more of the stock in trade is adult stock in trade.

ADULT FAMILY HOME: A residence licensed by the state of Washington where personal care, room and board are provided for more than one but not more than six (6) adults who are not related by blood or a marriage to the person or persons providing the services.

ADULT STOCK IN TRADE: All books, pictures or other printed materials, products or equipment, prerecorded videotapes, disks, or similar material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas where such material is generally available for rental, purchase, viewing, or use by patrons of the establishment, excluding material located in any storeroom or other portion of the premises not regularly open to patrons.

AGRICULTURAL RESEARCH, TESTING, AND TRAINING: The study of the actions associated with the cultivation of crops and/or livestock.

ALLEY: A public thoroughfare for motor vehicles, providing secondary access to abutting property.

ALTERATION: A change or rearrangement of the structural parts of existing facilities or an enlargement by extending the side or increasing the height or depth or moving from one location to another. In buildings for businesses, commercial, industrial or similar uses, the installation or rearrangement of partitions affecting more than one-third (1/3) of a single floor area shall be considered an alteration.

~~**ANIMAL CLINIC:** An establishment that is under the direction of a veterinarian licensed by the state of Washington medical services to small pet animals not including poisonous reptiles or farm animals and not requiring confinement or supervised care on the premises.~~

ANIMAL SHELTER: Any facility operated by the city of Orting or its authorized agents, for the purpose of impounding or caring for animals held under the authority of this article or of state law.

ANTENNA: A wire or system of wires, rods, poles, or similar devices; or satellite dishes used for the transmission or reception of electromagnetic waves, external to or attached to the exterior of any building.

APARTMENT: Any portion of a multi-family or mixed use building that is designed, built, rented, leased or offered to be occupied as an independent living unit with self-contained cooking facilities.

APPLICANT: A person, party, firm, corporation, or other legal entity seeking development approval from the city by submitting an application for any of the activities covered by these regulations.

ARCHITECTURAL DESIGN REVIEW: Review and approval conducted in accordance with section 13-6-7 of this title.

ART GALLERY: A space with public access and which is located within a building for the interior exhibition or display of artworks which may or may not be offered for sale to the public.

ASSEMBLY/FABRICATION: See "Manufacturing, Light."

ATTACHED GROUP RELATED RESIDENCES: Two or more physically attached dwelling units (sharing a wall), where each unit has separate access to a yard, court, or street.

AQUACULTURE: Raising aquatic plants and animals in controlled or selected aquatic environments for the sale of aquatic plants, animals, or their products.

13-2-3: B:

BED AND BREAKFAST: A single-family residence that provides overnight lodging and limited meal service for guests and which is limited to five (5) guestrooms.

BLOCK: A group of continuous lots, tracts or parcels within well defined and fixed boundaries.

BOARDING HOUSE: A rooming house with no more than five (5) guestrooms operated for compensation in which meals (with or without lodging) are provided.

BOUNDARY STRUCTURE: ~~Landscape features such as masonry walls, rockeries, picket fences, rail fences and other low structures used to visually define yard areas.~~

BREWERY: See definition of Winery / Brewery.

BUFFER: A linear landscaped area with sufficient planting density to provide effective sight obscuring between land uses.

BUILDING: A structure having a roof for the shelter of persons ~~or property.~~

BUILDING COVERAGE: The total ground coverage of all buildings, structures, roof overhangs, and eaves measured from the outside edges, external walls, supporting members or roof edges.

BUILDING AREA, BUILDING SITE: An area within a lot upon which a building to accommodate the principal use of the lot could be practicably built, bound by the setbacks.

BUILDING, PRINCIPAL OR MAIN: The building which accommodates the principal use of a site or lot.

13-2-4: C:

CAMPGROUND: A developed area consisting of more than one campsite used for the purposes of recreational camping.

CANOPY: A portion of a building which extends beyond the building line and fully or partially covers a sidewalk, entry, or other access.

CARETAKER RESIDENCE: An attached or detached dwelling unit of permanent type construction used exclusively for a caretaker to live on the same site as the use.

CARGO CONTAINER: A standardized, reusable vessel that was:

A. Originally, specifically or formerly designed for or used in the packing, shipping, movement, storage or transportation of freight, articles, goods, commodities, or personal property, and

B. Designed for or capable of being mounted or moved on a railcar, or

C. Designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

CHURCH: An establishment, the principal purpose of which is religious worship and for which the principal building or other structure contains the sanctuary or principal place of worship. This term, as used in this Title, is interchangeable with mosque, temple or other religious facilities / places of worship.

CITY: The city of Orting, Washington.

~~CITY ADMINISTRATOR: The city administrator of the city of Orting or his/her designee.~~

CITY COUNCIL: The city council of Orting.

CLOSED RECORD APPEAL: An appeal to the city council based on the existing record.

CLUBS AND LODGES: Non-commercial groups and organizations, which may be centered around an activity, a hobby, or philanthropy.

COLLEGE OR UNIVERSITY: A post-secondary institution for higher learning that grants associate or bachelor degrees and may also have research facilities and/or professional schools that grant master and doctoral degrees. This may also include community colleges that grant associate or bachelor degrees or certificates of completion in business or technical fields (such as trade schools).

COMMERCIAL: Any activity carried on for financial gain, including cooperative or nonprofit businesses offering merchandise or services for a fee or price, or any organization serving a public purpose of community service such as churches, noncommercial clubs, lodges, theater groups, recreational and neighborhood associations and cultural associations.

COMMUNICATION SERVICES: Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms, but excluding major utilities. This classification includes radio, television, or recording studios; telephone switching centers; and telegraph offices. This classification does not include wireless communication facilities.

COMMUNITY CENTER: Public buildings, meeting halls, and/or recreational spaces where members of a community can gather for events, recreational opportunities, support services, or public information. These uses may be publicly or privately operated.

COMPREHENSIVE PLAN: The Orting comprehensive plan adopted in 1996, as amended.

CONDITIONAL USE: A use allowed in one or more zones as defined by this zoning title, but which has peculiar characteristics such as the size, technological processes or equipment, location with reference to surroundings, streets, and existing improvements or demands upon public facilities and therefore, requires a special permit in order to assure proper control to make the use consistent and compatible with other existing or permissible uses in the same zone and mitigate adverse impacts of the use. Typical conditional uses are listed in this title. Others may be established by the city upon application.

CONDOMINIUM: A type of real property ownership in projects composed of two (2) or more dwelling units, offices, or other establishments that are individually owned and within which common building areas or land areas of the project are owned cooperatively in fixed percentages by the owners of the individual dwelling units or establishments. This type of development requires the preparation of a plat under the provisions of the state horizontal property regime act¹ and the formation of a legal homeowners' association to guide the financial and maintenance arrangements for the units within the development.

CONGREGATE CARE FACILITY/RETIREMENT CENTER: A residential facility designed for and occupied by at least one person per unit who is able to live independently and without ~~twenty-four~~twenty-four (24) hour supervision; and providing centralized services for the residents including meals, recreation, housekeeping, laundry and transportation.

CONSTRUCTION BUSINESS: A commercial establishment offering the construction, repair, and/or remodel of structures, performed by a licensed contractor. These businesses may include office space, and indoor or outdoor storage of construction vehicles, equipment, and materials.

COPY: The written or graphic content of a sign.

¹ RCW 64.32

CORRECTIONAL FACILITIES: Jails, prisons, and other detention facilities, used to house people who have been charged with or convicted of a crime.

COTTAGE: A small, detached dwelling unit, not larger than one thousand (1,000) square feet in total floor area that is developed at a density greater than the underlying zone. More than one cottage may occupy a single lot.

COTTAGE HOUSING DEVELOPMENT: A single-family housing cluster of dwelling units around a central open space with the following characteristics:

- A. Each unit is of a size and function suitable for a single person or very small family;
- B. Each unit has the construction characteristics of a single-family house;
- C. Units may be located on platted lots or as units in a condominium and may share use of common facilities such as a party room, toolshed, garden orchard, workshop or parking areas;
- D. The site is designed with a coherent concept in mind, including shared functional open space, off street parking, access within the site and from the site, and consistent landscaping.

CRITICAL AREAS: Areas of environmental sensitivity, which include the following areas and ecosystems: a) wetlands; b) areas with a critical recharging effect on aquifers used for potable water; c) fish and wildlife habitat conservation areas; d) frequently flooded areas; and e) "geologically hazardous areas", as defined in title 11 of this code.

CUL-DE-SAC: A short street intersecting with another street at one end and terminated by a vehicular turnaround at the other end.

13-2-5: D:

DATE OF DECISION: The date on which final action occurs and from which the appeal period is calculated.

DAY: A 24-hour period commonly referred to as "calendar day" and not "work day."

DAYCARE CENTER: An establishment licensed by the state, used to provide adult or child care services during part of the twenty-four (24) hour day in a facility. See also definition of Family Daycare in this chapter.

DEDICATION: The deliberate appropriation of land or rights in land by its owner for any general and public use, reserving to himself or herself no other rights than such as are compatible with the full exercise and enjoyment of the public use to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat or short plat showing the dedication thereon; and the acceptance by the public shall be evidenced by the approval of such plat for filing by the city.

DENSITY: The number of permitted dwelling units allowed on each acre of land or fraction thereof.

DESIGN STANDARDS: Dimensional and other quantitative standards, including, but not limited to, lot sizes and dimensions, setbacks, building placement and other standards used by the city to control physical development.

DETACHED: A type of building or dwelling unit surrounded on all sides by open space and not connected to other buildings or structures except for permitted accessory structures.

DEVELOPER: See definition of Applicant in this chapter.

DEVELOPMENT CODE: Orting municipal code~~This code~~, this title and titles 12 and 15 of this code.

DEVELOPMENT STANDARDS: Shall mean and refer to those standards for development of real property as set forth in the development code.

DRIVE-IN/DRIVE-THRU RESTAURANT: A food and beverage establishment that contains an outside service window and/or provision for food service to occupants of automobiles parked on the premises.

DRIVING SURFACE: That portion of a street intended for vehicular travel or parking.

DUPLEX: A building with two (2) attached dwelling units with a common separation wall or floor.

DWELLING UNIT: A building or portion thereof providing complete housekeeping facilities for a person, one family, or group of individuals. Dwelling unit does not include recreation vehicles or mobile homes. (See also definitions of Multi-Family Dwelling and Family in this chapter.)

13-2-6: E:

EASEMENT, ACCESS: A private right of way no less than twenty feet (20') wide which provides vehicular access to a street from no more than three (3) existing or potential lots.

EATING AND DRINKING PLACES: Any establishment that offers food and drink, including alcoholic beverages, for sale and consumption on the premises.

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 SERVICES: Facilities for agencies or organizations that respond to emergencies when they occur, such as ambulance, medical, and firefighting agencies.

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.

EQUIPMENT RENTAL: A business which offers any specialized equipment for consumer rental.

ERECT: To build, construct, alter, repair, display, relocate, attach, hang, place, suspend, affix or maintain buildings, signs, lighting, or other architectural features.

EXTRACTION AND PROCESSING: The removal of natural resource materials from the earth, and/or the conversion of those raw materials into a commercially or industrially usable product.

13-2-7: F:

FACADE: The entire building front or street wall face of a building.

~~FAMILY: Persons, either related or unrelated, occupying a dwelling unit and living together as a single housekeeping unit. An individual or two (2) or more persons related by genetics, adoption or marriage, or a group of five (5) or fewer persons who are not related by genetics, adoption or marriage and none of whom are wards of the court.~~

FAMILY DAYCARE: A facility licensed by the state of Washington located in a dwelling and operated by the owner of the residence for regularly scheduled care of twelve (12) or fewer adults or children, for periods less than ~~twenty-four~~twenty-four (24) hours.

~~FESTOON (GARLAND): A string of lights or other decorations.~~

FINAL DECISION: The final action by the administrator, planning commission, hearing examiner or city council.

~~FLOOR AREA: The sum of the gross horizontal area of the floor or floors of all the buildings on a building site, measured from the exterior faces of the exterior walls, including elevator shafts and stairwells on each floor and all areas having a ceiling height of seven feet (7') or more; but excluding all parking and loading spaces inside the building, unroofed areas, roofed areas open on two (2) or more sides, areas having a ceiling height of less than seven feet (7'), and basements used exclusively for storage or housing of fixed mechanical equipment or central heating or cooling equipment.~~

FLOOR AREA RATIO: The ratio of building floor area to the area of the lot upon which the building is located.

FOOD: Has its usual and ordinary meaning and includes all items designed for human consumption, including, but not limited to, candy, coffee, gum, popcorn, hot dogs, sandwiches, peanuts, soft drinks and dairy products.

FOOD PROCESSING: The commercial or industrial processing of raw agricultural materials or ingredients into food for sale or consumption, not including standard on-site kitchens for food vendors or eating and drinking places.

FOOD VENDING OR FOOD VENDING SERVICES: Engaging in the business of selling food of any kind or description.

FOSTER HOME: A home licensed and regulated by the state and classified by the state as a foster home, providing care and guidance for not more than three (3) unrelated juveniles.

FREIGHT FACILITIES WAREHOUSING: A facility for the storage and distribution of products, supplies, and equipment. This use excludes outdoor storage and self-service storage.

FRONTAGE: The side of a lot or parcel along a street.

13-2-8: G:

GARAGE, PARKING OR COMMERCIAL: A building used for storage, repair or servicing of motor vehicles as a commercial use.

GARAGE, PRIVATE: An accessory building or space within the principal building used for storage of vehicles.

GASOLINE SERVICE STATION: An establishment that sells motor vehicle fuels, lubricants, and auto accessories, and may include vehicle washing and servicing, not including painting, bodywork or major engine repair.

GOLF FACILITIES: A commercial or recreational establishment or facility offering space to play or practice golf.

GOVERNMENT OFFICES: Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles.

GRADE: The surface of the ground.

GREENBELT: An area of vegetation, either native stock or replanted, in public or private ownership lying outside and adjacent to the right of way line of streets or along real property lines. Greenbelts are intended to visually and physically screen and separate land uses or activities from each other.

GROUND COVER: Small plants that grow close to the ground.

GROSS FLOOR AREA: The sum of the gross horizontal area of the floor or floors of all the buildings on a building site, measured from the exterior faces of the exterior walls covering all areas having a ceiling height of seven feet (7') or more; but excluding elevator shafts and stairwells, all parking and loading spaces inside the building, unroofed areas, roofed areas open on two (2) or more sides, areas having a ceiling

height of less than seven feet (7'), areas used exclusively to house fixed mechanical or electrical equipment, and basements used exclusively for storage or housing of fixed mechanical equipment or central heating or cooling equipment.

13-2-9: H:

HARD SURFACE: See Section 9-5A-4 for hard surface definition.

HAZARDOUS MATERIALS: Any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste as described in Revised Code of Washington 70A.300.010(10), or its successor.

HAZARDOUS WASTE: All dangerous and extremely hazardous waste as defined in Revised Code Of Washington ~~70A.300.010(11)~~~~70.105.040(15)~~, or its successor, except for moderate risk waste as set forth in Revised Code Of Washington ~~70A.300.010(13)~~~~70.105.040(17)~~, or its successor.

HAZARDOUS WASTE STORAGE: The holding of hazardous waste for a temporary period as regulated by the state dangerous waste regulations, Washington administrative code chapter 173-303, or its successor.

HAZARDOUS WASTE TREATMENT: The physical, chemical, or biological processing of hazardous waste for the purpose of rendering these wastes nondangerous or less dangerous, safer for transport, amenable for storage, or reduced in volume, as regulated by the state dangerous waste regulations, Washington administrative code chapter 173-303, or its successor.

HAZARDOUS WASTE TREATMENT AND STORAGE FACILITY ON SITE: Storage and treatment facilities which treat and store hazardous wastes generated on the same property.

HEARING EXAMINER: The official appointed by the mayor to adjudicate land use decisions as set forth in this code.

HEALTH SERVICES: A business or organization providing professional healthcare to clients. Hospitals are defined separately and not included in this definition.

HEDGE: A fence or boundary formed by a dense row of shrubs or low trees.

HEIGHT, BUILDING: The vertical distance from the average of the lowest and highest point exposed by the finished ground level to the highest point of the building, excluding chimneys.

HOME OCCUPATION: An economic enterprise to make a product or perform a service that is conducted or operated within a residential dwelling unit, or building accessory to a residential dwelling unit, by the resident occupant or owner, and which use shall be clearly incidental and secondary to the residential use of the dwelling unit, including the

use of the dwelling unit as a business address in a directory or as a business mailing address.

HOSPITAL: A public or private institution providing medical treatment, surgical intervention, and nursing care to sick or injured people.

HOTEL or MOTEL: Any building containing six (6) or more guestrooms where lodging, with or without meals, is provided for compensation, where no provisions are made for cooking in any individual room or suite. A facility with six (6) or more guestrooms that offers transient lodging accommodations on a daily or weekly rate to the general public, which complies with WAC 246-360, and which may provide additional services, such as restaurants, meeting rooms, and recreation facilities. Accommodations for recreational vehicles are not included.

13-2-10: I:

IMPERVIOUS SURFACE: See Section 9-5A-4 for impervious surface definition.

IRREGULAR LOT: A lot which is shaped so that application of setback requirements is difficult. Examples include a lot with a shape which is not close to rectangular, or a lot with no readily identifiable rear lot line.

ITINERANT VENDOR: Any person, whether as owner, agent, consignee, or employee, whether a resident of the city or not, who engages in the business of providing vending services and who conducts such a business either in or about a stationary vendor unit, or from a mobile vendor unit by traveling from place to place, or customer to customer. A person, firm or corporation so engaged shall not be relieved from complying with the provisions of title 3, chapter 2 of this code merely by reason of associating temporarily with any local dealer, trader, merchant or auctioneer, or by conducting such temporary business in connection with, as part of, or in the name of any local dealer, trader, merchant or auctioneer.

13-2-11: J:

Reserved.

JUSTICE FACILITIES: Any site, structure, or facility used in the provision of law enforcement and criminal justice.

13-2-12: K:

KENNEL: A structure or lot on which four (4) or more domestic animals at least four (4) months of age are kept.

K-12 SCHOOLS: Public or private institutions providing education to school-age children from kindergarten through 12th grade.

13-2-13: L:

LANDFILL: A disposal facility or part of a facility at which solid waste is placed in or on land and which is not a land treatment facility, or as defined and regulated in Title 5 Public Health and Safety.

LANDSCAPE: Site or development area characterized by plantings, screens, buffers, and other features intended to provide aesthetic or functional relief.

LIBRARY: An establishment, or part of an establishment, which offers books, periodicals, other printed materials, and/or films and music for borrowing. Libraries may also offer public computer access, information, and events.

LIGHTING: The illumination of structures and/or buildings and signs.

LIQUOR STORE: An establishment specializing in selling alcoholic beverages, not for consumption on the premises.

LIVESTOCK AND SMALL ANIMALS: cattle, sheep, goats, or animals of the Bovidae family; all horses, mules, other hoof animals, or animals of the Equidae family; all pigs, swine, or animals of the Suidae family; llamas; and ostriches, rhea, and emu.

LOADING SPACE / LOADING FACILITY: An off-street space on the same lot with a structure or use, or contiguous to a group of structures or uses, for the temporary parking of a vehicle while loading or unloading persons, merchandise, or materials, and which abuts a street, alley or other appropriate means of access and egress.

LOT: A fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include ~~tracts or~~ parcels.

LOT AREA: The total horizontal area within the boundary lines of a lot, excluding any street right of way or access easement.

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 DEPTH: The length of the lot measured on a line approximately perpendicular to the fronting street and midway between the side lot lines of the lot. The mean horizontal distance between the front and rear lot lines, measured in the general direction of the side lot line(s).

LOT, FLAG OR PIPESTEM: A large lot not meeting minimum street frontage requirements where access to the street is provided by a narrow, private driveway.

LOT LINE OR PROPERTY LINE: Any boundary line enclosing the lot area.

~~LOT LINE ADJUSTMENT: The adjustment of a boundary line between existing lots which results in no more lots than existed before the adjustment.~~

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.

LOT LINE, SIDE: Any lot line that is not a ~~streetfront~~ or rear lot line.

LOT OF RECORD: An area or parcel of land as shown on an officially recorded plat or subdivision, or an area or parcel of land to which a deed or contract is officially recorded as a unit of property, or which is described by metes and bounds or as a fraction of a section.

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 the minimum lot size.

LOT, THROUGH: A lot fronting on two (2) streets that is not a corner lot.

LOT WIDTH: The distance between the side lot lines measured at right angles to the line establishing the lot depth at a point midway between the front lot line and the rear lot line. Any area used as an access easement shall be excluded from the computation of the lot width.

13-2-14: M:

MANUFACTURING, LIGHT: Manufacturing activities that are typically smaller in scale and do not require heavy, specialized, industrial equipment. Typical activities may include, but are not limited to, materials testing, printing, and small-scale assembly. Light manufacturing excludes machine shops, incinerators, wrecking yards, feedlots and other uses where significant adverse noise, air quality, or other impacts caused by manufacturing processes can not be contained within buildings.

MANUFACTURED HOME: A dwelling unit manufactured off site in a factory, transported to the site and placed on a permanent foundation and bearing an insignia by a state or federal regulatory agency indicating that the building complies with all applicable construction standards of the U.S. department of housing and urban development's definition of a manufactured home.

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

~~**MITIGATION CONTRIBUTION:** A cash donation or other valuable consideration offered by the applicant in lieu of: a) a required dedication of land for public park, recreation, open space, public facilities, or schools; or b) road improvements needed to maintain adopted levels of service or to ameliorate identified impacts and accepted on the public's behalf as a condition of approval of a subdivision, plat or binding site plan. Voluntary contributions may be accepted by the city.~~

MILL: A structure and/or piece of machinery used in materials processing to break down raw materials into finer or smaller pieces, usually by grinding or cutting.

MOBILE HOME: A vehicle bearing the "mobile home" insignia of the Washington state department of labor and industries.

MOBILE VENDOR: An itinerant vendor providing vending services from a mobile vending unit.

MOBILE VENDOR UNIT: A vehicle, cart or other conveyance capable of moving or being moved and being used, or intended for use, by a person or persons to provide vending services while located within or upon the public rights of way.

MODULAR HOMES: A detached dwelling that is designed for human habitation, is either entirely or substantially prefabricated at a place other than a building site, and is constructed or installed on the site in accordance with the UBC and bearing the appropriate insignia indicating such compliance. Modular homes are also commonly referred to as "prefabricated," "panelized," or "factory-built" units.

MONUMENT: A permanent freestanding structure designed to commemorate a person or event.

~~**MOTEL:** A building containing units which are used as individual sleeping units having their own private toilet facilities and sometimes their own kitchen facilities, designed primarily for the accommodation of transient automobile travelers. Accommodations for recreational vehicles are not included. See definition of Hotel or Motel in this chapter.~~

MULTI-FAMILY DWELLING: A building containing two (2) or more dwelling units.

MUSEUM: Facilities open to the public where works of art, scientific specimens, or other objects of permanent value are kept and displayed.

13-2-15: N:

NONCONFORMING LOT: A lawfully established lot which does not conform to the provisions of the development code.

NONCONFORMING STRUCTURE: A lawfully erected structure which does not conform to the provisions of the development code.

NONCONFORMING USE: A lawfully established use which does not conform to the provisions of the development code.

NONPROFIT ORGANIZATION: An organization incorporated under provisions of the federal tax code 501(c)(3).

NURSING OR CONVALESCENT HOME: An establishment which provides full time care for three (3) or more chronically ill or infirm persons. Such care shall not include surgical, obstetrical or acute illness services.

13-2-16: O:

OFFICE: A building or separately defined space within a building used for business. The use of an office does not include on premises sales or manufacture of goods.

OPEN RECORD HEARING: A hearing, conducted by a single hearing body or officer authorized by the local government to conduct such hearings, that creates the local government's record through testimony and submission of evidence and information, under procedures prescribed by the local government by ordinance or resolution. An open record hearing may be held prior to a local government's decision on a project permit to be known as an "open record predecision hearing." An open record hearing may be held on an appeal, to be known as an "open record appeal hearing," if no open record predecision hearing has been held on the project permit.

OPEN SPACE: Any part of a lot unobstructed by structures from the ground upward.

OUTDOOR STORAGE: All or part of a lot or business which is used for the keeping of materials, vehicles, or products in an open, uncovered yard or in an unwallled building. Such materials may include tractors, backhoes, heavy equipment, construction materials, bulk products, and other similar items.

OUTDOOR THEATER: An outdoor stage, amphitheater, or similar gathering space, where the public may view live musical or dramatic performances, film screenings, and other forms of entertainment.

13-2-17: P:

PARAPET: A false front or wall extension projecting above a roof.

PARCEL: A fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include lots.

PARKING FACILITIES: A land area or building used for the storage of four (4) or more vehicles excluding parking areas for single-family residences.

PARKING SPACE: An area accessible to vehicles and used exclusively or principally for vehicle storage.

PARKS: Recreational areas which primarily are owned or operated by public or nonprofit entities for the use and enjoyment of the general public. In some cases, such areas and facilities may be incidental to private development, such as open space set-asides necessary for environmental mitigation and children's play areas within a subdivision; are intended to be principally used by a finite group; and may constitute private property. This can also include plaza and courts, typically a pedestrian space that is available for public use and is clearly visible and accessible from the adjacent right-of-way. Typical features may include special paving, landscaping, lighting, seating areas, water features, and art.

PARTY OF RECORD: Any person who has testified at a hearing or has submitted a written statement related to a development action and who provides the city with a complete address.

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.

PERSON: Any person, firm, business, corporation, partnership or other association or organization, marital community, municipal corporation, or governmental agency.

PERSONAL SERVICE: Businesses engaged in providing ~~care services of the corporeal person or his apparent~~ to meet individual's needs, not including healthcare. These services include, but are not limited to, barber shops, travel agencies, instructional facilities such as dance studios, coin-operated laundries, and fitness studios.

PERVIOUS SURFACE: Any surface that enables full or partial absorption of stormwater into the ground and that is not considered impervious surface as that term is defined in title 9, chapter 5, article A of this code.

PETROLEUM PRODUCTS: Crude oil, petroleum products and byproducts, and gaseous hydrocarbons and byproducts.

PLANNED ACTION: A significant development proposal as defined in Revised Code Of Washington 43.21C.031, as amended.

PLANNED UNIT DEVELOPMENT: A flexible method of land development which accomplishes the purposes of chapter 6 of this title.

PRIMARY OR PRINCIPAL USE: The predominant use of the land or building to which all other uses are secondary.

PRIVATE DRIVEWAY: A paved or graveled surface that provides access to a lot from a public or private right-of-way and is dimensionally consistent with current adopted Orting Development Standards.

PRIVATE PARKING: Parking facilities for the noncommercial use of the occupant and guests of the occupant.

PROJECT: A proposal for development.

~~PROPERTY BUFFER: A greenbelt of varying width located on private property intended to serve as a tree preservation area and/or to separate contiguous developments. The property buffer may be a separate tract or an easement across property and shall be clearly depicted on the face of a plat or binding site plan.~~

~~PROPERTY LINE: See definition of Lot Line. A portion of the boundary of a parcel of land dividing it from other abutting parcels.~~

PUBLIC FACILITIES AND UTILITIES: Land or structures owned by or operated for the benefit of the public use and necessity, including, but not limited to, public facilities defined in Revised Code Of Washington 36.70A.030, as amended, and private utilities serving the public.

PUBLIC HEARING: An open or closed record hearing at which evidence is presented and testimony is taken.

PUBLIC IMPROVEMENT: Any structure, utility, roadway or sidewalk for use by the public, required as a condition of development approval.

PUBLIC OPEN SPACE: Any publicly owned land, including, but not limited to, parks, playgrounds, waterways, and trails.

PUBLIC SAFETY FACILITIES: Any site, structure, or facility used in the provision of public safety services, especially police and fire.

PUBLIC WORKS STANDARDS: Shall mean and refer to those specifications and standard design details, as adopted and amended from time to time by the City Department of Public Works, that are intended to regulate the construction of public works, or improvements that will be dedicated to the public, that are associated with public and private development within the City. The Public Works Standards shall mean the same as the Orting Development Standards.

13-2-18: Q:

Reserved.

13-2-19: R:

RECREATIONAL FACILITIES: Facilities for recreational use such as swimming pools, athletic clubs, tennis courts, ball fields, play fields, and the like.

RECREATIONAL VEHICLE: A recreational vehicle is a factory built vehicular structure designed only for recreational use and not as a primary residence or for permanent occupancy, built and certified in accordance with NFPA 1192–15 or ANSI A119.5–09 consensus standards for recreational vehicles and not certified as a manufactured home.

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

REMODEL, EXTERIOR: Any renovation, upgrading, or otherwise changing the exterior of a building, including repainting, except when using previously approved colors.

RESORT: An establishment, often including lodging, where people may go for recreation, rest, personal care, sport, or another similar purpose.

RETAIL FUEL SALES: Businesses selling fuel for motor vehicles, including gasoline and diesel.

RETAIL SALES: Any business offering goods for sale. If a specific type of retail business is otherwise defined in this section, that definition shall prevail.

REZONE: A change in classification from one zoning district to another.

