

Commissioners

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



**City of Orting
Planning Commission Agenda**

Monday, October 7th, 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/83268807498?pwd=x3uHQHvLirp5anitFqxN6qDOJESk5S.1>

Meeting ID: 832 6880 7498
Passcode: 584959

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 September 5th, 2024 meeting correct and accurate?

5. ARCHITECTURAL DESIGN REVIEW

None.

6. NEW BUSINESS

A. Public Hearing – 2024 Orting Comprehensive Plan

7. OLD BUSINESS

- A. Safe Parking.
- B. Dumpster Violations.
- C. 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, November 4th, 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
September 5th, 2024
7:00 p.m.

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

Chair Cochran called the meeting to order at 7:00pm. Commissioner Swanson led the pledge of allegiance.

Commissioners present: Chair Cochran, Commissioners Tom Bush, Dan Swanson, and Joe Pestinger.

Absent: Co-Chair Jeff Craig, Commissioner Chris Rule, and Commissioner Erika Bartholomew.

Commissioner Bush made a motion to excuse Co-Chair Jeff Craig, Commissioner Erika Bartholomew, and Commissioner Chris Rule. Seconded by Commissioner Swanson.

Motion passed (3-0).

Staff present: City Administrator Scott Larson, Planning Commission Secretary Danielle Charchenko, AHBL Planner Wayne Carlson.

Virtual: AHBL Planner MillieAnne VanDevender, Jennifer Cannon and Oscar Saucedo-Andrade with ECONorthwest.

2. AGENDA APPROVAL.

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

Motion passed (3-0).

3. PUBLIC COMMENTS.

None.

4. APPROVAL OF MINUTES

Commissioner Bush made a motion to approve the August 5th, 2024 minutes with the correction of a scrivener's error. Seconded by Commissioner Swanson.

Motion passed (3-0).

5. ARCHITECTURAL DESIGN REVIEW

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

Planning Commission Secretary Danielle Charchenko read the staff report for ADR 2024-06 and stated that recommendation was approval as presented.

Next Planning Commission Meeting: Monday, October 7th, 7:00pm

Planning Commission discussion followed.

Commissioner Swanson made a motion for approval of ADR 2024-08 as submitted. Seconded by Commissioner Bush.

Motion passed (3-0).

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

Planning Commission Secretary Danielle Charchenko read the staff report for ADR 2024-09 and stated that recommendation was approval as presented.

Commissioner Pestinger made a motion for approval of ADR 2024-09 as submitted. Seconded by Commissioner Swanson.

Motion passed (3-0).

6. NEW BUSINESS.

A. Public Hearing – RV Code Amendments

Chair Cochran laid out the rule for the public hearing.

Chair Cochran opened the public hearing at 7:20pm.

AHBL Planner MillieAnne VanDevender gave a presentation to brief the proposed RV code amendments. She stated the code changes are needed if the City desires to allow occupancy outside of RV parks and to create a permitting process to allow very short-term RV occupancy. The building code currently allows temporary occupation of RVs in certain circumstances however, the zoning code repeatedly says that RVs may not be occupied outside of RV parks.

Planning Commission discussion followed.

Chair Cochran closed the public hearing at 7:53pm.

Commissioner Bush made a motion to forward a recommendation of approval on the draft ordinance and code amendments as proposed. Seconded by Commissioner Swanson.

Motion passed (3-0).

7. OLD BUSINESS

A. Safe Parking

AHBL Planner MillieAnne VanDevender briefed the presentation from the previous meeting and posed questions for guidance 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.

Planning Commission discussion followed.

Public Comments:

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

Next Planning Commission Meeting: Monday, October 7th, 7:00pm

Commissioner Swanson made a motion to extend the meeting to 9:00pm. Seconded by Commissioner Pestinger.

Motion passed (3-0).

B. Comprehensive Plan Updates

i. Transportation Element and OMC Title 13

Parametrix Engineer JC Hungerford briefed the transportation element stating this element explains the existing conditions of roadways and identifies deficiency locations. He stated the goals and policies have been updated to reflect current planning updates for projects including Kansas Street SW Reconstruction, Whitehawk Boulevard Bypass, and the SR 162 Pedestrian Bridge.

AHBL Planner Wayne Carlson briefed the proposed amendments to Title 13 of the Orting Municipal Code. He stated the updates include removing unused and redundant definitions, revisions made to the accessory use table in OMC 13-3-3 to be consistent with state law, and removing a requirement from OMC 13-5-4 home occupations, that is prohibitive to multiple business types. AHBL Planner Wayne Carlson posed the following questions for the Planning Commission to consider, regarding Title 13:

- Would the Planning Commission support codifying an Administrative Parking Waiver to ease parking regulations in the downtown core?
- Does the Planning Commission support Accessory Dwelling Units (ADUs) being allowed on nonconforming sized lots? If so, how many ADUs shall be allowed and what standards should the ADUs be held against?
- Would the Planning Commission support the consideration of allowing tiny houses as ADUs?

ii. Economic Development Element

Jennifer Cannon and Oscar Saucedo Andrade with ECONorthwest gave a presentation briefing the proposed economic development element amendments. They stated the key changes and improvements to the economic development element include a fully updated economic baseline analysis with new analysis such as; additional race, ethnicity, and equity analysis, commuting analysis, remote worker trends, and employment projections and land demand.

Commissioner Swanson made a motion to extend the meeting to 9:30pm. Seconded by Commissioner Bush.

Motion passed (3-0).

C. Dumpster Violations

The Planning Commission requested that dumpster violation updates are briefed during the October meeting.

D. Sign Code Violations

The Planning Commission requested that sign code violation updates are briefed during the October meeting.

9. GOOD OF THE ORDER.

1. Planned Absences.

None.

2. Report on Council Meetings.

City Administrator Scott Larson stated there are currently no relevant updates to provide.

Next Planning Commission Meeting: Monday, October 7th, 7:00pm

3. Agenda Setting.

The Planning Commission requested to bring back Comprehensive Plan Updates, Safe Parking, Dumpsters Violations, and Sign Code Violations under Old Business.

10. ADJOURNMENT.

Commissioner Bush made a motion to adjourn. Seconded by Commissioner Swanson.

Motion passed (3-0).

Chair Cochran adjourned the meeting at 9:33pm.

ATTEST:

Kelly Cochran, Commission Chair

Danielle Charchenko, Planning Commission Secretary

PROJECT MEMO



TO: Scott Larson and Kim Mahoney
FROM: Nicole Stickney
Tacoma - (253) 383-2422
DATE: September 30, 2024
PROJECT NO.: 2230242.30
PROJECT NAME: Orting Comprehensive Plan Update
SUBJECT: October 7, 2024 Public Hearing: City of Orting Comprehensive Plan 2024 Periodic Update and Implementing Code Update

BACKGROUND

The Comprehensive Plan is a document adopted by City Council used to guide development in Orting for the next 20 years. The intent of the Comprehensive Plan is to serve as a guidebook for the City for providing services, facilities, and amenities to accommodate projected residential and economic growth. Updating the Comprehensive Plan allows for it to better reflect the current vision of the City and residents as well as ensuring compliance with new regulatory guidance.

The City of Orting is required under the state's **Growth Management Act** to perform a "periodic" review and update of the comprehensive plan (due by December 31, 2024 and then every 10 years thereafter). All elements of the Comprehensive Plan must be consistent with each other, the Pierce County Countywide Planning Policies, PSRC Vision 2050, and the Growth Management Act. Furthermore, Washington State has new regulations that require updates to the plan to include an equity lens applied to all goals and policies and sets out provisions to plan for and accommodate low-income housing throughout State designated bands of income.

PROCESSING TIMELINE

The following list details some of the key project milestones. There have been multiple opportunities for members of the public to learn about the project and provide input. The City of Orting staff and consultants (AHBL, ECOnorthwest and Parametrix) ensured there was multiple opportunities for community members to become engaged, performing outreach on multiple occasions outside of City Hall, at prominent community events.

June 16, 2023	AHBL Completed a Gap Analysis (Dept. of Commerce Checklist and PSRC consistency tool) for Orting
July 26, 2023	The Council passed Res. 2023-13 announcing that the project to update the Comprehensive Plan was beginning and adopting a Public Participation Plan
August 7, 2023	AHBL provided a <i>Project Introduction</i> presentation at the Planning Commission meeting
October 3, 2023	An online survey launched which remained open for approximately one month. The survey was tailored to focus on items of interest to the City that had not have been recently reviewed (this means there weren't many questions on things like Parks because the Parks, Trails and Open Space Plan was updated in 2022). The survey was advertised with inserts placed in Utility Bills.
December 9, 2023	Public Outreach at the <i>Home for the Holidays Event</i>
January 4, 2024	AHBL presented the Survey Results to the Planning Commission
April 6, 2024	Public Outreach at the <i>Daffodil Festival</i>



June 3, 2024	The Planning Commission reviewed the following draft Elements: Introduction, Land Use, Housing, and Environment
July 1, 2024	The Planning Commission reviewed revised copies of the following draft Elements: Introduction, Land Use, Housing and Environment
August 5, 2024	The Planning Commission reviewed the draft Element Capital Facilities and Utilities Element, a Land Capacity Memo and proposed edits to Title 12, Subdivisions
August 9, 2024	<i>Open House event</i> at the Farmers' Market
September 5, 2024	The Planning Commission reviewed the following draft Elements: Transportation and Economic Development, together with proposed edits to Title 13, Development Regulations
September 16, 2024	A State Environmental Policy Act (SEPA) determination of DNS was circulated, together with a SEPA Checklist and updated draft Comprehensive Plan Elements and drafted Code Amendments (Titles 12, 13 & 15)
September 30, 2024	The SEPA Comment period closed

PLAN OVERVIEW

The Comprehensive Plan update includes revisions to the following elements: Introduction; Land Use; Natural Environment; Economic Development; Housing; Capital Facilities and Utilities; and Transportation. Each element contains goals and policies, and typically provides a discussion of the background information, purpose, and intent of the policies.

