

# TOWN OF EATONVILLE

## Agenda Staff Report

Agenda Item No.:	<u>Ordinance 2019-2</u>	Meeting Date:	<u>January 28, 2019</u>
Subject:	<u>Ordinance Amending Sections of Title</u>	Prepared by:	<u>Town Attorney</u>
	<u>18 of the EMC Relating To Off-Street</u>		
	<u>Parking and Loading Requirements and</u>	Atty Routing No:	<u></u>
	<u>Drive-Throughs in the Commercial Dist.</u>	Atty Review Date:	<u>12.26.2018</u>

**Summary:** The Town Planning Commission has reviewed certain sections of the zoning code (Title 18 EMC) and has recommended amendments to specific code provisions relating to the type of materials used to pave and/or cover driveways as well as the regulation of drive-thoughts in the downtown commercial district. The Planning Commission held public meetings and voted unanimously to recommend the changes proposed in this ordinance to the Town Council. The Planning Commission believes the proposed changes are generally consistent with the Town's 2015 Comprehensive Plan.

**Recommendation:** Staff recommends adoption of Ordinance 2019-2 amending Eatonville Municipal Code Sections 18.02.115, 18.02.336, 18.02.337, 18.02.338, 18.02.339, 18.02.340, 18.04.110 C-1, and 18.05.090, pursuant to the recommendation of the Planning Commission.

**Motion for consideration:** I move to adopt Ordinance 2019-2 amending Eatonville Municipal Code Sections 18.02.115, 18.02.336, 18.02.337, 18.02.338, 18.02.339, 18.02.340, 18.04.110 C-1, and 18.05.090, pursuant to the recommendation of the Planning Commission.

**Fiscal Impact:** None

**Attachments:** Proposed Ordinance 2019-2, Exhibit A (Redline), Exhibit B (Redline), Exhibit C (Redline).

**ORDINANCE NO. 2019-2**

**AN ORDINANCE OF THE TOWN OF EATONVILLE, WASHINGTON, AMENDING SECTIONS OF TITLE 18 OF THE EATONVILLE MUNICIPAL CODE RELATED TO OFF-STREET PARKING AND LOADING REQUIREMENTS; AND DRIVE THROUGHS IN THE DOWNTOWN COMMERCIAL DISTRICT**

**WHEREAS**, the procedure to amend the Zoning Code, Town of Eatonville, Title 18 of the Eatonville Municipal Code (EMC) is set forth in Section 18.09.050 EMC; and

**WHEREAS**, pursuant to EMC 18.09.050(A)(2), amendments to the Zoning Code may be initiated by the Town's Planning Commission; and

**WHEREAS**, prior to making recommendations the Town's Planning Commission held public meetings for the development of code amendments related to paving requirements for off-street parking and loading areas and drive-throughs in the downtown commercial district; and

**WHEREAS**, the Town of Eatonville issued determinations of non-significance on October 10, 2019, for the adoption of updated land use regulations contained within Chapters 18.02, 18.04 and 18.05; and

**WHEREAS**, a duly noticed public hearing was conducted on October 26, 2018, where the Town's Planning Commission was open for public hearing and voted unanimously to recommend the amendment of Chapters 18.02, 18.04, and 18.05 EMC, as set forth in this Ordinance and to pass the recommendation to the Town Council; and

**WHEREAS**, the Town of Eatonville Planning Commission finds the proposed amendments of Chapters 18.02, 18.04, and 18.05 EMC, are generally consistent with and in furtherance of the Town's 2015 Comprehensive Plan; and

**WHEREAS**, on January 28, 2019, the Town Council held a duly noticed public hearing to receive public comment and testimony regarding the adoption of recommended amendments to Chapters 18.02, 18.04, and 18.05 EMC; and

**WHEREAS**, the Town Council, having received the recommendation of the Planning Commission and having heard public comment, finds that the proposed amendments will further the public health, safety, and general welfare of the citizens of Eatonville; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF EATONVILLE  
AS FOLLOWS:**

**Section 1.** Eatonville Municipal Code Sections 18.02.115, 18.02.336, 18.02.337, 18.02.338, 18.02.339 are hereby amended and a new Section 18.02.340 is hereby created as set forth on the attached Exhibit A.

**Section 2.** Eatonville Municipal Code Section 18.04.110 C-1 is hereby amended to read as set forth on the attached Exhibit B.

**Section 3.** Eatonville Municipal Code Section 18.05.090 is hereby amended to read as set forth on the attached Exhibit C.

**Section 4.** 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 5.** This ordinance shall take effect after publication of a summary, consisting of the title, pursuant to RCW 35.27.300.