~~ROADWAY BUFFER/CUTTING PRESERVE: A greenbelt lying outside and adjacent to the right of way line of collector and arterial roadways. Roadway buffers/cutting preserves shall be separate, designated tracts and depicted on the face of a plat or binding site plan as required by the City as a condition of approval.~~

ROOMING HOUSE: A building other than a hotel, motel or lodge which advertises as a boarding, lodging, or rooming house, or is a licensed place of business with rooms available for rent. This does not include short-term rentals offered in residences.

13-2-20: S:

SCHOOL SUPPORT FACILITIES: A building, complex, or installation that facilitates an action or process associated with school uses including facilities such as administrative buildings and bus barns.

SCREEN, SCREENING: A continuous fence, hedge or combination of both which obscures vision through eighty percent (80%) or more of the screen area, not including drives or walkways.

SECONDARY USE: A use, subordinate to the primary use, which may exist only when a primary use is existing on the same lot. The floor area of a secondary use must be less than that devoted to the primary use.

SELF-SERVICE STORAGE: A facility consisting of separate storage units which are rented to customers having exclusive and independent access to their respective units for storage of residential or commercial oriented goods.

SETBACK: The minimum distance required by this title for buildings to be set back from the street side or rear lot lines. The required minimum horizontal distance between the building line and the related front, side, or rear property line, rights-of-way, or access easements.

SETBACK AREA: The lot area between the lot lines and the setback lines.

SETBACK LINE: A line which is parallel to a lot line or access easement located at the distance required by the setback.

SHARED OFF-STREET PARKING: Off-street areas designed, used, required, or intended to be used for the parking of motor vehicles in which two (2) or more uses which are within close proximity may share parking facilities to fulfill their individual parking requirements because their prime operational hours do not overlap.

SHED: An accessory structure, with or without a permanent foundation, without plumbing, used for storage ~~and located in area or side yard~~, generally less than ~~one two~~ hundred (2400) square feet in area.

SIGN: A structure or graphic display designed to inform or attract the attention of persons not on the premises on which the sign is located.

SIGN, ABANDONED: A sign which no longer identifies or advertises a person, business, product or activity conducted or available for more than one hundred eighty (180) consecutive days on the premises where the sign is located, or a damaged or vandalized sign which has not been repaired within sixty (60) days of the event.

SIGN AREA: The area of the smallest rectangle that can be drawn around all parts of the sign from the viewpoint exposing the largest surface area, excluding simple support structures. Sign supporting structures which are part of the sign display shall be included in the area of the rectangle.

SIGN, ATTACHED: A sign permanently attached to or mounted on a building, including signs painted on a building wall.

SIGN, BANNER: Any temporary sign intended to be hung, with or without framing, and possessing characters, letters, illustrations, or ornamentation applied to fabric or similar material. Flags, insignias, canopy signs, and posters shall not be considered banner signs.

SIGN, BILLBOARD: A sign which directs attention to a business, profession, product, activity or service that is not conducted, sold, or offered on the premises where the sign is located.

SIGN, CANOPY: A sign that is part of or attached to a canopy.

SIGN, CONSTRUCTION: A sign used to advertise or provide information about physical construction activity occurring under a valid building permit.

SIGN, DIRECTIONAL: A sign intended to provide wayfinding information.

SIGN, DIRECTORY: A sign on which the names and locations of occupants or the use or uses of a building are given. This includes signs for office buildings, church directories, and multiple signs for malls, arcades and similar commercial buildings using standard format business signs.

SIGN FACE: Any side of a sign which contains advertising or graphic display which is visible to the public.

SIGN, FREESTANDING: Any sign not attached to a building.

SIGN, ILLUMINATED: Any sign internally illuminated in any manner by an artificial light source. Indirectly illuminated signs are not included in this definition.

SIGN, INTERNALLY ILLUMINATED: A sign with an internal light source shining through the face of the sign. Exposed neon signs are internally illuminated.

SIGN, MONUMENT: A freestanding structure with signage for multiple establishments collocated on a property.

SIGN, NONCONFORMING: Any sign which does not conform to the provisions of this Code, but which conforms to all applicable laws in effect on the date the sign was originally erected.

SIGN, OFF SITE: A permanent sign not located on the same lot as the business or use it is intended to serve.

SIGN, PERMANENT: A sign nailed, glued, screwed or similarly fastened to foundation systems capable of holding it in position under an imposed wind load of ~~twenty~~ ~~five~~ **twenty-five** (25) pounds per square foot or the design requirements of chapter 23 of the Building Code.

SIGN, PORTABLE: Any mobile, movable sign, sign on a vehicle or structure, including a sandwich board sign, which is not securely attached to the ground or any other structure.

SIGN, PROJECTING: Any sign affixed to a building or wall, the leading edge of which extends beyond such building or wall.

SIGN, READER BOARD: A sign that is designed to allow message changes either by manual or electronic means.

SIGN, ROOF: Any sign erected or constructed wholly upon or over the roof of a building and supported by the roof structure.

SIGN, TEMPORARY: A sign or advertising display intended to be displayed for a limited period of time or for a fixed event and not permanently affixed to a structure or the ground, including real estate signs used to offer for sale, lease, or rent, the property upon which the sign is placed.

SIGN, WINDOW: Any sign placed upon the interior or exterior surface of a window or placed inside the window within six feet (6') of the window surface, facing the outside and intended to be seen from the exterior.

SINGLE-FAMILY DWELLING: A building containing only one dwelling unit.

SINGLE ROOM OCCUPANCY SLEEPING UNIT: A housing type consisting of single sleeping units, with shared cooking facilities and with shared bathroom facilities. See also subsection 10-2-1F of this Code.

SITE PLAN: A scale drawing which shows the areas and locations of all buildings, streets, roads, improvements, easements, utilities, open spaces and other principal development features for a specific parcel of property.

SITE PLAN, BINDING: A site plan reviewed and approved pursuant to this title, containing the inscriptions or attachments setting forth the limitations and conditions of use for a specific parcel of property and meeting the requirements of the Pierce County auditor for recording.

SOLID WASTE FACILITIES: A facility providing services related to the management, storage, collection, transportation, treatment, use, processing or final disposal of solid wastes, including the recovery and recycling of materials from solid wastes, the recovery of energy resources from wastes or the conversion of the energy in wastes to more useful forms or combinations thereof.

SPAS AND HEALTH CLUBS: Businesses or organizations offering health and beauty treatments, wellness services, exercise equipment, and/or classes.

SPECIFIED ANATOMICAL AREAS: Less than completely or opaquely covered human genitals, pubic region, buttock, or female breast below a point immediately above the top of the areola; or human male genitals in a discernibly turgid state, even if completely or opaquely covered.

SPECIFIED SEXUAL ACTIVITIES: Acts of human masturbation, sexual intercourse or sodomy; fondling or other erotic touching of human genitals, pubic region, buttock or female breast; or human genitals in a state of sexual stimulation or arousal.

STABLE: An accessory building used to board animals owned by the owner and/or others.

STATIONARY FOOD VENDOR: An itinerant vendor who provides food vending services from a stationary vendor unit.

STATIONARY FOOD VENDOR UNIT: A stationary vendor unit used, or intended to be used, to provide food vending services.

STATIONARY VENDOR: An itinerant vendor who provides vending services from a stationary vendor unit.

STATIONARY VENDOR UNIT:

A. A vehicle, cart or other conveyance capable of moving or being moved, or

B. A structure that is not permanently affixed to real property, and which is used, or intended to be used, at a fixed location to provide vending services.

STOCK IN TRADE: Any item or goods that: a) is produced, purchased, processed, finished or fabricated as part of a home occupation; or b) is incorporated into any such item; or c) is used to make, manufacture, produce, process, finish or fabricate any such item; or d) is intended for resale on site; provided, that it does not include samples.

STREET: A public or private right-of-way or easement which provides vehicle access to more than three (3) lots or potential lots.

STREET LOT LINE: The lot line or lines along the edge of a street.

STREET SETBACK: The minimum distance required for buildings to be set back from the street lot line.

STRUCTURE: Any combination or arrangement of material that is artificially built up or composed of parts joined together, for use, occupancy, or ornamentation, that is installed, built, constructed, or erected on, above, or below the surface of land or water, whether or not affixed permanently or attached to something having a permanent location.

SUBDIVISION: A division of land into ten (10) 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 CODE: Title 12 of this Code.

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

13-2-21: T:

TEMPORARY BUILDING OR STRUCTURE: A building or structure not having or requiring permanent attachment to the ground or to other structures which have no required attachment to the ground.

THEATER: A building or part of a building devoted primarily to the showing of motion pictures or for dramatic, dance, musical, or other live performances.

TOWNHOUSE: A multiple dwelling unit meeting the following criteria: a) no dwelling unit overlapping another vertically; b) common side walls joining units; and c) not more than six (6) dwelling units in one structure.

~~TRACT OR PARCEL: A portion of a subdivision having fixed boundaries, not including~~
lot A fractional part of divided lands having fixed boundaries.

TRANSIT FACILITY: All passenger facilities, structures, stops, shelters, bus zones, properties, and rights-of-way of all kinds that are owned, leased, held, or used by a transit authority for the purpose of providing public transportation services.

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.

13-2-22: U:

USE: The purpose which lands or structures serve or for which they are occupied, maintained, arranged, designed or intended.

UTILITY FACILITY: A small-scale facility serving primarily local distribution needs within the city, including underground power lines, water distribution lines, sewer lift stations, and stormwater conveyance pipes, fiber optic cable, pump stations and hydrants, switching boxes, and other structures normally found in a street right-of-way to serve adjacent properties.

13-2-23: V:

VARIANCE: A permissible modification of the application of this title to a particular property, subject to City approval.

VEGETATIVE SCREEN: A planted buffer that is opaque to a height of six feet (6') minimum, accomplished through any combination of solid row(s) of evergreen trees or shrubs; the same on an earthen berm; and/or fencing. Ground surfaces of the planting area are to be seventy-five percent (75%) covered with ground cover plants within three (3) years of installation.

VEHICLE: A device capable of being moved upon a public highway and in, upon, or by which any persons or property is or may be transported or drawn upon a public highway, including mopeds, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks.

VENDING OR VENDING SERVICES: Exhibiting goods or services for sale for the purpose of selling, bartering, trading, exchanging, or advertising such goods or services.

VETERINARY FACILITIES: Any facility, structure, or equipment used in the operation of an

VOCATIONAL SCHOOLS: Institutions providing technical and professional training, usually with the goal of employment in a craft or trade.

13-2-24: W:

WALKWAY: A hard surfaced portion of a street, right-of-way, trail or easement intended for pedestrian use.

WASTEWATER TREATMENT: Establishments primarily engaged in providing waste management services including waste treatment and disposal, remediation, operation of materials recovery facilities, septic tank pumping, and related services.

WATER SUPPLY FACILITY: A facility that obtains, treats, and distributes water to customers.

WATERCOURSE: The course or route followed by waters draining from the land, formed by nature or man and consisting of a bed, banks, sides and associated wetlands and headwaters. A watercourse shall receive surface and subsurface drainage waters and shall flow with some regularity, but not necessarily continuously, naturally and normally, in draining from higher to lower lands. The watercourse shall terminate at the point of discharge into a larger receiving body such as a lake. Watercourses shall include sloughs, streams, creeks and associated wetlands.

WETLAND OR WETLANDS:

A. Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

B. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities. However, wetlands include those artificial wetlands intentionally created to mitigate conversion of wetlands.

WHOLESALE TRADE: Establishments primarily engaged in selling merchandise to retailers; industrial, commercial, institutional, or professional business users; or other wholesalers; or acting as agents or brokers and buying for or selling merchandise to such individuals or companies; and professional and commercial equipment suppliers.

WILDLIFE SHELTER: A facility which is used to house or contain wildlife and which is owned, operated or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals or other nonprofit organizations or persons devoted to the welfare, protection and humane treatment of animals. This does not include domestic animals.

WINERY / BREWERY: An establishment which manufactures beer, wine, and or cider beverages on site and may sell products manufactured on site for on-premises and off-premises consumption.

WIRELESS COMMUNICATION FACILITY: ~~See OMC 13-9-16. Any unstaffed facility for the transmission and/or reception of radio frequency signals through electromagnetic energy, usually consisting of an equipment shelter or cabinet and a support tower or other structure used to attach transmission and reception devices.~~

13-2-25: X:

Reserved.

13-2-26: Y:

YARD: The lot area between lot lines and the building area.

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.

YARD, REAR: The area between the rear lot line and the building area extending the full width of the lot. ~~The rear setback area.~~

YARD, SIDE: The side setback area between the side lot lines and the building area, extending the full length of the building area. On corner lots the side yard is that which is opposite from the front yard except when a corner lot is also a through lot, then the side yard shall be the area along the interior side lot line.

13-2-27: Z:

ZONE, ZONE DISTRICT: A defined area of the City within which the use of land is regulated and certain uses permitted and other uses excluded as set forth in this title.

ZONING CODE: This title.

CHAPTER 3 ZONE CLASSIFICATIONS

13-3-1: PURPOSE:

The purpose of this chapter is to list and describe the zone classifications and their purposes; provide interpretations of uses allowed in each zone classification; and classify uses according to a limited number of categories on the basis of common functional, product, or compatibility characteristics.

13-3-2: ZONE CLASSIFICATIONS:

Zone classifications are grouped into residential classifications; mixed use classifications; industrial classification; and public classifications 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.

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.

C. RMF Residential-Multi-Family Zone:

1. Purpose And Intent: The intent of the Multi-Family Residential Zone is to provide for the highest residential density, including cottage housing, professional office uses and government service uses in the Town core.

D. MUTC Mixed Use-Town Center Zone:

1. Purpose And Intent: The intent of the MUTC Zone is to provide an attractive mix of commercial retail, office, residential and service development in the Town core. Pedestrian amenities, public transportation, and architectural design review will be considerations in development approvals for projects in this zone.

E. MUTCN Mixed Use-Town Center North Zone:

1. Purpose And Intent: The intent of the MUTCN Zone is to benefit the citizens of Orting with the desirable opportunities presented to the City of the large lots and land area between Orting High School and Rocky Road for the development of new economic opportunities including a mix of residential, non-residential, open space and recreational uses that support a sustainable community by providing jobs and

increasing the tax base. Pedestrian amenities, public transportation, and architectural design review will be considerations throughout master planning and development approvals for projects in this zone.

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

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

a. A master site plan showing the location of:

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

b. A unified parking management plan showing potential shared parking areas;

c. Subdivision or Binding Site Plan proposals per title 12 of this Code, if applicable; and

d. Other materials as required for planned development or binding site plan approval and architectural design review per this title.

4. Principal Uses: Section 13-3-3, Table 1, of this chapter, shows the allowed principal and conditional uses in the MUTCN Zone. Uses not listed are prohibited. All development within the MUTCN is subject to Architectural Design Review.

5. Bulk And Dimensional Requirements: The following bulk and dimensional requirements apply to the MUTCN district:

a. Non-Residential Space: A minimum of fifteen (15) acres of non-residential uses (Commercial, Light Industrial and Light Manufacturing, with associated streets, sidewalks, parking, and Cultural and/or Public Uses per OMC 13-3-3, Table 1) shall be located primarily along Washington Avenue N/SR 162, and/or adjacent to Rocky Road, the Orting Wastewater Treatment Plant and/or the Orting School District property per the adopted site master plan. Prior to certificates of occupancy for up to every one hundred (100) residential dwellings, a minimum of three thousand five hundred (3,500) square feet of retail and/or office space along SR162 and a minimum of one thousand five hundred (1,500) square feet of Light Industrial or Light Manufacturing commercial uses shall be developed for commercial uses ready for tenant improvement and occupancy. Retail development fronting on SR162 may be phased. Initial commercial development shall start at the White Hawk Blvd/SR162 intersection and then move north and south.

b. Public Open Space: In addition to the required commercial plazas and courtyards and the community open space required in this title, the district shall contain a minimum of five (5) acres of useable open community park space that is not part of a critical areas buffer or shoreline buffer, required landscaping or perimeter buffering, part of a required easement, or part of a stormwater facility. These five (5) acres of open community park space may not be subdivided into more than two smaller tracts and subject to the proportional size of the tax parcels. Public access to park space shall be compliant with the American Disabilities Act (ADA), 42 U.S.C. 12101, et seq., including ~~wheel chair~~wheelchair accessibility. Park equipment shall have ADA accessible features including ~~wheel chair~~wheelchair accessibility. An ADA accessible pathway shall be provided for access to the Carbon River levy. Development of this park space with improvements shall be dedicated to the City for public access and use and may be provided by the applicant, or may be financed by park impact fees paid by the applicant. Exceptions to this provision may be granted when circumstances make compliance infeasible or when a park impact fee is proposed, pursuant to section 15-6-7(B) of this code.

c. Residential Density: There shall be a maximum of twenty (20) buildable acres allowed for residential construction including streets, sidewalks and neighborhood parks and open space. The minimum residential density is six (6) dwelling units per gross buildable acre. The maximum residential density for any non-senior residential development parcel is twelve (12) dwelling units per buildable acre. Buildable acreage does not include critical areas or flood plain acreage. There shall be a mix of housing including detached, attached, and multi-family units within the residential acreage and

avoidance of a segregation of housing types into specific areas. Detached single family residences in the non-senior housing can only be Cottage Housing per sections 13-2-4, 13-3-3, 13-5-1g of this code. Attached housing in non-senior housing must be three (3) or more units.

Senior housing minimum density is six (6) dwelling units per gross buildable acre and a maximum of twenty (20) units per gross buildable acre. Senior housing shall include a mix of housing including detached single family residences, attached housing, and multifamily units. Residential uses over retail uses in the same structure have no maximum density restrictions and do not count toward the density total.

d. Each of the above totals shall be proportionate in acreage to the parcel size for each lot of record existing as of the date of adoption of this code. This provision shall run with the land and be in effect whether the parcels remain in their existing configuration or are subsequently divided.

e. Height is restricted to a maximum of ~~thirty-five~~thirty-five feet (35') for commercial and residential construction fronting SR162 and Rocky Road. Height is restricted to a maximum of ~~forty-five~~forty-five feet (45') east of commercial construction fronting SR 162 and south of construction fronting on Rocky Rd. No commercial or residential building may be more than three (3) stories (3 occupied floors). Development shall not be permitted that raises the height of the ground above the site plan elevations as approved by the City.

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

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

b. Public plazas and open spaces;

c. Relationships to adjacent properties, uses, and buildings;

d. Pedestrian walkways and paths;

e. Construction materials and colors;

f. Coordinated signage and lighting;

g. Streetscape design for improvements in public rights-of-way including sidewalk finishes, street trees, lighting, and street furniture;

h. Landscaping of parking areas, open spaces, and project perimeters; and

i. Use of low impact design techniques for stormwater management.

7. MUTCN Design Guidelines : The following guidelines are supplementary to other adopted design standards and guidelines:

a. Pedestrian Oriented Street Frontage: Buildings shall provide pedestrian entries along streets. Sidewalks along SR 162/Washington Avenue North, one side of Daffodil Avenue NE, and one side of Rocky Road and in the non-residential shall be a minimum of eight feet (8') in width with greater widths at entries. Sidewalks along all other roadways must be a minimum of five feet (5') in width. All streets shall have street trees spaced no more than thirty feet (30') apart. All streets shall be public streets built to the City of Orting Public Works standards. Buildings on public street frontages shall provide at least two (2) of the following pedestrian amenities:

- (1) Window displays along at least seventy-five percent (75%) of the frontage;
- (2) Pedestrian weather protection;
- (3) Street furniture such as benches, drinking fountains, trash receptacles, public art, or site maps;
- (4) Open spaces including cafe seating, plazas, play structures, fountains, or gardens;
- (5) Perimeter landscaping; and/or
- (6) Sidewalk "bulb-outs" at street intersections may be allowed depending upon traffic study findings.

b. Off Street Parking Access: Off street parking between streets and buildings shall be minimized. Curb cuts providing driveways to off street parking lots shall be minimized. The building street frontage facade shall not be broken by parking lots for more than sixty-five feet (65') at any location. No more than fifty percent (50%) of the total frontage along SR162 may be occupied by parking areas. Those parking lots may not be deeper than ~~seventy-five~~ seventy-five feet (75') including planter strips and must be screened with landscaping.

c. Off Street Parking Management: Absolute compliance with parking requirements may be waived if a parking demand analysis demonstrates that shared parking can be accomplished through the following:

- (1) Parking lots/areas are connected by driveways and pedestrian walkways.
- (2) Multiple projects are treated collectively in the master development plan.
- (3) Daytime and nighttime parking demand can be balanced.
- (4) Parking areas in adjacent or nearby projects (within five hundred feet (500')) are dedicated to serving demand.
- (5) Employee parking demand is addressed through carpooling and/or remote parking areas.

d. Service Areas: Loading areas, outdoor storage, waste facilities, and other services shall be located and screened from public views and adjacent properties with a combination of location, landscaping and solid fencing.

e. Building Design: All buildings shall be designed in compliance with the architectural design review (ADR) standards set forth in section 13-6-7 of this title.

f. Signage: The master development plan shall include a signage plan including a unifying theme, and details for all typical signs such as monument signs, major building signs, projecting signs, storefront signs, lighting, and directional signs.

g. Plazas And Courtyards: Plazas and courtyards are required in all non-residential areas, except for light industrial use areas. Plazas are major open space features intended to provide significant opportunities for public use and enjoyment including special events. Courtyards are smaller open space features intended to provide quiet spaces for resting and relaxing. For each ten thousand (10,000) square feet of building area, a combination of plazas and/or courtyards totaling one thousand (1,000) square feet is required. The minimum area of a courtyard is two hundred fifty (250) square feet. The minimum area of plaza is one thousand (1,000) square feet. At least twenty-five percent (25%) of all plazas and courtyards shall be landscaped with trees, shrubs, and ground cover at grade or in planters. At least twenty-five percent (25%) shall be paved with decorative materials. Seating (1 linear foot of seating area for each sixty (60) square feet of plaza or courtyard area), trash receptacles, public art, water features, and other furnishings shall be provided.

h. Residential Open Space: Small scale, usable open space is required in all residential areas. All residential open space areas must be relatively level; located on useable space that is not part of a critical areas or shoreline buffer and must provide access and inclusive uses for all persons, including those with mobility issues and other disabilities. Areas needed for perimeter buffering, landscaping, screening, utilities or storm water facilities may not be counted as residential open space. For every fifty (50) dwelling units, a combination of open space areas including tot lots, pedestrian amenities, picnic areas, etc. totaling two thousand (2,000) square feet is required. The minimum area of an individual open space is one thousand (1,000) square feet. No side dimension of the open space may be less than thirty feet (30'). At least fifty percent (50%) of all residential open space shall be landscaped with trees, shrubs, and ground cover at grade or in planters. At least twenty-five percent (25%) shall be improved with play structures, unless the development is predominantly senior housing. Seating (one (1) linear foot of seating area for each sixty (60) square feet of residential open space), trash receptacles, public art, water features, and other furnishings shall be provided.

i. Low Impact Design: In conjunction with standard stormwater management practices, site design for stormwater conveyance, detention, and treatment shall include measures such as biofiltration, irrigation reuse, and other techniques integrated with the overall landscape design to minimize high volumes of discharge and pollution, where reasonably practicable.

j. Mt. Rainier Site lines: It is preferable that the Master Development Plan proposal protect views of Mt. Rainier along the SR162 corridor and from the internal community parks.

k. Commercial setbacks fronting SR162: A minimum of fifty percent (50%) of retail development along SR162 shall have a minimum setback of ~~twenty five~~ twenty-five feet (25') from the street curb with pedestrian entry in the front. See Sections 5 and 7 of this chapter.

F. LM Light Manufacturing Zone:

1. Purpose And Intent: The intent of the Light Manufacturing Zone is to provide for development of low impact manufacturing and warehousing employment centers that can be concentrated where traffic congestion, visual and other impacts on the surrounding areas can be minimized. Light manufacturing includes, but is not limited to: canning or bottling of food or beverages using an assembly line; production, assembly, finishing, or packaging of articles from parts made at another location; and production of finished household and office goods from materials that are already refined or from raw materials that do not need refining.

G. OS Open Space And Recreation Zone:

1. Purpose And Intent: The intent of the Open Space and Recreation Zone is to provide for parks, trails, open spaces, and recreational areas for the use of the public.

H. PF Public Facilities Zone:

1. Purpose And Intent: The intent of the Public Facilities Zone is to be applied to major parcels of land serving the cultural, educational, recreational and public service needs of the community, such as, but not limited to schools, water and wastewater facilities, City buildings, City parking lots, and other City owned uses. This zone shall only apply to lands owned by governmental agencies.

13-3-3: USES:

A. General: The uses of property are defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained. Each lot or parcel in single-family or related zones shall contain one principal use as set forth in table 1 of this section. Multi-family, commercial and industrial zones may contain up to three (3) principal uses. Other uses on a lot or parcel may be permitted accessory or conditional uses.

B. Use Tables: Table 1 of this section sets forth allowed principal (P) and conditional (C) uses for each zone. The table lists the zones in the vertical columns and the land use activities in the horizontal rows. If no symbol appears in the box at the intersection of a row and column, the use is not allowed and is prohibited unless otherwise noted. In general, prohibited uses shall be as follows:

1. Any use or structure that is not of a character similar to the stated principal, conditional or accessory uses for the zone; or

2. Any use which causes or may be expected to cause an excessive disturbance not in keeping with the character and stated intent of the zone. "Excessive" is defined for these purposes as a degree exceeding that generated by the uses permitted in the zone in their customary manner of operation or to a degree injurious to the public safety, health, welfare or convenience.

If the letter "P" appears in the box, the use is permitted outright subject to the provisions of this title. If the letter "C" appears in the box, the use is conditional, subject to review and approval including site plan approval. If the box contains a number, the corresponding footnote further specifies the conditions applicable to the use in the zone.

TABLE 1
CITY OF ORTING PERMITTED LAND USES BY ZONING DESIGNATION

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

	Zones							
	RC	RU	RMF	MUTC	MUTCN ²	LM	OS	PF
Residential uses ¹ :								
<u>Accessory Dwelling Units (ADU), subject to OMC 13-5-6</u>	<u>P</u>	<u>P</u>	<u>P</u>					
Cottage	P	P	P		A			
Cottage development		P ^{3,4}	P ^{3,4}		P			
Duplex	P	P	P	P	P ²⁵			
Group residences:		C	C ³	C ³				C ^{22,12}
Adult family homes	P	P	P	P	P			
<u>Attached ground-related residences</u>			<u>P²</u>		<u>P</u>			
<u>Emergency housing^{16,17,18,19,20,21}</u>				C ²⁷⁻³²	C ²⁷⁻³²			
<u>Emergency shelter^{16,17,18,19,20,21}</u>				C ²⁷⁻³²	C ²⁷⁻³²			
Permanent supportive housing ^{15,19,20,21,22}	C ^{26,30-33}	C ^{26,30-33}	C ^{26,30-33}	C ^{3,26,30-33}	C ^{3,26,30-33}			
Single room occupancy sleeping units								C
Transitional housing ^{15,16,17,18,19,20,21,22}	C ²⁶⁻³³	C ²⁶⁻³³	C ²⁶⁻³³	C ^{3,26-33}	C ^{3,26-33}			
Other ^{6,5}		C	P	C				
Manufactured home park	C	C	C					
Mobile/manufactured home ⁶	P ⁷	P ⁷	P ⁷		<u>P</u>			
Multiple-family Multi-family			P	P ³	P			
Single-family detached	P	P	P		P ²⁵			
Temporary lodging:								
Bed and breakfast	C	C	C	P ³				
Hotel/motel				P ³	P			
Rooming house			C	C ³				

	Zones							
	RC	RU	RMF	MUTC	MUTCN ²	LM	OS	PF
Townhouse		P ^{10,7}	P	P ³	P ^{23,13}			
Commercial uses:								
Adult businesses				C ³				
Arcades				P ³				
Clubs and lodges			C ³	P ³				
Communication facilities:								
Communication services				P ³	C			
Wireless communication services facilities, subject to OMC 13-9				P ³		P		
Daycare facilities:								
Daycare center		C	C	C	P			
Family daycare	P	P	P	C ³	P			
Eating and drinking places			C ³	P ³	P		C ³	
Health services			P ³	P ³	P			
Home occupations ^{12,8}	EP ¹³	EP	EP	PC ³	P			
Liquor stores				P ³	P			
Offices			C ³	P ³	P	C ³		
Personal services				P ³	P			
Retail fuel sales				C ³	P	P ³		
Retail sales			C ^{3,14,9}	P ³	P	C ³	C ³	
Theaters				P ³	P			
Veterinary clinics					P			
Veterinary facilities				P ³	P	P ³		
Industrial uses:								
Manufacturing¹⁸:								
Assembly/fabrication					C ^{24,14}	P		
Food processing					C ^{24,14}	P		
Light manufacturing					C ^{24,14}	P		
Petroleum products						P		
Wineries and breweries				P	P	P		
Wood products						P		
Storage and shipping:								
Construction business					C ^{24,14}	P		
Equipment rental				P ²⁴	C ^{24,14}	P		
Freight facilities warehousing						P		
Outdoor storage					C ^{24,14}	C		

	Zones							
	RC	RU	RMF	MUTC	MUTCN ²	LM	OS	PF
Self-service storage					C ^{24.14}	P		
Wholesale trade					C ^{24.14}	P		
Cultural and recreational uses:								
<i>Cultural:</i>								
Art galleries				P ³	P			
Churches	C ³	C ³	C ³	P ³	P			
Community centers				P ³	C			
Community facilities					⊖			
Libraries				P ³	P			
Museums				P ³	P			
Outdoor theaters				P ³	C			
<i>Recreation:</i>								
Athletic fields	C ^{20.10}	C ^{20.10}	C ^{20.10}		C		P	P
Campgrounds	C ^{20.10}	C ^{20.10}	C ^{20.10}				P	P
Golf facilities	C ^{20.10}	C ^{20.10}	C ^{20.10}				P	P
Parks	C ^{20.10}	C ^{20.10}	C ^{20.10}	C ^{20.10}	P	C ^{20.10}	P	P
Parks, plazas, courts					P			
RV parks	C ^{20.10}	C ^{20.10}	C ^{20.10}				C	C
Resorts (including lodging)			C	C	C			
Shooting ranges	C					C	C	C
Spas and health clubs				P ³	P			
Stables/riding clubs	C ^{20.10}						C	P
Trails	C ^{20.10}	C ^{20.10}	C ^{20.10}	C ^{20.10}	P	C ^{20.10}	P	P
Public uses:								
Animal shelters					C ^{24.14}	P		P
Colleges and universities			C	C	C	C		P
Correctional facilities						C		C
Emergency services		C	C	C	C	P		P
Government offices			P	P	P	P		P
Hazardous materials						C		C
Hospitals	C ³	C ³	C	C	C	C		P
Justice facilities								P
K - 12 schools	C	C	C	P	C			P
Landfills		⊖				C		C
Public safety facilities		C	C	C	C	P		P
School support facilities					C	P		P
Shared off street parking				C	P			

	Zones							
	RC	RU	RMF	MUTC	MUTCN ²	LM	OS	PF
Solid waste facilities						C		P
Transit facilities	C	C	C	C	C	C	C	P
Utility facilities	C	C	C	C	P	C		P
Vocational schools		C	C	C	C	P	C	P
Wastewater treatment								P
Water supply facilities	C	C	C	C	C	C	C	P
Resource uses:								
<i>Agricultural:</i>								
Agricultural research, testing and training	C				C	P		C
Growing crops	P				C			
Livestock and small animals	^{p24.11}				C			
<i>Fish and wildlife management:</i>								
Aquaculture	C						C	C
Wildlife shelters	C						C	C
<i>Forestry:</i>							C	
Growing trees	P							
Mills						P		
Research and testing	C					P		C
<i>Mineral:</i>								
Batch plants						P		
Extraction and processing	C	C	C			P		C

Notes:

1. Residential planned unit developments (PUD) may allow increases in underlying density except in the MUTCN.
2. All development subject to Master Development Plan and MUTCN Bulk and Dimensional Requirements. See sections 13-3-2 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. Occupancy limit may only be regulated in accordance with RCW 35.21.682 or its successor.~~
- ~~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.~~

~~7.10. Duplexes and townhouses~~Townhouses are not allowed on flag lots (pipestem) in the RU zone.