Each element of the Comprehensive Plan was reviewed for consistency with GMA requirements, the other elements of the Plan, and with other local and regional planning and regulatory documents. The following provides brief descriptions of each element included in the update:

- The **Introduction** describes the structure and purpose of the Comprehensive Plan, and introduces the City's vision and vision goals. It summarizes the other Plan elements and discusses means of implementation and processes for amendments.
- The **Land Use Element** includes discussion of population history and projections, and existing land use inventories and capacities. It contains the land use map, and map of Orting's Center of Local Importance (COLI) area. This element also covers a summary of the 2008 Orting Downtown Plan. The goals and policies focus on the general patterns of land use in the City, as well as specific visions and standards for each zone. Updates to this element include edits to projection figures based on the most recent data, changes to reflect recent rezones, and updates to goals and policies to comply with new standards from the Dept. Of Commerce and the Puget Sound Regional Council (PSRC). *Only modest growth is planned for Orting, as the 2044 population target set in the Pierce County County-Wide Planning Policies is 9,590 persons and the estimated 2024 population is 9,125. See the Land Capacity Analysis for more information.*
- The **Natural Environment Element** discusses natural features and conditions in and around Orting. It is being introduced as a new Element as part of the 2024 periodic update to cover environmental protection



and natural hazards. Orting is particularly susceptible to flood and lahar hazards due to its position between the Carbon and Puyallup rivers, downstream from Mt. Rainier. This element contains discussion and policies relating to critical areas such as wetlands, geologic hazards, and groundwater protection areas, as well as climate change. The Natural Element includes goals and policies to establish guidance for the protection and enhancement of the environment, including water and air quality.

- The **Economic Development Element** includes demographic and economic profiles of the City, permit history, employment and industry figures, and fiscal analysis. Figures and analysis have been updated for 2024 with the most recent available data. The goals and policies are intended to support appropriate and advantageous economic growth in Orting, and are based off of the economic analysis in the discussion. *See the Economic Development Appendix for More information.*
- The **Housing Element** includes an inventory and analysis of existing and projected housing needs; includes a statement of Orting housing goals and policies for the preservation, improvement, and development of housing; identifies sufficient land for housing, including, but not limited to government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and makes adequate provisions for existing and projected needs of all economic segments of the community. It has been updated to include the most recent data and to meet newly adopted requirements for goals and policies.
- The **Capital Facilities & Utilities Element** (which is now a combined element) consists of an inventory of current capital facilities owned by public entities, showing the locations and capacities of the public facilities; a forecast of the future needs for such capital facilities; the proposed locations and capacities of expanded or new capital facilities; and a six-year plan that will finance capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes. It also includes required inventories and planning for utilities. It was updated based on recent data and any new applicable requirements.
- The **Transportation Element** contains a description of existing transportation conditions, travel forecasts, service standards and analysis, and transportation recommendations, and defines the existing and future transportation vision for Orting. Updates include the incorporation of recent data (as available) and any new applicable requirements.

The related update to implementing policies and regulations in the OMC includes revisions to Titles 12, 13, and 15 of the OMC.

MATERIALS ARE AVAILABLE ONLINE

Previous staff reports (memos), project information, and supporting documents (including a completed SEPA checklist and the Determination of Non-Significance) are available on the project website:

<https://engage.ahbl.com/orting2024>

NEXT STEPS

The Planning Commission's public hearing date of October 7, 2024 has been advertised to the public as required. The public hearing type is **legislative** (meaning, it is policy in nature). The Open Public Meetings Act applies.

The public hearing provides an opportunity to listen to public testimony. There will be opportunities for any member of the public to provide testimony during the public hearing in person, via the platform Zoom, or they may submit written comments to planner@cityoforting.org.



Public testimony is essential so the Planning Commission can understand what is important to the public, and how any changes (or lack of change) could impact the community they serve.

Staff is monitoring for comments and feedback from State Agencies (under the 60-day notice period which was initiated on September 16, 2024) which are due no later than November 15, 2024 and also for potential feedback from PSRC regarding their early review for plan certification¹.

Anticipated future meetings and processing includes:

- **November 18, 2024:** Planning Commission will hold a special meeting to consider rendering a recommendation to the City Council to approve 2024 Comprehensive Plan & implementing code changes
- **November 27, 2024:** City Council may hold a public hearing on the 2024 Comprehensive Plan Update project & implementing code changes and consider the Planning Commission's recommendation to approve the plan and proposed changes to the Orting Municipal Code (OMC)
- **Date TBD:** City Council will adopt the 2024 Comprehensive Plan Update and proposed changes to the Orting Municipal Code (OMC) at a regular meeting.

After the City Council adopts the Comprehensive Plan update and changes to the Orting Municipal Code by Ordinance, the action is subject to an appeal period. Furthermore, the City will need to transmit the Plan to the Puget Sound Regional Council for Plan Certification.

NS/ns

c: Wayne Carlson,
Anisa Thaci - AHBL

¹ State law requires PSRC to certify local comprehensive plans for consistency with VISION 2050, the Regional Transportation Plan, and transportation-related planning requirements. Jurisdictions must have a certified or conditionally-certified plan to be eligible to compete for regional transportation funds.



NOTICE OF PUBLIC HEARING

Notice is hereby given that the Orting Planning Commission will be holding a Public Hearing during their regular meeting at City Hall, 104 Bridge St. S. in Orting, WA on October 7th, 2024 at 7:00pm, or as soon thereafter as possible to receive public testimony and forward a recommendation to City Council regarding the proposed periodic update to the 2024 Orting Comprehensive Plan. This project is applicable to the entire City of Orting.

All members of the public may provide testimony during the public hearing in person, via the platform Zoom, or they may submit written comments to planner@cityoforting.org prior to the public hearing. To join the meeting via Zoom:

Zoom link: <https://us06web.zoom.us/j/83268807498?pwd=x3uHQHvLirp5anitFqxN6qDOJESk5S.1>

Meeting ID: 832 6880 7498

Passcode: 584959

Want to dial in from a phone?

+1 253 215 8782 US (Tacoma)

Posted: September 23, 2024

From: [Elizabeth Weldin](#)
To: [Planner](#)
Cc: [Kevin Dragon](#); [Angela Angove](#); [Ryan Miller](#); [Maureen Meehan](#); [Erick Thompson](#); [Helmut Schmidt](#); [Dennis Dixon](#); [Krystal Kyer](#); [Randy Brake](#); [Josh Benton](#); [Ingo Kuchta](#); [Tom Kantz](#); [Jordan Thomas](#)
Subject: Comment: City of Orting SEPA Determination - 2024 Comprehensive Plan periodic update proposal
Date: Monday, September 30, 2024 3:40:17 PM
Attachments: [image001.jpg](#)

Dear Kim Mahoney,

Pierce County Planning and Public Works – Surface Water Management Division is submitting comments for the City of Orting’s SEPA Determination - 2024 Comprehensive Plan Periodic Update Proposal.

Please confirm receipt of this e-mail.

We would like to become a Party of Record for the 2024 Comprehensive Plan Periodic Update.

Pierce County appreciates the opportunity to review and comment on Orting's 2024 Comprehensive Plan update. Below are comments based on our review:

Pierce County recommends that the City of Orting review and reference the [Pierce County's 2023 Comprehensive Flood Hazard Management Plan](#) (CFHMP). We look forward to continued coordination with City staff to address flood-related concerns of the Carbon and Puyallup Rivers surrounding the City.

On page 9 of Packet 3, the highlighted new section describes Pierce County’s planning efforts. The Pierce County flood plan should be titled “Pierce County Comprehensive Flood Hazard Management Plan”. The paragraph also lists several proposed projects on the Carbon and Puyallup Rivers near the City of Orting. Pierce County has identified projects for the Puyallup and Carbon Rivers to improve the resilience of the flood risk reduction infrastructure. These projects are in the preliminary planning stages and still require multiple elements and funding before they are ready for implementation, and their benefit can be realized. Please refer to the CFHMP for more information about the County’s Carbon and Puyallup River projects. The County recommends coordination between the proposed County and City projects for concurrency in the design and construction.

