

ORIGINAL

**CITY OF ORTING  
WASHINGTON  
ORDINANCE NO. 2019-1043**

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**AN ORDINANCE OF THE CITY OF ORTING,  
WASHINGTON, AMENDING ORTING MUNICIPAL CODE  
13-5-3 LOADING AREA AND OFF-SITE PARKING  
REQUIREMENTS; PROVIDING FOR SEVERABILITY;  
AND ESTABLISHING AN EFFECTIVE DATE**

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**WHEREAS**, the City of Orting is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington; and

**WHEREAS**, the City Council previously adopted regulations pertaining to the regulation of required parking, codified at Chapter 13-5 of the Orting Municipal Code (OMC); and

**WHEREAS**, the City Council desires to update and amend Ch. 13-5 OMC in order to establish parking areas for uses that were not previously established; and

**WHEREAS**, the City Council further desires to update OMC Ch. 13-5 to allow for more flexible parking requirements through the provision of shared parking or off-site parking; and

**WHEREAS**, the City Council seeks to require adequate parking without requiring more parking than is necessary; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing at their regularly scheduled meeting on March 4, 2019 and voted to recommend adoption of Exhibit A to the City Council; and

**WHEREAS**, the SEPA Responsible Official issued a non-project Determination of Non-Significant impact on February 28, 2019.

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

**Section 1. OMC Title 13, Chapter 5, Section 3, Amended.** Orting Municipal Code 13-5-3 is amended as provided in Exhibit A of this Ordinance.

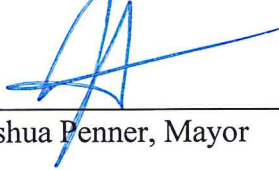
**Section 2. Severability.** Should any section, paragraph, sentence, clause or phrase of this Ordinance and its Attachment, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state 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 3. Codification of Ordinance and Attachments.** The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the Ordinance and its Attachments, and publish the modified code.

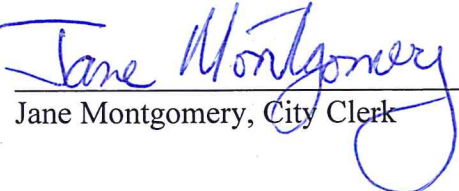
**Section 4. Effective Date.** This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force on May 3, 2019.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 27<sup>th</sup> DAY OF MARCH, 2019.**

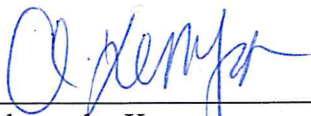
CITY OF ORTING

  
\_\_\_\_\_  
Joshua Fenner, Mayor

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Jane Montgomery, City Clerk

Approved as to form:

  
\_\_\_\_\_  
Alexandra Kenyon  
Kenyon Disend PLLC  
City Attorney

Filed with the City Clerk: 2.28.19  
Passed by the City Council: 3.27.19  
Date of Publication: 3.29.19  
Effective Date: 5.3.19

## EXHIBIT A- ORDINANCE NO 2019-1043

### OMC 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 provisions 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.



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- 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. (Ord. 792, 7-29-2004)
  
- I. **Parking Spaces Required for Particular Uses:** The minimum number of off-street parking spaces required for nonresidential uses shall be as set forth in the following: (Ord. 943, 5-14-2014)

<b>Use</b>		<b>Parking Spaces Required</b>
1.	All dwellings (RC, RU, RMF, MUTC)	2 off street spaces per unit
2.	Daycare centers; home based	1 for each employee, plus 1 additional, not including required residential spaces
	Nonresidential	1 for each employee, plus 1 for every 10 children or adults
3.	Banks, savings and loan associations, business or professional offices	1 for each 400 square feet of gross floor area
4.	Bowling alleys	4 for each alley
5.	Churches	1 for each 5 seats in the principal place of assembly for worship, including balconies and choir loft

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6.	Dance halls, skating rinks, youth cabarets	1 for each 25 square feet of skating or dancing area, plus 1 per 40 square feet of all other building area
7.	Establishments for the sale and consumption on the premises of food and beverages, including fraternal and social clubs <sup>1</sup>	1 for each 200 square feet of gross floor area
8.	Fraternity, sorority or group student house	1 for each 3 sleeping rooms or 1 for each 6 beds, whichever is greater
<u>9.</u>	<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>
<del>9.</del> <u>10.</u>	Hospitals	2 for each bed
<del>10.</del> <u>11.</u>	Large group home, institution	1 for each 2 beds
<del>11.</del> <u>12.</u>	Libraries and museums	1 for each 250 square feet of floor area open to the public
<del>12.</del> <u>13.</u>	Lodging and rooming house	1 for each sleeping room
<del>13.</del> <u>14.</u>	Manufacturing uses, research and testing laboratories, creameries, bottling establishments, bakeries, canneries, printing and engraving shops	1 for each employee on a maximum shift
<del>14.</del> <u>15.</u>	Medical or dental clinics	5 for each physician or dentist
<del>15.</del> <u>16.</u>	Motels, hotels	1 for each unit
<del>16.</del> <u>17.</u>	Motor vehicle or machinery sales, wholesale stores, furniture stores	1 for each 400 square feet of gross floor area
<del>17.</del> <u>18.</u>	Retail stores	1 for each 300 square feet

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<del>18.</del> <u>19.</u>	Schools; high schools	1 for each 8 students, plus 1 for each faculty member (exclusive of loading and unloading area)
<u>20.</u>	Elementary and junior high	1 for each faculty member
<del>19.</del> <u>21.</u>	Stadiums, auditoriums, community clubs, community centers, and other places of assembly	1 for each 4 seats
<del>20.</del> <u>22.</u>	Theaters	1 for each 3 seats
<del>21.</del> <u>23.</u>	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

**Note:**

1. 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.

(Ord. 2018-1027, 4-25-2018)

**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



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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. (Ord. 792, 7-29-2004)
- 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: (Ord. 889, 9-8-2010; amd. Ord. 2018-1026, 4-25-2018)
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 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 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. (Ord. 889, 9-8-2010)

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- 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. (Ord. 889, 9-8-2010; amd. Ord. 2018-1026, 4-25-2018)

### L. Off-Site Parking:

#### 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 RM zone is also permitted to be provided off site provided it meets the following criteria:
  - i. 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.
  - ii. Parking is not located in a limited residential access lane right-of-way, except for perpendicular parking associated with private driveways or alleyways.
  - iii. Parking may be accommodated in a tandem driveway space, provided it is not accessed by a private alleyway.

2. 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.

3. Additional Information Required: The following shall be reviewed as part of the permit process:



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- a. A letter of justification addressing the need for off-site parking and compatibility with the surrounding neighborhood.
  - b. 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.
4. 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.
5. Maximum Distance to Off-Site Parking Area:
- a. 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.
  - b. 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.
  - c. All Other Zones: All provisions of OMC 13-5-3-D apply.
6. Transportation Management Plan Exception: The City Administrator may modify the maximum distance requirements 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;

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- 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. iii. 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.