1ST READING: 01/28/2019

2ND READING: / /2019

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mike Schaub  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Kathy Linnemeyer  
Town Clerk

\_\_\_\_\_  
Gregory A. Jacoby  
Town Attorney

## Exhibit A

### Town of Eatonville Ordinance 2019-~~2019~~-2

Amendment to Chapter 18.02:

#### **18.02.115 Drive-through.**

“Drive-through” refers to a fixed facility for the provision of goods or services to customers who remain in their vehicles. Such facilities may include ~~may include~~ windows, for person-to-person transactions; automatic teller machines; restaurants; fast food restaurants; or drop boxes. Drive-through service is characterized by customers passing the service window, automatic teller machine, or drop box in series, in a line or queue one after another.

#### **18.02.336 RevegetationRavine.**

~~“Revegetation” means the planting of vegetation to cover any land areas which have been disturbed during construction. This vegetation shall be maintained to ensure its survival and shall be consistent with planting requirements of the town landscape regulations as set out in Chapter 18.07 EMC.~~ “Ravine” means an area constituting a “young valley” which contains a major or minor creek. It includes the bottom land of the ravine and the ravine sidewalls to a point where the slopes are less than 15 percent.

#### ~~18.02.337 Ravine.~~

~~“Ravine” means an area constituting a “young valley” which contains a major or minor creek. It includes the bottom land of the ravine and the ravine sidewalls to a point where the slopes are less than 15 percent.~~

#### **18.02.338 337 Recreational vehicle.**

A. “Recreational vehicles” means motorized vehicles that include a cabin for living accommodations and are commonly used for recreational travel and touring. Vehicles included in this category come in several forms: travel trailers, tent trailers and camping trailers, all of which must be towed by a car or pickup truck; and truck campers, motor homes and camper vans, all of which have the motor within the body of the vehicle.

B. “Recreational vehicles” may also include any motorized or nonmotorized vehicle, boat, boat trailer or other vehicle to be used for recreational purposes.

#### **18.02.338 Restaurant.**

An establishment where food and drink are prepared, served, and consumed, mostly within the principle building.

#### **18.02.339 Revegetation.**

“Revegetation” means the planting of vegetation to cover any land areas which have been disturbed during construction. This vegetation shall be maintained to ensure its

survival and shall be consistent with planting regulations of the town landscape regulations as set out in Chapter 18.07 EMC.

**18.02.339-340 Roadside stand.**

“Roadside stand” means a temporary structure designed or used for the display or sale of agricultural products primarily produced on the premises upon which such a stand is located.

## **Exhibit B**

### Town of Eatonville Ordinance 2019-~~2~~-2

Amendment to Chapter 18.04:

#### **18.04.110 C-1 – Downtown commercial district.**

It is the purpose of the C-1 district to provide a place and create environmental conditions which will encourage the location of dense and varied retail, office, residential, civic and recreational activities which will benefit and contribute to the vitality of a central downtown location, to recognize and preserve the historic pattern of development in the area. In the C-1 area, permitted uses should be primarily pedestrian-oriented and able to take advantage of on-street and structured off-street parking lots.

A. Principally Permitted Uses in C-1 Zone. All of the uses below are permitted in the C-1 zoning district:

1. Retail establishments, including convenience goods, department and variety stores, and specialty shops such as apparel and accessories, gift shops, toy shops, card and paper goods shops, home and home accessory shops such as furniture stores and hardware stores, antique shops, and book shops;
2. Personal services such as barber and beauty shops, dry cleaning, television and radio repair, shoe repair;
3. Food-related shops, restaurants (including outdoor seating areas and excluding drive-in restaurants and formula take-out food restaurants), night clubs, taverns;
4. Professional and administrative offices;
5. Performing and cultural arts uses, such as theaters, museums, art galleries and studios;
6. Hotels;
7. Printing establishments, business services such as copy services;
8. Mortuaries;
9. Existing dwellings may be rebuilt, repaired and otherwise changed for human occupancy. Accessory uses for existing buildings may be constructed. Such uses are garages, carports, storage sheds and fences;
10. Parks;
11. Multifamily residential uses;

12. Multifamily residential uses for senior citizens;
13. Banks and financial institutions (including drive-through drop boxes but excluding any other drive-in services);
14. Group homes class I-A, I-B and I-C;
15. Any other use that is determined by the planning director to be of the same general character as the above-permitted uses and in accordance with the stated purpose of the district;
16. Single-family residential uses;
17. Automobile sales;
18. Automobile repair;
19. Automobile dealership;
20. Woodworking shops with four or less personnel on the premises, including but not limited to employees, owners, proprietors, managers and sales agents.

B. Special Permit Uses. The following uses are permitted; provided, that they conform to the development standards listed in EMC 18.08.020:

1. Day care centers with no more than 12 children and no on-site parking;
2. Formula take-out food restaurants.

C. Accessory Uses. Permitted accessory uses are as follows:

1. Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities, which must be enclosed, and loading and unloading areas;
2. For permitted uses, hazardous substance land uses, including on-site hazardous waste treatment and/or storage facilities which do not accumulate more than 5,000 pounds of hazardous substances or wastes or any combination thereof at any one time on site, subject to the provisions of EMC 18.08.050(D)(9), except off-site hazardous waste treatment and/or storage facilities which are not permitted in this district.

