

**CITY OF SULTAN
WASHINGTON
ORDINANCE 1230-16**

**AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON,
AMENDING SULTAN MUNICIPAL CODE SECTIONS 16.12.050,
16.12.060, AND 16.60.100 RELATED TO RECREATIONAL VEHICLE
AND BOAT STORAGE AND SHARED PARKING; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, Title 16 of the Sultan Municipal Code (“SMC”) is the Unified Development Code, containing the zoning standards for the City of Sultan (“City”); and

WHEREAS, recreational vehicle and boat storage is a common and existing use within certain zoning districts in the City, but is not listed as a specified use in the City zoning standards; and

WHEREAS, Chapter 16.60 SMC allows for joint-use parking in places of public assembly by written agreement, but does not contain procedural or substantive requirements for such agreements; and

WHEREAS, the City desires to amend the zoning standards to authorize the existing use for recreational vehicle and boat storage in certain zoning districts and to specify procedural requirements for joint-use parking agreements; and

WHEREAS, on December 10, 2015, the Planning Board considered proposed amendments to Chapter 16.12 and Chapter 16.60 SMC regarding recreational vehicle and boat storage and joint-use parking agreements (“the Proposed Amendments”) and unanimously voted to recommend approval of the Proposed Amendments; and

WHEREAS, a public hearing on adoption of the Proposed Amendments was properly advertised and set for the regular Council meeting of January 28, 2016; and

WHEREAS, the City Council has considered the Planning Board’s recommendation, along with the public input received at its January 28, 2016, regular Meeting; and

WHEREAS, on January 8, 2016, the Proposed Amendments were submitted to the Department of Commerce as required by RCW 36.70A.106, and expedited review was granted; and

WHEREAS, the Proposed Amendments are text amendments resulting in no substantive changes respecting use or modification of the environment, and therefore constitute a procedural action under WAC 197-11-800(19)(a)–(b); and

WHEREAS, pursuant to WAC 197-11-800(19), procedural actions are exempt from threshold determination and EIS requirements under the State Environmental Policy Act (Chapter 43.21C RCW) and the Growth Management Act (Chapter 36.70A RCW); and

WHEREAS, the City Council has determined that the Proposed Amendments clarify permitted uses and application of joint-use off-street parking are consistent with the City of Sultan Comprehensive Plan as required by RCW 36.70A.040;

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

Section 1. Findings. The recitals set forth above are hereby adopted as the City Council's findings in support of the Proposed Amendments.

Section 2. SMC 16.12.050, Highway-oriented development (HOD) zone, Amended. Section 16.12.050 of the Sultan Municipal Code is hereby amended as follows:

A. A new subsection (c) is added to SMC 16.12.050(B)(8), *Miscellaneous Associated Facilities*, to read as follows:

c. Recreational vehicle and boat storage inside a building.

B. A new row is added to the end of the *Highway-Oriented Development (HOD) Zone Table of Dimensional and Density Requirements* to read as follows:

Uses Permitted	Maximum Units/Acre	Area	Width (ft)	Depth (ft)	Front	Each Side	Rear	Max	
								Bldg Height	Lot Coverage
Recreational Vehicle/Boat Storage	-	1 acre	100	200	25	25	25	30	60

Section 3. SMC 16.12.060, Economic development (ED) zone, Amended. Section 16.12.060 of the Sultan Municipal Code is hereby amended as follows:

A. A new subsection (h) is added to SMC 16.12.060(B)(7), *Wholesale/Storage/Distribution*, to read as follows:

h. Recreational vehicle and boat storage yard.

B. A new row is added to the end of the *Economic Development (ED) Zone Table of Dimensional and Density Requirements* to read as follows:

Uses Permitted	Maximum Units/Acre	Area	Width (ft)	Depth (ft)	Front	Each Side	Rear	Max Bldg Height	Max Lot Coverage
Recreational Vehicle/Boat Storage	-	1 acre	100	200	25	25	25	30	25

Section 4. SMC 16.60.100, *Joint-use parking requirements, Amended.* Section 16.60.100 of the Sultan Municipal Code is hereby amended to read as follows:

16.60.100 Joint-use parking requirements.

- A. Places of Public Assembly. Parking spaces already provided to meet off-street parking requirements of stores, office buildings, schools, and industrial establishments, situated on the same site as places of public assembly, and that are not normally in use between the hours of 6:00 p.m. and midnight and are made available for other parking, may be used to meet not more than 50 percent of the total requirements of parking spaces. Written agreement is required for such joint-use parking arrangements between the officials of the place of public assembly and the owner or manager of the other development and parking area on the site.
- B. Mixed Use Developments. In the case of mixed uses (such as shopping centers), the total requirements for off-street parking facilities shall be the sum of the requirements for the various 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 specified above for joint use.
- C. Shared Parking Agreement. Parking facilities may be cooperatively used by different land uses, when the times of the use of such parking spaces by each use are not simultaneous. A shared parking agreement signed by all parties who share the parking facilities, and approved by the Community Development Director (“Director”), shall be required that binds the parking facilities and the parties until the agreement is dissolved by all parties and approved by the Director. The total number of required parking spaces may be reduced from the requirements of Chapter 16.60 SMC if it is demonstrated through a parking study that complementary uses, internal trip capture, or uses with different peak parking needs justify the reduction in required parking spaces at all times. A covenant running with the land shall be made between the property owner (“Owner”) and the City of Sultan (“City”) stating the responsibilities of the Owner and shall be recorded with the Snohomish County Auditor. A copy of the Agreement with the recording number and parking layouts and scheduled times of use by the specific uses sharing the on-site parking spaces shall be submitted as part of any permit application for development. When any shared parking agreement subject to the covenant described herein is to be modified or terminated, the Owner shall be responsible for notifying the Director, providing a revised site plan, and preparing a schedule for meeting the parking requirements of all the development on the property subject to the covenant.

Section 5. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this Ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 6. Severability. If any section, subsection, or sentence of this Ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance and the same shall remain in full force and effect.

Section 7. Effective Date. This ordinance shall become effective five days (5 days) after publication.

ADOPTED BY THE CITY COUNCIL OF SULTAN, WASHINGTON THIS 11th DAY OF FEBRUARY, 2016, AND SIGNED INTO AUTHENTICATION THIS 11TH DAY OF FEBRUARY, 2016.

APPROVED:



Carolyn Eslick, Mayor

APPROVED AS TO FORM:



Amy S. Mill, City Attorney

ATTEST/AUTHENTICATED:



Laura Koenig, City Clerk

Published: February 17, 2016

Effective: February 22, 2016