
CED Committee Members:

Chair – Chance La Fleur
Chris Gruner
Thomas Sauvageau

Support Staff:

Chris Pasinetti, CD Director
Chris Searcy, City Administrator

AGENDA

COMMUNITY & ECONOMIC DEVELOPMENT (CED) COMMITTEE

CITY OF ENUMCLAW – STEVENSON-YERXA

Monday, June 24, 2024

*******4:30PM*******

I. NEW BUSINESS

- A. Monday, May 28, 2024 CED Meeting Summary.
- B. RV Occupancies and Use Regulations, Ordinance No. 2783
- C. Transportation Impact Fee Calculation and project list
- D. Battery Energy Storage Systems

II. ADJOURNMENT

Next Scheduled Meeting: July 8, 2024 --- 4:30 p.m

CED Committee Members:

Chair – Chance La Fleur
Chris Gruner
Thomas Sauvageau

Support Staff:

Chris Pasinetti, CD Director
Chris Searcy, City Administrator

CED SUMMARY

COMMUNITY & ECONOMIC DEVELOPMENT (CED) COMMITTEE

CITY OF ENUMCLAW – STEVENSON-YERXA

Monday, May 28, 2024

******* 4:30 p.m. *******

THE MEETING BEGAN AT 4:35 PM AND ENDED AT 5:00 PM COUNCILMEMBERS SAUVAGEAU, GRUNNER AND LA FLEUR AS WELL AS STAFF MEMBER CHRIS PASINETTI AND BRETT VINSON.

I. NEW BUSINESS

- A. Meeting summary from May 13, 2024 was approved.
- B. Ordinance No. 2777, 2021 Washington State Building Code. Pasinetti gave an overview of the Ordinance and the minor changes that were made between first reading at the public hearing and second reading and adoption. Committee reviewed the Ordinance and vote to recommend to pass Ordinance No. 2777.
- C. Container requirements. Pasinetti gave an overview of an Ordinance that was approved by the city council that allowed the installation of storage containers as a permanent accessory structure. Discussion regarding the requirements as outlined in the code specific to the building permit and requirements for permanent foundation or structure to secure the container to the ground and the cost associated with those. CED discussed and indicated that they did not want to amend the municipal code to remove any of the requirements previous adopted and maintain the requirement for a building permit for the permanent installation of a storage container.

II. AJOURNMENT

5:36 pm



City Council
AGENDA BILL

Meeting Date: 07/08/2024

Subject: Public Hearing regarding RV Occupancy and temporary uses. Ordinance No. 2783

Category: OTHER

BUDGET IMPACT:

Expenditure Budget: \$ _____

Revenue Budget: \$ _____

Proposed Budget Amendment: \$ _____

Related Ordinance or Resolution No. 2783

Attachments: Agenda Bill, Staff report, DRAFT Ordinance with Exhibit A

Staff Contact: Chris Pasinetti, Community Development Director

Summary/Background: As part of the 2024 Planning Commission work plan the city council included an additional item for the commission and staff to review regarding the parking and use of RV's for temporary living situations.

The amendments would permit an individual to receive a permit to live in a recreational vehicle ("RV") for a maximum of 60 days with certain circumstances. The regulations would also allow individuals to occupy an RV as living space for longer than 60 days during a public emergency or when caring for an ill family member. These would require a permit.

Recommendations:

Date Sent to Committee: 06/24/2024 Date Returned:

Council Committee:

Staff: Approve

(BELOW TO BE COMPLETED BY CITY CLERKS OFFICE)

COUNCIL ACTION:

APPROVED

DENIED

TABLED / DEFERRED / NO ACTION

MOVED TO SECOND READING (Ordinances only)

1ST reading

Enactment reading

ORDINANCE #

RESOLUTION #



Department of Community Development

TO: Planning Commission
FROM: Chris Pasinetti, Community Development Director
DATE: May 23, 2024
SUBJECT: Public Hearing regarding RV Occupancy and temporary uses. Ordinance No. 2783

V. RECREATIONAL VEHICLE PARKING AND TEMPORARY USE

Background: As part of the 2024 Planning Commission work plan the city council included an additional item for the commission and staff to review regarding the parking and use of RV's for temporary living situations.

The City's Comprehensive Plan Community Development and Design Element, Policy 1.2 states:

“Encourage a high level of property maintenance throughout the community.

- a. Review and update as appropriate, code enforcement role and procedures for effectiveness in abating zoning violations.”