Figure NE-3 on page 48 of Packet 3 does not show the best available data of the potential risk. Please refer to “PC_NHC Verified DFF Floodway” layer on Pierce County’s [PublicGIS](#) - snapshot below. Based on the County's CFHMP and County staff observations, Figure NE-3 appears to understate the potential hazard and does not include all the available data.

We encourage the City of Orting to explore zoning solutions that accommodate the Growth Management Act and regional population growth and housing requirements and avoid the mapped flood hazard and areas of flood risk.

In June, the U.S. Army Corps of Engineers delivered the Final Draft Jones Levee Feasibility Study to Pierce County. The study looked at four alternatives, with the preferred option being a setback levee. The modeling identified possible flooding impacts on the river’s left bank -- the opposite side

of the Puyallup River from the Jones Setback Levee. The possible impacts resulted in the estimated project cost of \$45 million or more. Pierce County is reassessing its strategy to address the funding gap and how to deliver the Jones Setback Levee project successfully. Unfortunately, the study is not publicly available at this time. The County would be glad to provide the Draft Feasibility Evaluation study (dated June 2024), upon the City's specific request.

Finally, here are some recent sediment studies of the Puyallup River Basin that may provide some information and insight for future infrastructure planning:

- [Channel Change and Sediment Transport in the Puyallup River Watershed | U.S. Geological Survey \(usgs.gov\)](#)
- [Mount Rainier Fluvial Geomorphology and River Sedimentation | U.S. Geological Survey \(usgs.gov\)](#)

We appreciate your time.

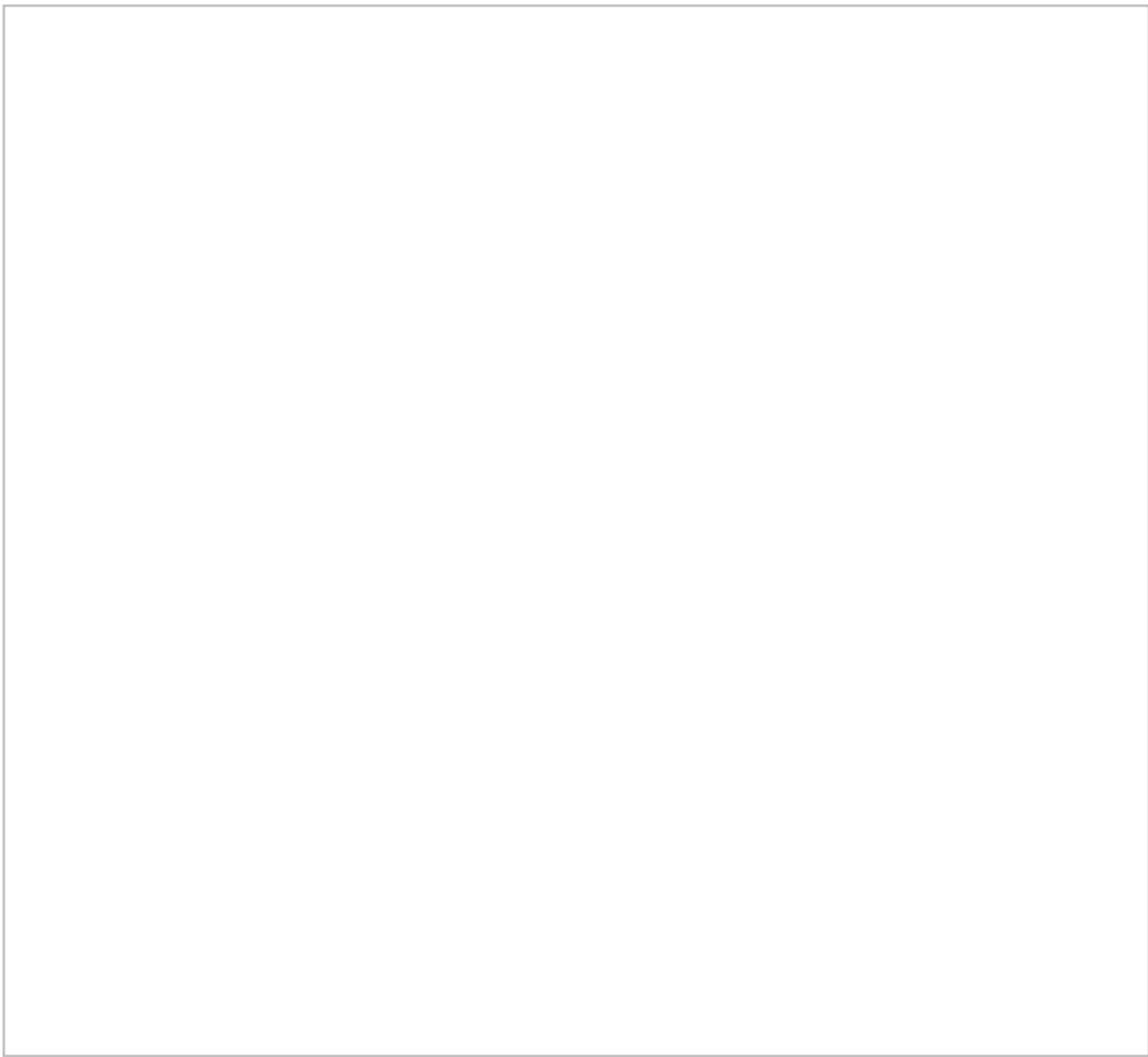
Thank you.

Elizabeth Weldin

Senior Planner

Planning & Public Works | Surface Water Management

(253) 798-2492



Snapshot of best available data – sourced from Pierce County PublicGIS

From: Planner <Planner@cityoforting.org>

Sent: Monday, September 16, 2024 12:07 PM

To: reviewteam@commerce.wa.gov; sepa@dahp.wa.gov; R6SSplanning@dfw.wa.gov; sepacenter@dnr.wa.gov; SEPA.reviewteam@doh.wa.gov; amy.tousley@pse.com; David.p.Brown@pse.com; sandy.leek@pse.com; Glen@muckleshoot.nsn.us; laura.murphy@muckleshoot.nsn.us; SEPA@pscleanair.org; Andrew.Larson@wsdot.wa.gov; Jeff.Loescher@wsdot.wa.gov; Sean Gaffney <sean.gaffney@piercecountywa.gov>; Larry.Covey@dshs.wa.gov; Tina Lee <tlee@piercetransit.org>; tvaslet@piercetransit.org; SEPA@TPCHD.org; OR-SEPA-REVIEW@wsdot.wa.gov; johnstoner@cobl.us; Planning@PuyallupTribe-nsn.gov; Elizabeth Weldin <elizabeth.weldin@piercecountywa.gov>; Angela Angove <angela.angove@piercecountywa.gov>; hatzenbelere@orting.wednet.edu; PCTRAFFIC <PCTRAFFIC@piercecountywa.gov>; ORPlanview@wsdot.wa.gov; terry.westhoff@dva.wa.gov; Daniel.smith@dva.wa.gov; Casey_Barney@yakama.com; RFoster@squaxin.us;

Beach.Brad@nisqually-nsn.gov; bullchild.annette@nisqually-nsn.gov; STrudel@suquamish.nsn.us; laura.murphy@muckleshoot.nsn.us; SEPAreview@puyalluptribe-nsn.gov; Steve@snoqualmtribe.us; Jessica Gehle <jgehle@tpchd.org>; Debbie Bailey <debbie.bailey@piercecountywa.gov>; Erika Harris <EHarris@psrc.org>; lbenjamin@psrc.org; dwilson@nwseaportalliance.com; derek.pell@doh.wa.gov; MurreysDisposal@wasteconnections.com; tim@futurewise.org; separegister@ecy.wa.gov; SEPA@psc Clean Air.org

Cc: Kimberly Mahoney <kmahoney@cityoforting.org>; SLarson <SLarson@cityoforting.org>; nstickney@ahbl.com

Subject: City of Orting SEPA Determination - 2024 Comprehensive Plan periodic update proposal

Some people who received this message don't often get email from planner@cityoforting.org. [Learn why this is important](#)

Good afternoon,

The City of Orting is issuing a SEPA Checklist and SEPA Determination of Nonsignificance (DNS) on the 2024 Comprehensive Plan periodic update proposal. The Comprehensive Plan update proposal includes revisions to the following elements: Introduction; Land Use; Housing; Transportation; Economic Development; Capital Facilities and Utilities; and Natural Environment. Two additional appendices, Appendix I - Land Capacity Analysis and Appendix II - Economic Baseline Analysis, have also been added to the Comprehensive Plan document. The proposal also includes related updates to implementing policies and regulations in the Orting Municipal Code (OMC) including revisions to Titles 12, 13, and 15.

To access the documents, please visit: <https://engage.ahbl.com/orting2024>. All documents can be found in the **Library** tab, under **Draft Documents for Public Comment and SEPA Environmental Review (September 16-30, 2024)**.

