

# SHORT-TERM RENTAL ESTABLISHMENTS

## HOME OCCUPATIONS

## OUTDOOR STORAGE OF VEHICLES

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AMENDMENTS TO FMC SECTIONS 22.58 & 22.98

PUBLIC HEARING



# Recommended Process

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- Legislative
- Not on for Action
- PowerPoint Presentation
- Public Testimony
- Close the Public Testimony
- Continue Discussion to the October 24<sup>th</sup> meeting (motion)



# History

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- April 17, 2017 City Council Study Session
- June 6, 2017 and July 10, 2017 Planning Commission Study Sessions
- August 15, 2017 Planning Commission Public Hearing
- September 5, 2017 Planning Commission Recommendation



# Comments

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- The City issued a SEPA Determination of Nonsignificance on July 20, 2017 with a 14-day comment/appeal period. No comments or appeals were received.
- The City submitted a 60-day Notice of Proposed Amendment to the Washington State Department of Commerce on July 18, 2017. No comments were received.
- One individual spoke at June 6, 2017 study session.
- Fourteen individuals testified at August 15, 2017 Planning Commission Public Hearing.
- Six written comments were received from five individuals.



# Order of Items

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- Short-term Rentals – FMC 22.58.011
- Home Occupations – FMC 22.58.013
- Inoperable Vehicles – FMC 22.58.024(a)
- Commercial Vehicles – FMC 22.58.024(b)
- Passenger Vehicles – FMC 22.58.024(d)
- Recreational Vehicles – FMC 22.58.024(c)



# Short-Term Rental (STR) – FMC 22.58.011

Existing Code	Proposed Code
Only regulates bed and breakfast establishments	Expand to include all short-term rentals <ul style="list-style-type: none"><li>▪ room rental</li><li>▪ dwelling unit rental</li></ul>
Requires Conditional Use Permit	Revise review process: <ul style="list-style-type: none"><li>▪ STR permit for whole house or 1-2 bedroom rentals</li><li>▪ Conditional Use Permit for 3-4 bedrooms</li></ul>
Provides operating standards and criteria	Maintain operating standards <ul style="list-style-type: none"><li>▪ Requires business license</li><li>▪ No kitchen facilities beyond fridge, microwave</li><li>▪ Parking requirements</li><li>▪ No changes to physical structure</li><li>▪ Signage needs to comply with sign code</li></ul>

# Home Occupations – FMC 22.58.013

Existing Code	Proposed Code
<p>Two Categories</p> <ul style="list-style-type: none"> <li>▪ Type I – comply with performance standards</li> <li>▪ Type II – do not comply; require a CUP</li> </ul>	<p>Split Type I into sub-categories to create different fees</p> <ul style="list-style-type: none"> <li>▪ Type I-A: <i>includes home offices, internet businesses, and similar activities that have no traffic or product pickup or deliveries</i></li> <li>▪ Type I-B: <i>other activities with customer and/or product traffic</i></li> </ul>
<p>“shall be carried on entirely within a residence * ...In no event shall such occupancy exceed 400 square feet.”</p>	<p>“shall be carried on entirely within a residence <b>and/or detached accessory building</b>...In no event shall such occupancy exceed 400 square feet.”</p>
<p>“Any extension of the home occupation to the outdoors * ... is prohibited.”</p>	<p>Add: <b>“except that vegetables, fruits, flowers and other agricultural products may be grown on the premises if production does not exceed what would normally be consumed on the premises.”</b></p>
<p>The home occupation shall not include parking or storage of heavy equipment, including trucks of over one ton load capacity unless within a fully enclosed building.</p>	<p>Insert: trucks over one ton load capacity <b>or commercial vehicles in excess of 10,000 gross vehicle weight (GVW), within a public right-of-way or on private property outside of</b> a fully enclosed building.</p>
	<p>Add: <b>2+ home occupation permits may be issued for the same location if the sum of the businesses still meets the requirements</b></p>
	<p>Clarifying:</p> <ul style="list-style-type: none"> <li>▪ Off-site employees</li> <li>▪ Telecommuting exempt</li> <li>▪ Non-profits exempt</li> </ul>

# Inoperable Vehicles – FMC 22.58.024(a)

Existing Code	Proposed Code
Specifically states “outdoor storage of vehicles”	Revise to outdoor <b>parking</b> or storage of <b>inoperable</b> vehicles
Allows up to three inoperable vehicles when screened	Reduce that amount to one inoperable and/or unlicensed vehicle per property if screened
“Storage of inoperable * vehicles is prohibited in required front or side yard setback areas.”	Add: “ <b>and/or unlicensed</b> ”
Limits outdoor storage to 6 days unless waiting for repair, then 14 days	Limits all parking/storage of inoperable vehicles to 14 days when awaiting repairs
No regulations if enclosed	No regulations if enclosed