~~11. In planned retail centers when building area is less than 10,000 square feet.~~

~~8.12. See Subject to~~ section 13-5-4 of this title.

~~13. On site sales of agricultural products allowed.~~

~~9.14. 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 foot maximum.~~

~~10.20. Private facilities.~~

~~11.24. Subject to all other City regulations regarding livestock.~~

~~12.22. Redevelopment of the Orting Soldiers' Home subject to site plan and architectural design review approval.~~

~~13.23. Three or more units per building.~~

~~14.24. 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.~~

~~15.26. 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.~~

~~16.27. The total combined capacity of all emergency shelter beds, emergency housing beds, and transitional housing units in the City shall not exceed 0.4% of the City's population, as estimated annually by the Washington Office of Financial Management.~~

~~17.28. Emergency housing and emergency shelters are required to be indoors. An operations and security plan shall be required that addresses site management and neighborhood impacts. Each facility shall be limited to a total of 10 individuals.~~

~~18.29. Emergency housing, emergency shelter, and transitional housing uses shall not be located on any parcel that abuts or is directly across a public right-of-way from a parcel with an existing school or park use, or on any parcel within the main street area of Orting, defined as the area bounded by Whitsell Street, Bridge Street, Corrin Avenue Northwest, and Rainier Lane Northeast. This does not include indoor emergency shelter facilities that are needed to respond temporarily to a natural disaster or other similarly acute emergency (ex: heating and cooling centers).~~

~~19.30. No person convicted of a felony assault, arson, illegal drug manufacturing, burglary, or kidnapping charge within the past three (3) years, or otherwise under court supervision or sex offender registration requirements can receive services from a provider, unless providing such services is consistent with the laws, regulations, and/or supervisory requirements related to such persons. To ensure compliance, providers of transitional housing and permanent supportive housing shall order and review background checks prior to resident entry. Providers of emergency housing and emergency shelter shall order and review background checks within three days of intake.~~

~~20.34. All providers of emergency shelter, emergency housing, transitional housing, and permanent supportive housing shall, after the initial two years of operation of any such facility, provide the City with a report that demonstrates ongoing compliance with the terms of the Conditional Use Permit as defined at the time of approval. Such providers are also required to maintain a valid City of Orting business license and liability insurance. These service providers should prioritize individuals living in the Orting valley. Upon intake, providers shall record each individual's most recent city or other place of residence and shall provide a report on such data to the City every year. Providers shall also record the number of individuals seeking services who are turned away due to lack of capacity and their most recent place of residence.~~

~~21.32. In reviewing Conditional Use Permit applications for emergency shelter, emergency housing, transitional housing, and permanent supportive housing, the Hearing Examiner shall not treat adversely or discriminate against people experiencing homelessness.~~

~~22.33. No more than two persons per bedroom shall inhabit a permanent supportive housing or transitional housing facility.~~

234. No outdoor storage.

TABLE 2
PERMITTED ACCESSORY USES BY ZONING DESIGNATION

		Zones
Conditional accessory uses:		
	Cargo container	RU (CUP)
Permitted accessory uses:		
	Accessory structures such as garages, carports, and sheds	All residential zones
-	Accessory dwelling units ⁴	All residential zones
	Barns and agricultural structures	RC, PF
	Caretaker residences	LM, OS
	Cargo container	LM, PF
	Collective gardens ²	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	All residential zones

	recreational vehicles in required setbacks	
	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 ³	MUTC
	Utility installations except solid	All zones

	waste disposal facilities	
--	---------------------------	--

Notes:

1. ~~Repealed. 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.

13-3-4: ZONING MAP:

A. Map Established: The official zoning map used as the basis for this zoning regulation is the same as the adopted Comprehensive Plan Future Land Use Map and shall be maintained by the City. Each property in the City is classified under this title and is subject to the requirements of this title. Zoning classifications on the official zoning map shall use the symbols shown in this chapter.

B. Urban Growth Area boundary: The official zoning map shall include the designation of the comprehensive plan urban growth area boundary for the City. Any reference to the urban growth area boundary in this title shall mean that mapped designation.

C. Interpretation Of Boundaries: When uncertainty regarding zone classification boundaries arises, the following rules shall apply:

1. Where zoning or urban growth area boundaries are indicated as following the centerline of streets, alleys or highways; the right-of-way centerline shall be the boundary.

2. Where zoning or urban growth area boundaries are indicated as following lot or tract lines, the lot or tract lines shall be the boundaries.

3. Unmapped shore lands shall be considered to be within the same zoning classification or urban growth area designation as the adjacent upland.

4. Where a public street or alley is officially vacated or abandoned, the zone classification applicable to the property abutting the vacated portion shall apply to the vacated or abandoned street or alley.

5. Where zoning or urban growth area boundaries divide a parcel created prior to January 11, 1996, the entire parcel shall be considered to be within the classification of the majority of the parcel, i.e., the portion which is greater than fifty percent (50%) of the area. The property owner(s) may petition the City for relief from this provision based on hardship created by unique or special circumstances, such as natural features. If the City finds that such hardship exists, the boundary line may be moved within the lot area to a location which provides relief from said hardship so long as the action does not create hardships upon adjacent properties or conflict with other provisions of this Code.

6. Where these rules (subsections C1 through C5 of this section) do not clarify a boundary issue, the Administrator shall make the determination based on an analysis of the specific parcel(s) with written findings and conclusions. The Administrator's determination in these matters may be appealed according to title 15, chapter 10 of this Code.

13-3-5: INTERPRETATION OF USES:

A. Typical Uses Within Use Types: The descriptions of use types in this chapter may contain examples of usual and customary uses. These uses are intended to be typical and are not intended to represent all permissible uses.

B. Interpretation By Administrator: Where there is a question regarding the inclusion or exclusion of a particular proposed use within a particular use category or use type, the Administrator shall have the authority to make the final determination based on an analysis of the specific question with written findings and conclusions. The Administrator's determination in these instances may be appealed according to title 15, chapter 10 of this Code.

13-3-6: EXEMPTED USES:

A. Applicability To Other Chapters: Unless otherwise stated, the uses exempted in this section are also exempted from chapters 5 and 6 of this title and title 15, "Development Code Administration", of this Code.

B. Uses Exempted: The provisions of this chapter shall not apply to the following uses:

1. On site and community septic systems;
2. Stormwater conveyance systems which includes features such as gutters, pipelines, culverts, manholes, weirs, manmade and natural channels, water quality filtration systems and dry wells;
3. Electrical distribution lines and poles (55 kilovolts and under);
4. Sewerage and water conveyance systems which include underground or flush with the ground features, including, but not limited to, pipes and manholes;
5. Water, oil, and petroleum gas distribution pipelines;
6. Natural gas distribution lines (not transmission lines), and necessary appurtenant facilities and hookups;
7. Cable, fiber optic, or telephone transmission and distribution lines, poles and appurtenances (not including antennas or cellular transmission towers);
8. Public streets and linear trails when located in existing rights-of-way;
9. Cargo containers when authorized pursuant to subsection 13-4-2A of this title as a temporary construction building or pursuant to subsection 13-4-2E of this title when being used as a portable storage unit.
10. The establishment of vaccination centers, medical testing operations, cooling / heating centers, severe weather shelters and other community gathering places where emergency services and aid is provided during the daytime hours when an Emergency proclamation or declaration of Disaster is be made by any of the following: Pierce

County Executive, Pierce County Council, Orting City Council, Washington State Governor, or the President of the United States.

C. Repair And Maintenance: The provisions of this chapter shall not be construed to regulate the maintenance and repair of any use or facility exempted or permitted in this chapter.

CHAPTER 4 TEMPORARY USES/TEMPORARY HOUSING UNITS

13-4-1: PURPOSE:

The purpose of this chapter is to establish allowed temporary uses and structures, and provide standards and conditions for regulating such uses and structures.

13-4-2: STANDARDS:

~~A.~~ ~~A.~~ Temporary Construction Buildings: Temporary structure for the storage of tools and equipment, or containing supervisory offices in connection with major construction projects, may be established and maintained during the progress of such construction on such projects, and shall be abated within thirty (30) days after completion of the project or thirty (30) days after cessation of work or for a period not to exceed the duration of the building permit, whichever is greater.

~~B.~~ Temporary Christmas Tree Lots: A temporary Christmas tree lot for the purpose of selling Christmas trees may be located on a property in the MUTC, MUTCN, and Industrial zones for a maximum of 45 days within any twelve (12) month period. A temporary tree lot shall not be subject to the off-street parking requirements set forth in OMC 13-5-3.

~~A.C.~~ Temporary School Uses: A temporary use associated with a school for the purpose of educational needs, including but not limited to agricultural programming, may be located on a school property for a maximum of XX days within a calendar school year. Temporary agricultural uses are also subject to all applicable regulations of OMC Chapter 6, Article B - Livestock, Other Animals. Temporary structures associated with a temporary school use may be subject to building permit requirements.

~~B.D.~~ Temporary Real Estate Office: One temporary real estate sales office may be located on any new subdivision in any zone, provided the activities of such office shall pertain only to the selling of lots within the subdivision upon which the office is located; and provided further, that the temporary real estate office shall be removed at the end of a twelve (12) month period, measured from the date of the recording of the map of the subdivision upon which such office is located or at the time specified by the city council.

~~C.E.~~ Temporary Housing Unit: Singlewide mobile homes or manufactured homes may be placed in any zone for occupancy during the period of time necessary to construct a permanent dwelling on the same lot or tract, to provide on site security and surveillance for public facilities, to provide classrooms or other school related space for public schools, or to provide for residential occupancy when permanent homes have been destroyed or damaged by a disaster, provided:

Commented [AT1]: Any zone limitations? We could say PF since the High School is located in PF.

Commented [AT2]: The temp uses could vary widely - do we want to put a maximum date?

Commented [AT3]: This may need to be reworded but should we mention something about building permits?

1. The unit is removed from the site within thirty (30) days after final inspection of the project, or within one year from the date the unit is first moved to the site, whichever may occur sooner.

2. The mobility gear is not removed from the unit and the unit is not permanently affixed to the site on which it is located.

3. The unit is not located in any required front or side yard.

4. A temporary permit is issued by the building department prior to occupancy of the unit on the construction site.

5. Prior to the issuance of a temporary permit, the site shall be reviewed by the Pierce County health department to determine additional requirements for water supply and/or septic waste disposal or adequacy of existing utilities.

6. In the event the site contains trees or other natural vegetation of a type and quantity to make it possible to partially or totally provide screening on one or more sides of the security unit, the city may require the unit be located so as to take advantage of the natural growing material available to screen said unit from adjacent properties.

7. Prior to the issuance of a temporary housing permit, the city shall review the application and may require installation of such fire protection/detection equipment as may be deemed necessary as a condition to the issuance of the temporary housing permit.

DF. Cargo Containers; When Allowed: Except pursuant to subsections A, "Temporary Construction Buildings", and E, "Temporary Portable Storage", of this section, cargo containers are only allowed in the LM and PF zones pursuant to a type 1 permit as an accessory use and in the RU zone pursuant to a type 3 permit as a conditional accessory use, subject to the following limitations as determined by the city administrator:

1. Only two (2) cargo containers will be allowed per lot with a maximum length of forty feet (40') per cargo container.

2. The cargo container must be located to minimize the visual impact to adjacent properties, parks, trails and rights of way. Property located across a public right of way is not regarded as adjacent property.

3. The cargo container must be sufficiently screened from adjacent properties, parks, trails and rights of way, as determined by the city administrator. Screening may be a combination of solid fencing, landscaping, or the placement of the cargo containers behind, between or within buildings. If a cargo container is located on a lot adjacent to a residential zone, the cargo container shall be no greater in size than ten by twenty feet (10 x 20'), and shall have a stick built structure, with a peaked roof, constructed to completely enclose the container. No stick built structure shall be required if the cargo container is totally screened from adjacent residential properties as determined by the city administrator.

4. If located adjacent to a building, the outdoor cargo container must be painted to match the building's color.

5. Cargo containers may not occupy any required off street parking spaces.

6. Cargo containers may not be used as an accessory dwelling unit.

7. Cargo containers shall meet all setback requirements for the zone.

8. Outdoor cargo containers may not be refrigerated.

9. Outdoor cargo containers may not be stacked.

10. Outdoor cargo containers must comply with all applicable requirements of title 11, "Critical Areas And Shoreline Management", of this code, as now or hereafter amended.

11. Cargo containers shall be prohibited from having windows, heating and cooling, plumbing, or multiple entrances. Cargo containers are allowed to have electric, ventilation, and drainage systems installed that would be necessary to meet the minimum codes and standards for lighting, circulation, and drainage.

12. No signage shall be allowed on any cargo container unless approved in accordance with section 13-7-1 of this title, as now or hereafter amended.

13. Cargo containers shall not be visible from any site designated or identified as a local or national historic landmark or natural area. This includes significant vegetative features, stream and creek corridors, buildings, sites, structures and/or identified viewsheds of historic and/or cultural significance.

14. Cargo containers shall be safe, structurally sound, stable, and in good repair.

15. The location of the cargo container shall not block or impede fire or emergency access and shall not be located within or upon the public right of way except as may be permitted by the governing body managing or controlling the public right of way.

16. Conditional use permit for placement in the RU zone requires that the property be at least five (5) acres or more in size.

EG. Temporary Portable Storage:

1. When Allowed: Cargo containers used for temporary portable storage may be located on property in all residential zones subject to the following:

a. Such cargo containers may be located on property within the city for a period not exceeding fourteen (14) consecutive days in duration from and including the date of delivery to the date of removal, without registering the property upon which such cargo container is located as provided at subsection E2 of this section;

b. No more than one such cargo container may be located on a specific property within the city at one time and each such cargo container shall be individually limited in duration to the time period established herein;

c. Such cargo container may not be removed and relocated on a specific property more than two (2) times in any given thirty (30) calendar day period;

d. Such cargo container shall be located, if feasible, no closer than five feet (5') to the property line;

e. Such cargo container shall be placed on an existing impervious surface; provided that, in the event that it is unfeasible to place the cargo container on an existing impervious surface, the cargo container may be placed anywhere on the property that is otherwise in compliance with this subsection E1;

f. It shall be the obligation of the owner or user of such cargo container to secure it in a manner that does not endanger the safety of persons or property in the vicinity of the cargo container. In the event of high winds or other weather conditions in which such structure may become a physical danger to persons or property, the appropriate law enforcement officers may require the immediate removal of such temporary structure;

g. No such cargo container shall be located in a manner that blocks access to a fire hydrant or obstructs the view of street intersections;

h. No such cargo container shall contain toxic or hazardous materials;

i. No such cargo container shall be located in the public right of way; and

j. No such cargo container shall be used to store solid waste, construction debris, demolition debris, recyclable materials, business inventory, or commercial goods (i.e., used for retail sales), or personal property not from the residential property where the cargo container is located.

k. "Temporary portable storage" shall mean an unoccupied cargo container that is used on a temporary basis for the transient storage of personal property of any kind and which is located for such purposes outside an enclosed building.

2. Registration Required: The owner or occupant of the residential property upon which a cargo container is located pursuant to this subsection E, shall not cause or allow such cargo container to remain on such property beyond the duration specified in subsection E1a of this section, unless the property upon which such cargo container has been located is registered with the city administrator and the ten dollar (\$10.00) nonrefundable registration fee has been paid. The registration application shall contain the name of the applicant, whether the person owns, rents, occupies, or controls the property, the street address at which the cargo container has been placed (and assessor's tax parcel number if available), the delivery date, removal date, and a description of the cargo container and its location on the registered property. The effective date of the registration shall be the date of approval of the registration application and the registration shall be conspicuously posted on the cargo container. A cargo container may be located upon the registered property for a period not to exceed sixty (60) days from the date of approval. No property may be registered more than one time in any one hundred eighty (180) day period.

3. Revocation: A violation of any of the provisions of this subsection E shall, in addition to any other penalties provided herein, subject the registration approval to revocation by the city administrator.

4. Removal: The owner or occupant of the residential property is responsible for removing the cargo container from the property at the expiration of the registration approval or sooner if the registration is revoked by the city administrator.

5. Penalties: A violation of any of the provisions of this subsection E shall be and constitute a class IV civil infraction for each day that such violation continues, and any person found to have committed such a violation shall be subject to a maximum fine of ~~twenty-five~~twenty-five dollars (\$25.00) for each such violation. Imposition of such penalties shall not preclude the city from exercising any other rights or remedies it may have to require or seek removal of a cargo container located in violation of this subsection E.

EF. Model homes.

1. When allowed: Any applicant who has received preliminary plat approval may apply for building permits for model homes, up to the number authorized under subsection 3 of this section.

2. Criteria: Prior to the issuance of model home permit(s), the applicant must demonstrate that the following criteria are met:

a. The applicant has submitted and received all required permits and approvals required of the preliminary plat approval; and

b. All required retention and detention facilities necessary for the areas of the subdivision serving the model homes are in place and functional, and in accordance with the civil permit approved by the city of Orting; and

c. All critical areas upon or immediately adjacent to the areas of the subdivision serving the model home(s) have been protected or mitigated, in accordance with adopted critical areas regulations and preliminary plat approval; and

d. The model home(s) shall meet the access and fire protection requirements of OMC Title 10; and

e. All areas of the subdivision serving the model home(s) have installed frontage improvements including, but not limited to, curb, gutter and sidewalk, street illumination, and landscaping as required by the preliminary plat approval or this code; and

f. All proposed streets serving the model homes shall be adequately marked with street signs conforming to the current Manual of Uniform Traffic Control Device (MUTCD) standards; and

g. Water and sewer conveyance systems are installed and functional to each lot proposed for model homes, in accordance with the approved civil permit; and

h. Lot property corners of all lots proposed to be used for the model home complex have been set by a licensed, professional land surveyor in accordance with the preliminary plat lot configuration; and

i. All impact fees for model homes shall be paid prior to issuance of a building permit for the model homes; and

j. Fire protection features including access, hydrants, and fire flow must be provided in accordance with OMC Title 10 and the approved civil plans prior to any combustible construction on any lot within the development. Such fire protection may be installed in a phased manner; provided, that they are in place and approved as prescribed by code for each individual parcel within the plat prior to issuance of a building permit for said parcel; and

k. Any model home utilized as an office space shall meet all applicable requirements for such use as provided for in OMC Title 10.

3. Application process: In addition to the application requirements for a building permit, the following additional information for a model home shall be included:

a. The applicant shall have written authorization from the property owner permitting the model home(s) if the applicant is other than the owner of the approved preliminary plat; and

b. Title report current within the last 30 days; and

c. Name of approved preliminary plat as well as the proposed name of the final plat (if different); and

d. Date of preliminary plat approval; and

e. Date of preliminary plat expiration; and

f. Copy of [City Council](#) decision approving the preliminary plat; and

g. Overall site plan showing the preliminary plat, including phases (if applicable) and the location of all proposed model homes; and

h. Individual site plan showing the location of the model home(s) in relation to the property lines and setbacks consistent with the preliminary plat approval; and

i. A statement from the applicant in which the applicant acknowledges that construction of any model home is at applicant's own risk and agrees to indemnify and hold harmless the city, its elected and appointed officials, employees, agents, and representatives from any and all claims related to the model homes, including but not limited to any costs of removal of such buildings and portions not in compliance with the final plat approval.

4. Number of model homes per plat: The number of allowed model homes varies per plat. Approved preliminary plats are allowed to have model homes as follows:

a. Plats with five through 19 lots may have one model home;

b. Plats with 20 or more lots may have up to 10 percent of the lots be model homes. If the number of model homes yielded from this calculation is a fractional number, the result shall be rounded down to the nearest whole number.

5. Occupancy: Certificate of occupancy shall not be granted for any of the model homes until the final plat has been recorded. However, the applicant shall request final inspection and temporary occupancy for model homes prior to final plat recording, provided:

a. The owner and homebuilder have complied with applicable state law with regard to any agreements to transfer, sell or lease property within the preliminary plat prior to final plat recording; and

b. All building and fire safety requirements have been met to the satisfaction of the city's building official and fire marshal; and

c. Driveway approaches for each model home requesting occupancy have been installed; and

d. Repairs to the roadway improvements have been completed as necessary due to damage as a result of model home construction, if any; and

e. Miscellaneous utility work as necessary to minimize potential for damage to vehicles or tripping hazards has been completed; and

f. Miscellaneous work to provide access for maintenance or operation of underground utilities has been completed; and

g. No model home shall be occupied for residential use prior to recording of the final plat. No model home shall be sold, leased, rented or otherwise transferred in ownership until the final plat is recorded, unless the property interest is transferred in conjunction with a transfer in interest of the plat as a whole; and

h. The hours of operation for the model home(s) can only be between the hours of 6:00 a.m. to 9:00 p.m.; and

i. The city's building/fire safety department and public works department have verified all water and sewer connections are connected and installed in accordance with the approved civil permit.

CHAPTER 5 DEVELOPMENT STANDARDS

13-5-1: DENSITY AND DIMENSION:

A. Purpose: The purpose of this section is to establish dimensional standards for development. These standards are established to provide flexibility in project design and promote high quality development within the City.

B. Density Standards: All residential density provisions are herein expressed in terms of minimum lot size based on the density standards adopted in the comprehensive plan.

1. Density bonuses and shifting in accordance with planned unit developments and clustering shall be authorized in approvals as described in section 13-6-4 of this title.

C. Lot size, Setback, Height, Area and Coverage Standards: Table 1 of this section sets forth the required development standards for the zones.

**TABLE 1
DEVELOPMENT STANDARDS**

Zones	Minimum Lot Requirements			Setbacks			Maximum Heights ¹ Height	Maximum Building Coverage	Maximum Hard Surface Coverage	Maximum Density ²
	Width	Depth	Area ³	Front	Rear	Side				
RC	None	None	2 acres	25'	25'	8'	35'	20%	50%	1 DU/2A
RU	None	None	7,260 sq. ft.	25'	25'	8'	35'	40%	65%	6 DU/A
RMF	40'	100'	5,450 sq. ft. ⁵ 7,000 sq. ft. ⁶ 4,000 plus 2,000 sq. ft. ⁷ None(nonresidential) ⁸	25'	25'	8'	35'	50%	75%	8 DU/A ^{11E}
MUTC	None	None	None	None	None	None	45' ¹⁵ 45' ¹⁶	100%	100%	None
MUTCN	None	None	None ¹⁰	None ¹¹	None ¹¹	None ¹¹	35' ¹² 50' ¹³	100% ¹⁴	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	9	9	9	9	None	None	n/a

Notes:

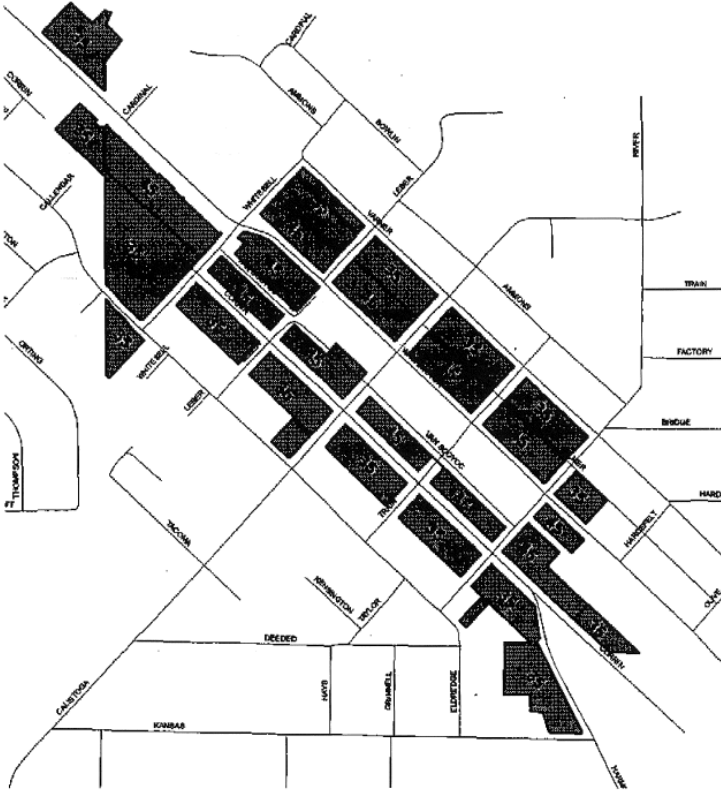
1. Heights specified are for principal structures; maximum height for accessory structures in all zones is 20 feet. Maximum height for accessory dwelling units is specified in section 13-5-6.
2. The regulation is expressed by the number of principal dwelling units (DU) per Acre (A) and does not include ADUs. Duplex density may be increased in accordance with the minimum lot area found in subsection 13-5-1H of this title.
3. Lot size averaging is permitted pursuant to subsection 13-5-1I of this title.
4. Repealed. Except as modified in this chapter.
5. Minimum lot area for single-family detached dwellings.
6. Minimum lot area for 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.
16. [Under RCW 36.70B \(as amended by ESHB 1042 in 2023: Chapter 285, Laws of 2023\) a density bonus of 50% may be granted for new residential units added within an existing multifamily or commercial building.](#)

FIGURE A

FIGURE A

Building Heights



1. Setback Measurement: A setback is measured from the edge of a street right of way, access easement or private road. Where there is no street right of way, access easement or private road, a setback is measured from the property line.

2. Designation Of Required Setbacks: All lots except pipestem lots must contain at least one front yard setback. A front yard setback shall be required abutting each right of way on corner lots and through lots. All lots must contain one rear yard setback except for corner, through, and pipestem lots. All other setbacks will be considered side yard setbacks.

3. Through Lots: In the case of a through lot, a front yard setback is required abutting each street right of way.

4. Front Yard Setback Averaging: Averaging may be used to reduce a front yard setback requirement when a principal building has been established on an adjacent lot within the required yard. This provision shall not apply if the adjacent lot has received a reduced setback based upon a discretionary land use approval. This exception shall be calculated as follows:

a. Averaging shall be calculated by adding the existing front yard setbacks of the adjacent lots together and dividing that figure by two (2).

b. When an adjacent lot is vacant, averaging shall be calculated by adding the front yard setback of the adjacent developed lot with the minimum front yard setback of the zone in which the construction is proposed and dividing that figure by two (2).