Issue date: September 16, 2024

Comments due: September 30, 2024

Send comments to: planner@cityoforting.org

Thank you,

Kim Mahoney, Community Development Director
City of Orting

t: 360-893-9014 | c: 253-375-9839 | www.cityoforting.org
kmahoney@cityoforting.org | 104 Bridge St S. Orting, WA 98360

NOTICE OF PUBLIC DISCLOSURE: Copies of public e-mails, documents and records are available to the public as required under the Washington State Public Records Act (Chapter 42.56 RCW). Accordingly, this e-mail, in whole or in part, may

be subject to disclosure pursuant to the Public Records Act, regardless of any claim of confidentiality, privilege or exemption asserted by a third party.

From: [Planner](#)
To: [Kimberly Mahoney](#)
Subject: FW: City of Orting SEPA Determination - 2024 Comprehensive Plan periodic update proposal
Date: Tuesday, October 1, 2024 11:43:16 AM
Attachments: [image001.png](#)
[image002.jpg](#)

Kim Mahoney, Community Development Director
City of Orting

t: 360-893-9014 | c: 253-375-9839 | www.cityoforting.org
kmahoney@cityoforting.org | 104 Bridge St S. Orting, WA 98360



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From: Rhonda Foster <rfoster@squaxin.us>
Sent: Monday, September 16, 2024 12:15 PM
To: Planner <Planner@cityoforting.org>; Shaun Dinubilo <sdinubilo@squaxin.us>
Cc: Rhonda Foster <rfoster@squaxin.us>
Subject: RE: City of Orting SEPA Determination - 2024 Comprehensive Plan periodic update proposal

Our archaeologist, Shaun Dinubilo reviews and comments on all projects for the Cultural Resources Department at the Squaxin Island Tribe. Please send all project review requests to him in the future. I am forwarding this to him now.

Thank you



Rhonda Foster
CR Director, THPO
CR Department
Squaxin Island Tribe
200 S.E. Billy Frank Jr. Way
Shelton, WA 98584

D 360-432-3850

rfoster@squaxin.us

Email is my preferred method of communication

As per 43 CFR 7.18([a][1]) of the Archaeological Resource Protection Act, Section 304 of the National Historic Preservation Act, and RCW 42.56.300 of the Washington State Public Records Act-Archaeological Sites: all information concerning the location, character, and ownership of any cultural resource must be withheld from public disclosure.

From: Planner <Planner@cityoforting.org>

Sent: Monday, September 16, 2024 12:07 PM

To: reviewteam@commerce.wa.gov; sepa@dahp.wa.gov; R6SSplanning@dfw.wa.gov; sepacenter@dnr.wa.gov; SEPA.reviewteam@doh.wa.gov; amy.tousley@pse.com; David.p.Brown@pse.com; sandy.leek@pse.com; Glen@muckleshoot.nsn.us; laura.murphy@muckleshoot.nsn.us; SEPA@psc Cleanair.org; Andrew.Larson@wsdot.wa.gov; Jeff.Loescher@wsdot.wa.gov; Sean.gaffney@piercecountywa.gov; Larry.Covey@dshs.wa.gov; tlee@piercetransit.org; tvasset@piercetransit.org; SEPA@TPCHD.org; OR-SEPA-REVIEW@wsdot.wa.gov; johnstoner@cobl.us; Planning@PuyallupTribe-nsn.gov; elizabeth.weldin@piercecountywa.gov; Angela.Angove@piercecountywa.gov; hatzenbelere@orting.wednet.edu; PCTRAFFIC@piercecountywa.gov; ORPlanview@wsdot.wa.gov; terry.westhoff@dva.wa.gov; Daniel.smith@dva.wa.gov; Casey_Barney@yakama.com; Rhonda Foster <rfoster@squaxin.us>; Beach.Brad@nisqually-nsn.gov; bullchild.annette@nisqually-nsn.gov; STrudel@suquamish.nsn.us; laura.murphy@muckleshoot.nsn.us; SEPAreview@puyalluptribe-nsn.gov; Steve@snoqualmietribe.us; jgehle@tpchd.org; debbie.bailey@piercecountywa.gov; EHarris@psrc.org; lbenjamin@psrc.org; dwilson@nwseaportalliance.com; derek.pell@doh.wa.gov; MurreysDisposal@wasteconnections.com; tim@futurewise.org; separegister@ecy.wa.gov; SEPA@psc Cleanair.org

Cc: Kimberly Mahoney <kmahoney@cityoforting.org>; Scott Larson <SLarson@cityoforting.org>; nstickney@ahbl.com

Subject: City of Orting SEPA Determination - 2024 Comprehensive Plan periodic update proposal

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Good afternoon,

The City of Orting is issuing a SEPA Checklist and SEPA Determination of Nonsignificance (DNS) on the 2024 Comprehensive Plan periodic update proposal. The Comprehensive Plan update proposal includes revisions to the following elements: Introduction; Land Use; Housing; Transportation; Economic Development; Capital Facilities and Utilities; and Natural Environment. Two additional appendices, Appendix I - Land Capacity Analysis and Appendix II - Economic Baseline Analysis, have also been added to the Comprehensive Plan document. The proposal also includes related updates to implementing policies and regulations in the Orting Municipal Code (OMC) including revisions to Titles 12, 13, and 15.

To access the documents, please visit: <https://engage.ahbl.com/orting2024>. All documents can be found in the **Library** tab, under **Draft Documents for Public Comment and SEPA Environmental Review (September 16-30, 2024)**.

Issue date: September 16, 2024

Comments due: September 30, 2024

Send comments to: planner@cityoforting.org

Thank you,

Kim Mahoney, Community Development Director
City of Orting

t: 360-893-9014 | c: 253-375-9839 | www.cityoforting.org
kmahoney@cityoforting.org | 104 Bridge St S. Orting, WA 98360

NOTICE OF PUBLIC DISCLOSURE: Copies of public e-mails, documents and records are available to the public as required under the Washington State Public Records Act (Chapter 42.56 RCW). Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to the Public Records Act, regardless of any claim of confidentiality, privilege or exemption asserted by a third party.

RCW 36.70A.680 Accessory dwelling units—Local regulation.

(1) (a) Cities and counties planning under this chapter must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls the requirements of this section and of RCW 36.70A.681, to take effect six months after the jurisdiction's next periodic comprehensive plan update required under RCW 36.70A.130.

(b) In any city or county that has not adopted or amended ordinances, regulations, or other official controls as required under this section, the requirements of this section and RCW 36.70A.681 supersede, preempt, and invalidate any conflicting local development regulations.

(2) Ordinances, development regulations, and other official controls adopted or amended pursuant to this section and RCW 36.70A.681 must only apply in the portions of towns, cities, and counties that are within urban growth areas designated under this chapter.

(3) Any action taken by a city or county to comply with the requirements of this section or RCW 36.70A.681 is not subject to legal challenge under this chapter or chapter 43.21C RCW.

(4) Nothing in this section or RCW 36.70A.681 requires or authorizes a city or county to authorize the construction of an accessory dwelling unit in a location where development is restricted under other laws, rules, or ordinances as a result of physical proximity to on-site sewage system infrastructure, critical areas, or other unsuitable physical characteristics of a property.

(5) Nothing in this section or in RCW 36.70A.681 prohibits a city or county from:

(a) Restricting the use of accessory dwelling units for short-term rentals;

(b) Applying public health, safety, building code, and environmental permitting requirements to an accessory dwelling unit that would be applicable to the principal unit, including regulations to protect ground and surface waters from on-site wastewater;

(c) Applying generally applicable development regulations to the construction of an accessory unit, except when the application of such regulations would be contrary to this section or to RCW 36.70A.681;

(d) Prohibiting the construction of accessory dwelling units on lots that are not connected to or served by public sewers; or

(e) Prohibiting or restricting the construction of accessory dwelling units in residential zones with a density of one dwelling unit per acre or less that are within areas designated as wetlands, fish and wildlife habitats, flood plains, or geologically hazardous areas. [2023 c 334 s 3.]

Findings—Intent—2023 c 334: "(1) The legislature makes the following findings:

(a) Washington state is experiencing a housing affordability crisis. Many communities across the state are in need of more housing for renters across the income spectrum.

(b) Many cities dedicate the majority of residentially zoned land to single detached houses that are increasingly financially out of reach for many households. Due to their smaller size, accessory dwelling units can provide a more affordable housing option in those single-family zones.

(c) Localities can start to correct for historic economic and racial exclusion in single-family zones by opening up these neighborhoods to more diverse housing types, including accessory dwelling units, that provide lower cost homes. Increasing housing options in expensive, high-opportunity neighborhoods will give more families access to schools, parks, and other public amenities otherwise accessible to only the wealthy.

(d) Accessory dwelling units are frequently rented below market rate, providing additional affordable housing options for renters.

(e) Accessory dwelling units can also help to provide housing for very low-income households. More than 10 percent of accessory dwelling units in some areas are occupied by tenants who pay no rent at all; among these tenants are grandparents, adult children, family members with disabilities, friends going through life transitions, and community members in need. Accessory dwelling units meet the needs of these people who might otherwise require subsidized housing space and resources.

(f) Accessory dwelling units can meet the needs of Washington's growing senior population, making it possible for this population to age in their communities by offering senior-friendly housing, which prioritizes physical accessibility, in walkable communities near amenities essential to successful aging in place, including transit and grocery stores, without requiring costly renovations of existing housing stock.