The city recently and during the pandemic there were a number of homeowners who had family members living on their properties within RV's. This was especially true for hospital workers. Many nurses and/or doctors lived with members of their family who may have been considered high risk and chose to segregate themselves from their family members by living within RV's on their properties. Additionally, homeowners often have family members visiting that utilize recreational vehicles for a temporary period.

Recreational Vehicles are only permitted to be lived in if the Recreational Vehicle is located within an approved RV park (see EMC 19.30.130)

RV's are also not allowed to be parked in the front yard for more than 48 consecutive hours, see EMC 19.14.040(A)(2): In any residential district, public or private parking areas and parking spaces are not permitted in any required yard except as provided herein: a. Recreational vehicles, boat trailers, and all other vehicles not in daily use may be parked in the required front yard for no more than 48 consecutive hours, and may be parked in the required rear yard without time limit.

The Planning Commission met on March 28 and discussed the proposal. The commission discussed allowing RV's for occupancy for someone who may be constructing a home. Also, the commission had concerns regarding RV's encroaching onto the public right-of-way or public sidewalk. Those items have been added below to the proposal. The commission met April 25 and discussed the amendments further. The commission requested a few minor amendments, those amendments have been incorporated into the Exhibit attached to the DRAFT Ordinance.

Analysis: The amendments would permit an individual to receive a permit to live in a recreational vehicle ("RV") for a maximum of 60 days with certain circumstances. The regulations would also allow individuals to occupy an RV as living space for longer than 60 days during a public emergency or when caring for an ill family member. These would require a permit.

Recommendation: Recommends the City Council open the public hearing, after all of the testimony has been received, close the public hearing.

Staff also recommends that City Council give first reading of Ordinance No. 2783

FINDINGS AND CONCLUSIONS:

LUA2024-0014 – RV Occupancies and uses

Title 15 outlines the findings required to approve comprehensive plan amendments/code amendments. EMC section 15.32.038 outlines three general requirements and six consistency statements to be used when evaluating the merits of the proposals.

1. The amendment will not result in development that will adversely affect the public health, safety and general welfare.

Staff response: Staff and the Planning Commission find that the proposed municipal code amendment will not adversely affect the public health, safety and general welfare. The amendment will allow very limited occupancies within recreational vehicles within residential zones within the city as well as allow for a process for these to be used in conjunction with special events within the city.

2. The amendment is based upon new information that was not available at the time of adoption of the comprehensive plan, or that circumstances have changed since the adoption of the plan that warrant an amendment to the plan.

Staff response: Staff and the Planning Commission find that circumstances have changed over time. The COVID-19 pandemic encouraged the city to implement a number of economic development techniques that increased the number of tourists visits within the city. These events many times include individuals who participate within these events and utilize RV's as a place to stay during the event. Also, during the pandemic there were health workers that stayed within RV's to avoid spreading the virus to family members within their own home. These changes warrant the need for the municipal code amendment to allow RV's to be occupied outside of RV parks within the city for a specified period of time.

3. The amendment[s] is consistent with other goals and policies of the comprehensive plan, and that the amendment will maintain concurrency between the land use, transportation, and capital facilities element of the plan.

Staff response: Staff and the Planning Commission find that the amendment is consistent with the goals and policies within the Comprehensive Plan. The Comprehensive Plan states:

Goal CF- 2 Ensure that public facilities and services are high quality, fully maintained, and cost effective. The City's Comprehensive Plan Community Development and Design Element, Policy 1.2 states:

"Encourage a high level of property maintenance throughout the community.

a. Review and update as appropriate, code enforcement role and procedures for effectiveness in abating zoning violations."

B. The administrator, planning commission and council shall use the following detailed criteria in evaluating the merit of a proposal.

1. The amendment[s] should address an existing, significant need for a public necessity or convenience.

Staff response: Staff and the Planning Commission find that the amendment is necessary to address the need to address the need to balance temporary occupancies during special events within the city and the need for families to have those temporary uses during times of emergency.

2. The amendment[s] should be in the public's best interest.

Staff response: Staff and the Planning Commission find the amendment is in the public's best interest as these regulations would reduce the number of code enforcement cases regarding RV occupancies as well as allow them to be used for living quarters under certain circumstances for short periods of time.

3. The amendment should be compatible with all adjacent comprehensive plan and zoning map designations.

Staff response: Staff and the Planning Commission find that the amendment is not a land use or zoning map amendment and is therefore not applicable.