5. Slopes: If the topography of a lot is such that the minimum front yard setback line is eight feet (8') or more above the street grade, and there is no reasonable way to construct a driveway up to the 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 and Rear Yard Exceptions: 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 foot~~five-foot (5') setback, except in the MUTC zone. 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 five foot~~five-foot (5') setback, except in the MUTC zone. This does not apply to accessory dwelling units.Repealed

8. Bus Shelters: Bus shelters for school district or transit authority purposes may be located within a front yard setback when located on private property if they do not exceed fifty (50) square feet of floor area and one story in height, provided all applicable site distance requirements are met.

9. Projection Exception:

a. Fireplace structures, bay or garden windows, enclosed stair landings, ornamental features, or similar structures may project into any setback, provided such projections are:

(1) Limited to two (2) per required yard.

(2) Not wider than ten feet (10').

(3) Not more than eighteen inches (18") into a side yard setback or two feet (2') into a rear yard setback.

(4) Not more than three feet (3') into a front yard setback.

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.

c. Wheelchair ramps may project into any required setback.

10. Rear Yards, Exception: In the case of triangular or otherwise irregularly shaped lots, a line ten feet (10') in length entirely within the lot, parallel to and at a maximum distance from the front lot line may be considered the "rear lot line" at the owner's discretion. If the owner does not select such a line, the city may do so.

D. Height Standards: (See figure 13.35-1 set forth in subsection D3 of this section for measuring building heights.)

1. Measurement: The height of a fence located on a rockery, retaining wall, or berm shall be measured from the top of the fence to the ground on the high side of the rockery, retaining wall, or berm.

a. Walls, fences, and berms up to three feet (3') in height may be located on any part of a lot. Open fences may be up to four feet (4') in height.

b. Walls, fences and berms up to six feet (6') in height may be located to the rear of the front wall line of the principal residence unless otherwise determined to provide a site distance hazard by the building inspector.

c. The provisions of this section shall not apply to fences required by state law to surround public utility installations, or to fences enclosing school grounds and public playgrounds. A building permit shall be required for construction of any wall or fence located within the city.

2. Exceptions: Height standards shall not apply to the following:

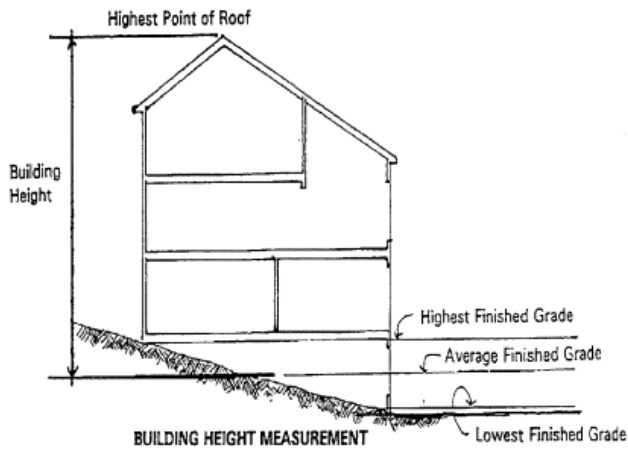
a. Church spires, belfries, domes, chimneys, antennas, satellite dishes, ventilation stacks, or similar structures, provided the structure is set back from all property lines a distance equal to the height of the structure.

b. Rooftop mechanical equipment. All rooftop mechanical equipment may extend ten feet (10') above the height limit of the zone, provided all equipment is set back ten feet (10') from the edge of the roof.

c. Utility towers and poles subject to review of site location.

3. Figure:

Figure 13.35-1



E. General Development Standards:

1. Existing Lot; Single-Family Dwelling Permitted: In any zone that permits a single-family dwelling unit, a single-family dwelling unit and permitted accessory structures may be constructed or enlarged on one lot which cannot satisfy the density requirements of the zone where the lot was legally created prior to the effective date of this regulation. This section shall not waive the requirements for setbacks and height of the zone in which the lot is located.

2. Combining Lots; Interior Yard Setback Exception: Where two (2) or more lots are used as a building site and where principal buildings cross lot lines, interior yard setbacks shall not be required from those lot lines crossed by the principal building.

3. Legally Created Lots; Development Permitted Proof:

a. Development shall be permitted only on legally created lots.

b. To establish that a lot has been legally created, the applicant must provide one of the following:

(1) A copy of formal plat, short plat, or large lot subdivision approved by Pierce County separately describing the lot.

(2) A copy of the boundary line adjustment or lot combination separately describing the lot.

(3) Documentation that the creation of the lot was exempt from the provisions of the subdivision title.

(4) A deed, contract of sale, mortgage, recorded survey, or tax segregation that separately describes the lot.

4. Pipestem (Flag) Lots: Pipestem (flag) lots in all residential zones are discouraged. In the RC and RMF Zones, pipestem (flag) lots may be approved subject to the criteria provided in subsection 12-8-1A of this Code, general approval requirements. Development on pipestem (flag) lots in the RU Zone shall be subject to the design standards provided in subsection F of this section. The Planning Commission shall conduct a site plan review of the proposal as a type 3a permitting action to determine if the proposal complies with the standards in subsection F of this section.

5. Bulkheads And Retaining Walls: Any structure constructed and erected between lands of different elevations used to resist the lateral displacement of any material, control erosion, or protect structures may be placed within required setbacks to a maximum height of six feet (6'), provided all applicable site distance requirements are met.

F. RU Zone Pipestem (Flag) Lot Development Standards: (See figures 13-5-1A and 13-5-1B of this section.) Road and access standards (including private roads, public roads, and driveways) are per the City's adopted development standards for public works.

1. Configuration Of New Pipestem (Flag) Lots: The area of new pipestem (flag) lots in the RU Zone, exclusive of the area of the driveway portion, shall be ten thousand (10,000) square feet minimum. The shape of any new pipestem (flag) lot in the RU Zone shall be such that a minimum ~~forty foot~~forty-foot (40') diameter building circle can be sited within the required setbacks of the zone. The driveway portion of any new pipestem (flag) lot in the RU Zone shall be no longer than one hundred feet (100') and at least twenty feet (20') wide. In all other zones the minimum street frontage for a flag lot shall be fifteen (15) feet unless a building will be sited 150 feet or further from the curb line in which there must be fire access provided with a minimum width of twenty (20) feet.

FIGURE 13-5-1A
BASIC PIPESTEM (FLAG) LOT CHARACTERISTICS

FIGURE 13-5-1A
 BASIC PIPESTEM (FLAG)
 LOT CHARACTERISTICS

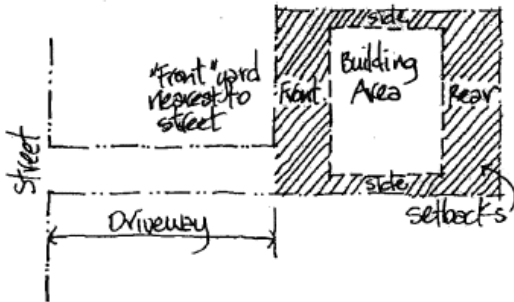
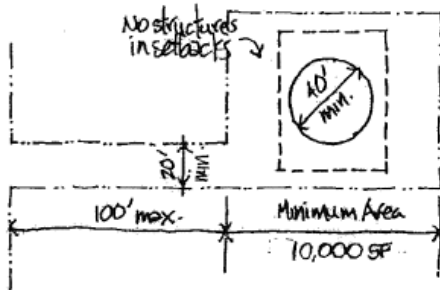


FIGURE 13-5-1B
 RU ZONE FLAG LOT CONFIGURATION

FIGURE 13-5-1B
 RU ZONE FLAG LOT
 CONFIGURATION



2. Development Standards For All Pipestem (Flag) Lots In The RU Zone: All pipestem (flag) lots in the RU Zone, irrespective of when platted, shall meet the following standards, subject to site plan review:

a. All development of principal residences, accessory dwellings, garages, sheds, and other structures shall be built within the required setbacks.

b. The "building area" within the setbacks shall be large enough to accommodate a ~~forty-foot~~forty-foot (40') diameter building circle to ensure that the shape of the lot is adequate to support development that results in attractive, usable open spaces.

c. Hard surface coverage of the lot shall not be greater than forty-five percent (45%), not including the driveway portion in the stem section of the lot.

d. The maximum height of any structure shall not be greater than twenty-feet (20').

e. The perimeter treatment of the lot including the driveway portion may include fencing or landscaping to screen the development from adjacent properties.

G. Cottage Housing Development Standards, Except As Modified During Binding Site Plan Review or Unit Lot Subdivision approval:

1. Minimum site area: Two thousand two hundred fifty (2,250) square feet of gross site area per dwelling unit.

2. Project size: Four (4) units minimum and twelve (12) units maximum.

3. Minimum common open space: Four hundred (400) square feet per unit.

4. Perimeter setbacks per underlying zoning.

5. Minimum building separation: Ten feet (10').

6. Maximum building height: Eighteen feet (18'), twenty five feet (25') to roof peak.

7. Maximum building coverage: Forty percent (40%).

8. Maximum total site impervious coverage: Sixty percent (60%).

9. Maximum floor area: One thousand (1,000) square feet total, six hundred fifty (650) square feet ground floor.

10. Accessory dwellings: Four hundred (400) square feet maximum, attached or detached.

11. Minimum street frontage: Twenty feet (20').

H. 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 (2) 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:

a. Residential Conservation (RC):

(1) Duplex minimum lot size: Two (2) acres.

b. Residential Urban (RU):

(1) Duplex minimum lot size: 9,075 square feet.

c. Residential Multi- Family (RMF):

(1) Duplex minimum lot size: 7,000 square feet.

I. 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:

a. RC Residential-Conservation Zone (subsection 13-3-2A).

b. RU Residential-Urban Zone (subsection 13-3-2B).

c. RMF Residential-Multi-Family Zone (subsection 13-3-2C).

3. Standards:

a. 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.

b. 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.

c. Lot size averaging only applies to creation of lots for detached single-family residences.

d. Lot size averaging shall not be used to create lots for duplexes or multi-family dwellings as defined by section 13-2-14.

e. No individual single-family lot shall be reduced more than twenty five percent (25%) from the district minimum required area.

f. No single-family lot shall be reduced in width to less than forty feet (40') (regardless of lot depth).

g. No single-family lot shall be reduced in depth to less than seventy feet (70') (regardless of lot width).

h. 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.

i. 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.

j. 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.

k. 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.

13-5-2: LANDSCAPING AND SCREENING:

A. Purpose: The purpose of this section is to establish standards for landscaping and screening, to maintain or replace existing vegetation, provide physical and visual buffers between differing land uses, lessen environmental and improve aesthetic impacts of development and to enhance the overall appearance of the city. Street trees shall be selected from the approved list of trees, on file with the City of Orting.

B. Applicability: The standards set forth in this section shall apply to all uses of land which are subject to site plan or architectural design review, to the construction or location of any multi-family structure of three (3) or more attached dwelling units, to any new subdivision, and to projects implementing native vegetation retention, native vegetation revegetation, and dispersion [low impact development \(LID\) best management practices \(BMPs\)](#) for permanent on-site stormwater management.

C. Landscape Plan: A plan of the proposed landscaping and screening of projects subject to this section shall be provided as part of the application and shall contain the following:

1. Identification of existing trees and tree canopies;
2. Significant trees and vegetation to remain;
3. New landscaping: location, species, diameter or size of materials using both botanical and common names. Drawings shall reflect the ultimate size of plant materials;

4. Identification of tree protection techniques;

5. Alternative landscaping plans: ~~The city may~~ Administrator or designee may approve, as a Type 2 administrative decision, authorize modification of the landscape requirements when alternative plans comply with the intent of this chapter and:

a. The proposed landscaping represents a superior result than that which would be achieved by strictly following requirements of this section; or

b. The alternative plan incorporates the increased retention of significant trees and naturally occurring undergrowth; or

c. The alternative plan incorporates unique, historic or architectural features such as plazas, courts, fountains, trellises, or sculptures.

6. Areas of native vegetation retention, native vegetation restoration, and dispersion LID BMPs used for permanent on-site stormwater management.

The landscape plan shall be prepared by a professional landscape architect licensed by the state of Washington. The administrator may allow the landscape plan to be prepared by another party if the applicant can demonstrate that the size and/or complexity of the project is such that the landscape design solution may be very simple, involving a limited palette of plant materials and applications.

D. Preservation Of Significant Trees And Vegetation:

1. All significant trees in required perimeter buffers shall be retained.

Retention of significant trees on the remaining portions of the site is encouraged. Retention of significant trees on the remaining portions of the site is required where such tree retention is proposed to meet the requirements of LID BMPs for permanent on-site stormwater management.

2. Significant trees are those which possess one or more of the following characteristics:

a. Trees identified in table 13-5-2 D2 of this code;

b. Contribute to the character of the area and do not constitute a safety hazard;

c. Form a continuous canopy or dense vegetated screen; or

d. Trees identified as being significant due to their age, scarcity, habitat value, community identifying characteristics, historical, cultural, or biological significance.

Table 13-5-2 D 2, Significant Trees

Tree Species	Size
Garry (Oregon White) Oak	8" diameter at breast height ("d.b.h.") or greater

Pacific Yew	5" d.b.h. or greater
Pacific Madrone	10" d.b.h. or greater
Ponderosa Pine, Grand Fir, Big Leaf Maple, Western Hemlock, Western Red Cedar	15" d.b.h. or greater
Douglas Fir, Sitka Spruce	24" d.b.h. or greater
Tree of any species	40" d.b.h. or greater

3. If the grade level adjoining a tree to be retained is altered such that the tree might be endangered, then a dry rock wall or rock well shall be constructed around the tree. The diameter of this wall or well must be capable of protecting the tree.

4. Impervious or compactible surfaces within the area defined by the drip line of any tree to be retained may be permitted if a qualified arborist certifies that such activities will not endanger the tree or trees.

5. Retention of other existing vegetation that is equal to or better than available nursery stock is strongly encouraged.

6. Areas of native vegetation designated as landscape or buffer areas shall be protected by a ten foot (10') wide no construction zone during construction. Cleaning, grading or contour alteration is not permitted within this no construction zone unless a qualified arborist certifies that proposed construction activity within the zone will not harm existing vegetation.

7. Tree retention to meet the requirements of LID BMPs for permanent on-site stormwater management shall be in accordance with the adopted Stormwater Management Manual and LID Manual.

E. Requirements For Residential Uses:

1. Perimeter Areas: Notwithstanding other regulations found in this chapter, perimeter areas not covered with buildings, driveways and parking and loading areas shall be landscaped. The required width of perimeter areas to be landscaped shall be at least the depth of the required yard or setback area. Areas to be landscaped shall be covered with live plant materials which will ultimately cover seventy-five percent (75%) of the ground area within three (3) years. One deciduous tree a minimum of ~~two~~ two-inch (2") caliper or one 6-foot evergreen or three (3) shrubs which should attain a height of three and one-half feet (3 1/2') within three (3) years shall be provided for every five hundred (500) square feet of the area to be landscaped.

2. Buffer Areas: All residential subdivisions or planned developments shall have a buffer consisting of a vegetated screen, that is opaque to a height of six feet (6') minimum, along the perimeter of the plat. The screening may be achieved through any one or a combination of the following methods:

- a. Evergreen trees or shrubs; or

b. Trees and shrubs planted on an earthen berm as approved by the Public Works Director; or

c. A combination of trees or shrubs and fencing. If fencing is utilized, vegetation screening is required along fifty percent (50%) of the fencing on each lot line. If fencing and vegetation is selected, for a lot line abutting a right-of-way, vegetation must be planted on the exterior of the fence; or

d. Use of existing native vegetation that already provides a vegetative screen.

3. New subdivisions or planned developments that abut arterial streets or nonresidential uses shall be screened with a minimum ~~twenty-five~~ twenty-five foot (25') buffer. Subdivisions or planned developments that abut areas with the same underlying zoning shall be screened with nominal landscaping that provides variety and enhances the visual character of the area.

4. The vegetation requirements of this section may be waived through a variance process for new subdivisions or planned developments where native vegetation retention, native vegetation revegetation or dispersion LID BMPs are proposed in accordance with the Stormwater Management Manual and LID Manual. Buffer area widths shall not be reduced. The type of vegetation within buffer areas shall be determined through the variance process identified in this code.

5. Root barriers are required for all trees to be planted adjacent to right-of-way, and as required by the Public Works Director.

F. Requirements For Commercial Uses:

1. Perimeter Areas: See subsection E1 of this section.

2. Buffer Areas: Where a development subject to these standards is contiguous to a residential zoning district or areas of residential development, then the required perimeter area shall be landscaped the full width of the setback areas as follows:

a. A solid screen of evergreen trees or shrubs; or

b. A solid screen of evergreen trees and shrubs planted on an earthen berm an average of three feet (3') high as approved by the Public Works Director; or

c. A combination of trees or shrubs and fencing. If fencing is utilized, vegetation screening is required along fifty percent (50%) of the fencing on each lot line. If fencing and vegetation is selected, for a lot line abutting a right-of-way, vegetation must be planted on the exterior of the fence.

3. Areas Without Setbacks:

a. In areas where there is no required setback or where buildings are built to the property line, development subject to this chapter shall provide a street tree at an interval of one every twenty feet (20') or planter boxes at the same interval or some combination of trees and boxes, or an alternative.

b. Street trees shall be a minimum caliper of two inches (2") and be a species approved by the city and installed to city standards. Planter boxes shall be maintained by the property owners and shall be of a type approved by the city.

4. The vegetation requirements of this section may be waived through a variance process for new subdivisions or planned developments where native vegetation retention, native vegetation revegetation or dispersion LID BMPs are proposed in accordance with the Stormwater Management Manual and LID Manual. Buffer area widths shall not be reduced. The type of vegetation within buffer areas shall be determined through the variance process identified in this code.

5. Root barriers are required for all trees to be planted adjacent to hardscape and/or as required by the Public Works Director.

G. Parking Lot Landscaping And Screening: The standards of this section shall apply to public and private commercial parking lots and residential parking areas providing spaces for more than ten (10) cars.

1. Perimeter Landscaping: In order to soften the visual effects or separate one parking area from another or from other uses, the following standards apply:

a. Adjacent to a street or road, the minimum width shall be equal to the required yard for the underlying land use or a strip ten feet (10') wide, whichever is greater. On all other perimeters the depth shall be a minimum of five feet (5'). Where parking areas are bordered by more than one street, the landscape strip shall only apply to the longest side. All other sides shall be screened with a wall, fence, vegetative buffer or combination of these elements at a minimum height of three and one-half feet (3 1/2').

b. Visual screening through one or any combination of the following methods is required:

(1) Planting of living ground cover as well as shrubs or small trees which will form a solid vegetative screen at least three feet (3') in height; or

(2) A fence or wall at least three feet (3') high combined with low planting or wall clinging plant materials. Materials should be complementary to building design; or

(3) Earth mounding or berms having a minimum height of three feet (3') and planted with shrubs and trees.

c. In order to protect vision clearances, areas around driveways and other access points are not required to comply with the full screening height standards. The specific horizontal distance exempt from this standard shall be as established in the public works standards.

d. Trees are required at a ratio of at least one per ~~sixty foursixty-four~~ (64) square feet of landscaped area or fraction thereof. They shall have a clear trunk to a height of at least five feet (5') above the ground at maturity. Trees shall be planted no closer than four feet (4') from pavement edges where vehicles overhang planted areas.

2. Interior Small Parking Lot Landscaping: All parking lots that contain fewer than twenty (20) parking spaces or are smaller than six thousand (6,000) square feet shall contain trees a minimum of ~~two-inch~~two-inch (2") caliper at intervals no greater than thirty feet (30') in planting beds a minimum of ~~sixty-four~~sixty-four (64) square feet in area.

3. Interior Large Parking Lot Landscaping: All parking lots that contain twenty (20) or more parking spaces or are larger than six thousand (6,000) square feet in area shall have interior lot landscaping as follows:

a. Landscaped Area: A minimum of five (5) square feet of landscaped area per one hundred (100) square feet of vehicle use area, or fraction thereof. Parking lots larger than thirty thousand (30,000) square feet shall have a minimum of seven (7) square feet of landscaped area per one hundred (100) square feet of vehicle use area or fraction thereof. Vehicle use area shall include driveways.

b. Minimum Area: The minimum size of individual planting areas shall be ~~sixty-four~~sixty-four (64) square feet in order to provide a proper plant environment.

c. Trees Required: Trees are required at a ratio of at least one per ~~sixty-four~~sixty-four (64) square feet of landscaped area or fraction thereof. Trees shall have a clear trunk to a height of at least five feet (5') above the ground. Trees shall be planted no closer than four feet (4') from pavement edges where vehicles overhang planted areas.

d. Shrubs And Ground Cover: Required landscaped areas remaining after tree planting shall be planted in shrubs and/or ground cover. The distribution of plants shall be adequate to ultimately achieve ~~seventy-five~~ percent (75%) ground coverage within three (3) years after planting.

e. Vehicle Overhang: Parked vehicles may overhang landscaped areas up to two feet (2') by wheel stops or curbing.

4. The vegetation requirements of this section may be waived through a variance process for new subdivisions or planned developments where native vegetation retention, native vegetation revegetation or dispersion LID BMPs are proposed in accordance with the Stormwater Management Manual and LID Manual. Buffer area widths shall not be reduced. The type of vegetation within buffer areas shall be determined through the variance process identified in this code.

H. Performance Assurance:

1. Landscaping required pursuant to an approved site plan shall be installed prior to the issuance of certificate of occupancy or final inspection, unless the applicant submits a performance assurance equal to not less than one hundred ten percent (110%) of the construction cost and commits to complete the landscaping within one year.

2. Performance assurance devices shall take the form of one of the following:

a. A surety bond executed by a surety company authorized to transact business in the state in a form approved by the city attorney;

b. Cash;

c. A letter of credit approved by the city attorney from a financial institution stating that the money is held for the purpose of development of the landscaping;

d. Assigned savings pursuant to an agreement approved by the city attorney.

3. If a performance assurance device is employed, the applicant shall provide the city with a nonrevocable notarized agreement granting the city and its agents the right to enter the property and perform any required work remaining undone at the expiration of the assurance device.

4. If the applicant fails to carry out provisions of the agreement and the city has incurred costs or expenses resulting from such failure, the city shall call on the bond or cash deposit for reimbursement. If the amount of the bond or cash deposit is less than the cost and expense incurred by the city, the applicant shall be liable to the city for the difference. If the amount of the bond or cash deposit exceeds the cost and expense incurred by the city, the remainder shall be released.

5. Native vegetation retention areas, areas to be revegetated with native vegetation, or dispersion areas proposed for LID BMPs to meet the requirements of the adopted Stormwater Management Manual and LID Manual shall be preserved through permanent protections. A permanent protective mechanism shall be legally established to ensure that the required native vegetation area is preserved and protected in perpetuity in a form that is acceptable to both the applicant and the City and filed with the County Auditor's office. Restrictions on the future use of the native vegetation area shall also be recorded on the face of the plat for subdivision applications. A permanent native vegetation area shall be established using one of the following mechanisms.

a. Placement in a separate non-building tract owned in common by all lots within the subdivision;

b. Covered by a protective easement or public or private land trust dedication;

c. Preserved through an appropriate permanent protective mechanism that provides the same level of permanent protection of this section as determined by the approval authority.

d. To ensure compliance with the requirements of this Chapter, all development activity subject to the provisions of this Chapter shall include the submittal of a vegetation management plan as specified below;

e. Applications for subdivision, short subdivision, large lot division, planned development district, or binding site plan approval;

f. Site development permit applications;

g. Use permit and commercial building permit applications.

6. To ensure compliance with the requirements of this Chapter, all development activity subject to the provisions of this Chapter shall include the submittal of a vegetation management plan as specified below:

- a. Applications for subdivision, short subdivision, large lot division, planned development district, or binding site plan approval;
- b. Site development permit applications;
- c. Use permit and commercial building permit applications
- d. Development agreements.

7. The vegetation management plan shall comply with the minimum requirements specified below:

a. The vegetation management plan shall be prepared by a licensed landscape architect or qualified professional forester.

b. Provisions for tree conservation and protection on the site shall be in conformance with the requirements of this section.

c. A vegetation management plan shall be submitted either as part of the preliminary plat or other appropriate plan, or as a separate drawing, and shall include the following information:

(1) Vegetation Protection Plan: Drawn to scale; designating vegetation to be preserved. It shall include the following information:

(A) Locations of ~~peri-meters~~perimeters of individual and strands of trees to be preserved. The tree protection area for trees to be preserved shall be shown on the plan.

(B) Size, species, and health of trees to be preserved.

(C) General locations of trees proposed for removal.

(D) Limits of construction and existing and proposed grade changes on site.

(E) Narrative description and graphic detail of tree protection and tree maintenance measures required for the trees to be preserved.

(F) Timeline for clearing, grading, and installation of tree protection measures.

(2) Planting Plan: Drawn to scale on the site plan. It shall include the following information:

(A) Location, size, species, and number of trees to be planted.

(B) Narrative description and detail showing any site preparation, installation, and maintenance measures necessary for the long-term survival and health of the vegetation.

(C) Timeline for site preparation, installation, and maintenance of vegetation.

(D) Cost estimate for the purchase, installation and five (5) years' maintenance of vegetation.

(3) Tree Density Calculation: The following information shall be included on the site plan:

(A) Acreage of on-site critical areas, excluding critical area buffer.

(B) Acreage of on-site public and private roads.

(C) Calculation of trees per acre for existing trees proposed for preservation.

(D) Calculation of trees per acre for new trees to be planted.

(4) A watering plan is required for the establishment phase of new plantings. The plan must provide for adequate watering of the newly installed trees for a minimum of three (3) years.

8. Vegetation management plans will be reviewed by the city administrator. Upon completion of its review, the City will take one of the following actions:

a. Approve the vegetation management plan, with or without conditions; or

b. Disapprove the vegetation management plan, indicating deficiencies to the applicant. If the vegetation management plan is determined to be deficient, the applicant will be notified in writing of the deficiency and will be provided the opportunity to modify the plan as necessary to comply with the provisions of this Chapter.

c. Vegetation management plans will be reviewed by the city administrator prior to the approval of the associated underlying permit or application. The underlying permit may not be approved until such time as the city administrator has approved the plan.

d. Vegetation management plans shall be incorporated by reference in any approval issued for the underlying permit or application. Compliance with the plans shall be a condition of such approval.

9. The city administrator may allow or approve minor modifications to an approved vegetation management plan during the site development construction process to account for unforeseen site conditions and circumstances. The submittal of an amended vegetation management plan meeting the requirements of this Chapter shall be required.

I. Maintenance:

1. Whenever landscaping is required under the provisions of this chapter, shrubs and trees in the landscaping and planting areas shall be maintained in a healthy growing condition during the first three (3) years after installation. Planting beds shall not be located over impervious surfaces. All landscaped areas shall be provided with sprinkler systems or hose bibs within ~~seventy five~~seventy-five feet (75') of plantings.

Dead or dying trees or shrubs shall be replaced immediately, and the planting area shall be maintained free of noxious weeds and trash on a regular basis.

2. Native vegetation retention areas, areas to be revegetated with native vegetation, or dispersion areas proposed for LID BMPs to meet the requirements of the adopted Stormwater Management Manual and LID Manual shall be maintained in accordance with the adopted Stormwater Management Manual and LID Manual.

13-5-3: LOADING AREA AND OFF STREET PARKING REQUIREMENTS:

A. Purpose: The purpose of this section is to regulate parking and loading in order to lessen traffic congestion and contribute to public safety by providing sufficient on site and off-site areas for the maneuvering and parking of motor vehicles.

B. Required Automobile Parking Spaces: Off street parking spaces shall be provided as an accessory use in accordance with the requirements of this section at the time any building or structure is erected, enlarged, or expanded.

C. Size And Access: Each off street parking space shall have an area of not less than one hundred sixty (160) square feet, exclusive of access drives or aisles and a width of not less than eight feet (8'). There shall be adequate provision for ingress and egress from each parking space.

D. Location: Off street parking facilities shall be located as hereinafter specified; where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facilities to the nearest point of the building that such facility is required to serve. Parking is required to be on the subject parcel unless the City approves a proposal utilizing the Off-site Parking provision of OMC 13-5-3-L and/or the Shared Parking provisions of OMC 13-5-3-M.

1. For a single-family dwelling or multi-family dwelling, the parking facilities shall be located on the same lot or building site as the building they are required to serve.

2. For churches, hospitals, large group homes, institutions, rooming and lodging houses, nursing and convalescent homes, community clubs, and clubrooms, parking facilities shall be located not farther than one hundred fifty feet (150') from the facility.

3. For uses other than those specified, including governmental facilities, parking facilities shall be located not farther than three hundred feet (300') from the facility.

4. ADA accessible parking shall be located on the shortest possible route to the entrance of the building or facility.

E. Unit Of Measurement: In stadiums, sports arenas, churches, government buildings containing public assembly space, and other places of assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each eighteen inches (18") of width or eighty (80) square feet of open area of such seating facilities should be counted as one seat for the purpose of determining requirements of off street parking facilities under this title.

F. Expansions Or Enlargements: Where any structure is enlarged or expanded, off street parking spaces shall be provided for said expansion or enlargement in accordance with the requirements of subsection I of this section. Nothing in this title shall be construed to require off street parking spaces for the portion of said building or structure existing at the effective date of this title. A change in use in an existing structure shall require additional off street parking spaces as set forth in subsection I of this section.