(g) Homeowners who add an accessory dwelling unit may benefit from added income and an increased sense of security.

(h) Accessory dwelling units provide environmental benefits. On average they are more energy efficient than single detached houses, and they incentivize adaptive reuse of existing homes and materials.

(i) Siting accessory dwelling units near transit hubs, employment centers, and public amenities can help to reduce greenhouse gas emissions by increasing walkability, shortening household commutes, and curtailing sprawl.

(2) The legislature intends to promote and encourage the creation of accessory dwelling units as a means to address the need for additional affordable housing options." [2023 c 334 s 1.]

RCW 36.70A.681 Accessory dwelling units—Limitations on local regulation. (1) In addition to ordinances, development regulations, and other official controls adopted or amended to comply with this section and RCW 36.70A.680, a city or county must comply with all of the following policies:

(a) The city or county 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;

(b) The city or county may not require the owner of a lot on which there is an accessory dwelling unit to reside in or occupy the accessory dwelling unit or another housing unit on the same lot;

(c) The city or county must allow at least two accessory dwelling units on all lots that are located in all zoning districts within an urban growth area that allow for single-family homes in the following configurations:

(i) One attached accessory dwelling unit and one detached accessory dwelling unit;

(ii) Two attached accessory dwelling units; or

(iii) Two detached accessory dwelling units, which may be comprised of either one or two detached structures;

(d) The city or county must permit accessory dwelling units in structures detached from the principal unit;

(e) The city or county must allow an accessory dwelling unit on any lot that meets the minimum lot size required for the principal unit;

(f) The city or county may not establish a maximum gross floor area requirement for accessory dwelling units that is less than 1,000 square feet;

(g) The city or county may not establish roof height limits on an accessory dwelling unit of less than 24 feet, unless the height limitation that applies to the principal unit is less than 24 feet, in which case a city or county may not impose roof height limitation on accessory dwelling units that is less than the height limitation that applies to the principal unit;

(h) A city or county may not impose setback requirements, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or requirements for design review for accessory dwelling units that are more restrictive than those for principal units;

(i) A city or county must allow detached accessory dwelling units to be sited at a lot line if the lot line abuts a public alley, unless the city or county routinely plows snow on the public alley;

(j) A city or county must allow accessory dwelling units to be converted from existing structures, including but not limited to detached garages, even if they violate current code requirements for setbacks or lot coverage;

(k) A city or county may not prohibit the sale or other conveyance of a condominium unit independently of a principal unit solely on the grounds that the condominium unit was originally built as an accessory dwelling unit; and

(l) A city or county may not require public street improvements as a condition of permitting accessory dwelling units.

(2) (a) A city or county subject to the requirements of this section may not:

(i) Require off-street parking as a condition of permitting development of accessory dwelling units within one-half mile walking distance of a major transit stop;

(ii) Require more than one off-street parking space per unit as a condition of permitting development of accessory dwelling units on lots smaller than 6,000 square feet before any zero lot line subdivisions or lot splits; and

(iii) Require more than two off-street parking spaces per unit as a condition of permitting development of accessory dwelling units on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.

(b) The provisions of (a) of this subsection do not apply:

(i) If a local government submits to the department an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations of (a) of this subsection for accessory dwelling units will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location for the same number of detached houses. The department must develop guidance to assist cities and counties on items to include in the study; or

(ii) To portions of cities within a one mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

(3) When regulating accessory dwelling units, cities and counties may impose a limit of two accessory dwelling units, in addition to the principal unit, on a residential lot of 2,000 square feet or less.

(4) The provisions of this section do not apply to lots designated with critical areas or their buffers as designated in RCW 36.70A.060, or to a watershed serving a reservoir for potable water if that watershed is or was listed, as of July 23, 2023, as impaired or threatened under section 303(d) of the federal clean water act (33 U.S.C. Sec. 1313(d)). [2023 c 334 s 4.]

Findings—Intent—2023 c 334: See note following RCW 36.70A.680.

PUBLIC HEARING

CITY OF ORTING

**COMPREHENSIVE PLAN
PERIODIC UPDATE
& IMPLEMENTING CODE
UPDATE**

INTRODUCTION & PROJECT BACKGROUND



COMPREHENSIVE PLAN UPDATE

The Comprehensive Plan is the 20-year framework for local policy, planning, and capital facility investment through the year 2044.

This is a LEGISLATIVE action. The Open Public Meeting Act Applies.

What is the Comprehensive Plan?

Washington State's Growth Management Act (GMA) requires that cities prepare a "periodic update" to local comprehensive plans every 10 years. The Comprehensive Plan may also be amended on an annual basis.

Establishes blueprint for the City's future:
20-year horizon (2024 - 2044)

Guides the physical
development of the community

Basis of decisions on land use, transportation, housing, capital facilities,
parks, economic development, and the environment

Sets level of service standards for City facilities
(roads, parks, etc.) and how to pay for them

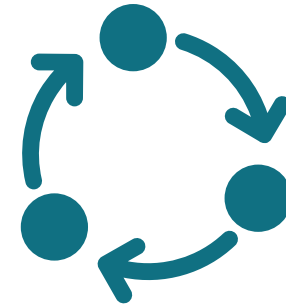
Updates zoning and development regulations
to be consistent with the Plan

Intended to balance public interests and bridge the gap
from where we are to where we want to go

Intent of the Update



Make sure the Orting
Comprehensive Plan reflects
the current vision of the City
and its residents



Update the Orting
Comprehensive Plan with new
regulatory guidance
& Update the Code to
Implement the Plan

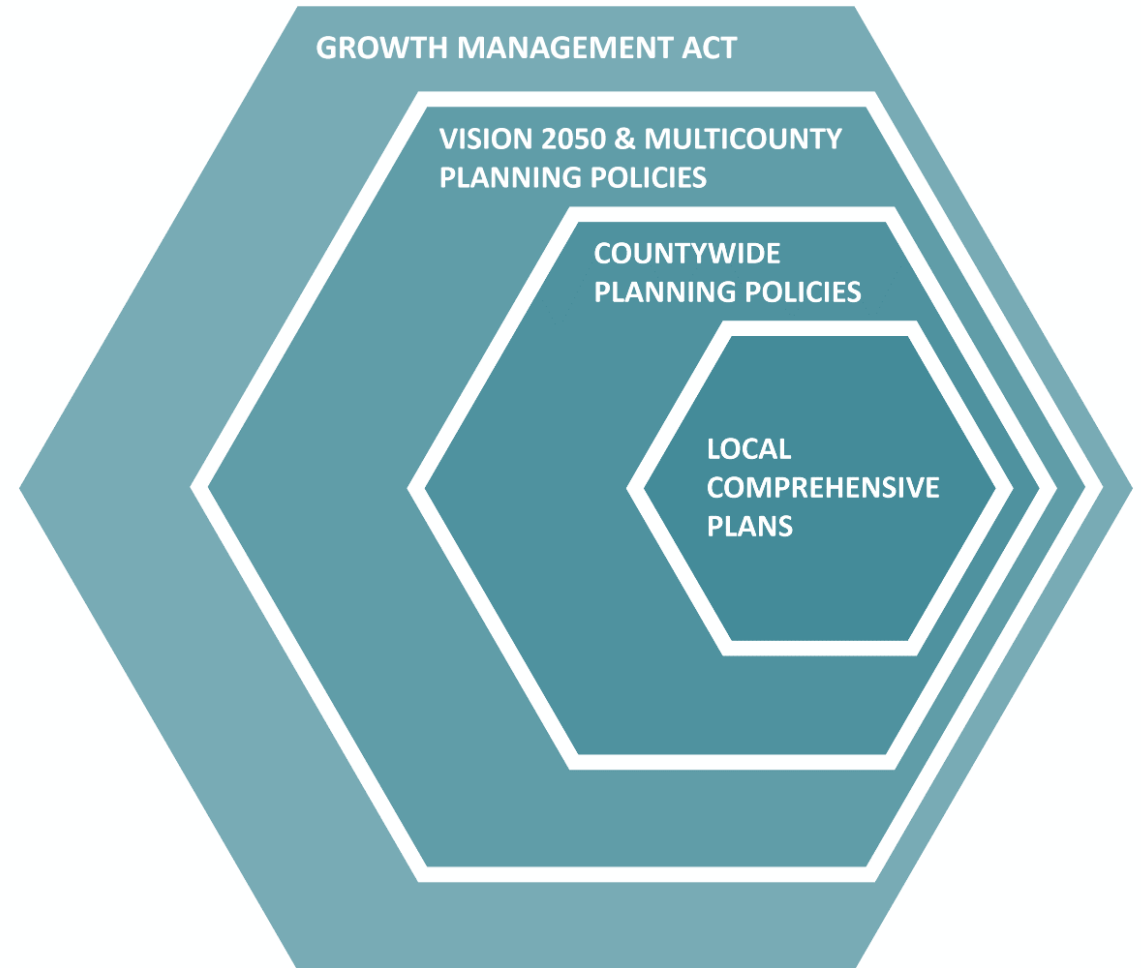
Who Decides What the Plan Says?