4. The amendment should be compatible with all elements of the comprehensive plan and zoning code.

Staff response: Staff and the Planning Commission find that the amendment is compatible with the city's comprehensive plan and zoning code.

5. The amendment[s] should be compatible with and should not adversely impact related ordinances, regulations and development standards.

Staff response: Staff and the Planning Commission find that the amendment will not adversely impact any existing ordinances, regulations or conflict with existing development standards.

6. The amendment should not adversely impact the health, safety and general welfare of the public; the city design; development interests; neighborhoods; environmentally sensitive areas; and historic areas.

Staff response: Staff and the Planning Commission find that the proposed amendment should not adversely impact the health, safety and general welfare of the public; the city design; development interests; neighborhoods; environmentally sensitive or historic areas. The amendment will have a minimal impact as the allowances are time limited in most cases and also permitted under other specific circumstances.

ORDINANCE NO. 2783

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AMENDING DEVELOPMENT REGULATIONS EMC CHAPTERS 19.14, 19.30 AND 19.32, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

Whereas, the City of Enumclaw has adopted a comprehensive plan for the purpose of guiding and informing future growth, development, and infrastructure planning pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A which covers the incorporated city limits as well as adjacent unincorporated lands within the Urban Growth Area; and

Whereas, the City Council adopted the City's Comprehensive Plan in July 2016 via Ordinance No. 2589; and

Whereas, the City Council desires to allow Recreational Vehicles to be used for occupancy for limited locations and durations within the city; and

Whereas, an environmental review of the proposed Comprehensive Plan amendments has been conducted in accordance with the requirements of the State Environmental Policy Act (SEPA), and a SEPA threshold determination of nonsignificance (DNS) was issued on May 22, 2024 and sent to state agencies and interested parties; and

Whereas, after holding public hearings and considering public testimony on May 23, 2024 the Planning Commission issued a recommendation to the City Council to adopt the revisions to the city's municipal code; and

Whereas, the City Council held its own public hearing on July 8, 2024 and has considered all recommendations and reports submitted to it and all comments made at the public hearing; and

Whereas, the City Council has carefully considered, and the amendments set forth in this ordinance satisfy all applicable state laws and the City's review criteria as set forth in EMC 15.32.038.

Now, therefore, the City Council of the City of Enumclaw, King County, Washington do ordain as follows:

Section 1: Adopts the Findings as set forth above.

Section 2: Adopts Exhibit "A", attached and incorporated by reference amending the Development Regulations.

Section 3: Severability. If any section, sentence, clause or phrase of this ordinance and/or the attached exhibit should be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance and/or the attached exhibit.

Section 4: Effective Date. This ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as required by law.

Mayor Jan Molinaro

INTRODUCED _____

PASSED _____

APPROVED _____

PUBLISHED _____

Attested:

Jessica Rose
City Clerk

Approved as to form:

Brett C. Vinson
City Attorney

19.14.040 Area design.

a. Recreational vehicles, boat trailers, and all other vehicles not in daily use may be parked in the required front yard for no more than 48 consecutive hours, and may be parked in the required rear yard without time limit, except as permitted in EMC section 19.30.130.

19.30.130 RV occupancy.

A. No person shall occupy an RV except in an approved RV park. A recreational vehicle may be permitted subject to the following:

1. A recreational vehicle may be permitted for occupancy on a residentially zoned property for a limited period of time for no more than sixty (60) consecutive days per calendar year.
2. Recreational vehicles shall not be permitted on public zoned properties, unless incidental to a special event.
3. Recreational vehicles shall not be permitted on vacant property or public parks.
4. Recreational vehicles shall not encroach on the public sidewalk or public right-of-way.
5. A recreational vehicle may be permitted for occupancy on a residentially zoned property for longer than 60 days per calendar year under the following conditions:
 - a. During a public emergency issued by the mayor; or
 - b. Caring for an ill family member for no more than one (1) calendar year.
6. Recreation vehicles shall be setback from the front property lines a minimum of ten (10) lineal feet.

B. Permit required. A recreational vehicle occupancy permit application and fee shall be submitted to the Community Development Department.

19.32.140 Parking recreational vehicles or mobile homes.

No person shall park, locate or use any recreational vehicle or mobile home for human occupancy on any lot, tract or parcel of land in the city, except in an approved RV park or mobile home park, or as permitted through a temporary use permit set forth in EMC 19.30.130, and except as provided in other sections.