G. Mixed Occupancies: In the case of two (2) or more uses in the same building, including governmental office space and public assembly space, the total requirements for off street parking facilities shall be the sum of the requirements for the several uses computed separately. Off street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as hereafter specified in subsection I of this section for joint use.

H. Uses Not Specified: In the case of a use not specifically mentioned in subsection I of this section, the requirements for off street parking facilities shall be determined by the Administrator. Such determination shall be based upon the requirements for the most comparable use specified in subsection I of this section and/or through a parking study as required by the Administrator or their designee.

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:

Use		Parking Spaces Required
1.	All dwellings (RC, RU, RMF, MUTC)	2 off street spaces per unit ¹
2.	Family daycare	1 for each employee, plus 1 additional, not including required residential spaces
	Daycare center	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 <u>and similar places of worship</u>	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-2	1 for each 200 square feet of gross floor area ²
8.	Fraternity, sorority or group student house	1 for each 3 sleeping rooms or 1 for each 6 beds, whichever is greater
9.	<u>Government Facilities</u>	<u>The maximum of the following:</u> <u>1 for each 400 square feet of gross floor area or</u> <u>1 for each 4 seats in each public assembly space pursuant to OMC 13-3-5-E above.</u>
10.	Hospitals	2 for each bed
11.	Large group home, institution	1 for each 2 beds
12.	Libraries and museums	1 for each 250 square feet of floor area open to the public
13.	Lodging and rooming house	1 for each sleeping room
14.	Manufacturing uses, research and testing laboratories, creameries, bottling establishments, bakeries, canneries, printing and engraving shops	1 for each employee on a maximum shift
15.	Medical or dental clinics	5 for each physician or dentist

16.	Motels, hotels	1 for each unit
17.	Motor vehicle or machinery sales, wholesale stores, furniture stores	1 for each 400 square feet of gross floor area
<u>18.</u>	<u>Personal services</u>	<u>1 for each 300 square feet</u>
19.	Retail stores	1 for each 300 square feet
20.	Schools; high schools	1 for each 8 students, plus 1 for each faculty member (exclusive of loading and unloading area)
21.	Elementary and junior high	1 for each faculty member <u>(plus parking required for stadiums, auditoriums and other assembly areas which is calculated separately)</u>
22.	<u>Spas and health clubs</u>	<u>1 for each 300 square feet</u>
23.	Stadiums, auditoriums, community clubs, community centers, and other places of assembly	1 for each 4 seats
24.	Theaters	1 for each 3 seats
25.	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 section 13-5-6 for accessory dwelling unit off street parking requirements.
 2. 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.
- J. Required Loading Areas:

1. In any commercial and manufacturing zones, and for any institutional use in whatever zone it may be located, every building or portion of building hereafter erected or structurally altered to provide additional floor space shall be provided with a minimum of one off street or off alley loading space for each ten thousand (10,000) square feet of usable floor space within the building, which usable floor space is intended to be used for or is used for merchandising, manufacturing, warehousing, or processing purposes. If the building contains less than ten thousand (10,000) square feet of usable floor space, the requirement for an off street or off alley loading space may be waived by the building inspector.

2. If the building contains more than twenty four thousand (24,000) square feet of floor space so used, then there shall be one additional loading space provided for each additional twenty four thousand (24,000) square feet of floor space.

3. Each loading space shall measure not less than thirty feet by twelve feet (30' x 12'), and shall have an unobstructed height of fourteen feet (14'), and shall be made permanently available for such purpose, and shall be surfaced, improved, and maintained. Such facilities shall be so located that trucks using the same shall not encroach upon or interfere with areas reserved for off street parking nor project into any public right-of-way and shall be adjacent to the building to be served thereby. If the site upon which such loading space or spaces is to be located abuts upon an alley, such loading space or spaces shall be off alley. If the loading space is incorporated within a building then, as to location, the requirements of this section shall not apply.

4. Any floor area provided by additions to or structural alterations to a building shall be provided with loading space or spaces as set forth herein whether or not loading spaces have been provided for the original floor space.

K. Commercial Vehicles, Recreational Vehicles, And Boats: The following special requirements and performance standards shall apply to private properties located in the Residential-Urban, Residential-Multi-Family, and Residential-Conservation Zones, except as otherwise authorized by the City through a conditional use permit:

1. Outdoor Storage Of Vehicles: The outdoor storage of commercial vehicles, recreational vehicles, boats, and vehicle accessories is permitted in the residential zones, provided the following standards are met. For purposes of this section, "storage" means the keeping of such vehicles and accessories on any portion of any parcel of property for a period of ~~seventy-two~~seventy-two (72) continuous hours or longer.

a. Recreational Vehicles And Boats: Where a rear yard is reasonably accessible or a side yard is of sufficient size to accommodate the recreational vehicle, said recreational vehicle shall not be stored in the front yard of a lot. In no instance shall a recreational vehicle or boat be stored such that any portion of the vehicle encroaches upon a site distance area that would create a traffic hazard; nor shall a recreational vehicle or boat be stored on or overhang a public right-of-way. If located within a required front or street side yard, the storage area for a recreational vehicle or boat shall be improved with a durable and dustless surface and screened from views from adjacent properties.

b. Inoperable Vehicles And Motor Vehicle Accessories: No more than two (2) inoperable vehicles may be stored on a lot. The outdoor storage of inoperable vehicles, or parts thereof, and vehicle accessories such as camper shells and equipment trailers shall be screened from neighboring properties and public rights-of-way and prohibited from required front and street side yards.

c. Storage Of Commercial Use Vehicles: No vehicle having more than two (2) axles or exceeding eighty four inches (84") in width, and intended for commercial use including, but not limited to, truck tractors, truck trailers or other large trucks shall be stored on property in an RU, RMF, or RC Zone unless such vehicle is stored within a building or is otherwise screened so as not to be visible from another property or from any public right-of-way.

L. Off Site Parking Exceptions:

1. Guest parking associated with single family and attached dwellings in the RMF zone is permitted to be provided off site provided it meets the following criteria:

1. When Permitted:

~~a. If sufficient parking is not available on the premises of the use, a private parking area may be provided off site, except for single and two (2) family dwellings in the RU and RC zones.~~

~~b. Guest parking associated with single family and attached dwellings in the RMF zone is also permitted to be provided off site provided it meets the following criteria:~~

a. Parking is located on the neighborhood streets or in a parking court accessed by a public roadway, but not located more than one hundred sixty feet (160') from the home it is intended to serve.

b. Parking is not located in a limited residential access lane right-of-way, except for perpendicular parking associated with private driveways or alleyways.

c. Parking may be accommodated in a tandem driveway space, provided it is not accessed by a private alleyway.

2. If sufficient parking is not available on the premises of a use within the MUTC zone, a private parking area may be provided off-site, except for single and two (2) family dwellings in the RU and RC zones if it meets the following criteria:

a. Agreement Required: A parking agreement ensuring that off-site parking is available for the duration of the use shall be approved by the City Administrator, following review by the City Attorney.

b. Additional Information Required: Letter of Justification" The following shall be reviewed as part of the permit process:

- i. A letter of justification addressing the need for off-site parking and compatibility with the surrounding neighborhood.
- ii. A site plan showing all dimensions of parking spaces, aisles, landscaping areas, abutting street improvements, curb cuts, and on-site and abutting uses and buildings.
 - c. Fees: No charge for use of such parking area shall be made in any residential zone or open space and recreation zone except on a weekly or monthly basis.
 - d. Maximum Distance to Off-Site Parking Area:
 - i. Within the MUTC Zone: No distance requirements apply when both the use and off-site parking are located within the MUTC Zone. However, OMC 13-5-3-D-4 applies.
 - ii. Maximum distances to off-site parking do not apply if there is a shuttle in place between the off-site parking and the sponsoring use.
 - iii. All Other Zones: All provisions of OMC 13-5-3-D apply.

2-3. ~~Transportation Management Plan Exception~~-The City Administrator may approve a modify proposal to modify the maximum distance requirements to off-site parking or allow up to 20% of the required parking to be provided on-street if a Transportation Management Plan or other acceptable transportation system will adequately provide for the parking needs of the use and the conditions below are met.

- a. Decision Criteria: Whenever there are practical difficulties involved in carrying out the provisions of this Title, the Department Administrator may grant modifications for individual cases provided he/she shall first find that a specific reason makes the strict letter of this Code impractical, that the intent and purpose of the governing land use designation of the Comprehensive Plan is met and that the modification is in conformity with the intent and purpose of this Code, and that such modification:
 - i. Substantially implements the policy direction of the policies and objectives of the Comprehensive Plan Land Use Element and the Architectural Design Guidelines and the proposed modification is the minimum adjustment necessary to implement these policies and objectives;
 - ii. Will meet the objectives and safety, function, appearance, environmental protection and maintainability intended by the Code requirements, based upon sound engineering judgment;
 - iii. Will not be injurious to other property(ies) in the vicinity;
 - iv. Conforms to the intent and purpose of the Code;

v. Can be shown to be justified and required for the use and situation intended; and

vi. Will not create adverse impacts to other property(ies) in the vicinity.

M. Joint Use Parking Facilities:

1. When Permitted: Joint use of parking facilities may be authorized for those uses that have dissimilar peak-hour demands or when it can be demonstrated that the parking facilities to be shared are underutilized.
2. Agreement Required: A parking agreement ensuring that joint use parking is available for the duration of the uses shall be approved by the Community and Economic Development Administrator, following review by the City Attorney. Notice of termination of the agreement shall be provided to the Administrator and additional parking must be provided if the agreement is terminated, consistent with subsection I of this Section.
3. Maximum Distance to Joint Use Parking:
 - a. Within the MUTC, MUTCN and Public Facilities Zones: No distance requirements apply when both the use and joint use parking are located within the MUTC, MUTCN or Public Facilities zones. However, OMC 13- 5-3-D-4 applies.
 - b. ~~All~~ Other Zones: ~~All~~ provisions of OMC 13-5-3-D apply.
4. Special Provisions for Subdivision of Shopping Center: Parking areas in shopping centers may operate as common parking for all uses. If a shopping center is subdivided, easements and/or restrictive covenants must grant use and provide for maintenance of common parking and access areas.

N. Administrative Parking Waiver:

The Administrator may issue a waiver from the number of off-street parking stalls required by this chapter for uses in the downtown core in response to a requested waiver by the property owner. The requested waiver shall only be considered by the Administrator upon showing of a good faith effort by the applicant that attempts have been made to enter into joint use parking agreements as governed by OMC 13-5-3:M. The waiver request shall include a statement of justification for the request and shall document the number of off-street parking stalls for which the applicant is requesting relief. The Administrator may require a parking study be prepared and provided by the applicant that considers the use of the site subject to the request, the availability of parking proximal to the site, and the totality of approved parking waivers and its impact on the entire community's access to parking and public enjoyment of the downtown core. In no instance may a parking waiver grant relief from the dimensional standards of parking stalls, nor overwhelm dimensional standards governed by the Orting Development Standards regulating the space needed for safe maneuverability of a parking lot, nor approve relief from the number

of off-street parking stalls that has otherwise been denied by the City's Hearing Examiner after considering a variance application from the standards set forth in this chapter, not waive required accessible parking stalls as governed by the International Building Code or Title 10 of the OMC.

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 in conjunction with a detached single-family dwelling or duplex in the MUTC, RC, RU, and RMF Zones.

C. Exemptions:

1. Home based daycare provisions are stated in section 13-5-5 of this chapter.
2. Temporary lodging facilities (lodging house), including bed and breakfast inns and boarding/rooming homes, are exempt from the regulations of this section.
3. Collective gardens conforming to the requirements of chapter 8 of this title are a permitted home occupation in the RC, RU, and RMF Zones.

D. Performance Standards:

1. Intent: It is the intent of this subsection to provide performance standards for home occupation activities, not to create a specific list of every type of possible home based business activity. The following performance standards prescribe the conditions under which home occupation activities may be conducted when incidental to a residential use. Activities which exceed these performance standards should refer to chapter 3 of this title to determine the appropriate commercial, industrial, civic, or office use category which applies to the activity.

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), and shall include online retail businesses;

i. In addition to the single-family or duplex parking requirements, for home occupations that involve customers visiting the premises, off street parking associated with the activity shall include one additional space for customers 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.

13-5-5: DAYCARE FACILITIES:

A. Purpose: The purpose of this section is to provide operating criteria to meet the need for quality, affordable, and safe daycare facilities for adults and children. There are two (2) types of daycare facilities: home based daycare facilities and daycare centers.

B. Family Daycare Facilities: Family daycare facilities operate from a residence by the resident(s). There are two (2) types of family daycare facilities; those providing services to adults and those providing services to children. To be permitted outright per

state law, these facilities are restricted to a maximum of twelve (12) children or adults including residents of the abode.

1. Criteria For Family Daycare Facilities:

a. Minimum Fencing/Screening Required: Outdoor recreation areas must be enclosed by a six foot (6') high fence.

b. Outdoor Play Equipment: Play equipment shall not be located in any required front or side yard setback area.

C. Daycare Centers: Daycare centers are facilities with no limit on the number of clients. There are two (2) types of daycare centers: adult daycare center and child daycare center.

1. Criteria For Daycare Centers:

a. Minimum Fencing/Screening Required: Outdoor recreation areas must be enclosed by a six foot (6') high fence.

b. Loading: There shall be an off street area for loading and unloading children or adults (clearly marked). Adequate vehicle turnaround shall be provided on site for parking and loading so as to preclude the necessity of backing out onto the street.

c. Signs: One sign will be permitted at a size to be determined by the zone classification where the facility is located as provided in chapter 7 of this title.

13-5-6: ACCESSORY DWELLING UNITS:

A. Purpose: Accessory dwelling units (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. This should occur by utilizing the existing infrastructure and community resources while providing a housing type that protecting the existing character of single family blends in well with existing neighborhoods including low density residential neighborhoods. The provisions of this chapter do not apply to lots designated with critical areas or their buffers as designated by Title 11, OMC, or by Orting's Shoreline Master Program.

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. Occupancy and use: Occupancy of ADUs shall be reserved for residential uses only. Occupancy of ADUs shall be used for long-term residential purposes and may not be used for transient occupancy or short-term/vacation rental purposes. Persons

residing in ADUs shall live in such residences for longer than 180 days each calendar year.

~~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.~~

3. Impact Fees. Impact fees are set forth in the fee schedule in a manner consistent with RCW 36.70A.681(1)(a): The city may not assess impact fees on the construction of accessory dwelling units that are greater than 50 percent of the impact fees that would be imposed on the principal unit.

C. General Requirements: The creation of an ADU shall be subject to the following general requirements:

1. Number: A maximum of ~~one~~two ADUs (either attached, detached, or a combination of the two) shall be allowed per lot of record ~~as an accessory use~~as an accessory use in conjunction with any detached single-family dwelling, subject to building and impervious surface coverage maximums on the lot of record as per Table 1 in OMC 13-5-1. ADUs are exempt from the residential density standards of this code.

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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~~ the lot meets the minimum size for the principal unit.

3. Type Of Unit:

- ~~a. An ADU shall be permitted as a second, subordinate dwelling unit attached to, or to or~~ detached from the principal dwelling.
- b. A detached ADU may be any dwelling permitted in the applicable land use classification.

c. A recreational vehicle, tiny house with wheels as defined in RCW 35.21.686, manufactured home, or mobile home shall be not used as an ADU. However, modular homes which are manufactured off site may be allowed.

4. Size: An ADU shall be no greater than one thousand two hundred (1,200) square feet. Spaces in the ADU that are not conditioned habitable, such as for enclosed parking, will not be included in the square footage for the purposes of this section.

5. Parking: One (1) off-street parking space is required for ~~an~~each ADU up to seven hundred (700) square feet in size. For ADUs greater than seven hundred (700) square feet in size two (2) off-street parking spaces are required unless the lot is less than 6,000 square feet in size and then one (1) off-street parking space is required per ADU. Off-street parking spaces for ADUs shall be in addition to that which is required for the primary dwelling unit.

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. The primary entrance to an attached ADU shall be located in such a manner as to be clearly secondary to the main entrance to the principal unit.~~

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 ~~outline~~provided in section 13-5-1, ~~table-Table~~ 1. An exception to the required rear yard setback may be allowed if the rear yard abuts an alley in which case a detached ADU may be adjacent to the lot line abutting the public 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 ~~twelve feet (12')~~twenty-four feet (24') 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~~ An ADU may be created by adding on to or converting an existing detached structure, even if the existing structure is non-conforming to required setbacks or lot coverage as long as other applicable codes and requirements are met, such as for fire and safety, and as long as any existing non-conforming components of the existing structure are not expanded upon. ~~the~~The height of the ADU shall not exceed the principal dwelling's building height or twenty-four feet (24'), whichever is greater.

f. An ADU shall have similar facade, roof pitch and siding to the principal dwelling unit.

Commented [OU4]: Subject to change following 9/5 Planning Commission guidance

g. Right-of-way improvements shall not be required as a condition of approval of a permit for an ADU.

13-5-7: ADULT BUSINESSES:

A. Purpose: The intent of this section is to establish regulations for activities or uses which, because of their adult orientation, are recognized as having objectionable characteristics and need to be distanced from other uses such as residential, schools, parks and community centers. Special regulations for these uses are necessary to:

1. Prevent inappropriate exposure of such businesses to the public;
2. Ensure that adverse effects of these uses will not contribute to the blighting or downgrading of surrounding neighborhoods; and
3. Protect property values and quality of life from potential adverse impacts.

B. Location Standards: Adult businesses shall be subject to the provisions of this section.

1. Separation Requirements I: Adult businesses are prohibited from locating within six hundred feet (600') of any other adult business or any of the following:

- a. Areas zoned RC, RS, and RU;
- b. Community and cultural facilities, including, but not limited to, post offices, government offices and courthouses;
- c. Residential day treatment or workshop facilities primarily oriented to the physically or mentally disabled; or
- d. Senior citizens' service centers or residential facilities with the primary emphasis oriented to senior citizens.

2. Separation Requirements II: Adult businesses are prohibited from locating within two thousand feet (2,000') of the following uses:

- a. Public or private schools from kindergarten to twelfth grade and their grounds;
- b. Daycare centers, preschools, nurseries or other childcare facilities;
- c. Youth cabarets, public parks, playgrounds, libraries or any other area where large numbers of minors regularly travel or congregate; or
- d. Churches, convents, monasteries, synagogues, temples, chapels or other places of religious worship.

3. Legal Use Status: Adult businesses shall not become nonconforming if a new use as listed under subsection B1 of this section is located closer than six hundred feet (600') from the adult business or if a new use as listed under subsection B2 of this section is located closer than two thousand feet (2,000') of the adult business.

4. Distance Measurement: The distance requirements for this section shall be measured in a straight line from the nearest point of the lot upon which the proposed adult business use is to be located to the nearest point of any lot owned or leased for any of the uses listed in this subsection B.

C. Signage For Adult Businesses: No descriptive art or displays depicting, describing or relating to any "specified sexual activities" or "specified anatomical areas" shall be allowed on any exterior portion of the building or as window displays visible to the public; otherwise, signage for adult businesses shall comply with the provisions of applicable city ordinances.

13-5-8: MANUFACTURED HOME PARKS:

Repealed.

13-5-9: NONCONFORMING USES AND STRUCTURES:

A. Purpose: The purpose of this section is to provide standards and conditions to regulate lots, structures and uses which were legally established prior to the adoption, revision or amendment of this title and which remain legal, but have become nonconforming as a result of this title's application, or by acquisition of land in public interest. This section provides reasonable alternatives to property owners for the limited expansion and continuance of nonconformities. The provisions of this section shall not be applicable to any discretionary land use action specifically authorized prior to or after the adoption of this title. Discretionary land uses shall comply with conditions and restrictions set forth in the approval through which it was authorized.

B. Basic Standards: The basic standards apply to all nonconforming uses, structures, developments and lots. These standards provide for actions that are allowed outright. Limited exceptions to the standards in this section are allowed through a nonconforming use permit in section 13-6-6 of this title.

1. Expansion Of Nonconforming Uses And Structures: Nonconforming uses and structures shall not be enlarged, expanded, extended, replaced or altered except as expressly permitted in this section.

2. Expansion Beyond Original Parcel: Nothing in this section shall be construed to permit expanding or extending a nonconforming use or structure beyond the confines of the lot or parcel of land upon which it was located on the date the use or structure became nonconforming.

3. Continuation Of Use: A nonconforming use may be continued by successive owners or tenants where the use continues unabandoned (see subsection I of this section).

4. Normal Upkeep, Repairs And Maintenance: Normal upkeep, repairs, maintenance, strengthening or restoration to a safe condition of any nonconforming

building or structure or part thereof shall be permitted subject to the provisions of this section.

5. **Compliance With Development Regulations:** Any additions or expansions of nonconforming uses or nonconforming structures shall comply with the development standards in this chapter for the zone classification in which the nonconformity is located; provided, that portions of nonconformities that legally existed prior to adoption of this section shall not be subject to this provision.

6. **Nonconforming Use Within Structure:** A nonconforming use, within an existing structure, which is nonconforming by reason of zone classification may be extended throughout such structure.

7. **Structures And Uses Accessory To Residential:** Structures and uses accessory to an existing nonconforming residential use shall be allowed as provided in chapter 3 of this title.

C. **Expansion Standards For Nonconforming Uses:** Expansion of nonconforming uses or replacement of structures occupied by nonconforming uses shall be subject to the following provisions, provided the basic standards of this section are satisfied:

1. Where a nonconforming use of a structure exists, that structure can be replaced, provided the original footprint is not relocated or altered, except as provided in the expansion standards below.

2. An expansion of existing nonconforming uses shall be allowed under one of the following provisions:

a. The proposed expansion of the nonconforming use or the nonconforming use of a structure does not exceed ten percent (10%) of the floor area of the total existing use or structures, nor create more than ten percent (10%) additional pad sites for manufactured home parks and RV parks; or

b. The proposed expansion of the nonconforming use or the nonconforming use of a structure does not create impervious cover exceeding twenty five percent (25%) of the existing impervious area of the lot or parcel, nor exceed twenty five percent (25%) of the developed area for manufactured home parks and RV parks. Expansion of impervious cover shall meet the stormwater mitigation requirements of Title 9 Chapter 5 of this code. Expansion of impervious cover beyond the limits allowed in this paragraph may be allowed provided that such impervious cover meets the criteria for on-site stormwater management LID BMPs or infiltration facilities so that the effective impervious area expansion does not exceed the limits allowed in this paragraph.

D. **Change Of Use Standards:** A nonconforming use may change outright to a conforming use allowed within the zone classification in which the use is located. A nonconforming use may change to another use within another nonconforming use only after review and approval using the criteria in section 13-6-6 of this title; or

E. Nonconforming Structure Standards: A nonconforming structure may be enlarged, altered or replaced, provided the basic standards of this section are satisfied, and provided:

1. When a nonconforming structure is occupied by a nonconforming use it shall comply with the expansion standards of this section;
2. A structure which is nonconforming due to height or yard requirements may be structurally altered, enlarged or replaced, provided the degree of nonconformity is not extended or increased; and
3. The nonconforming portion of the structure shall not be expanded or the footprint of that portion altered, except as specifically authorized through a variance (see section 13-6-3 of this title).

F. Nonconforming Lot Standards: Any permitted uses or structures, including any accessory uses or structures permitted in conjunction with a principal use, shall be allowed to be built or expanded on a nonconforming lot. Applicable development standards in this chapter shall be complied with.

G. Nonconforming Development Standards: Existing uses or structures may be expanded or new uses and structures added, provided the nonconforming development is brought into conformance with the development standards of this chapter for the lot or parcel on which it is located.

H. Restoration Standards For Damaged Or Destroyed Nonconforming Structures And Uses: Any nonconforming structure damaged or destroyed by fire, explosion, wind, flood, earthquake or other calamity may be completely restored or reconstructed. Damaged or destroyed nonconforming structures must be restored under the following provisions:

1. Restoration or reconstruction shall not serve to extend or increase the nonconformance of the original structure or use, except as provided by nonconforming structures standards.
2. To the extent reasonably possible, restoration should retain the same general architectural style as the destroyed structure.
3. Permits shall be applied for within one year of damage. Restoration or reconstruction must be substantially completed within eighteen (18) months of permit issuance. When deemed reasonable and necessary, the city may grant a time extension.

I. Discontinuance Standards: Should a nonconforming use of a property or structure be discontinued for more than one year, the use of the property and structure shall be deemed abandoned and shall conform to a use permitted in the zone classification in which it is located. If the intended discontinued use of a property or structure is temporary in nature as opposed to abandonment, then the applicant may apply for a nonconforming use permit to reestablish the nonconforming use.

J. Cargo Containers; Loss Of Nonconforming Status: Cargo containers that have been legally located on property in any zone of the city prior to the adoption of subsection 13-4-2D of this title shall be a legal nonconforming use of the property. Notwithstanding any provision of subsections A through I of this section to the contrary, cargo containers shall lose legal nonconforming status under the circumstances set forth as follows:

1. If the legal nonconforming cargo container is moved to a different location on the property.

2. If a legal nonconforming cargo container is removed from a property, any subsequent cargo containers placed on the property shall comply with the requirements of subsection 13-4-2D of this title.

3. If a legal nonconforming cargo container is moved off of a residential zoned property, no new cargo container may be moved onto the property.

4. All nonconforming cargo containers shall be made to conform to the requirements of subsection 13-4-2D of this title or removed from the property by ninety (90) days after approval of this section.

CHAPTER 6 SPECIAL USE PERMITS

13-6-1: GENERAL:

All special use permits shall be processed in accordance with the provisions of title 15, "Development Code Administration", of this code.

13-6-2: CONDITIONAL USE PERMIT:

A. Purpose:

1. The purpose of this section is to establish decision criteria and procedures for special uses, called conditional uses, which possess unique characteristics. Conditional uses are deemed unique due to factors such as size, technological processes, equipment, or location with respect to surroundings, streets, existing improvements, or demands upon public facilities. These uses require a special degree of control to assure compatibility with the comprehensive plan, adjacent uses, and the character of the vicinity.

2. Conditional uses will be subject to review by the city and the issuance of a conditional use permit. This process allows the city to:

a. Determine that the location of these uses will not be incompatible with uses permitted in the surrounding areas; and

b. Make further stipulations and conditions that may reasonably assure that the basic intent of this title will be served.

B. Decision Criteria: The city shall review conditional use permits in accordance with the provisions of this section and may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may modify bulk requirements, off street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit.

1. Required Findings: The city may use design standards and other elements in this title to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record:

a. The granting of the proposed conditional use permit will not:

(1) Be detrimental to the public health, safety, and general welfare;

(2) Adversely affect the established character of the surrounding vicinity; nor

(3) Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.

b. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan and any implementing regulation.

c. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.

d. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard.

e. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.

f. The level of service standards for public facilities and services are met in accordance with the concurrency management requirements. See title 15, chapter 8 of this code.

g. Will not preclude the use of LID BMPs if LID BMPs are feasible for existing site conditions or existing site characteristics.

2. Burden Of Proof: The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B1 of this section.

C. Application: Submittal of an application for a conditional use permit shall include:

1. A completed application form.

2. A base map showing property boundary lines, existing lots, tracts, utility or access easements and streets, topography, existing development features, water bodies, wetlands and buffers, and flood prone areas.

3. A legal description and vicinity map of the property.

4. A site plan showing the location and ground elevation of any proposed structures, parking areas, common use areas, landscaping, utilities, grading and drainage, mitigation for critical area impacts, fences and other proposed features. (If easements or covenants are proposed, their location and design must be shown.)

5. Mailing labels of all property owners as provided in title 15, chapter 7 of this code.

6. A written statement addressing the decision criteria (see subsection B of this section) and any other information required by the city at the preapplication meeting.

13-6-3: VARIANCES:

A. Purpose: The purpose of this section is to provide a means of altering the requirements of this title in specific instances where the strict application of those requirements would deprive a property of privileges enjoyed by other properties within the identical regulatory zone because of special features or constraints unique to the property involved.

B. Granting Of Variances: The city shall have the authority to grant a variance from the provisions of this title, when, in the judgment of the hearing examiner, the conditions as set forth in subsection C of this section have been found to exist. In such cases a variance may be granted which is in harmony with the general purpose and intent of this title so that the spirit of this title shall be observed, public safety and welfare secured, and substantial justice done.

C. Decision Criteria: Before any variance may be granted, it shall be shown:

1. That there are special circumstances applicable to the subject property or to the intended use such as shape, topography, location, or surroundings that do not apply generally to the other property or class of use in the same vicinity and zone;

2. That such variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other property in the same vicinity and zone but which because of special circumstances is denied to the property in question;

3. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvement in such vicinity and zone in which the subject property is located;

4. That the granting of such variance will not adversely affect the comprehensive plan.

5. That the granting of such variance will not preclude the use of LID BMPs if LID BMPs are feasible for existing site conditions or existing site characteristics.

D. Conditions On Variances: When granting a variance, the hearing examiner shall determine that the circumstances do exist as required by subsection C of this section, and attach specific conditions to the variance which will serve to accomplish the standards, criteria, and policies established by this title.

E. Application: Submittal of an application for a variance shall include:

1. A completed application form.

2. A site plan showing all information relevant to the request including, but not limited to: location of existing and proposed structures, roads, property lines, parking areas, landscaping and buffers.