With guidance from the Department of Commerce on the Growth Management Act (GMA) and Puget Sound Regional Council (PSRC), the Comprehensive Plan is required to meet a variety of different requirements.

The project team engaged the community to develop a vision based on community goals and state and regional requirements. A draft plan was developed, and public meetings were held to collect public comments.

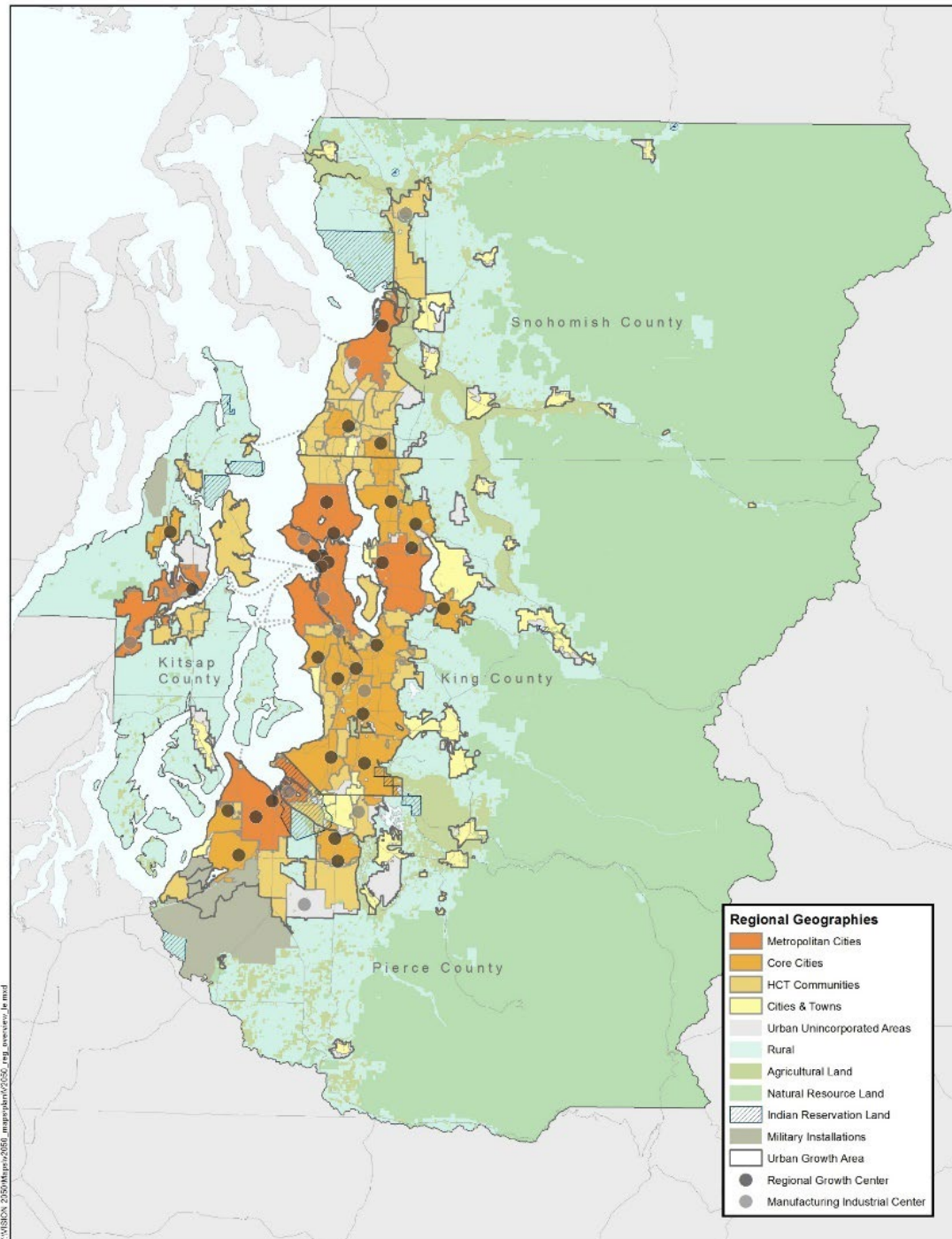
- Open public meetings act applies (RCW 42.30)

The Planning Commission will forward a recommendation to the City Council, who approves the final plan.



Intent of the Update: PSRC VISION 2050

- Regional Growth Strategy: Setting Population and Employment Growth Targets
- Climate – Reducing Vehicle Miles Traveled (VMT)
- Social Equity/Justice
- Centers – Focus Investments and Growth in Centers
- Housing



Intent of the Update GMA Goals

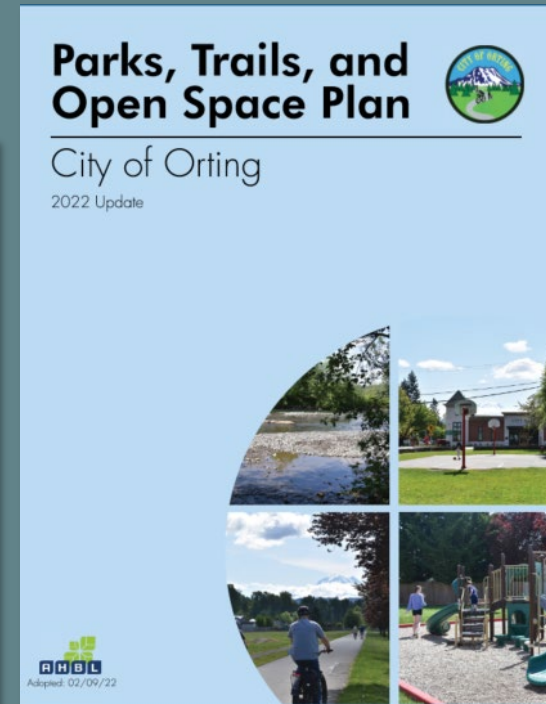
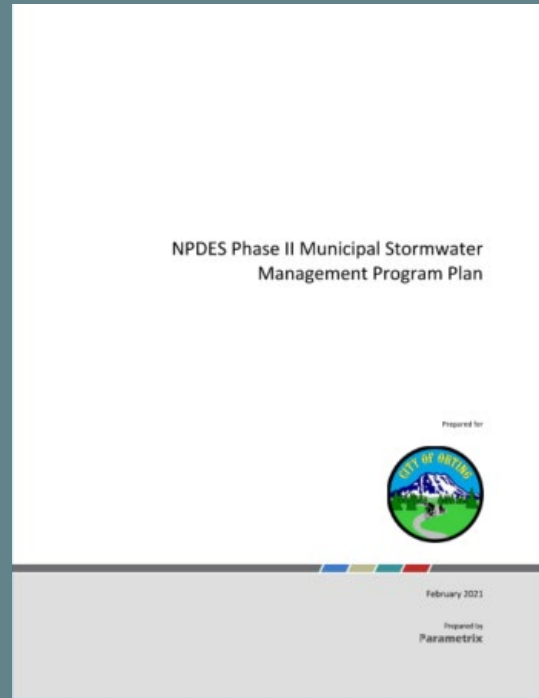
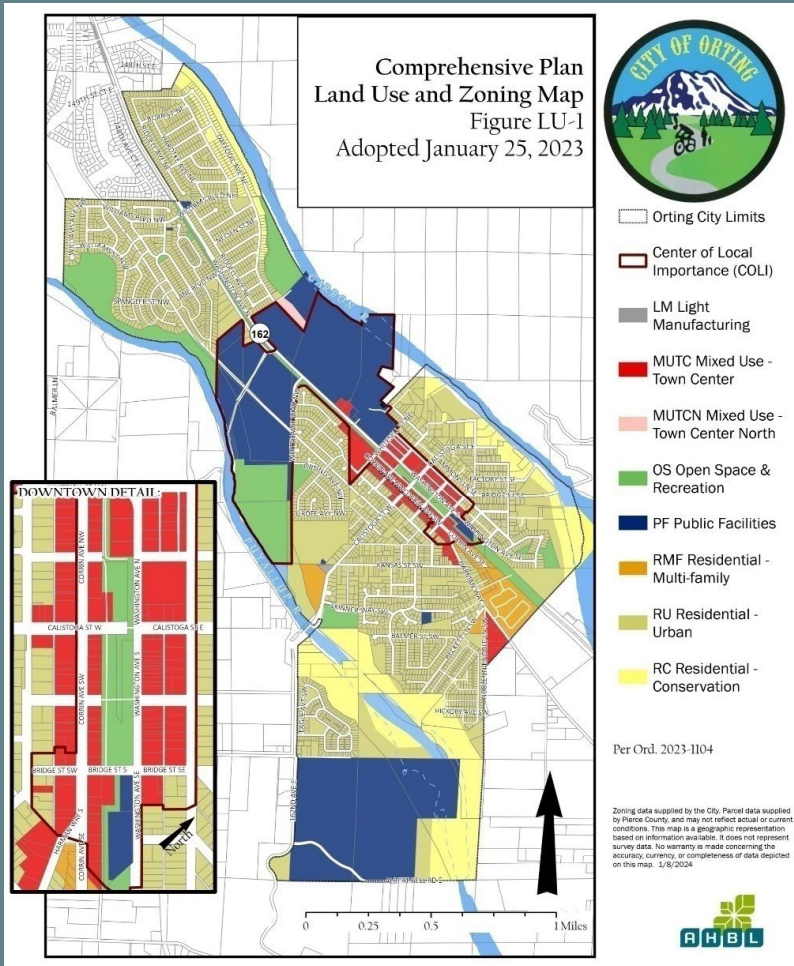
GMA's 14 | 15 Goals to Balance

- Urban Growth
- Reduce Sprawl
- Transportation
- Housing
- Economic Development
- Property Rights
- Permits
- Resource Lands
- Open Space/Recreation
- Environment
- Citizen Participation
- Public Facilities/Services
- Historic Preservation
- Shorelines
- Climate Change & Resiliency



No priority order. Balancing based on "local circumstances."

