



115 RAMSDELL STREET • FIRCREST, WASHINGTON 98466-6999 • (253) 564-8901 • FAX (253) 566-0762

FIRCREST PLANNING/BUILDING DEPARTMENT STAFF REPORT

CASE NUMBER 17-06

Amendments to FMC Sections 22.58, including short-term rental establishments, home occupations, outdoor storage of vehicles and Chapter 22.98 Definitions

August 15, 2017 Planning Commission Meeting

BACKGROUND:

At the April 17, 2017 study session, the City Council directed staff to review the regulations on short-term rentals (Air B&B, VRBO), home occupations, and the outdoor parking of vehicles and/or boats. The Planning Commission held a study session on June 6, 2017 and July 10, 2017.

AMENDMENT PROCESS:

Amendments to the City's development regulations are legislative actions and a Type V application proposal governed by FMC 22.05 and 22.78. The Planning Commission is required to conduct a public hearing on this matter and forward its recommendations to Council, which will conduct its own public hearing before making a final decision.

ENVIRONMENTAL DETERMINATION:

The City prepared an Environmental Checklist and issued a *Determination of Nonsignificance* for the proposed critical areas amendments, on July 20, 2017. The environmental determination was issued with a 14-day comment/appeal period ending on August 3, 2017. The City has not received any comments or notice of appeal.

DEPARTMENT OF COMMERCE NOTIFICATION:

The City submitted a *Notice of Proposed Amendment* to the Washington State Department of Commerce on July 18, 2017. The state agency comment period ended on September 16, 2017. As of the date this staff report was issued, the City had not received any comments.

PROPOSAL SUMMARY:

FMC 22.58.011 Short-term rental establishments.

- Amend Bed and Breakfast establishment regulations to include all short-term rentals, i.e. Airbnb

- Short-term rental of one or two bedrooms or an entire dwelling unit, would be required to obtain an administrative use permit
- Short-term rental of more than two bedrooms would require a conditional use permit
- Cooking facilities, aside from microwaves and refrigerators would be prohibited
- A business license would be required
- Structures are required to maintain their original character

FMC 22.58.013 Home occupations.

- Create two tiers for Type I, based on traffic and deliveries, with the intent of charging different fees
- Allow a home occupation to be carried out in a detached accessory building
- Prohibit large trucks or heavy equipment associated with a home occupation from being parked on private property or in the public right-of-way
- Permit multiple home occupations for the same location if the sum of the businesses still meets the regulations
- Exempts telecommuting and remote work from the requirement of a home occupation permit
- Exempts Type I Nonprofits from the permit fee

FMC 22.58.024 Outdoor storage of vehicles.

- Amend (a) from outdoor storage of vehicles to outdoor parking and storage of inoperable and/or unlicensed vehicles
- Limit the outdoor storage of inoperable and/or unlicensed vehicles from three to one
- Clarify outdoor parking or storage of oversized commercial vehicles and heavy equipment is prohibited both on private property and the public right-of-way.
- Limit the outdoor storage of recreational vehicles, watercraft and trailers to two per property.
- Require parking to occur on surfaces that meet the requirement of Low Impact Development.
- Prioritize parking of recreational vehicles, boats, and trailers to side and rear yards.
- If unable to use the side and rear yards, one vehicle may be parked in the front yard with certain restrictions.
- Allow parking in the driveway for loading and unloading, up to three days in a seven day period.
- Require recreational vehicles, boats, and trailers to be operable, maintained, and licensed
- Allow temporary occupation of recreational vehicles for up to 30 days or 6 months with Director approval
- Prohibit vehicle parking on areas not designated as a driveway.

FMC 22.98 Definitions.

- Amend 22.98.594 to clarify “recreational vehicles” do not include bicycles and similar sports equipment.

CONCLUSIONS:

Fircrest Municipal Code

22.78.004 Criteria for amendment approval.

Before the Planning Commission may recommend approval of an amendment request, and before the City Council may approve the amendment, each review authority shall adopt written findings showing that the following criteria are met by the proposal:

- (a) The proposed amendment is consistent with the goals, objectives and policies of the comprehensive plan, in particular:

Policy H1.1 Effectively implement zoning regulations, including design standards and guidelines, to help support the stability of established residential neighborhood.

Policy LU5.6 The character of existing single-family residential neighborhoods should be preserved and enhanced.

Policy LU5.9 To expand local economic opportunities for Fircrest's residents, home occupations that are compatible with the surrounding residential area shall be encouraged.

- (b) The proposed amendment will promote, rather than detract from, the public health, safety, morals and general welfare.

The proposal promotes public health and general welfare by addressing nuisance and environmental concerns related to outdoor storage and parking of vehicles, addressing potential impacts from business activity in residential neighborhoods and encouraging low impact development as it relates to parking surfaces.

RECOMMENDATION:

Staff recommends the Planning Commission consider public comment at the August 15, 2017 public hearing, consider the findings and conclusions in the preliminary resolution (Exhibit 1), and adopt the following motion recommending approval of the proposal:

I move to adopt Resolution No. 17-06, a resolution of the Planning Commission of the City of Fircrest, Washington recommending adoption of amendments to chapter FMC 22.58 specific use and structure regulations, including short-term rental establishments, home occupations, outdoor storage of vehicles, and FMC 22.98 definitions.

Angelie Stahlnecker

Angelie Stahlnecker
Planning and Building Administrator

August 15, 2017

Date

Exhibits:

- 1. Preliminary Resolution No. 17-06