3. Mailing labels of all property owners as provided in title 15, chapter 7 of this code.

4. A written statement addressing the decision criteria (see subsection C of this section) and any other information required by the city at the preapplication meeting.

13-6-4: PLANNED UNIT DEVELOPMENTS:

A. Purpose: A PUD is a flexible zoning concept that results in as good or better use of land than that produced through the standards of the regular zone classifications. The uses within the PUD depend on the uses in the underlying zone. The residential densities and bulk and scale of the development within the PUD may vary to provide more flexibility and creativity in addressing the site and project aesthetics, natural areas, and open space planning. An approved PUD is an overlay zone, enacted as part of the final approval action which may also include subdivision, binding site plan, or master plan approval.

B. Classifications Of Planned Unit Development Districts: Planned developments may be either residential or nonresidential in character. A "residential PUD" means that the principal purpose of the PUD is to provide one or more types of housing at densities of dwellings the same as densities permitted by the underlying zone and where all other uses shall be considered accessory, supportive, or adjunct to housing. A "nonresidential PUD" means a development where the majority of uses are intended for purposes other than housing such as: retail, service, industrial and manufacturing, and where residential uses as are allowed by the underlying zone secondary in purpose to intended use of the project.

C. Minimum Area Required:

1. Residential PUD: One acre.
2. Nonresidential PUD: None.

D. Staging: The applicant may elect, or the city may require that the development of a PUD be accomplished or constructed in stages; provided, that when a residential PUD is developed in stages, the cumulative density of all phases shall not exceed the approved overall density of the entire PUD.

E. Redevelopment; Street Vacations: When the city determines that the location, configuration and/or condition of existing structures on site may threaten the public health, safety or welfare, it may require the removal of all or portions of existing structures. It is the further purpose of this section to encourage development of a PUD upon contiguous land and property. When deemed appropriate and necessary, the city may require the vacation of all or portions of existing streets within the PUD project area. The city may, as an alternative to vacation of streets, permit the inclusion of existing rights of way within a PUD, when it can be shown that the existing rights of way serve a functional purpose for the PUD and do not act to separate or divide a PUD into noncontiguous units. Rights of way within the context of this section shall not include freeways, limited access highways or major arterials.

F. Uses Permitted In PUD:

1. Residential: Housing concepts of all types limited only by the density commensurate with the underlying zone upon land either subdivided into two (2) or more ownerships or held in common, unified, or single ownership. Examples include the following:

- a. Condominiums, apartments and townhouses.
- b. Customary accessory uses and structures common to individual or group dwellings.
- c. Group residence.
- d. Manufactured home parks and subdivisions.
- e. Nonresidential uses such as schools, churches, libraries or other conditional uses allowed in residential zones.

2. Nonresidential: Uses permitted by the underlying zone.

3. Unclassified And Conditional Uses: Unclassified uses and conditional uses, if permitted in the underlying zone and as specifically authorized by the final development plan.

G. Procedure For Approval: The approval of a PUD shall be considered an amendment to the official maps and, except as provided in this section, shall be processed as is any other amendment with respect to notice, hearings, and appeals pursuant to this title. A two (2) step procedure shall be followed in the approval of a PUD as follows:

1. The approval of a preliminary development plan after public notice and hearing.
2. The final PUD approval shall not become final and effective until the date the final development plan is approved and overlay zone is adopted. The final development plan may be approved and adopted by stages. The final development plan shall be approved when the City determines that the development conforms with the approved conditions established in the preliminary development approval.

H. Decision Criteria: The action by the City to approve a preliminary development plan for a proposed PUD with or without modifications shall be in writing based upon the following findings:

1. The proposed development is in substantial conformance with the comprehensive plan, the intent of the underlying zoning, and applicable City design standards.
2. Exceptions from the standards of the underlying district are warranted by the design and amenities incorporated in the development plan and program.

3. The proposal does not adversely impact the surrounding area or its potential future use.

4. The system of ownership and means of developing, preserving, and maintaining common open space is consistent with the size, design and scale of the project.

5. The approval will result in a beneficial effect upon the area which could not be achieved under other zoning districts.

6. The proposed development or units thereof will be pursued and completed in a conscientious and diligent manner.

7. The proposed development will not preclude the use of LID BMPs if LID BMPs are feasible for existing site conditions or existing site characteristics.

I. Project Limitation: The City, in order to protect the public health, safety, welfare, and general interest may limit or restrict development in a PUD or any portion thereof in relationship to the size of the area being developed or redeveloped with the nature of uses intended, lot coverage, parking and loading requirements, provisions for open space, adequacy of roads and utility systems to accommodate the use as well as to minimize the impact the development will have on the existing or intended development of adjacent lands and the general neighborhood.

J. Permissive Variation From Standard Requirements: In considering a proposed development plan, the approval may involve modifications in the regulations, requirements, and standards of the underlying zone in which the project is located so as to appropriately accomplish the purpose of this section. In making such modifications as are deemed appropriate, the following guidelines shall apply:

1. Off Street Parking And Loading: The total required off street parking facilities should not be less than the sum of the required parking facilities for the various uses computed separately.

2. Common Walls: In projects receiving final approval where units intended for individual ownership will have common walls, the City may issue building permits for construction of those units prior to approval of a final PUD, although occupancy of said units will not be allowed until the final approval.

3. Height Of Buildings: The height of buildings and structures within a PUD should be limited to the height permitted by the underlying zone, or as required as a special limitation. The height of buildings and structures may be increased in relationship to provisions for greater open space and separation between buildings on the same or adjoining property and when adequate provision is made for light, air, and safety.

4. Lot Area Coverage: The maximum lot coverage within a PUD or any portion thereof shall be determined at the time of consideration of a preliminary development plan.

5. Yards: The requirement for yards in a PUD should be same as required by the underlying zone for those yards abutting the exterior boundary of the PUD. Yard requirements for any yard not abutting or adjoining the exterior boundary of the PUD shall be as authorized in the preliminary development plan.

K. Subdivisions: When it is the intention of an applicant to subdivide or resubdivide all or portions of property within a proposed PUD, a preliminary subdivision approval shall be considered concurrently with an application for approval of a preliminary development plan. The minimum lot provisions specified in the underlying zone district may be qualified if the design of the subdivision is in accordance with the intent and purpose of this section and the resulting overall density of the project is consistent with the underlying zoning.

L. Final Development Plan; Time Limitation: A final development plan meeting all requirements of this chapter shall be submitted to the City for approval within seven (7) years of the date of preliminary plat approval if the date of preliminary plat approval is on or before December 31, 2014, and within five (5) years of the date of preliminary plat approval if the date of preliminary plat approval is on or after January 1, 2015. A final development plan meeting all requirements of this chapter shall be submitted to the City for approval within ten (10) years of the date of preliminary plat approval if the project is not subject to requirements adopted under chapter 90.58 Revised Code of Washington and the date of preliminary plat approval is on or before December 31, 2007. Nothing contained in this section shall act to prevent the City from adopting by ordinance procedures which would allow extensions of time that may or may not contain additional or altered conditions and requirements. When deemed reasonable and appropriate, the Administrator may grant an extension of one year for such submittal. If at the date of expiration of the time period provided herein, a final development plan has not been filed for approval, the preliminary PUD approval shall expire and the applicant shall be required to resubmit an application for preliminary approval to reinstate the project. In instances when a planned unit development is requested concurrent with an application for subdivision, short subdivision, or binding site plan, the final plat, final short plat, or final binding site plan shall satisfy the final development plan required by this chapter.

M. Application: Submittal of an application for preliminary PUD approval shall include:

1. A completed application form;
2. A preliminary PUD development plan including:
 - a. Topographical and other site data depicting:
 - (1) Boundary lines including bearing and distance;
 - (2) Easements, including location, width and purpose;
 - (3) Streets on and adjacent to the tract, including name, right-of-way width, location, and type, width, and elevation of surfacing, walks, curbs, gutters, culverts, etc.;

(4) Number of residential lots and typical lot size;

(5) Lot layout with lot line dimensions, the area in square feet contained in each lot and minimum building setback lines;

(6) The location and use of all existing buildings within the proposed project indicating which buildings are to remain and which are to be removed;

(7) Ground elevations on the tract, based on a datum plane approved by the City Engineer;

(8) Other conditions on adjacent land, including:

(A) Approximate direction and gradient of ground slope, including any embankments or retaining walls;

(B) Character and location of buildings, railroads, power lines, towers, and other nonresidential land uses or platted lands within three hundred feet (300') of the subject property (subdivision plats should be referred to by name, recording date, volume and page number, with lot size and dwelling units shown);

b. Utilities on and adjacent to the tract, including:

(1) Location, size and invert elevation of sanitary, storm and combined sewers;

(2) Location and size of water mains;

(3) Location of gas lines, fire hydrants, electric and telephone poles, and streetlights;

(4) If water mains and sewers are not adjacent to the tract, indicate the direction and distance to, and size of, the nearest ones, showing invert elevation of sewers;

c. Proposed sanitary, stormwater and water systems plan with points of connection, grades and sizes indicated;

d. Proposed public improvements, including highways or other major improvements planned by public authorities for future construction on or near the tract;

e. Typical cross sections of proposed grading, roadways and sidewalks within the proposal;

f. Profiles of all proposed streets within the proposal showing the grade to which the streets will be built and the existing ground line of the proposed streets including probable future extensions of any stub (dead end) streets for a maximum distance of one hundred fifty feet (150') beyond the boundaries of the project (or, as an alternative, the site plan may show topography, certified by a registered engineer or surveyor, in 2 foot contours within 50 feet of each side of the centerline of all probable extensions of any stub [dead end] streets for a distance of 150 feet beyond the boundaries of the proposed subdivision);

g. Sites, if any, to be reserved or dedicated for parks, playgrounds, or other common or public uses;

h. Site plans for multi-family dwellings, shopping centers, churches, industry or other nonpublic uses exclusive of single-family dwellings;

i. Zoning district designations, on and adjacent to the tract;

j. Other conditions on the tract including:

(1) Rock outcroppings;

(2) Location and disposition of any wells, creeks, drainage courses, drainageways, 100-year floodplain boundary and easement in or within two hundred feet (200') of the proposal;

(3) The location of all trees more than six inches (6") in diameter at a height of four feet (4') above grade within the proposal, and for one hundred fifty feet (150') beyond the terminus of all dead end streets allowing that:

(A) Individual trees in a stand of five (5) trees or more need not be shown, but the area covered by the stand (the drip line) shall be shown;

(B) For trees outside of the subdivision boundaries, the location of said trees may be based on aerial photographs or other methods acceptable to the City Administrator;

(4) The location of identified hazards or development limitation areas identified by the city of Orting sensitive area map;

(5) The location of any state shorelines and associated wetlands as defined by state law and the city of Orting shoreline master program;

3. A vicinity map extending at least eight hundred feet (800') in each direction from the proposed project, or further if necessary to assist in locating the site. The vicinity map shall be drawn to scale of one inch equals eight hundred feet (1" = 800'). The vicinity map shall show the following:

a. Street layout;

b. Existing and tentatively approved street layout within eight hundred feet (800');

c. Zoning designations within and adjacent to the site;

d. All property lines within eight hundred feet (800') of the site;

e. Streams or watercourses and public facilities, such as schools and parks;

f. All 100-year floodplain and designated shoreline boundaries in and within eight hundred feet (800') of the proposed subdivision;

g. Any other pertinent information that will assist in locating the proposed project;

4. Drawings and text illustrating and describing the scale, bulk and architectural character of proposed structures;

5. A written statement addressing the decision criteria (subsection H of this section) and any other information required by the city at the preapplication meeting;

6. Draft conditions, covenants, and restrictions pertaining to the operation and maintenance of the development, including all common areas, private streets (if any) and recreational facilities; and

7. Mailing labels of all property owners as provided in title 15, chapter 7 of this code.

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

1. Density shall not exceed the densities established in section 13-5-1 of this title.

2. Only one manufactured home or recreational vehicle shall occupy any space in the park, subject to the following.

a. A recreational vehicle may stand or be parked for an indefinite period in a manufactured home park, provided the recreational vehicle is connected to sewer or a Tacoma-Pierce County health department approved septic system, water, and electricity, and the recreational vehicle contains at least one internal toilet and at least one internal shower; provided, that if this requirement is not met, a manufactured home park must provide toilets and showers in lieu of having the facilities within the recreational vehicle.

3. Setbacks shall conform to the underlying zoning and building code.

4. Storage areas comprising not more than ten percent (10%) of the total manufactured home park site for recreational vehicles, boats, and trailers shall be provided. Such areas shall be paved or surfaced with crushed rock and enclosed by a sight obscuring fence, wall or landscape visual buffer.

13-6-5: COTTAGE DEVELOPMENTS:

A. Purpose:

1. The purpose of this section is to establish decision criteria and procedures for cottage developments which possess unique characteristics due to factors such as size, residential density, ownership, and location with respect to their surroundings. These uses require a special degree of control to assure compatibility with the comprehensive plan, adjacent uses, and the character of the vicinity.

2. Cottage developments are subject to review by the city and the issuance of a binding site plan (or approval of a unit lot subdivision) and architectural design review approval. This process allows the city to:

a. Determine that the location of these uses will not be incompatible with uses permitted in the surrounding areas; and

b. Make further stipulations and conditions that may reasonably assure that the basic intent of this title will be served.

B. Decision Criteria: The city shall review cottage development permit applications in accordance with the provisions of this section and may approve, approve with conditions, modify, modify with conditions, or deny the binding site plan approval. The city may modify bulk requirements, off street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the binding site plan approval.

1. Required Findings: The city shall use design standards and other elements in this title to modify the proposal. A cottage development binding site plan shall be approved only if all of the following findings regarding the proposal can be made and are supported by the record:

a. The granting of the proposed binding site plan will not:

(1) Be detrimental to the public health, safety, and general welfare;

(2) Adversely affect the established character of the surrounding vicinity; nor

(3) Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.

b. The granting of the proposal is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulation.

c. All conditions necessary to lessen any impacts of the proposal are conditions that can be monitored and enforced.

d. The proposal will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard.

e. The cottage development will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.

f. The level of service standards for public facilities and services are met in accordance with the concurrency management requirements (see title 15, chapter 8 of this code).

2. Burden Of Proof: The applicant has the burden of proving that the proposed cottage development meets all of the criteria in subsection B1 of this section.

C. Application: Cottage development proposals shall be subjected to a two (2) step process. No more than two (2) cottage developments shall be approved in a calendar year. Preliminary applications shall be accepted at any time, but the first two (2) submitted after January 1 shall be allowed to proceed through the full application review and approval process if they meet the criteria stated in subsection C1 of this section. If one or both of the first two (2) applications in any year drop out, the next in line will be notified that the city will accept a full application for review.

1. Step one preliminary application:

a. Each applicant should schedule a meeting with the city administrator to discuss the location, size, and features of the proposal. No written application is required at this point. The administrator will advise the applicant of any known issues with respect to the location, parcel(s) to be developed, or city facilities necessary to serve a cottage development.

b. The administrator will schedule a briefing for the planning commission. The administrator will introduce the applicant and summarize the discussion at the initial meeting. The applicant shall have the opportunity to describe the proposal, using conceptual plans or drawings. The planning commission may offer informal comments.

c. The applicant will schedule a community meeting and notify all residents and property owners within five hundred feet (500') of the site by mail. The applicant shall provide the mailing address list and proof of the mailing to the city. The meeting shall be held in Orting on a weeknight. The applicant shall be responsible for conducting the meeting and providing an attendance list and printed transcript, and copy of a tape recording of the meeting to the city administrator.

d. Upon receipt of the community meeting tape and transcript, the administrator shall advise the applicant of any additional application requirements beyond those specified below.

2. Step two full application: Submittal of an application for a cottage development binding site plan and ADR approval shall be in accordance with section 12-10-3 of this code and subsection 13-6-7E of this chapter. Review of the application shall be conducted as a type 4 permit as described in section 15-4-1 of this code. The community meeting transcript shall become part of the application record for use by the city in reviewing the application.

13-6-6: NONCONFORMING USE PERMIT:

A. Purpose: The purpose of this section is to establish decision criteria and procedures to allow reasonable limited expansion and continuance of "nonconformities" as defined in section 13-5-9 of this title. Nonconformities require a special degree of

control to ensure compliance with applicable regulations and compatibility with the comprehensive plan, adjacent uses and the character of the surrounding areas. Limited exceptions, expansions or changes of use are allowed after approval of a nonconforming use permit by the city or after approval of an administrative nonconforming use permit.

B. Nonconforming Use Permit: Exceptions to the nonconforming standards, section 13-5-9 of this title, are allowed after city approval of a nonconforming use permit. Any application for a building permit or land use permit affecting an existing nonconformity shall require a nonconforming use permit. The city may impose such conditions as deemed necessary to ensure proposals conform to the intent of the comprehensive plan and this title.

1. Required Findings For Nonconforming Use Permit: The city shall grant a nonconforming use permit if documentary evidence is provided by the applicant to support the administrator's findings that:

a. Granting a nonconforming use permit is necessary to adapt the nonconforming use and associated structures to changes in technology, merchandising, or other generally recognized trends which affect the utility of structures or the applicant's ability to compete;

b. Granting a nonconforming use permit will not introduce any (additional) hazards or interfere with the potential development of nearby properties in accordance with present zoning regulations;

c. The nonconforming use and associated structures will comply with the requirements of subsection 13-5-9B5 of this title;

d. The applicant's proposal will result in improvements in functionality or safety, or in exterior appearance, screening, access and other features which will make the use or structure more compatible with allowed uses; and

e. Granting a nonconforming use permit will not detract from the intent of the comprehensive plan and any implementing regulation.

2. Abandonment: An exception to the discontinuance standards in subsection 13-5-9I of this title may be granted by the city. Documentary evidence shall be provided by the applicant to show that the discontinuance was beyond the control of the applicant. If the city is satisfied by evidence that the discontinuance was beyond the control of the applicant, nonconforming rights shall be continued for the property or structure. The city may consider circumstances such as, but not limited to, the following:

a. The property or structure has been involved in litigation.

b. Attempt to lease the site is ongoing due to:

(1) Length of time involved for marketing of premises;

(2) The structure is a specialized type of building requiring a specialized type of use due to equipment, processes or configuration; or

(3) There is a uniqueness to the property giving the use special operating characteristics such as its location in relationship to transportation facilities, open spaces needed for operations or its proximity to other critical activities such as mineral extraction.

C. Approval: A nonconforming use permit may be approved, approved with additional requirements above those specified in this title, or approved with modification of the proposal to ensure that surrounding land uses or the character of the area are not adversely impacted.

D. Denial: A nonconforming use permit may be denied if the use is incapable of complying with specific standards set forth in this title and if any of the above required findings are not supported by evidence in record.

E. Application: Submittal requirements for a nonconforming use permit shall be the same as those for a variance. (See section 13-6-3 of this chapter.)

13-6-7: ARCHITECTURAL DESIGN REVIEW:

A. Purpose: These regulations are intended to implement and further the comprehensive plan of the city by ensuring that all development in the mixed use-town center and all commercial and public development within the city limits, is designed to be consistent with the adopted theme of "turn of century: western or Victorian". All new installation, replacement, construction, renovation, remodel or alteration of, or other modifications to, buildings, miscellaneous structures and street furniture located on private property, public ways and other public property in the mixed use-town center; all buildings, miscellaneous structures and street furniture located on private property, public ways and other public property used for commercial business or public facilities within the city limits; all multi-family buildings and cottage developments within the city limits; all stationary vendor units; and, all signs made subject to the requirements of this section pursuant to chapter 7 of this title, are subject to architectural design review and approval as described in this section. These regulations are adopted for the following purposes:

1. To promote the public welfare and to provide for the enhancement of the city and its development in keeping with its historical heritage;
2. To attract visitors to the city;
3. To improve the visual quality of site development and architecture of private and public buildings, recognizing the interdependence of land values, aesthetics and good site planning;

4. To minimize discordant and unsightly development, to avoid inappropriate and poor quality building designs, to enhance the beauty and balance of the community, which are proper and necessary concerns of city government;

5. To promote economic and environmental well being through the distinctive character and natural attractiveness of the city; and

6. To recognize environmental and aesthetic design as an integral part of the planning and development process.

B. Turn Of Century: Western Or Victorian: A style of building, architecture and exterior lighting used in the city and the area from statehood in 1889, through World War I, adopted as the architectural theme for all buildings in the mixed use- town center zone and all commercial buildings in all other zones. Examples of such architectural style may be found in the following publications:

1. "The History Of The Town Of Orting", Alice Rushton, Warren's Printing And Graphic Arts Center, Olympia, Washington.

2. "Historic Preservation Of Tacoma", city of Tacoma, department of community development, Tacoma, Washington, 1979.

3. "Ghost Towns Of The West", William Carter, Sunset Publishing Corporation, Menlo Park, California, 1992.

4. "A Victorian Housebuilders Guide", George E. Woodward and Edward G. Thompson, Dover Publications, Inc., 31 E. 2nd St., Mineola, NY 11501, 1988.

Copies of said publications, exterior color charts and similar related reference works shall be available at the Orting city hall for review by the public.

C. Architectural Design Review And Approval: Any building, structure, development, sign or other property subject to architectural design review and approval pursuant to this section shall conform in exterior design to the turn of century: western or Victorian theme according to the design standards adopted by the city. No building or sign permit shall be issued for any installation, replacement, construction, renovation, alteration or remodel of, or other modifications to, any building, structure, development or sign subject to architectural design review and approval pursuant to this section, without first obtaining architectural design approval pursuant to the requirements of this section.

1. Architectural design review shall be conducted by city staff and the planning commission. Applications shall be processed in accordance with the procedures set forth in this section and section 15-5-1 of this code. The applicant shall be consulted during the review process. The planning commission shall, during a public meeting, review and consider the final submittal for design review and approval, the staff report, any comments or submittals from the public or applicant, the provisions of this section and other applicable provisions of this code, the city of Orting comprehensive plan, and any other applicable laws, rules, regulations and design standards. The planning commission, based on the record, shall either approve, approve with conditions, or deny

the submittal with written findings. Approvals may be conditioned by the planning commission to resolve any inconsistencies between the proposal and the design standards. The decision of the planning commission may be appealed by the applicant only to the hearing examiner pursuant to title 15, chapter 10 of this code.

D. Architectural Design Review Standards: The following standards shall be employed in determining whether the application is consistent with turn of century: western or Victorian design theme:

1. Relationship To Building Site:

- a. The site shall be planned to accomplish a desirable transition with the streetscape and to facilitate pedestrian movement;
- b. Parking areas shall be located behind buildings when deemed feasible by the planning commission. Service areas shall be located, designed and screened from public view; and
- c. The height and scale of each building shall be compatible with its site and adjoining buildings.

2. Relationship Of Building And Site To Adjoining Area:

- a. Harmony in development with adjoining areas in texture, lines, and masses is encouraged; and
- b. Attractive landscape transitions to adjoining properties will be provided.

3. Landscape And Site Treatment: The following standards may be used by the planning commission to interpret and apply the provisions of section 13-5-2 of this title to site specific conditions:

- a. Where existing topographic patterns contribute to beauty and utility of a development, they shall be preserved and developed;
- b. Grades of walks, parking spaces, terraces, other paved areas and large expanse of walls shall provide an inviting and stable appearance;
- c. Landscape treatment shall enhance architectural features, strengthen vistas and provide shade;
- d. Where building sites limit planting, the placement of trees or shrubs in parkways or paved areas is encouraged;
- e. Screening of service yards, and other places which tend to be unsightly, shall be accomplished by use of walls, fencing, planting, or combinations of these. Screening shall be effective in winter and summer; and
- f. Exterior lighting shall enhance the building design and adjoining landscape. Lighting standards and fixtures shall be of a design and size compatible with the building and adjacent areas. Early 1900s exterior lighting styles are encouraged (i.e.,

carriage lamp fixtures, gaslights of wrought iron and glass). Excessive brightness and brilliant colors shall be avoided.

4. Building Design: The architectural theme is "turn of century: western or Victorian". Evaluation of a project will be based on the quality of its design and its relationship to the natural setting of the valley and mountain surroundings.

a. Western architecture of the 1800s and early 1900s usually involved wooden false front effects and wooden post supported canopies. Building styles also included exteriors of masonry, brick, and stone. Dimensional lumber or rough sawn unplugged plywood with wooden batts, spaced not more than eighteen inches (18") on center, can be used as an exterior building material, as well as masonry, brick, and stone. Metal, T1-11, particleboard, chipboard, and other similar wood product sidings will not be allowed.

b. On site construction is the preferred building method for the commercial use zone. The use of factory built structures, mobile homes, and trailers is discouraged (except as provided at subsection D6 of this section for stationary vendor units) because of the difficulty in modifying them to meet the requirements of this chapter. Construction trailers are permitted for the express purpose of on site construction; they are considered temporary and must conform to the provisions of this code.

c. The front facade of the building shall exhibit height, width and depth of surface, utilizing shade, shadow, light, choice of materials and color to develop a well proportioned and interesting, three-dimensional (spatial) quality.

d. All facades of the building shall be compatible with the front facade.

e. Roofs may be gabled or flat. Flat roofs will have false front facades, giving the street view a square building impression.

f. Canopies, awnings or marquees can be pitched and covered with shake shingles or other period material. Flat canopies/porches enclosed by an ornate wooden banister and top rail are allowed.

g. Window shapes during this period were square, arched, or rectangular and frequently were large enough to extend from floor to ceiling. These styles are acceptable. A simple wood design window frame with mullions would be appropriate.

h. Colors shall be harmonious with adjacent buildings and characteristic of colors used in the early 1900s.

i. Monotony of design in single or multiple building projects shall be avoided. Variety of detail, form, and siting should be used to provide visual interest.

5. Signs: The following standards may be used by the planning commission to interpret and apply the provisions of section 13-7-4 of this title to site specific conditions:

a. Signs are part of the architectural theme. Size, materials, color, lettering, location, number, and arrangement shall be characteristic of the early 1900s;

b. The number and size of signs shall be minimized to avoid visual clutter;

c. All exterior signs subject to architectural design review shall comply with the provisions of this section and chapter 7 of this title. The following signs shall be exempt:

(1) Flags, insignias; the United States flag is exempt;

(2) Commemorative plaques with engraved lettering less than one inch (1") in height;

(3) Window signs;

(4) Political signs; provided that they shall not exceed four (4) square feet in size and shall be removed no later than ten (10) days after the election;

(5) Real estate signs; provided, that there is only one such sign per street frontage and that the area of the sign shall not exceed twelve (12) square feet in area; and

(6) Temporary signs, provided they are used for only a period of less than thirty (30) days, and provided further that, political signs and real estate signs exceeding the requirements of subsections D5c(4) and D5c(5) of this section, and sandwich boards, are not exempt from architectural design review and approval;

d. Illuminated exterior signs are not characteristic of early 1900s design and shall not be allowed as the primary business sign; and

e. Signs are preferred to be illuminated by indirect lighting which shall be lighted in such a manner that glare from the light source is not visible to pedestrian or vehicle traffic.

6. Stationary Food Vendor Units: The following standards may be used by the planning commission to interpret and apply the provisions of this section to site specific conditions for stationary food vendor units:

a. Stationary food vendor units may meet architectural design review (ADR) standards of this section through use and installation of skirting, fencing, gable wooden canopy, and other general screening/facades that give the stationary food vendor unit and its site location the appearance of the "turn of the century western/Victorian" theme.

b. The site of the stationary food vendor unit may have outside seating for no more than six (6) persons.

c. Any exterior signage shall conform to the requirements of section 13-7-4 of this title.

E. Applications: Applications for architectural design review shall be submitted to the city and processed in accordance with the preapplication meeting instructions and forms provided, this section, and title 15, chapter 5 of this code; provided that, architectural design review and approval is not subject to the one open record hearing requirement

or consolidated permit review processing. Applications shall provide information defining the design proposal for installation, replacement, construction, changes, renovation, alterations, remodeling, or other modifications proposed by the applicant including:

1. Site plans showing buildings, parking areas, landscaping signs, and other architectural features of the existing site conditions and proposal;
2. Building elevations showing all features of the proposal including, but not limited to, doors, windows, signs, canopies, parapets, and finish materials;
3. Detail drawings showing moldings, light fixtures, sign lettering, and other features;
4. Color selections consistent with the design review standards;
5. Any other written or graphic information describing and illustrating the proposal;
6. A completed application form; and
7. Data to be obtained to address feasibility of incorporating LID BMPs.

All application material shall become the property of the city after it is submitted for review.

Applications that are only for the painting of a structure wherein the proposed colors match those denoted on the exterior color charts on file at city hall shall not be subject to architectural design review. (The city administrator or designee shall determine if proposed colors match those on file.)

F. Architectural Design Review: The following type 2a procedures shall apply to architectural design review and approval:

1. The notice of a completed application for architectural design review shall be published in standard city notices of planning commission meetings. The city shall provide public notice, in standard city notices of planning commission meetings, of all public meetings during which the planning commission will consider and review a preliminary or final application for architectural design review. Notices shall be published at least ten (10) calendar days prior to the meeting;
2. The planning commission may conduct public meetings to obtain comments from the public prior to making its decision, but shall not hold an open record hearing, unless otherwise required to by law;
3. The planning commission may, during a noticed public meeting, consider the completed preliminary design review application. The commission may identify additional submittal items required for the final design review and approval. All materials pertaining to the final proposal for design review and approval shall be submitted a minimum of twenty one (21) calendar days prior to the planning commission final architectural design review and approval meeting date;

4. The final staff report shall be available to the public at least seven (7) calendar days prior to the public meeting for final design review and approval;

5. The planning commission findings and record of decision shall be in writing and published within two (2) weeks of the decision;

6. The record of decision shall be placed in the permit file;

7. Minor amendments to the approved design shall be approved by administrative approval pursuant to section 15-12-2 of this code; and

8. Major amendments to the approved design shall be approved by the planning commission through a new design review pursuant to section 15-12-3 of this code.

