

ORDINANCE NO. 05-654

AN ORDINANCE AMENDING THE TOWN OF WATERVILLE ZONING CODE AS IT RELATES TO MOBILE AND MANUFACTURED HOMES PURSUANT TO SENATE BILL 6593; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Washington State Senate Bill 6593 prohibits discrimination against consumers' choices in housing; and

WHEREAS, local governments are required to comply with these regulations by July 1, 2005; and

WHEREAS, The Town of Waterville has determined that changes to the Waterville Zoning Code, specifically Chapters 17.10, 17.40 and 17.44 are required to comply with this regulations; and

WHEREAS, the Town of Waterville Planning and Zoning Commission discussed the requirements of the state law and methods to address compliance at their regular public meetings; and

WHEREAS, the Town of Waterville Planning and Zoning Commission held a duly advertised public hearing on November 23, 2004, regarding the proposed amendments to the Waterville Zoning Code Chapters 17.10, 17.40 and 17.44, as prescribed by law; and

WHEREAS, an integrated environmental review process and associated documents was conducted on the proposed amendments as prescribed by WAC 197-11 and WMC Chapter 18.02; and

WHEREAS, an expedited review was requested and granted by the Washington State Department of Community, Trade and Economic Development; and

WHEREAS, the Waterville Town Council, at a regular public meeting on December 6, 2004, received a recommendation from the Waterville Planning and Zoning Commission to adopt amendments to the Waterville Zoning Code Chapters 17.10, 17.40 and 17.44; and

WHEREAS, the Waterville Town Council held a duly advertised public hearing on December 20, 2004 regarding the proposed amendments to the Waterville Zoning Code Chapters 17.10, 17.40 and 17.44, as prescribed by law;

NOW, THEREFORE, the Town Council of the Town of Waterville do ordain as follows:

Section I. Amend Waterville Municipal Code Chapter 17.10 Definitions to include the following definitions,

17.10.470 **Manufactured home.** "Manufactured home" means a structure constructed after June 15, 1976 and in accordance with the US Department of Housing and Urban Development (HUD) requirements for manufactured housing, bearing the appropriate insignia indicating such compliance, and designed primarily for residential occupancy by human beings.

17.10.471 **Manufactured home, designated.** "Designated manufactured home" means a manufactured home that meets the following:

- a. Is comprised of at least two fully enclosed parallel sections each of not less than twelve feet wide by thirty-six feet long;
- b. Was originally constructed with and now has a composition or wood shake or shingle, coated metal or similar roof of not less than 3:12 pitch; and
- c. Has exterior siding similar in appearance to siding materials commonly used on conventional site-built uniform building code single family residences.

17.10.472 **Manufactured/mobile home park.** “Manufactured/mobile home park” means an area of land occupied or designed to be occupied by two or more manufactured/mobile homes, used for permanent dwelling or sleeping purposes, on a lease basis and operated as a single development.

17.10.500 **Mobile home.** "Mobile home" means a structure, constructed before June 15, 1976, that is transportable in one or more sections that are eight feet or more in width and thirty-two feet or more in length, built on a permanent chassis, designed to be used as a permanent dwelling and bearing the "Mobile Home" insignia of the Washington State Department of Labor and Industries, commonly referred to as a single wide.

17.10.510 **Modular home (factory-built home).** “Modular (factory-built) home” means a residential structure which is constructed in a factory in accordance with applicable building codes and bearing the appropriate insignia indicating such compliance, transported to the building site in modules and assembled on-site on a permanent foundation.

Section II. Amend Waterville Municipal Code Chapter 17.40 District Use Chart to appear as follows in the “Residential Uses” category:

RESIDENTIAL USES	R-1	R-2	C-B	L-I	PUZ	T/C	H/C
Accessory Dwelling			ACC				
Single Family Dwelling	PRM	PRM				PRM	
Duplex Dwelling		PRM				PRM	
Multi Family Dwelling		PRM				PRM	
Manufactured Home						PRM	
Manufactured Home, Designated	PRM	PRM					
Accessory Structure	ACC	ACC				ACC	
Mobile Home for the Aged	CUP	CUP					
Modular Home	PRM	PRM				PRM	
Home Day Care Provider	CUP	ACC					
Bed & Breakfast	CUP	CUP				CUP	
Boarding/Lodging House		CUP					

Caretaker's Residence			ACC			ACC	ACC
Planned Unit Development	PD	PD					
Congregate Care/Assisted Living Facility		CUP					
Convalescent Home/Nursing Homes		CUP					
Day Care Center		CUP			ACC		
Home Occupation	ACC	ACC					
Manufactured/Mobile Home Park		PD					
Condominiums - Residential							
Foster Home	PRM	PRM					

Section III. Amend Waterville Municipal Code Section 17.44. 090 Residential Performance Standards to read as follows:

All residential dwellings shall meet the following criteria:

- A. Minimum Floor Area: The minimum floor area shall be 900 square feet
- B. Minimum Width: The minimum width shall be 24 feet at the narrowest point;
- C. Roof Pitch: The minimum roof pitch shall be not less than a three-foot rise for each 12 feet of horizontal run.
- D. Siding Materials: Siding materials shall be wood, masonite, masonry, stucco or other comparable materials. Residential structures shall be completely enclosed between the bottom of the exterior walls and adjacent ground level;
- E. Floor Level/Pit Set: The first finished floor level of a single story residence shall be 15 inches or less above the exterior finished grade adjacent to the residential structure.
- F. As allowed in Section 17.40.020 District Use Chart, designated manufactured homes located on individual lots, parcels or tracts of land shall be a new manufactured home, which means, for the purposes of this code, any manufactured home required to be titled under Title 46 RCW, which has not been previously titled to a retail purchaser, and which is not a “used mobile home” as defined in RCW 82.45.032(2).

Section IV. Repealer. Those portions of any ordinance, in conflict herewith, are hereby repealed as of the effective date of this ordinance.

Section V. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section VI. This ordinance shall take effect and be in full force five (5) days after this ordinance of a summary thereof consisting of the title is published.

Passed by the City Council of the Town of Waterville, Washington, this 20th day of December, 2004.

TOWN OF WATERVILLE

By: _____
Royal DeVaney, Mayor

Attest:

Diana Vickery, City Clerk-Treasurer

Approved as to Form:

Steve Smith, Town Attorney