D. Conditional Uses. Conditional uses are as follows:

1. Commercial parking lots or structures;

2. Railway and bus depots, taxi stands;
3. Group homes class II-A, II-B, II-C and III;
4. General conditional uses as listed in EMC 18.08.030;
5. Woodworking shops with five or more personnel on the premises, including, but not limited to, employees, owners, proprietors, managers and sales agents. Conditions for woodworking shops appear in EMC 18.08.030;
6. Drive-throughs.

E. Development Standards. The development standards are as follows:

1. Minimum Lot. Minimum lot of record or 5,000 square feet, whichever is less;
2. Maximum Site Coverage. One hundred percent;
3. Setbacks. None except as required by landscaping, or if off-street parking is provided on-site;
4. Height Limitation. Three stories or 40 feet;
5. Landscaping. The landscaping requirements of Chapter 18.07 EMC shall apply;
6. Building construction shall conform to the following criteria:
  - a. Visible walls shall be of lap siding, brick, stone, or stucco with no more than 50 percent glazing of any wall and glazing area calculated to include all mullions and jambs;
  - b. Roofs of buildings less than 25 feet tall shall be no flatter than four feet horizontal to one foot vertical and shall be finished with dark earth-toned flat tiles, shakes, textured shingles, or metal panels.

F. Signs. The sign requirements of Chapter 18.06 EMC shall apply.

G. Off-Street Parking. The off-street parking requirements of Chapter 18.05 EMC shall apply.



## Exhibit C

### Town of Eatonville Ordinance 2019-~~2~~-2

Amendment to Chapter 18.05:

#### **18.05.090 Overhang exception, landscaping, paving, wheel stops, drainage, lighting and curbing.**

A. Landscaping Generally. The landscaping requirements of Chapter 18.07 EMC and Table 18.05.2 following this chapter shall apply with respect to off-street parking facilities.

B. Landscape Islands. Landscape islands with a minimum size of 100 square feet shall be located in the following areas to protect vehicles and to enhance the appearance of parking areas:

1. At the ends of all parking rows;
2. Where loading doors or maneuvering areas are in close proximity to parking areas or stalls.

C. Paving. All vehicular maneuvering areas, including but not limited to off-street parking areas, driveways, truck and mobile equipment loading, unloading, storage and maneuvering areas, and related access to and from public right-of-way shall be paved with asphalt, concrete or brick pavers, etc. Single family or two family driveways located on private property may include either standard or Hollywood driveway designs (AKA ribbon driveways). The use of alternative equivalent maneuvering area materials, to may be utilized if approved by the pPublic wWorks dDirector (Director). Approval of alternative materials shall be at the sole discretion of the Director, provided the applicant has adequately demonstrated:

1. Why the proposed alternative material(s) is warranted at the proposed site;
2. The effectiveness of an alternative material(s) will adequately serve the intended and/or potential future use;
3. The use of an alternative material(s) will meet or exceed all other applicable regulations and requirements; and
4. The use of an alternative material(s) is found to equally serve or better serve the public use and interest.

An approved alternative material(s) may include conditions of approval, which shall be documented and/or recorded in a method determined adequate by the Director. The

approval of a particular alternative material shall not be considered a precedent for the use of the same material(s) on another site; each request for use of an alternative material shall be reviewed by the Director on a site by site basis.

D. Wheel Stops. Wheel stops, a minimum of two feet from any obstruction or the end of the parking stall, shall be required in the following locations:

1. Where the parking stall abuts a building or where vehicles may overhang a property line;
2. Where the parking stall abuts a pedestrian walkway of less than six feet in width, or a walkway which is not raised creating its own barrier;
3. Where a parking stall abuts any physical object which may be impacted (i.e., light standards, fire hydrants, fences, power vaults, utility poles, etc.);
4. Where a hazardous grade difference exists between the parking area and the abutting property;
5. Where other hazardous situations may exist as determined by the public works director.

E. Lighting. Any lighting of a parking lot or storage area shall illuminate only the parking lot or storage area. All lighting shall be designed located so as to avoid undue glare or reflection of light onto adjoining properties or public rights-of-way. Light standards shall not be located so as to interfere with parking stalls, maneuvering areas, or ingress and egress areas.

F. Vehicle Overhang Exception. Where sufficient area is available to allow safe and efficient overhang of a vehicle, the planning director may permit the standard parking stall length to be reduced by two feet with corresponding increase in adjacent walkway or landscaping width.

G. Concrete Curb Placement. In addition to wheel stop requirements as provided in subsection (D) of this section, all landscape areas within or abutting parking areas shall be separated from the paved area by concrete curbing or other acceptable method as approved by the planning director and the public works director.