G. Preapplication Review: Applicants for architectural design review and approval are encouraged to submit plans in preliminary or sketch form, so that comments and advice of city staff may be incorporated into the final plans submitted for application. This shall be done through the regular preapplication process set forth at title 15, chapter 5 of this code. This meeting will allow city staff to acquaint the applicant with the design standards, submittal requirements, and the application procedures and provide early input on the proposed project prior to submission of the application. Such preliminary plans and application for architectural design review and approval may also be submitted to the planning commission for preliminary consideration, review, and comment.

H. Financial Security: The city may require a reasonable bond, letter of credit, assignment of funds or similar financial instrument, to secure the installation of required improvements that are a condition of design review approval.

I. Time Limit: Unless the owner submits a fully completed building or sign permit application necessary to bring about the approved installation, replacement, construction, renovation, alteration, remodel, or other modifications, or if no building or sign permit application is required, substantially commences the uses allowed, within eighteen (18) months from the date of approval, such approval shall expire and be null and void. For the purposes of this section, the date of approval shall be the date on which the final written decision of the planning commission as adopted is mailed to the applicant. In the event of appeal, the date of approval shall be the date on which a final decision is entered by the city council or court of competent jurisdiction. A request for extension may be granted as a minor amendment in accordance with section 15-12-2 of this code; provided that, a written request is submitted at least thirty (30) calendar days prior to the expiration date, the extension is for no longer than twelve (12) months, and good cause is shown for the extension. The applicant is responsible for knowledge of the expiration date.

CHAPTER 7 SIGN REGULATIONS

No edits proposed

Available online at:

https://codelibrary.amlegal.com/codes/ortingwa/latest/orting_wa/0-0-0-8052

**CHAPTER 8
MEDICAL CANNABIS**

No edits proposed

Available online at:

https://codelibrary.amlegal.com/codes/ortingwa/latest/orting_wa/0-0-0-8211

CHAPTER 9
WIRELESS COMMUNICATIONS SERVICES FACILITIES

No edits proposed

Available online at:

https://codelibrary.amlegal.com/codes/ortingwa/latest/orting_wa/0-0-0-8357

CITY OF ORTING

TITLE 13 – DEVELOPMENT REGULATIONS PRESENTED BY: WAYNE CARLSON

2024 Periodic Update

A H B L



COMPREHENSIVE PLAN UPDATE

The Comprehensive Plan is the 20-year framework for local policy, planning, and capital facility investment through the year 2044. During this update process the City is also making Code updates.

The following proposed Code updates will be discussed:

- *Title 13 - Development Regulations*

The Municipal Code implements the Comprehensive Plan

SUBDIVISION REGULATIONS

- **OMC Title 12**
- Division of Land / Platting
- Promote effective use of land

ZONING / DEVELOPMENT REGULATIONS

- **OMC Title 13**
- Promote Health and Safety
- Regulate Land Use
- Ensure orderly development
- Ensure adequate space

CRITICAL AREAS & SHORELINE MANAGEMENT

- **OMC Title 11**
- Protect the Environment
- Set out mitigation requirements / process
- Protect the public and property

FLOOD CONTROL

- **OMC Title 14**
- Manage floodplain

STORMWATER REGULATIONS

- **(Per Adopted Manual)**
- Protect water quality



Proposed Development Regulations Update



This work is guided by:

- Requirements of the Growth Management Act (GMA)
- Guidance from Department of Commerce
- Feedback from public meetings
- Feedback from the public survey conducted for this Plan Update
- A desire to make improvements where language is unnecessary, confusing or unclear
- Fixing issues that have arisen during project permitting

Please note this work product has a limited “scope” and the city frequently updates the development regulations

Title 13 – Development Regulations

Key Proposed Changes - General

- Updating Chapter 2, removing definitions not used throughout the Title and adding some definitions for clarity.
- Removing redundant uses from the Use Table (OMC 13-3-3 Table 1) and adding uses (ADUs, Wireless communication services facilities).
- Revising the Accessory Use Table (OMC 13-3-3 Table 2) to remove ADUs and to allow accessory structures in all zones (currently only permitted in residential zones).
- Removing a requirement from OMC 13-5-4, Home Occupations that was prohibitive to multiple business types:
 - *“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).”*

Title 13 – Development Regulations

Key Proposed Changes - General

- Renumbering footnotes in the Use Table (OMC 13-3-3 Table 1)
- Removing “Landfills” as a *conditional use* in the RU zone (if approved they would no longer be possible in that zone)
- For barns and agricultural structures: proposing the PF zone be included as a zone where those uses and structures are allowed

Title 13 – Development Regulations

Key Proposed Changes - Parking

- Propose adding subsection OMC 13-5-3:N, Administrative Parking Waiver, to ease parking regulations in the downtown core.
 - Would waive the number of off-street parking stalls required in the downtown core.
 - Flexible and case specific.
 - Required submittal items:
 - A statement of justification
 - Number of off-street stalls requesting relief from
 - Parking study that considers the use, availability of nearby parking, and the totality of the request and its impact on the community's access to parking in the downtown core.

*Direction needed:
Would the Planning Commission support codifying an Administrative Parking Waiver process?*

Title 13 – Development Regulations

Key Proposed Changes - ADUs

Proposed changes to ADU requirements (OMC 13-5-6.C.2) to comply with HB 1337:

- Commerce guidance: "Where lots are smaller than the minimum allowed by the zone, cities may choose to rely on the capacity of the lot, sewer, septic, parking, and landscaping or other regulations to set the limits on one or two ADUs."
- Proposed updates to OMC 13-5-6.C.2 will allow for ADUs on all lots that meet minimum size requirements for the principal unit, as opposed to what is currently permitted:
 - *"a) An attached ADU shall be permitted on all parcels containing single family homes where the lot is at least 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 4,356 square feet in size."*

Direction needed:

- *Should ADUs be allowed on nonconforming sized lots?*
 - *If so, how many ADUs?*
- *What standards should the ADUs be held against?*

Title 13 – Development Regulations

Key Proposed Changes - ADUs

Additional proposed changes to ADU requirements:

- Potentially allowing ADUs to be developed in setbacks.
 - Would allow for additional ADU's, and address challenges with site constraints due to 25-foot setback limits.
 - All structures and hard surfaces would still be subject to hard surface and building coverage maximum percentages.
 - Would require ADUs to maintain at least a 5-foot setback on all sides.

Direction needed:

- *Would the Planning Commission support allowing ADU's in required setbacks?*

Title 13 – Development Regulations

Key Changes and Improvements – Tiny Houses


- Commerce notes that tiny houses (with/without wheels) as defined in RCW 35.21.686, are not generally allowed as ADUs because they may not meet permanent residential unit standards (foundation, water supply and sewage disposal).
- Some communities have begun to consider allowing tiny homes on wheels as temporary units, if appropriate connections and tie-downs are provided.
- This change would be made in OMC 13-5-6.C.3.c, which currently only lists recreational vehicles and mobile homes as prohibited ADUs.

*Direction needed:
Should the City
consider allowing
tiny houses as ADUs?*

THANK YOU!

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 *(206) 658-2674*



ECONOMIC DEVELOPMENT



Purpose and Intent

This Economic Development Element outlines the policies for economic development that would improve the tax base and create local jobs that support city goals and are compatible with the character of the city. The Economic Development Appendix provides further information which provides the basis for these policies, describing the city's profile and the city's competitive position, including its retail, office, and industrial market potential.

The City of Orting is including this Element as part of the current comprehensive plan update process, following Goal 5 of the Washington Growth Management Act to:

“Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state’s natural resources, public services, and public facilities.” (RCW.36.70A.070(7))¹



¹ Washington State laws set limits on the actions cities can take to support economic development, impacting the content of an economic development comprehensive plan element. Typically, cities are prohibited from directly using public funds to incentivize private development. Instead, they target policies that facilitate economic growth through land use regulations, infrastructure improvements, tourism initiatives, marketing campaigns, and partnerships with nonprofit community-based organizations. RCW 35.21.703 does allow cities to contract with nonprofit corporations to advance economic development. Article 8, Section 7 of the state constitution specifies that “No county, city, town or other municipal corporation shall hereafter give any money, property, or loan its money, or credit to or in aid of any individual, association, company or corporation, except for the necessary support of the poor and infirm.”

This Economic Development Element provides a roadmap for enhancing the economic vitality of Orting, aiming to bolster both economic stability and quality of life. This Element addresses how the community can encourage the growth of new businesses; balance and diversify commercial and residential activities; and promote the revitalization and sustainability of existing businesses.

Through collaborative efforts and strategic goals and policies, the city can attract and retain residents and businesses thereby, promoting economic development and a high quality of life focused on shared prosperity. This Element details various goals and policies designed to ensure vibrant economic future for Orting, supporting the cultivation of a robust and diverse local economy across multiple sectors, and fostering citywide economic growth across the city and in the Downtown.



This Element includes:

- a) A profile of the local economy such as population, employment, payroll, sectors, businesses, sales, and other data;
- b) An assessment of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, work force, housing, and natural/cultural resources; and
- c) Identification of policies, programs, and projects to foster economic growth and development and to address future needs.

Competitive Position

Local economic development strategies typically work to build on strengths, address weaknesses and threats, and pursue opportunities. The City's competitive position is summarized according to these themes in **Table ED-1**. In short, the City's competitive position is that of a small community offering an alternative to urban settings with scarce land, higher prices, and limited natural amenities.

Table ED-1 Strengths, Weaknesses, Opportunities and Threats (SWOT) Matrix

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> • Attractive physical setting and nearby farms appeal to agritourism. • Utility service capacity can serve some new development. • Underdeveloped land can accommodate residential or commercial/industrial growth targets, capacity for residential and commercial growth. • Established Downtown with a clear town center. • Strategic investments in transportation infrastructure. • Pedestrian scale shopping districts support communities with established downtowns. • High quality of life with many amenities, including outdoor activities, recreation, and community events. 	<ul style="list-style-type: none"> • Natural barriers that serve to isolate the City, specifically rivers and plateaus. • Transportation access and capacity is limited to a two-lane arterial road through the center of the City, and a two-lane arterial road serving the area to the west. Long commute times and traffic back-ups negatively affect the City. • Few publicized destinations to attract visitors to the City. The City has a wonderful view of Mt. Rainier, but is not located on any of the main routes to Mt. Rainier National Park entrances. Additionally, there are no agritourism attractions located within City limits. • Shortage of higher-paying jobs. • Market not big enough to support larger-scale retail. • Low office vacancy rates limit opportunities for new businesses to establish themselves.
OPPORTUNITIES	THREATS
<ul style="list-style-type: none"> • City supports select gaps in its mix of businesses, especially to recapture lost retail sales. • City can enhance its stature as a visitor destination, as small towns tend to attract visitors from urban areas. • Future development will strengthen the city's tax base and ability to fund desired public services and facilities. • Tehaleh, the master planned community on the plateau to the east, will gain increasing attention, and provide a higher profile for Orting. • The development of additional commercial uses will be needed to support future residential growth. These uses may co-locate in mixed use developments, providing attractive pedestrian-oriented settings. • Capitalize on existing strengths of Downtown to <u>reduce vacancies</u><u>balance availability of commercial space</u>, create a more diverse mix of businesses, and support vibrancy. 	<ul style="list-style-type: none"> • Established retail centers in Bonney Lake, Puyallup, and South Hill will continue to attract spending activity outside of the City. • Tehaleh may attract some of the employers that might otherwise consider Orting. • Small tax base of the city limits the ability to fund desired public services and facilities. • Lahar hazard threat may discourage investment. • Increasingly scarce funding poses challenges to necessary infrastructure improvements. • Retail vacancies in the City may impede Downtown vitality. • Insufficient trade and college educational infrastructure, compounded by community resistance to funding limited land availability to develop new facilities, negatively affects a city's appeal and reputation while also hampering hampers the development of a skilled local workforce, which is critical for long-term economic prosperity.

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Goals & Policies

Goal ED 1 Support economic growth through core business retention, expansion, and formation consistent with the Comprehensive Plan vision and the other Elements.

- ~~ED 1.1~~ Every two years, the city will update the Prepare and maintain an assessment of Orting's business strengths, weaknesses, opportunities, and threats (SWOT) provided as a part of the 2024 Comprehensive Plan update and use the findings to inform the implementation of Economic Development strategies.
- ED 1.2 Coordinate City investment in capital facilities projects with related business, employment, and economic development opportunities.
- ED 1.3 Promote local shopping with a particular focus on ways to foster the prosperity of business startups, small businesses, and women- and minority-owned businesses.
- ED 1.4 Coordinate with state, county and adjoining local government bodies to promote economic development. Support high-quality training programs and education systems throughout the region to build and maintain a competitive edge in the regional and global economy.

Goal ED 2 Promote the creation of family-wage jobs that will serve the residents of Orting.

- ED 2.1 Promote the retention, expansion, and development of moderate business structures that compel the "small-town" feel of Orting, particularly those providing living-wage jobs to Orting residents, corporate and medical office space.
- ED 2.2 Encourage Ensure continued zoning of commercial space for light industrial uses for their increase in capital of goods or energy production/management, while ensuring their scale and proliferation is compatible with adjacent uses, applications and office space.

~~*Goal ED 3 Promote the installation of telecommunications and power capacity technology throughout the City in order to provide universal access to citizens, businesses, and institutions that is secure, reliable, and affordable/affordable.*~~

- ~~ED 3.1 Participate in seeking grant funding for improvement of infrastructure to support economic development.~~
- ~~ED 3.2 Identify long term infrastructure needs that support economic sustainability.~~

~~ED 3.3 Ensure providers of telecommunication and power are aware of City commercial needs and have plans to meet that need.~~

Goal ED 3 Create public-private partnerships that will nurture entrepreneurship, innovation, and business growth.

- ED 3.1 Encourage economic sectors that:
- Pay higher-than-average wages;
 - Bring new capital into the local economy;
 - Can be sustained in the City;
 - Maintain sound environmental practices;
 - Diversify the economic base; and
 - Encourage new business models.
- ED 3.2 Ensure that City licensing and permitting practices and procedures are coherent, fair and expeditious. Where specialized industry requirements call for the inspection by government agencies, coordinate with those agencies to ~~streamline review~~eliminate duplication of efforts.
- ED 3.3 Promote the infill and redevelopment of the ~~D~~downtown to enhance the sense of community, encourage pedestrian/bicycle mobility, and reduce the number and length of motorized shopping trips by working with property and business owners to market Orting, and provide parking solutions.
- ED 3.4 Create anchor projects ~~with that include~~ public gathering places (such as the Main Park Master Plan) and support ~~the development of~~ mixed use retail, office and residential development projects.
- ED 3.5 Coordinate with local, state, and federal agencies to identify underused lands such as surplus public lands or environmentally contaminated lands and:
- Promote infill or redevelopment in growth centers and existing neighborhoods in a manner that supports the Regional Growth Strategy.
 - Develop strategies for cleaning up brownfield and contaminated sites when necessary.
- ~~ED 3.6 Support regional economic competitive interests by promoting local trade and commerce and by promoting regional partnerships toward infrastructural improvements that serve the efficient movement of trade goods.~~
- ~~ED 3.7 Promote innovation, including among businesses that promote environmental sustainability through emerging technologies, industry practices, professional services, and climate resilience.~~

Goal ED 4 Encourage diverse job options and entrepreneurial opportunities for people interested in full-time and part-time employment or desiring to own their own business.

ED 4.1 ~~Accommodate and/or encourage~~ home-based businesses that are compatible with the character of adjoining properties and neighborhoods ~~will be accommodated.~~

~~ED 4.2 Address and prevent potential physical, economic, and cultural displacement of existing businesses that may result from redevelopment and market pressure.~~

Goal ED 5 Promote business practices that protect the City's natural beauty and environmental health.

ED 5.1 Encourage the use of green materials and techniques in all types of construction; ~~and encourage the retrofitting of existing buildings~~ ~~for to enhance sustainability.~~

ED 5.2 Encourage public sector solid waste reduction and recycling, ~~such as through~~ ~~continued participation in the Pierce County Solid Waste Plan.~~

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

~~ED 7.1 Continue to monitor the progress in implementing the Housing Element and evaluate new ways of providing affordable housing to support the City's jobs housing balance.~~

~~ED 7.2 Ensure permitting and utility facility charges are equitable.~~

Goal ED 6 Promote regional tourism focused on eco-tourism and agri-tourism.

ED 6.1 Promote the Foothills Trail as ~~an opportunity for multiple forms of recreation,~~ ~~including a source of~~ biking, running, walking, and ~~overall~~ healthy living.

ED 6.2 Promote road related scenic tours that include ~~travel routes~~ through Orting.

ED 6.3 Promote Orting as the gateway to camping, hiking and rock climbing through the Carbon River entrance to Mt. Rainier. ~~Further promote Orting as a destination for fishing and a gateway for hunting.~~

ED 6.4 Coordinate with other cities and communities in east Pierce County to ~~develop~~ ~~identify opportunities for increasing~~ tourism ~~opportunities and~~ ~~and strategies for~~ promotion ~~of these efforts.~~

ED 6.5 ~~Evaluate tourism infrastructure (e.g., accommodations, food establishments, recreational facilities, eco-tourism businesses) and work with partners, to enhance tourism and wayfinding in Orting.~~ ~~Promote Orting as a destination for fishing.~~

~~ED 78.6 Promote Orting as a gateway for hunting.~~

~~ED 78.7 Promote agricultural tourism in the Orting Valley.~~

Goal ED 79 Promote and support agriculture in Pierce County.

ED 79.1 Support the establishment of a public market, focused on where locally-produced food and agricultural products can be purchased by local and/or small vendors ~~feed-hub~~ in City limits. ~~to p~~**Promote agricultural tourism in the Orting Valley.**

~~ED 79.2 Work with Pierce County government and the farming community to brand Orting as the urban service center for agriculture.~~

ED 79.23 Support the local farmer's market such as through prioritized strategic infrastructure and maintenance investments and cContinue to support local ~~provide city-wide~~ events that support farming.

Goal ED 8 Create a vibrant and stable downtown that hosts a variety of businesses that support both Orting residents and visitors.

ED 8.1 ~~Update the~~Prepare and administer a vision for Orting's Downtown Revitalization and Economic Development~~Vision Plan.~~

~~ED 8.2 Explore a broad array of solutions the City can adopt to relieve the burden of off-street parking requirements on developments or changes of use within the downtown core.~~

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Economic Development Appendix

This Appendix serves as the Economic Baseline Analysis, providing a foundation for the Economic Development Element. Orting has long understood that it has very limited resources to directly support economic development in a formal way from City Hall (for example, with dedicated staff or a department to provide specific services). However, many small cities find that they can achieve success in improving the tax base and creating local jobs through collaboration and setting the stage through policy measures that support business which nurtures economic prosperity. Orting is an attractive community in many ways and new residents continue to be attracted to the community. In turn, these factors generating demand for community-serving retail and personal service businesses, parks and schools, and transportation infrastructure.

This analysis provides comparisons to Pierce County and other surrounding cities as needed to contextualize conditions and articulate the City’s situation in the region. The analysis relied on data primarily sourced from the United States Census Bureau’s 5-year American Community Survey (ACS) estimates, CoStar, Washington Office of Financial Management (OFM), the United States Department of Housing and Urban Development (HUD), the Puget Sound Regional Council (PSRC), and the City of Orting. This appendix summarizes the economic development analysis in three sections: 1) City Economic Profile, 2) Market Potential, and 3) Employment Growth Targets and Land Demand.

SECTION 1. CITY ECONOMIC PROFILE

Population

Population Growth & Projections

Figure ED- 1 shows Orting’s population and population average annual growth rate (AAGR) between 2000 and 2024. According to data from the state Office of Financial Management (OFM), Orting’s population grew from 3,931 persons in 2000 to 9,125 persons in 2024, for a total increase of 5,194 persons. During this time period, Orting more than doubled its population with an average annual growth rate (AAGR) of 3.6%, compared to 1.3% for Pierce County. Between 2000 and 2020, Orting experienced rapid population growth which diminished to a slower pace between 2020 and 2024.



According to the Puget Sound Regional Council projections, the population of Orting is anticipated to experience additional growth, with an estimated population of 9,550 persons by 2044, implying a substantial slowing of growth over the next two decades.

Figure ED- 1. Population and Population Growth (1999-2024)

Source: Washington State Office of Financial Management

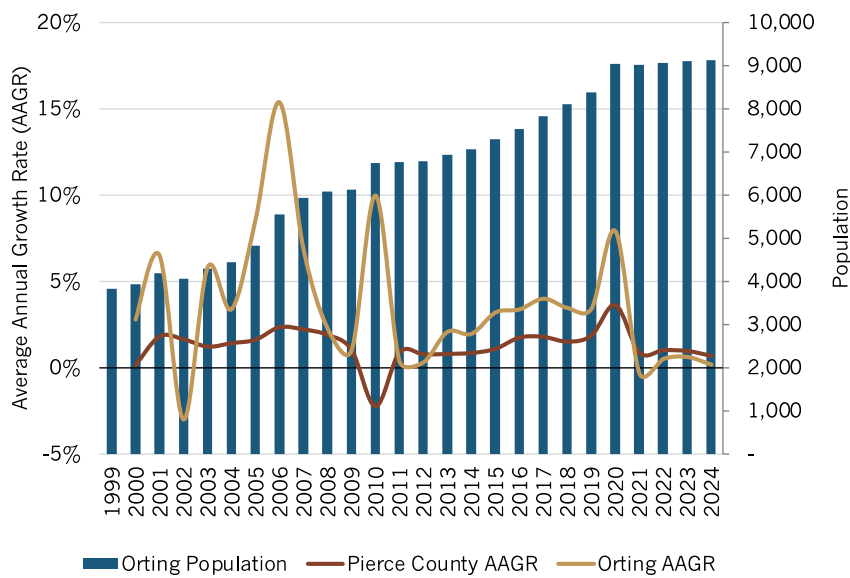


Figure ED- 2. City of Orting Population and Household Projections (2025 through 2050)

	2025	2030	2035	2040	2044	2050
Population	9,109	9,222	9,334	9,450	9,550	9,679
Households	2,986	3,055	3,124	3,194	3,250	3,333

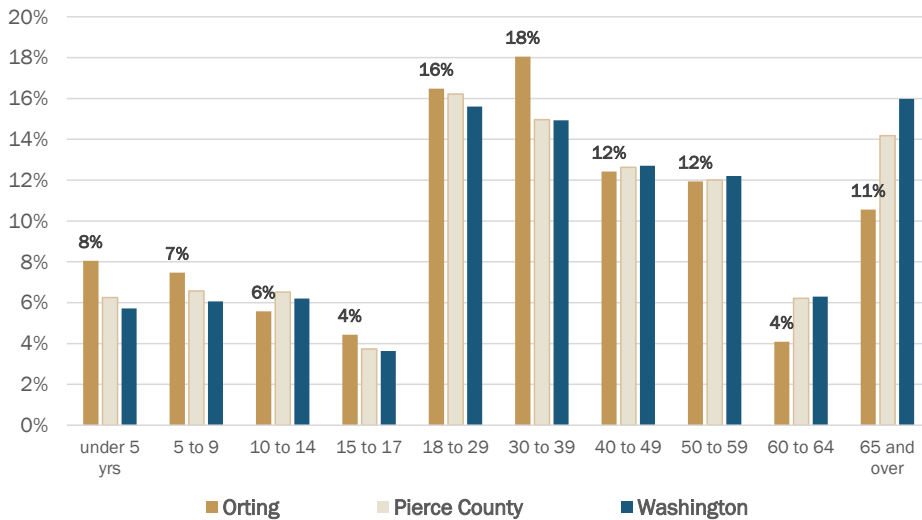
Population by Age

Orting’s population tends to be younger with a median age of 34.1 years, compared to 37.0 years in Pierce County and 38.4 years in Washington. Orting’s younger population is reflected in the higher concentration of children (17 years and under) and young adults and working age persons (aged 18 to 49 years old) as shown in Figure ED- 3. These trends indicate that Orting is attracting families with

children. As these families mature, they will need diverse employment opportunities. The City could strategically plan for a diverse job sector, including technology, healthcare, and environmentally sustainable industries to broaden the career paths for the young adult demographic.

Figure ED- 3. Population Distribution by Age Group, Orting (2022)

Source: U.S. Census Bureau, 2018-2022 ACS 5-Year Estimates



Population by Race and Ethnicity

While most of Orting’s residents identify as white (78%), Orting became more racially and ethnically diverse between 2012 and 2022. The Hispanic population comprises the second largest ethnic group making up 9% of the City’s total population, which has remained steady from 2012 to 2022. The percentage of residents identifying as two or more races has grown over time to 8%, becoming the third largest racial/ethnic demographic in the City. The Asian and American Indian demographic has also experienced a notable increase in population size over time.

Figure ED- 4. Population by Race and Ethnicity, Orting (2022)

Source: U.S. Census Bureau, 2018-2022 ACS 5-Year Estimates

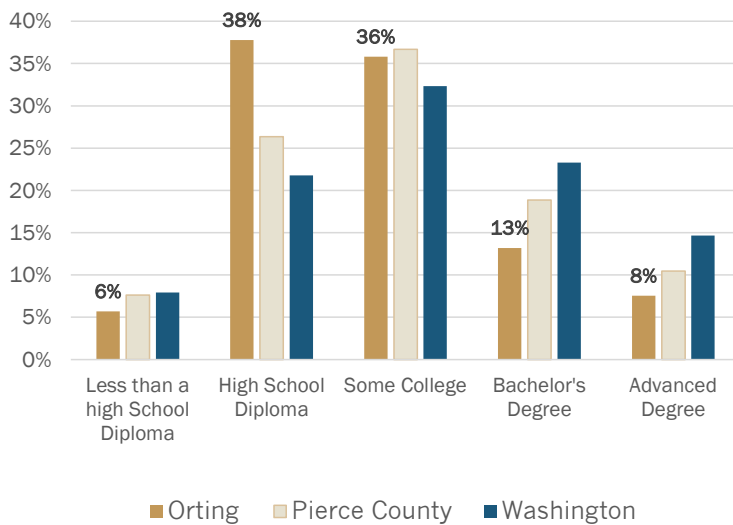
	2012	2022
White	82%	78%
Black or African American	1%	1%
American Indian	0%	2%
Asian	1%	2%
Pacific Islander	1%	0%
Other Race	0%	0%
Two or More Races	6%	8%
Hispanic	9%	9%

Educational Attainment

Orting’s workforce shows diverse educational attainment with 38% having a high school diploma and 36% having some college education. Only 13% of the City’s population have a bachelor’s degree and 8% have an advanced degree, which are both lower percentages than the averages for both Pierce County and Washington.

Figure ED- 5. Education Attainment (Population 25 Years and Older), Orting (2022)

Source: U.S. Census Bureau, 2018-2022 ACS 5-Year Estimates



Employment

From 2012 to 2022, Orting experienced a 29% increase in total employment, rising from 1,022 to 1,320 jobs. The services sector, which saw a 43% increase, remains the largest employment sector, accounting for 38% of jobs in 2022. Significant growth was also seen in the education industry (33%). In contrast, the finance, insurance, and real estate sector experienced a 20% decline, while government employment saw a slight 4% decrease.

Figure ED- 6. Total Employment by Industry, Orting (2012-2022)

Source: Puget Sound Regional Council (PSRC)

Note(s):

*Finance, Insurance, and Real Estate industries collectively form the FIRE sector

**Wholesale trade, Transportation and Warehousing, and Utilities collectively make up the WTU sector

*** The term "suppressed" indicates that data related to a particular industry with a limited number of employers, or a single dominant employer is withheld to maintain confidentiality and protect sensitive employer information.

	2012		2022		2012-2022 PERCENT CHANGE
	COUNT	PERCENT	COUNT	PERCENT	
Construction & Resources	Suppressed***	-	86	7%	-
FIRE*	25	2%	20	2%	-20%
Manufacturing	Suppressed	-	0	0%	-
Retail	47	5%	58	4%	23%
Services	351	34%	503	38%	43%
WTU**	3	0%	7	1%	133%
Government	251	25%	240	18%	-4%
Education	306	30%	406	31%	33%
Total	1,022	100%	1,320	100%	29%

According to OFM, the average annual wage across all industries in Pierce County was \$61,050 in 2021 (see Figure ED- 7). The highest paying sectors included management of companies and enterprises (\$101,031), utilities (\$99,828), and finance and insurance (\$97,380).

Orting's employment concentration lies within education, services, and the government sector. These industries in Pierce County tend to have average annual wages ranging between \$43,117 on the lower-end and \$75,440 on the upper-end.

