

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adopt Ordinance No. 301 to Amend the Development Code to Permit the Use of a Recreation Vehicle for Temporary Lodging in All Zones Subject to Supplemental Index Criteria
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Tim Stewart, Director of Planning and Development Services

PROBLEM/ISSUE STATEMENT:

At the 2/25/02 meeting, Council requested staff to redraft the proposed amendment to the Development Code regarding the use of a recreation vehicle in all zones for temporary lodging subject to supplemental index criteria. The attached Ordinance No. 301 (see Attachment A) broadens the supplemental index criteria to:

- Permit the use of more than one recreation vehicle per lot based on the size of the lot; and
- Permit the use of a recreation vehicle for temporary lodging for up to 30 days if the recreation vehicle is connected to adequate utilities.

In addition, staff added the following supplemental index requirements for Council's consideration to further regulate the use of a recreation vehicle for temporary lodging:

- Prohibit the use of a recreation vehicle for conducting a business; and
- Prohibit the use of a generator to power a recreation vehicle that is being used for temporary lodging.

FINANCIAL IMPACT:

There are no anticipated financial impacts.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No. 301 which permits the use of a recreation vehicle for temporary lodging in all zones subject to meeting supplemental index criteria.

Approved By:

City Manager LB

City Attorney [Signature]

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INTRODUCTION

Council directed staff to broaden the supplemental use criteria proposed for permitting the use of a recreation vehicle for temporary lodging. The primary purpose of these changes would be to permit more than one recreation vehicle to be occupied per the permitted occupancy period on large lots.

BACKGROUND

In response to the direction given by Council at the 1/22/02 Workshop, staff prepared Ordinance 299 to include adoption of the proposed amendment to permit the use of Recreational Vehicles as temporary lodging. Council directed staff to combine the proposals from the applicant, Reverend Ulmer, and Council member Ransom into a new proposal. After much discussion at the 2/25/02 meeting Council adopted Ordinance 299 as amended. Council amended Ordinance 299 by removing the amendment to permit the use of recreation vehicles as temporary lodging in all zones. Staff was directed to redraft the amendment regarding the use of a recreation vehicle for temporary lodging taking into consideration issues raised at the 2/25/02 meeting. The following analysis, recommendation, and attached Ordinance No. 301 were drafted in response to Council's request.

ALTERNATIVES ANALYSIS

Council directed staff to alter the proposed amendment to address the following components:

- Extend the per occupancy time limit from 2 weeks to 4 weeks if the recreation vehicle is connected to adequate utilities;
- Increase the number of recreational vehicles permitted on large lots per occupancy (ex. Churches and schools which are typically on larger lots and have additional parking spaces have the occasional need to accommodate more recreational vehicles for special events i.e. basketball tournament, revival, etc.); and
- Members of the Council expressed that any increase in the number of recreational vehicles permitted for larger lots be available for all property owners with larger lots, not just churches and schools.

In completing further research regarding how other jurisdictions are regulating recreational vehicles, staff found a couple of provisions the Council may want to consider in order to protect health, safety, and public welfare. These provisions include:

- Prohibiting the use of recreation vehicles as places to conduct business; and
- Prohibiting the use of generators to power recreational vehicles. Generators can be extremely noisy and disturb neighbors. The Council could choose not to prohibit the use of generators and let the city's noise ordinance be the regulatory enforcement tool when needed.

The changes as requested at the 2/25/02 meeting are denoted below in legislative format (additions are underlined and deletions are ~~striked~~).

20.40.120 Residential Type Uses

NAICS #	SPECIFIC LAND USE	R4- R6	R8- R12	R18- R48	NB & O	GB	RB & I
TEMPORARY LODGING							
721191	Bed and Breakfasts	P-i	P-i	P-i	P-i	P-i	P-i
72111	Hotel/Motel					P	P
	Recreational Vehicle	P-i	P-i	P-i	P-i	P-i	P-i
P = Permitted Use				S = Special Use			
C = Conditional Use				-i = Indexed Supplemental Criteria			

20.40.495 Recreational Vehicle

Recreation vehicles (RV) may be occupied for temporary lodging for up to two weeks (two weeks = one occupancy) on a lot with the permission of the property owner subject to the following conditions:

- A. Limited to one recreational vehicle per lot plus (*insert an option from below*); and
- B. No more than two (2) occupancies per calendar year per lot;
- C. Such occupancy does not create a public health hazard or nuisance; and
- D. RV must be parked on approved surface that meets the Off Street Parking Construction Standards in the Engineering Guide; and
- E. RV may not be parked in yard setbacks;
- F. RV may be occupied for temporary lodging for up to 30 days if connected to approved utilities including water and wastewater disposal.
- G. No business occupation shall be conducted in said recreational vehicle.
- H. Recreational vehicles shall not use generators.
- I. Any deviation from time limits, number of occupancies per year, and number of recreational vehicles allowed may be proposed through a Temporary Use Permit, 20.40.540.