MAPS AND OTHER PLANS



The Elements

In Orting's Comprehensive Plan, each Element provides goals and policies



Land Use



Economic
Development



Housing



Capital
Facilities and
Utilities*



Transportation



Natural
Environment*

*Capital
Facilities and
Utilities
Elements have
been combined
as a part of the
2024
Comprehensive
Plan Update

*The Natural
Environment
Element was
added

Process Timeline

Public Outreach:

Community Survey:
Fall '23

Home for the Holidays Event:
Dec '23

Daffodil Festival:
April '24

Open House @ Farmers Market:
August '24

**Gap Analysis
(including preliminary PSRC Checklist)**
Completed by AHBL in June 2023

Project Launch and Public Participation Plan
Finalized July 2023

Prepare Draft Elements
March - Sept. 2024

Draft Element Review by Planning Commission
July – Oct. 2024

SEPA Environmental Review
Public notice period:
Sept. 16-30, 2024
60-day notice period:
ends Nov. 15, 2024

Prepare & Submit PSRC Consistency Tool
Sept. 2024

Adoption Phase
Hearing: Oct. 7, 2024
Special Meeting: Nov. 18, 2024
City Council Study Session: Nov. 20, 2024



Daffodil Festival April 2024



Open House August 2024



Community Engagement Events

- Community workshops and open houses at standing community events
 - Home for the Holidays Event December 2023
 - Daffodil Festival April 2024
 - Open House August 2024 at the Orting Farmers Market
- Public presentations and hearings at City Planning Commission and City Council meetings

The City of Orting is in the process of updating its Comprehensive Plan and would like the community's input throughout the process.

Comprehensive Plan Overview

The Comprehensive Plan is a document adopted by City Council used to guide development in Orting for the next 20 years. The intent of the Comprehensive Plan is to serve as a guidebook for the City for providing services, facilities, and amenities to accommodate projected residential and economic growth. Updating the Comprehensive Plan allows for it to better reflect the current vision of the City and residents as well as ensuring compliance with new regulatory guidance.

The updated document will contain:

- A vision describing how the community will look, feel, and function in the year 2044
- Goals and policies with strategies for achieving the vision

Topics will include the following:

- Land Use
- Housing
- Transportation
- Economic Development
- Capital Facilities
- Utilities
- Natural Environment

FAQS LIBRARY COMMUNITY ENGAGEMENT RESULTS GET INVOLVED

WHAT IS THE 2044 COMPREHENSIVE PLAN UPDATE PROJECT?

HOW DOES THE COMPREHENSIVE PLAN HELP THE CITY?

WHY DOES THE COMPREHENSIVE PLAN NEED TO BE UPDATED?

WHO DECIDES WHAT THE PLAN SAYS?

WHY IS COMMUNITY INPUT IMPORTANT?



Submit a Comment

Key Dates

August 09, 2024
Open House at the Farmer's Market
Join us at the Orting Farmer's Market at the Orting North Park from 9 a.m. to 7 p.m.

September 09, 2024 to September 23, 2024
SEPA Public Comment Period
The public will have the opportunity to comment on the SEPA environmental review portion of the Comprehensive Plan Update during the 14-day comment period.

October 07, 2024
Public Hearing
Join us at the Public Hearing for the Comprehensive Plan Update at 7 p.m. at Orting City Hall.

Contact Us

If you have questions or want to learn more about a project, contact us below:
 Kim Mahoney, Community Development Director & SEPA Responsible Official
 360-892-9914
 kmahoney@cityoforting.org

FAQS LIBRARY COMMUNITY ENGAGEMENT RESULTS GET INVOLVED

WHAT IS THE 2044 COMPREHENSIVE PLAN UPDATE PROJECT?
The Comprehensive Plan is the 20-year framework for local policy, planning, and capital facility investment through the year 2044.

HOW DOES THE COMPREHENSIVE PLAN HELP THE CITY?
The Comprehensive Plan is used to coordinate different plans, ordinances, and codes on topics such as:
 • Transportation Improvements
 • Capital facilities and utilities
 • Parks investments
 • Long-term planning goals and policies
 • Visions for the future of the City

WHY DOES THE COMPREHENSIVE PLAN NEED TO BE UPDATED?
Periodic updates are required every ten years per the statewide Growth Management Act to ensure the Plan complies with current laws, regional policies, and local conditions.
 • When updating the Plan, the City is required to coordinate these efforts with partners, districts, neighboring jurisdictions, and regional agencies.
 • We must consider population and demographic shifts, or other indicators of a changing community since the last update.
 • We check to see if the vision expressed in the Plan meets current community needs and preferences.

WHO DECIDES WHAT THE PLAN SAYS?
With guidance from the Department of Commerce on the Growth Management Act (GMA) and Puget Sound Regional Council (PSRC), the Comprehensive Plan is required to meet a variety of different requirements. The project team will engage the community to develop a vision based on community goals and state and regional requirements. A draft plan will be developed, and public meetings will be held to collect public comments. The Planning Commission will forward a recommendation to the City Council, who approves the final plan.

WHY IS COMMUNITY INPUT IMPORTANT?
The people who are most affected by Orting's Comprehensive Plan are the people who live, work, and spend time in Orting. Your experiences, needs, and aspirations are important factors for the City to consider as we plan for future growth and development. This periodic update is an opportunity for your voice to impact how Orting continues to develop over the next 20 years.

Materials from the July 2024 Planning Commission Meeting

Memo for July 2024 Planning Commission Meeting
PDF (104.20 KB)

Draft Introduction Element (July 2024 PC meeting)
PDF (3.71 MB)

Draft Land Use Element (July 2024 PC meeting)
PDF (7.89 MB)

Draft Housing Element (July 2024 PC meeting)
PDF (2.38 MB)

Draft Environment Element (July 2024 PC meeting)
PDF (9.19 MB)

Additional Outreach

- A project website with regularly updated content
- Public notices, direct mailings, and flyers
- Surveys and interviews
- Comment forms
- Email distribution list

COMPREHENSIVE PLAN ELEMENT UPDATES OVERVIEW

Introduction

Key Changes and Improvements

- Added a new section titled “Purpose and Intent”
- Updated “Why is a Comprehensive Plan Needed?” with additional details on GMA goals to inform the public of recent legislative changes relevant to the Plan Update
- A new section titled “Is Orting Rural?” was added to clarify the word “rural” in the context of the GMA