In 2022, Orting's median household income was \$114,458, substantially higher than Pierce County's \$91,486 and Washington States \$90,325 (see Figure ED- 8). This shows that Orting is a relatively affluent community, with residents earning substantially more than the county and state averages. The commuting patterns and trends in household median income suggest that Orting serves as a bedroom community for higher-paying jobs in nearby centers like Tacoma and Seattle,

allowing residents to earn higher salaries—despite lower educational attainment, while potentially benefiting from a lower cost of living.

Figure ED- 7. Average Annual Wages, Pierce County (2021)

Source: Office of Finance and Management

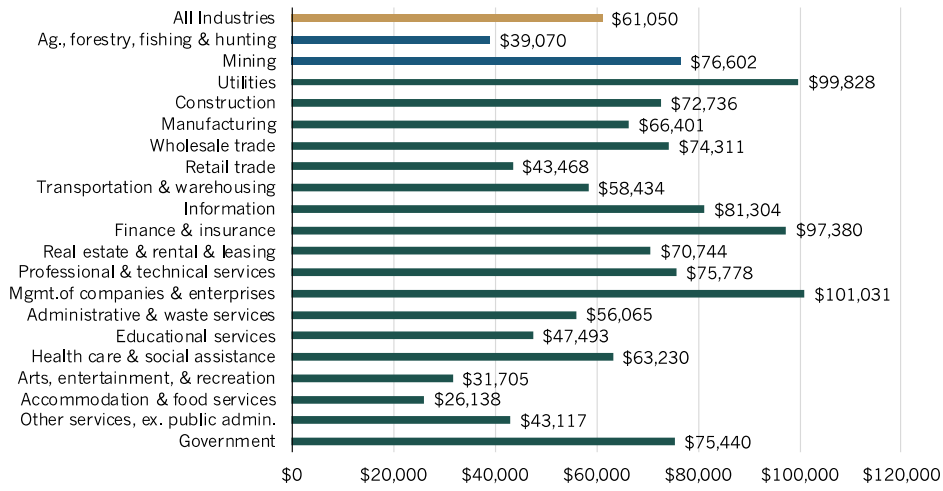
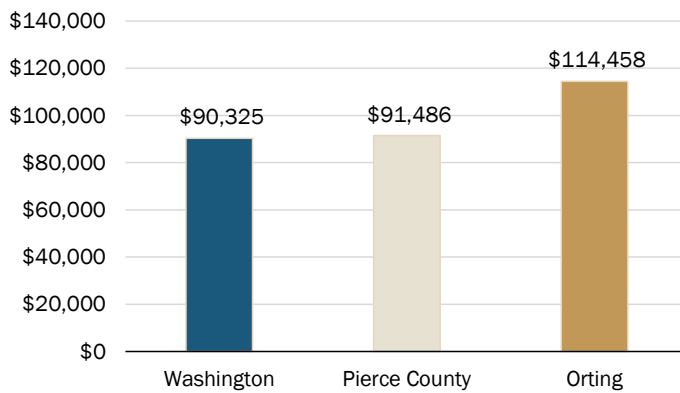


Figure ED- 8. Median Household Income, Orting (2022)

Source: U.S. Census Bureau, 2018-2022 ACS 5-Year Estimates



Commute Patterns

The location of job opportunities significantly impacts an individual's choice of residence, and similarly, their residential preference can influence where they decide to relocate. Figure ED-9 shows that more than 2,750 Orting residents commute outside the city for work, while approximately 626 employees commute to Orting for work, and 79 residents live and work within Orting. This suggests that Orting can be considered a bedroom or commuter community, due to a greater number of residents traveling outside of the City for work, compared to the number of employees who commute into Orting for employment.

Figure ED- 9. Inflow/Outflow Job Counts (Commute Patterns), Orting (2021)

Source: U.S. Census Bureau; OnTheMap Application and LEHD Origin-Destination Employment Statistics. Note: The arrows are conceptual and do not show the exact direction of commute flows.

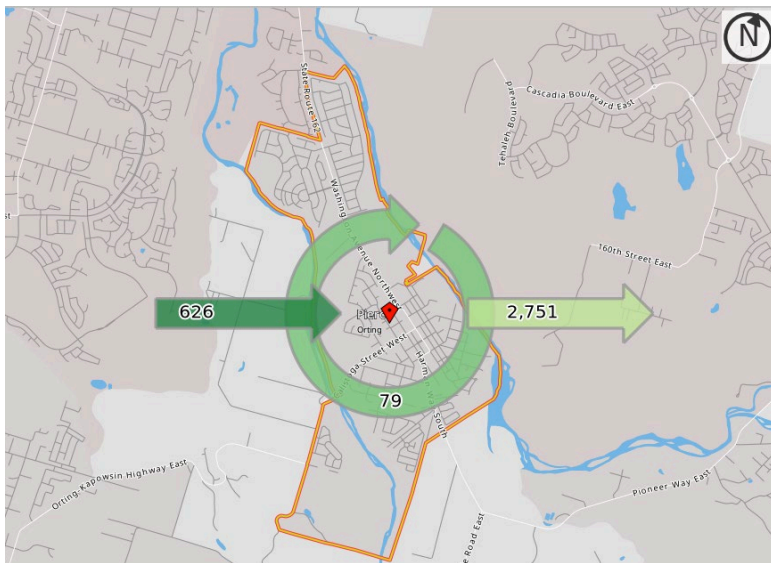
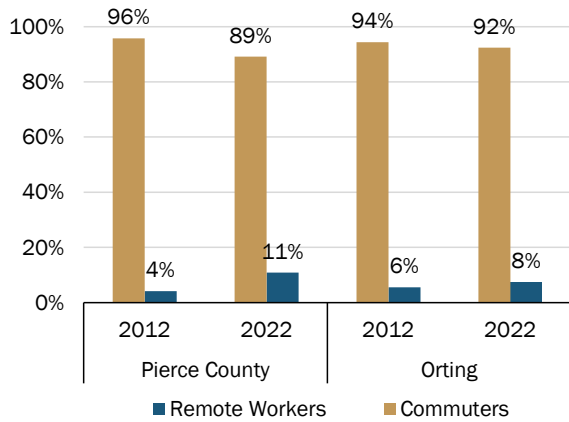


Figure ED- 10 shows that the majority of Orting residents commute to work (92%), and a small share of these residents work from home (8%). The COVID-19 pandemic accelerated remote work trends in major cities across the U.S.; however, Orting has experienced a subtle increase (2%) in remote workers since 2012. In contrast, Pierce County has seen a substantial increase (7%) in remote workers compared to Orting.

Figure ED- 10. Share of Workers Commuting to Work, Orting (2022)

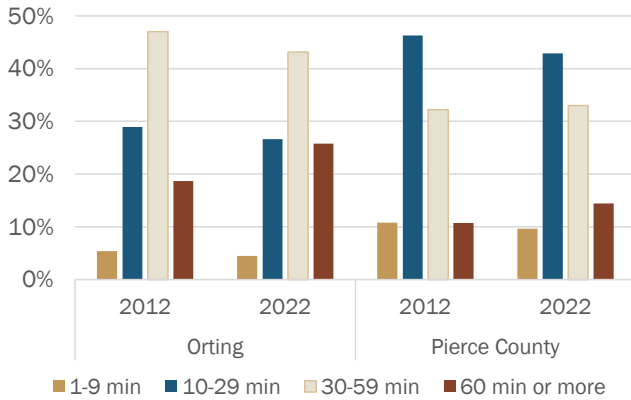
Source: U.S. Census Bureau, 2018-2022 ACS 5-Year Estimates



In 2022, a significant portion of Orting workers experienced long commutes, with 45% traveling 30-59 minutes and 26% commuting 60 minutes or more – an increase from 2012, where only 19% of workers commuted for 60 minutes or more. Comparatively, Pierce County residents generally had shorter commutes, with 43% traveling 10-29 minutes and only 14% commuting 60 minutes or more.

Figure ED- 11. Travel Time to Work, Orting (2022)

Source: U.S. Census Bureau, 2018-2022 ACS 5-Year Estimates



SECTION 2. MARKET POTENTIAL

Sales Tax Revenue

In 2023, Orting's taxable retail sales per resident was the lowest among nearby cities at \$12,904, compared to Sumner's \$82,761 and Puyallup's \$68,606, indicating a relatively smaller retail sector. The top sectors driving Orting's taxable sales and significant consumer spending included retail trade, accommodations & food services (restaurants), and construction². These trends suggest Orting experiences a lot of taxable sales leakage to nearby communities and underscores the importance of diversifying and expanding Orting's retail offerings.

Smaller peer cities like Enumclaw and Milton exhibit higher sales per resident compared to Orting, partially attributed to their advantageous location alongside major highways. This high visibility and concentration of other retail stores is crucial to a thriving retail business and significantly contributes to their relative success.

Figure ED- 12. Taxable Retail Sales per Resident, Orting and Nearby Cities, (2023)

Source: Washington Department of Revenue

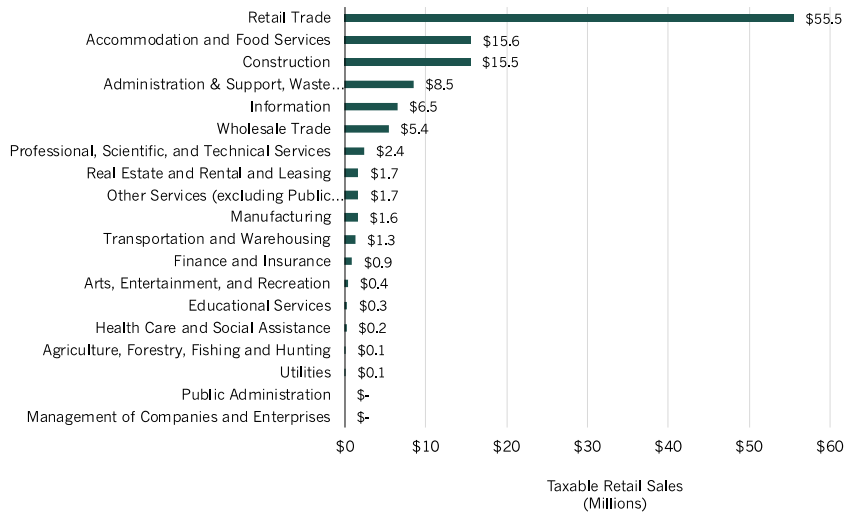
LOCATION	POPULATION (2023)	TAXABLE SALES	TAXABLE SALES PER RESIDENT
Sumner	10,800	\$893,821,393	\$82,761
Puyallup	43,420	\$2,978,860,550	\$68,606
Enumclaw	13,090	\$514,147,748	\$39,278
Bonney Lake	23,250	\$874,565,210	\$37,616
Milton	8,715	\$242,233,017	\$27,795
DuPont	10,180	\$167,567,521	\$16,460
Orting	9,110	\$117,553,978	\$12,904

Sales Taxes by Industry

In 2023, retail trade businesses generated roughly 47% or \$55.5 million of Orting's total taxable sales revenue. The accommodations and food services businesses as well as construction businesses both generated 13% of all taxable sales revenue equaling roughly \$15.6 and \$15.5 million each.

² RCW 82.08.0293. Washington law exempts most grocery type food from retail sales tax. However, the law does not exempt "prepared food," "soft drinks," or "dietary supplements." Businesses that sell these "foods" must collect sales tax.

Figure ED- 13. Taxable Retail Sales by Industry, Orting (2023 Annual)
 Source: Washington Department of Revenue



RETAIL SALES IN ORTING

Orting’s economy faces challenges in attracting diverse retail options due to its small population, remote location within Pierce County, and competition from established commercial centers in nearby cities. While Orting boasts a higher average household income than county and state averages, retailers prioritize high population density and visibility, which are lacking in Orting. As a result, residents often shop outside the city, contributing to lower retail sales per capita (\$7,165) compared to neighboring areas (Sumner with \$148,000 retail sales per capita, Puyallup \$54,000 retail sales per capita, and Bonney Lake with \$21,346 retail sales per capita). To meet growing demands, Orting may need to focus on personal services while relying on regional centers for broader retail options.

Note(s):

1. Retail sales per capita are from the 2017 American Community Survey Economic Census.
2. The term “Per Capita” in economics and statistics is used to express an average per person in a population.

Commercial Real Estate Trends

Retail

With more than 174,000 square feet of retail inventory, the retail sector accounts for most of the commercial real estate inventory in Orting. Compared to other peer cities, Orting's retail inventory is small in size, and most residents shop outside of the city for a lot of their household retail spending. As of 2024 Q3, the retail market has maintained a healthy trajectory with a low vacancy rate of 2.5% and a rent of \$24.00 per square foot. As population increases in Orting, the new households will require additional retail services to support a growing population.

Office

Orting's office space market is small with little more than 30,000 square feet of office inventory across a few buildings. According to CoStar, the office vacancy rate is 0.0% and with rents at \$24.00 per square foot. While there are no major employers in Orting that require a lot of office space, a 0.0% vacancy rate could indicate a constrained office market. This could lead to a near-term surge in rents to accommodate the demand for office space or prompt businesses to seek opportunities in areas with available vacancies. As Orting's population continues to grow, there will be an increasing demand for personal services. Small-format office spaces, such as those for dental and insurance offices, can effectively meet this need and support the community's evolving requirements.

Figure ED- 14. The State of Commercial Real Estate in Orting (2024 Q3)

Source: CoStar

	INVENTORY (SF)	INVENTORY (BLDGS)	UNDER CONSTRUCTION	VACANCY RATE	RENT (PSF)
Retail	174,588	26	0	2.5%	\$24.00
Office	30,853	10	0	0.0%	\$24.00

SECTION 3. EMPLOYMENT GROWTH TARGETS AND LAND DEMAND

Employment Forecasts

The Puget Sound Regional Council supplies employment and population forecasts to the counties and municipalities within King, Kitsap, Pierce, and Snohomish Counties. These forecasts help inform the updates to countywide planning policies and local comprehensive plans. Although they are not precise targets, they play a crucial role in shaping each county's growth target process.

From 2020 to 2044, Orting’s employment is projected to grow by 196 jobs or 13% at an average annual growth rate of 0.52%. In comparison, Pierce County is projected to grow by 141,379 jobs or 41% at a larger average annual growth rate of 1.44% during the same time period.

Figure ED- 15. Total Employment and Employment Forecast, Orting (2020-2044)

Source: PSRC, LUV-it.

Note: The term AAGR refers to average annual growth rate.

LOCATION	2020 EMPLOYMENT	2044 EMPLOYMENT	NUMBER CHANGE	PERCENT CHANGE	AAGR
City of Orting	1,473	1669	196	13%	0.52%
Pierce County	346,255	487,634	141,379	41%	1.44%

Population to Employment Ratio

The population to employment ratio is an economic indicator that measures the proportion of population to employment within a city. Generally, a high ratio indicates that there is a larger proportion of residents compared to the number of available jobs in the City. Conversely, a low ratio indicates that there is a low proportion of residents compared to a higher proportion of jobs.

In 2020, Orting had a much higher population to employment ratio of 6.40 compared to Pierce County, indicating a high proportion of residents compared to the number of available jobs. This is consistent with commute trends where most Orting residents commute outside of the City for employment. By 2044, both Orting’s employment opportunities and population is projected to grow and have a population to employment ratio of 5.73. This suggests that employment is expected to grow slightly faster than population in the coming decades.

Figure ED- 16. Population to Employment Ratio, Orting (2002-2044)

Source: PSRC

LOCATION	2002	2010	2020	2044
City of Orting	6.49	6.30	6.40	5.73
Pierce County	3.04	3.05	2.44	2.45

Employment Forecasts by Industry

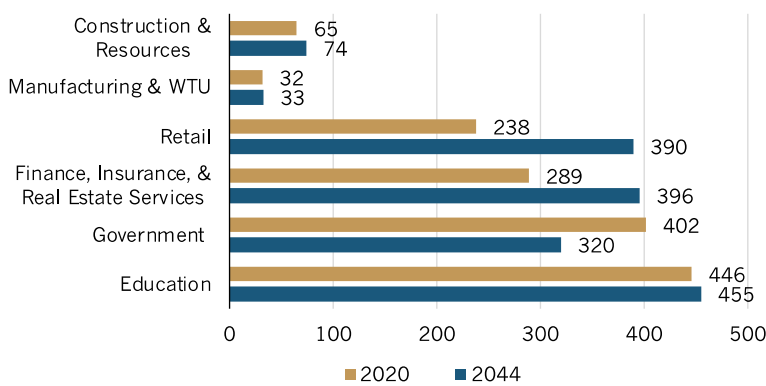
According to the PSRC LUV-it model, all industries except for government across the region are projected to grow by 2044. The retail sector is forecasted to see the most substantial growth, increasing by 64%, followed by the finance, insurance, and real estate sector which is forecasted to

increase by 37%. Construction and resources, and manufacturing and wholesale trade and utilities sectors are projected to grow modestly by 14% and 3% respectively.

In contrast, the government sector is forecasted to decline by 20%, reflecting a shift in employment distribution. Although the education sector is forecasted to see only a slight growth of 2%, it will continue to make up a significant part of the workforce. The construction of approximately 5,000 homes in the Tehaleh, Uplands, Daybreak, and Sunrise developments by 2035 will likely draw over 2,500 students to the local school district—more than doubling current enrollment. This growth in enrollment will likely surpass employment forecast in the education industry by PSRC³. Overall, these forecasted changes indicate increased diversification in Orting’s employment landscape, with significant growth in retail and service-oriented sectors—all of which tend to pay low to moderate wages.

Figure ED- 17. Employment Forecast by Industry, Orting (2020-2044)

Source: PSRC



Employment Capacity and Land Need

The Pierce County Buildable Lands Report (BLR, 2022) assesses housing and employment capacity within the Urban Growth Area (UGA) and Pierce County jurisdictions to meet the 20-year growth targets by 2044. The report concludes that Orting has sufficient capacity for 1,398 jobs within its designated zones, with the 2020-2044 employment forecast indicating that the city needs to have sufficient land supply to accommodate 196 additional jobs. Note that the Pierce County Buildable Lands Report does not account for home based businesses. Assuming some future employment will locate in residential areas implies the city has additional capacity for jobs beyond the 1,398 estimated in the BLR.

³ <https://komonews.com/news/local/education-funding-superintndt-classrooms-washington-education-projections-infrastructure-voters-87-over-capacity-orting-school-district-needs-voters-to-pass-bond>

There have been some changes to the city's Future Land Use and Zoning map since the analysis was conducted that impacts job capacity somewhat because the school district purchased land that was zoned Mixed Use Town Center North (MUTCN) and the land is now zoned Public Facilities. This means the specific job capacity count assumption values have likely shifted to an insignificant extent (because the assumed number of jobs per acre likely differ between those districts). Nonetheless Orting is well-positioned to support the projected employment growth over the next two decades by 2044.

Figure ED- 18. Employment Capacity Compared to Growth Targets, Orting (2020-2044)

Source: Pierce County Buildable Lands Report 2022

EMPLOYMENT CAPACITY	2020-2044 EMPLOYMENT NEED	DIFFERENCE
1,398	196	1,202

Figure ED- 19. City of Orting 2020-2044 Employment Capacity (Jobs)

Source: Pierce County Buildable Lands Report 2022. There was no employment capacity in the RC, RMF, and RU zones.

ZONING	VACANT	UNDERUTILIZED	PIPELINE	TOTAL
Light Manufacturing (LM)	0	0	0	0
Mixed Use – Town Center (MUTC)	65	72	0	137
Mixed Use – Town Center North (MUTCN)	646	0	0	646
Public Facilities (PF)	615	0	0	615
Residential Conservation (RC)	0	0	0	0
Residential Multi-Family (RMF)	0	0	0	0
Residential – Urban (RU)	0	0	0	0
Total	1,326	72	0	1,398

CITY OF ORTING COMPREHENSIVE PLAN

ECONOMIC DEVELOPMENT ELEMENT

2024 Periodic Update





COMPREHENSIVE PLAN UPDATE

The Comprehensive Plan is the 20-year framework for local policy, planning, and capital facility investment through the year 2044.

The following proposed changes will be discussed:

- *Economic Development Element*

Draft Update



The draft update is guided by the following:

- The goals, history, and overall context of Orting
- Requirements of the Growth Management Act (GMA) and other state laws
- Guidance from Department of Commerce
- Requirements of the Puget Sound Regional Council (PSRC)
- Feedback from public engagement activities and City staff.

Economic Development

Key Changes and Improvements

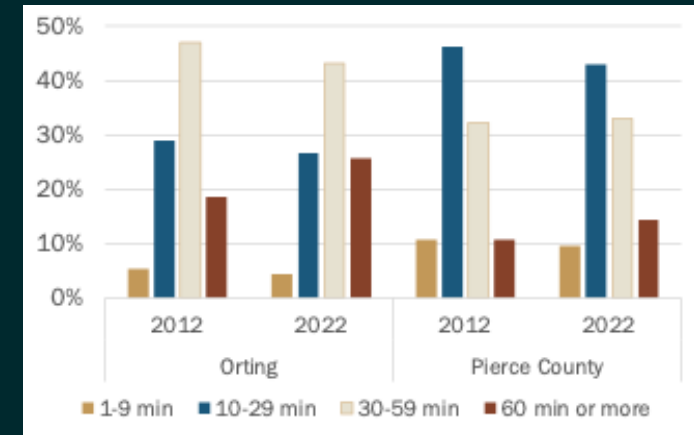
Fully updated Economic Baseline Analysis:

- Updated City Profile and Strengths, Weaknesses, Opportunities, and Threats (SWOT), Office and Retail Market Position, & Taxable Retail Sales
- Competitive position: *Small community offering an alternative to urban settings with scarce land, higher prices, and limited natural amenities.*

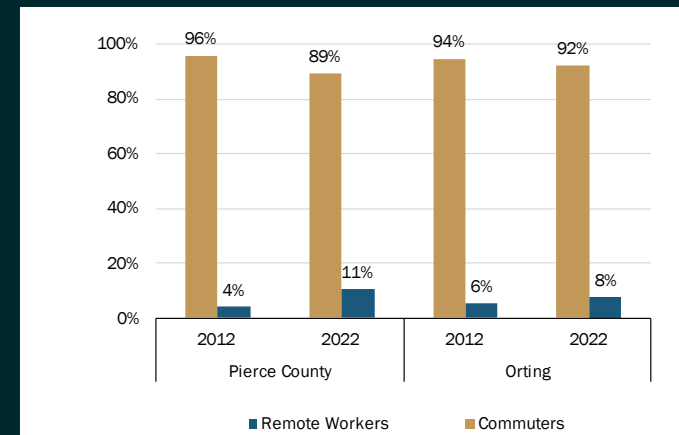
Added new analysis:

- Additional Race & Ethnicity & equity analysis
- Commuting analysis
- Remote Worker Trends
- Employment Projections & Land Demand

Travel Time to Work (2012-2022)



Remote Work (2012-2022)



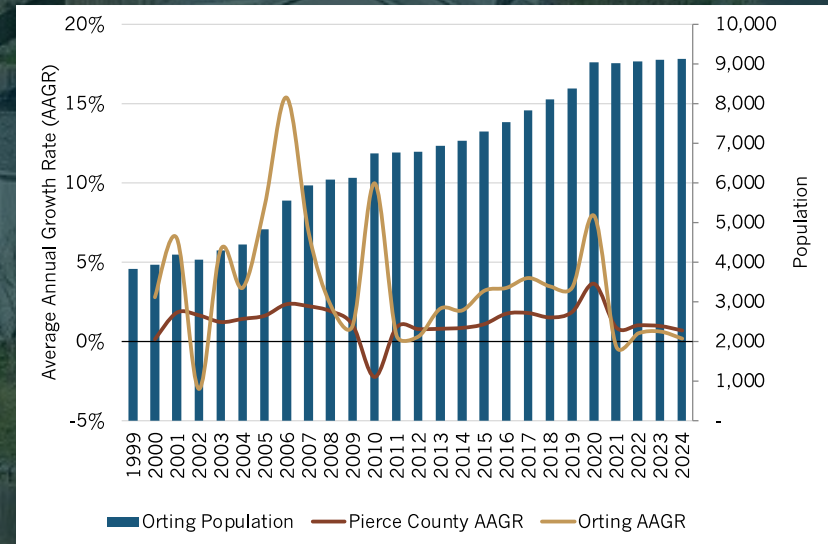
Source: U.S. Census Bureau, 2018-2022 ACS 5-Year Estimates

Economic Development

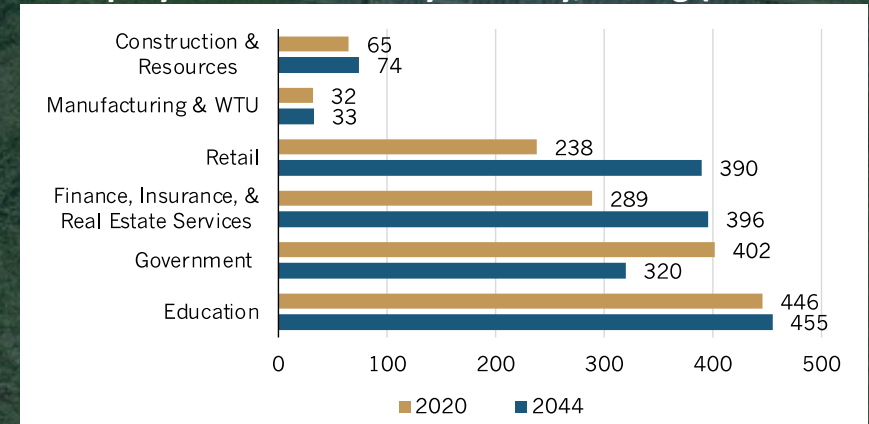
Key Findings

- High population growth from 2000-2020, halting recently, settling at 9k, projected to slightly increase to 9,550 by 2040.
- 29% increase from 1,022 to 1,320 jobs (2012-2022). Major employment sectors: services, education, government & retail; 2044 projections indicate they all will grow except for government.
- Orting is a ‘bedroom community’ where majority of residents commute outside the city for work (2,751) & ~626 commute into Orting for work. Almost half travel between ½ to 1 hour to work. Around 8% of Orting’s residents are remote workers.
- Orting has a younger population with larger share of persons under 39 years (59% vs 54%) compared to county and lower senior population (11% vs 14%).

Population Growth (1999-2024)



Employment Forecast by Industry, Orting (2020-2044)



Sources: Washington State Office of Financial Management, PSRC

Economic Development

Goals Summary

- *ED 1: Support economic growth through core business retention, expansion, and formation consistent with the Comprehensive Plan vision and other Elements.*
- *ED 2 & 4: Promote the creation of family-wage jobs & encourage diverse job options & entrepreneurial opportunities for people interested employment or owning their own business.*
- *ED 3: Create public-private partnerships nurturing entrepreneurship, innovation, & business growth.*
- *ED 5, 6, & 7: Promote business practices protecting natural beauty and environmental health. Promote regional tourism particularly eco-tourism & agritourism (and agriculture).*
- *ED 8: Create a vibrant and stable downtown that hosts a variety of businesses that support both Orting residents and visitors.*

Economic Development

Key Proposed Goal and Policy Changes

Updated and added language to policies under Goal ED 1 to support **small businesses and regional workforce programs** to enhance Orting's competitive edge.

- *ED 1.3 Promote local shopping with a particular focus on ways to foster the prosperity of business startups, small businesses, and women- and minority-owned businesses.*
- *ED 1.4 Coordinate with state, county and adjoining local government bodies to promote economic development. Support high-quality training programs and education systems throughout the region to build and maintain a competitive edge in the regional and global economy .*

Economic Development

Key Changes and Improvements

Updated Goal ED 3 policy language to support business growth through repurposing underused surplus land; support regional trade infrastructure improvements; and promote innovation through sustainable business practices.

- *Coordinate with partners to identify surplus public lands or environmentally contaminated lands to support infill and clean-up (ED 3.5 summarized).*
- *Promote innovation, including among businesses that promote environmental sustainability through emerging technologies, industry practices, professional services, and climate resilience (ED 3.7 summarized).*



Economic Development

Key Proposed Goal and Policy Changes

Updated Goal ED 6 and added related policies to incorporate Orting's valuable assets, such as agriculture and natural open spaces.

- Goal ED 6: *Promote regional tourism focused on eco-tourism and agritourism.*

Eco-tourism: Is a form of tourism that focuses on visiting natural areas, fostering environmental conservation, and promoting sustainability.



Economic Development

Key Proposed Goal and Policy Changes

Updated Goal ED 7 & related policies to continue to support agriculture through the local public market and with strategic infrastructure investments.

- *ED 7.1 Support the establishment of a public market, where locally-produced food and agricultural products can be purchased by local and/or small vendors in City limits to promote agricultural tourism in the Orting Valley.*
- *ED 7.2 Support the local farmer's market through strategic infrastructure investments and continue to support local events that support farming.*



Orting Valley Farmer's Market:
<https://www.ortingvalleyfarmersmarket.com/about-us.html>

Economic Development

Key Proposed Goal and Policy Changes

Introduced new Goal ED 8 & policies to address economic challenges faced by Downtown (e.g., retail vacancies, regulatory hurdles) & promote local businesses.

- *Goal ED 8: Create a vibrant and stable downtown that hosts a variety of businesses that support both Orting residents and visitors.*
- *ED 8.1 & 8.2 summarized: Prepare and administer a vision for Orting's Downtown Revitalization and Economic Development, exploring broad solutions to relieve the burden of off-street parking requirements on developments or changes of use within the downtown core.*



THANK YOU!



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