There are several ways the Council may allow for additional recreation vehicles per occupancy period. There is no "scientific" or "industry standard" that we can rely upon to determine this number. Staff suggests that the Council consider the following methods and select the one that best meets the Council's intent. Staff recommends Option (b) based on Council's past discussions (the language of Option (b) is included in proposed Ordinance No. 301). There is merit also in Option (c), however Option (c) may not allow for enough additional recreational vehicles to address the needs of churches on smaller lots to accommodate several recreation vehicles for a couple of days for a special event.

Option (a): Limited to one recreational vehicle per lot plus additional recreational vehicle(s) determined by dividing the minimum lot area based on the zoning of the lot into the total lot area. This calculation will yield the maximum number of recreational vehicles permitted per occupancy period. Note: all fractions above .50 will be rounded up to the next whole number. (ex. Minimum lot area in the R-6 zone is 7,200 sq. ft. therefore for a lot that is one acre divide 43,560 sq.ft. by 7,200 sq. ft. = 6.05 recreation vehicles); or

Option (b): Limited to one recreational vehicle per lot plus additional recreational vehicle(s) for every ten legal parking spaces not including required parking.; or

Option (c): Limited to one recreational vehicle per lot plus additional recreational vehicle(s) for every additional 10,000 square feet of lot, above the minimum lot size for a particular zone.

Ordinance No. 301, includes Option (b). If Council chooses another option to address permitting additional recreation vehicles on larger lots or chooses to amend any of the proposed supplemental index criteria, Ordinance No. 301 will need to be amended as part of the Council's motion. Staff will be able to assist the Council with the wording of amendments to the Ordinance.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No. 301 which permits the use of a recreation vehicle for temporary lodging in all zones subject to meeting supplemental index criteria.

ATTACHMENTS

ATTACHMENT A

Ordinance No. 301

ORDINANCE NO. 301

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE DEVELOPMENT CODE CHAPTER 20.40 ZONING AND USE PROVISIONS TO PERMIT THE USE OF A RECREATION VEHICLE FOR TEMPORARY LODGING SUBJECT TO SUPPLEMENTAL INDEX CRITERIA

WHEREAS, the City adopted Shoreline Municipal Code Title 20, the Development Code, on June 12, 2000;

WHEREAS, the City has completed a review of its development regulations in accordance with the Washington State Growth Management Act (GMA), RCW36.70A.130, which states "[e]ach comprehensive land use plan and development regulations shall be subject to continuing review and evaluation by the county or city that adopted them"; and

WHEREAS, the City received three (3) complete applications from the public to amend the Development Code; and

WHEREAS, City staff drafted thirty-six (36) additional amendments to the Development Code;

WHEREAS, the Planning Commission developed a recommendation on all thirty-nine (39) amendments; and

WHEREAS, a public participation process was conducted to develop and review amendments to the Development Code including:

- Development Code Amendments are accepted from the public all year and there is no charge to submit an application.
- Staff presented the Planning Commission with a copy of the proposed amendments at the July 9, 2001 Planning Commission meeting for review.
- Staff conducted two workshops on the amendments at the Planning Commission on September 6, 2001 and September 19, 2001.
- A public comment period was advertised from September 27, 2001 to October 11, 2001.
- The proposed amendments were available for review and comment at the Planning Commission Open House on October 4, 2001.
- The Planning Commission held a Public Hearing on the proposed amendments on October 18, 2001.
- The Planning Commission met on November 1st, November 15th, December 6th and December 20th, 2001 to formulate its recommendation to Council on the proposed amendments.
- The City Council conducted a Workshop on January 22, 2002 to review the Planning Commission recommendation on the proposed amendments.
- The City Council conducted a Public Hearing on Ordinance 299, which contains the proposed amendments to the Development Code on February 25, 2002; and
- The City Council adopted Ordinance 299 as amended and directed staff to redraft the amendment regarding the use of a recreation vehicle for temporary lodging on February 25, 2002.

WHEREAS, a SEPA Determination of Nonsignificance was issued on September 19, 2001 in reference to the proposed amendments to the Development Code; and

WHEREAS, the City Council conducted a Public Hearing on this ordinance on February 25, 2002; and

WHEREAS, the proposed draft amendments were submitted to the State Department of Community Development for comment pursuant WAC 365-195-820; and

WHEREAS, the Council finds that the amendment adopted by this ordinance is consistent with and implements the Shoreline Comprehensive Plan and complies with the adoption requirements of the Growth Management Act, Chapter 36.70A. RCW ; and

WHEREAS, the Council finds that the amendment adopted by this ordinance meets the criteria in Title 20 for adoption of an amendment to the Development Code;

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

Section 1. Amendment. Shoreline Municipal Code Chapter 20.40 as amended as set forth in Exhibit A, which is attached hereto and incorporated herein.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date and Publication. A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON MARCH 25, 2002.

Mayor Scott Jepsen

ATTEST:

APPROVED AS TO FORM:

Sharon Mattioli, CMC
City Clerk

Ian Sievers
City Attorney

Date of Publication:
Effective Date:

20.40.120 Residential Type Uses

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- C. Such occupancy does not create a public health hazard or nuisance; and
- D. RV must be parked on approved surface that meets the Off Street Parking Construction Standards in the Engineering Guide; and
- E. RV may not be parked in yard setbacks;
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