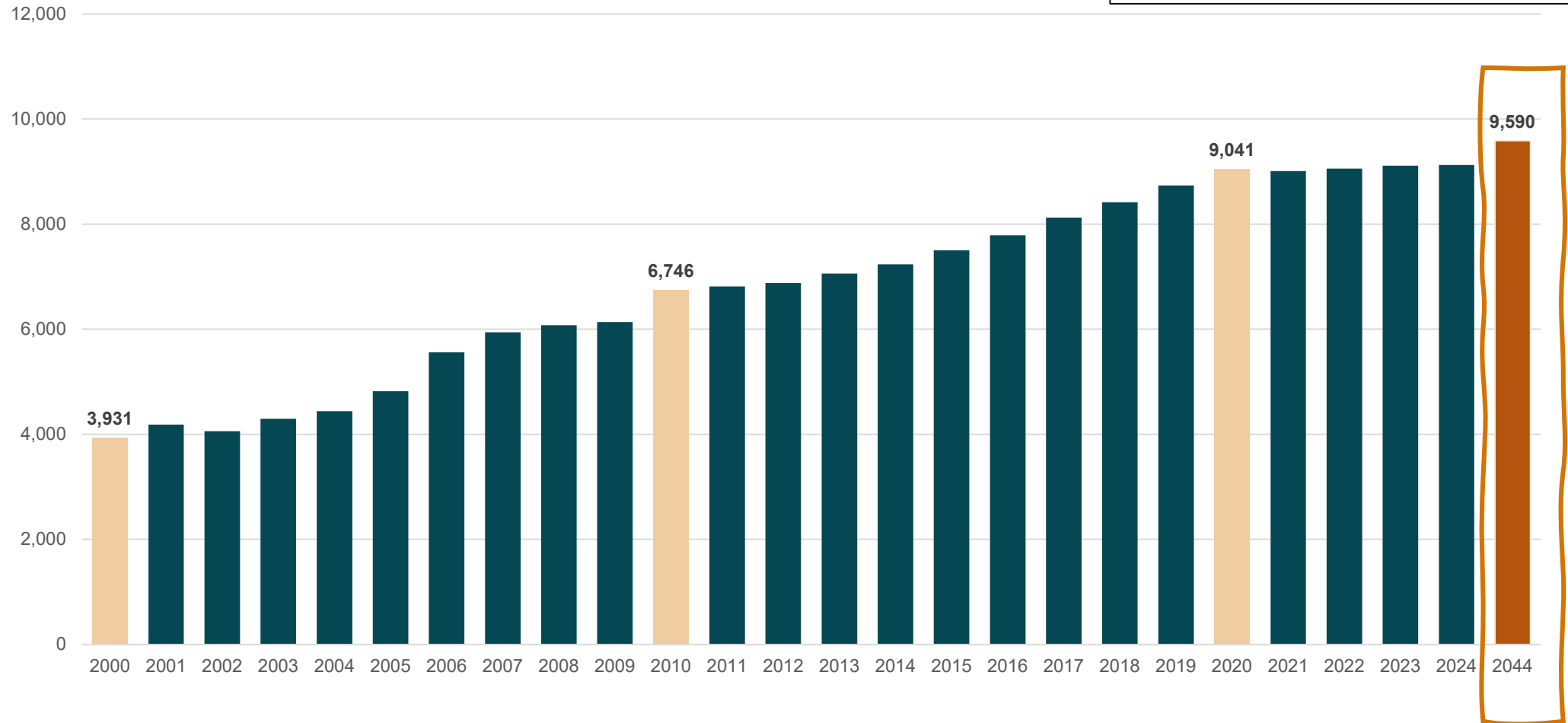
Land Use Element

Key Changes and Improvements

- Updated the Comprehensive Plan Future Land Use Map
- City growth and target numbers were updated for 2044, including:
 - Population target of 9,590 people; Housing target of 3,167 units
 - Employment target of 1,669 jobs
- Removed a section on “Urban Agriculture” and removed Policy LU 1.9 regarding agricultural lands (there are none within City limits)
- Proposed new goals and policies based on PSRC requirements and Pierce County Countywide Planning Policies (Policy LU 1.9, Goal LU3)
- A Land Capacity Analysis (Appendix I) is a supplement to the Land Use Element

Population – Past and Projected

The 2044 growth targets are established in the Pierce County County-Wide Planning Policies. Orting's 2044 population growth target is **9,590**



Land Capacity Analysis

Background Information

- Buildable Lands Program: An initiative mandated by the GMA in RCW 36.70A.215 and overseen by Pierce County for all cities and towns within the County including Orting.
 - The County annually collects data to analyze observed development and future capacity within the urban growth area (UGA).
 - We used Pierce County's Buildable Lands Report as a baseline for assessing the city's future land use map / zoning map in the context of the Comprehensive Plan Update, and for evaluating the city's capacity to accommodate housing needs among various income levels.
 - The 2021 Buildable Lands Report (published 11/11/2022) was used as the baseline for this analysis.
 - ***We found there is sufficient supply for the projected population***

Housing Element

New Requirements

- The Housing Element includes updates to address new requirements
 - RCW 36.70A.070(2) outlines the requirements of a Housing Element (major changes)
 - PSRC VISION 2050 and Pierce County Countywide Planning Policies requirements for housing

The GMA now requires Housing Elements to consider the capacity to meet housing needs for:

- Extremely-low to moderately low-income households
- Permanent supportive housing (PSH) and emergency housing and shelters
- Duplexes, triplexes and townhomes.
- Cities must also address displacement risk, racially disparate impacts, and programs for affordable housing

Housing Element

Key Changes and Improvements

- Added additional goals and associated policies:
 - *Goal H 3: Support the development of affordable housing partnerships, programs, and regional policies*
 - *Goal H 4: Maintain excellent governmental performance and accountability*
- Updated housing targets: 223 new housing units needed by 2044

Transportation Element

Key Changes and Improvements

- Updated the list of Pierce County's Transportation Improvement Program (TIP) for projects planned for 2024-2029, Orting's TIP for 2025-2030, and the Statewide TIP for 2024-2030.
- Added additional goals covering topics including:
 - Prepare for changes to transportation technology and mobility pattern
 - Implement complete street infrastructure into existing streets
 - Identify racial and social equity as a core objective when planning and implementing transportation improvements, programs, and services
- Added additional policies, including:
 - Promote the design of transportation facilities supporting local and regional growth centers and high-capacity transit station areas (outside of Orting)

Economic Development

Key Changes and Improvements

- Updated City Profile and Strengths, Weaknesses, Opportunities, and Threats (SWOT), Office and Retail Market Position, & Taxable Retail Sales
- Updated/added statistics for race & ethnicity & equity, commuting patterns, remote worker trends, and employment projections, and land demand
- Updated goals and associated policies, including (but not limited to) support for:
 - Goals 1 and 2: Small businesses, regional workforce programs, and living-wage jobs
 - Goal 3: repurposing underused surplus land, regional trade, infrastructure improvements, and sustainable business practices
 - Goal 6: eco-tourism and agritourism
 - Goal 7: continued support of agriculture (investments, farmers market, etc.)
- Added Goal 8: addresses economic challenges of the Downtown and promotes local business

Capital Facilities and Utilities Element

Key Changes and Improvements

- Combined the Capital Facilities and Utilities Elements to provide readers a better understanding of these systems
- Listed additional potential financing sources for Capital Facilities projects
- Added language to set the groundwork for the future required Climate Element (by the year 2029)
- Added language regarding the City's plans for a Water Resource Recovery Facility (will produce Class A biosolids /fertilizer)
- Added language to support continued development of the Main Parks Master Plan (Policy CF 6.6)
- Added language regarding affordable and equitable access; consideration of climate change impacts (Goal CF 9)

Natural Environment Element

New Element

- A new Natural Environment element was added to comply with the requirements of the GMA and PSRC and information from other elements was relocated, such as critical areas information
- A Climate Element will be required to be incorporated into the Orting Comprehensive Plan by 2029. The Natural Environment element provides information to establish a starting point for these future changes.
 - *New goals related to planning for climate change, hazard mitigation, and emergency management (goals further described on next slide)*
 - A section titled “Climate and Climate Change” detailing the effects of climate change and newly updated GMA goals and requirements

Natural Environment Element

New Element

Goal NE 4:

- *Consider and plan for the impacts of climate change and promote methods for the reduction of environmental impacts.*

Goal NE 5:

- *Support Wildland-Urban Interface (WUI) hazard mitigation planning and implement adopted mitigation initiatives.*

Goal NE 6:

- *Protect life and property and avoid (or mitigate) significant risks to public / private property and to public health and safety.*



ORTING MUNICIPAL CODE (OMC) UPDATES OVERVIEW

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 had a limited “scope” and the city frequently updates the development regulations

Title 12 – Subdivision Regulations

Key Proposed Changes and Improvements

- Updating Chapter 2, removing unused definitions and adding some definitions for clarity
- Updating Chapter 4 to include section 12-4-4 and 12-5-4A, Special Requirements for Unit Lot Subdivisions
- Updating Final Plat decisions to be a decision made by City Council to a Type 2 Administrative process (section 12-6-2, Type of Application)

Title 13 – Development Regulations

Key Proposed Changes and Improvements

- 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 and Improvements - Parking

- Adding subsection OMC 13-5-3:N, Administrative Parking Waiver, to ease parking regulations in the downtown core.
 - Would provide a procedure to adjust the number of off-street parking stalls required in the downtown core via a waiver
 - 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.

Title 13 – Development Regulations

Key Required Changes and Improvements - ADUs

- Added changes to ADU standards (OMC 13-5-6.C.2) to comply with HB 1337 requirements
- Updated 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.”*
- Updated OMC 13-5-6.C to allow for two ADU’s on each lot, instead of one ADU per lot (existing code)

Title 15 – Development Code Administration

Key Proposed Changes and Improvements

- Adding additional definitions for clarity
- Adding additional clarification and standards for final decisions for project permit applications (OMC 15-9-8) and Appeals (OMC 15-10)
- Adding additional processes and moving processes to appropriate associated Decision Types in OMC Table 15-4-2

Comprehensive Plan Update | Anticipated Next Steps

- **November 18, 2024:** Planning Commission will hold a special meeting for recommendation to the City Council to consider approving the 2024 Comprehensive Plan & implementing code changes
- **November 27, 2024:** City Council may hold a public hearing on the 2024 Comprehensive Plan Update project and consider the Planning Commission's recommendation to approve the project.
- **Date TBD:** City Council will adopt the 2024 Comprehensive Plan Update at a regular meeting.

THANK YOU!

- 👤 *Nicole Stickney, AICP | Anisa Thaci*
- ✉ *nstickney@ahbl.com | athaci@ahbl.com*
- 📞 *(253) 383-2422*





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?**