# Commercial and Passenger Vehicles

Existing Code	Proposed Code
FMC 22.58.024 (b) Commercial Vehicles	
In no event shall any outdoor storage of commercial vehicles in excess of 10,000 GVW be permitted *.	Moved to own sub-section (b) and added: <b>“in a residential zone whether located on a public right-of-way or private property. This provision does not apply to temporary parking for delivery, pick-up, moving or service activities. Heavy construction/development equipment may only be parked on a site that is undergoing a permitted or approved activity.”</b>
FMC 22.58.024 (d) Passenger Vehicles	
Code is silent on parking on the lawn or other non-driveway surfaces.	Add sub-section (d): <b>“Passenger Vehicles. Parking in locations other than a designated driveway or parking surface is not permitted in required front or side street side yard setbacks in a residential zoning district. Parking shall be permitted upon designated driveways and parking surfaces as defined in FMC 22.60.008(e) and (h).”</b>



THE CITY OF FIRCREST

October 10, 2017

# Recreational Vehicles – FMC 22.58.024(c)

Existing Code	Proposed Code
FMC22.58.024(b) addresses outdoor storage of boats and non-motorized RVs	Expanded to include all recreational vehicles (motorized or nonmotorized), boats and trailers
Allows two per parcel (unscreened) plus additional vehicles if screened by fence or vegetation	Limit <i>total</i> number to two per parcel: <ul style="list-style-type: none"> <li>One in front yard if perpendicular to ROW; 6' vegetation from adjacent neighbor</li> <li>One in side yard if screened from adjacent neighbor with fence or vegetation</li> <li>One or two in rear or side-street side yard if screened from neighbors <i>and</i> ROW</li> </ul>
No surface parking regulations	Add: “Vehicles shall be parked on an approved driveway, an existing impermeable pad established prior to the effective date of this ordinance, or a permeable, porous, or pervious surfaces that meet or exceed...Stormwater Management Manual...”
No regulations on operation and maintenance outside of existing junk vehicle regulations	Add: “Vehicles shall be operable and maintained in a clean, well-kept state that does not detract from the appearance of the surrounding area. Inoperable, extensively damaged and/or unlicensed vehicles shall be treated as “junk vehicles” per Chapter 9.64 FMC.”
No regulations on visiting RVs	Add: “Subject to the above restrictions, recreational vehicles may be occupied on a temporary basis not to exceed 30 days within one calendar year. Exceptions may be approved by the Director for a period not to exceed 6 months when temporary shelter is required to support an individual experiencing serious illness and needing assistance from the property owner on which the recreational vehicle is located.”

# Definitions – FMC 22.98

Existing Code	Proposed Code
22.98.594 Recreational vehicle. “Recreational vehicles” means all vehicles, self-propelled or propelled by another vehicle, designed primarily for touring with living/or sleeping quarters on board. Includes, but is not limited to, campers, travel trailers and motor homes.	Add: “Recreational vehicles” does not include bicycles and similar sports equipment. (Moved from RV storage section)
	Add: 22.98.604.1 Remote Work. “Remote Work” means a situation in which an employee works off-site and communicates with the company via the computer, email and telephone.
	Add: 22.98.697.1 Telecommuting. “Telecommuting” means to work at home by making use of the internet, email and the telephone to remain linked to one’s place of employment.

# Public Hearing Continued

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AMENDMENTS TO FMC SECTIONS 22.58 & 22.98  
PUBLIC HEARING



# Response to Comments

- Separate into Three Ordinances
- No Comments on Short-term Rentals
- One Comment in favor of Home Occupations
- Parking on Lawn
- RV: Number and Location
- RV Parking Standards



# Response: Number and Locations

## Current Code

- Total number: unlimited if “screened”
- Front yards: 2



## Planning Commission Recommendation

- Total number: 2
- Front yards: 1\*
- Side yard: 1\*\*
- Backyard/side street side yard: 2 if screened

## Alternatives

- Keep current Code
- Prioritize side and rear yards
- Prohibit front yard

\*Screened from neighbor, perpendicular, on approved surface

\*\*Screened from neighbor, on approved surface



# Response: Screening Standards

## Comments

- Expense
- Enforcement
- Questions on 6' landscaping requirement?



## Response

- Attempts to address possible view concerns of neighbors
- Would apply to existing and future
- 6' fence not allowed in front yards, but landscaping allowed

Front yard: Landscaping at least 6' high from adjacent  
Side yard: Fencing or landscaping from adjacent  
Rear/Side street side yard: fencing or landscaping completely

## Alternatives

- add language to (c)(4) *"is screened from the closest abutting property by approved landscaping with a minimum mature height of at least six feet"*
- Remove requirement from front and/or side yards



# Response: Surface Standards

## Comments

- Expense



## Response

- Current code is silent
- Proposed would apply to all yards
- Prevents parking on lawn
- Support low impact development

Vehicles shall be parked on an approved driveway, an existing impermeable pad established prior to the effective date of this ordinance, or a permeable, porous, or pervious surfaces that meet or exceed...Stormwater Management Manual..."

## Alternatives

- Remove requirement
- Require vehicle to be parked on driveway in front yard (cannot create extra pad)



# Moving Forward

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- Separate Ordinances
- H.O. and S.T.R. on for action on November 14
- Vehicle Parking and Storage
  - Action on November 14 or Study Session on November 20?

