

**CITY OF RUSTON
REGULAR COUNCIL MEETING
Tuesday, October 5, 2021**

The City Council of the City of Ruston met on this date via Virtual Teleconference

MEETING CALLED TO ORDER

At 7:00PM Mayor Hopkins called the regular Council Meeting to order. Councilmembers present were Councilmember Hedrick, Councilmember Hardin, Councilmember Syler and Councilmember Huson. Councilmember Kristovich was absent. Following the flag salute, Councilmember Hedrick moved to approve the agenda, with a second from Councilmember Hardin, passed 4-0.

MINUTES

Councilmember Hedrick moved to approve the minutes for the Regular Council meeting of September 7, 2021, with a second from Councilmember Hardin, passed 4-0.

STAFF REPORT – Nothing at this time.

GENERAL PUBLIC COMMENTS – Nothing at this time.

BUSINESS –

ORD 1551 – Amending Zoning Code to Comply with ESSHB 1220 (3rd reading) – During the 2021 legislative session, the Legislature passed several pieces of legislation regarding housing. Two of these bills require the City to make changes to its zoning code in order to comply with the requirements. Engrossed Second Substitute House Bill (ESSHB) 1220 and Engrossed Substitute Senate Bill (ESSB) 5235. Both of these bills amended portion of the Growth Management Act (Ch. 36.70A RCW) and Chapter 35A.21 RCW. ESSHB 1220 prohibited any code city from disallowing transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed. ESSHB 1220 also provides that code cities shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit. ESSB 5235 prohibits limitations of occupancy based on the number of unrelated persons that may occupy a household or dwelling unit.

Although ESSHB 1220 is requiring cities to allow for these uses, the City is permitted to regulate the occupancy, spacing, and intensity of use requirements for these uses. The bill says:

A code city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed.

Effective September 30, 2021, a code city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit. Reasonable occupancy, spacing, and intensity of use requirements may be imposed by ordinance on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety. Any such requirements on occupancy, spacing, and intensity of use may not prevent the siting of a sufficient number of permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters necessary to accommodate each code city's projected need for such housing and shelter under RCW 36.70A.070(2)(a)(ii).

Therefore, in order to comply with ESSHB 1220 and ESSB 5235, the City Attorney recommends the following amendments to the City's zoning code:

1. Amend RMC 25.01.020 (Definitions) to add definitions for Emergency Housing, Emergency Shelter, Permanent Supportive Housing, and Transitional Housing in compliance with ESSHB 1220.
2. Amend RMC 25.01.020 (Definitions) to modify the definition of "Family" to remove any relationship qualifiers (i.e., blood, marriage, adoption). This will bring this definition into compliance with ESSB 5235.
3. Add a new Section 25.01.055 to the RMC to establish occupancy standards for all housing types. These occupancy limitations are based on public health and safety standards and are consistent with the 2021 update to the International Property Maintenance Code, Section 404.
4. Amend Chapter 25.07 RMC (the Land Use Matrix) to:
 - a. Add an exception to 25.07.010(g) for uses mandated under state or federal law. This will help ensure the City's compliance if the Legislature makes another change in the future.
 - b. Add a new "h" to 25.07.010 to clarify that the newly defined uses (emergency housing, emergency shelter, permanent supportive housing, and transitional housing) are allowed as conditional uses in the MDP zone where hotel or motels
 - c. or multi-family housing (in the case of permanent supportive housing or transitional housing) are allowed under an approved plan.
 - d. Delete hotels and motels as an allowed conditional use in the residential zone since none exist today.

- e. Make emergency housing or emergency shelters a conditional use in the COM and COM-P zones, subject to occupancy limitations in RMC 25.01.055.
- f. Make permanent supportive housing and transitional housing a conditional use in all zones, subject to occupancy limitations in RMC 25.01.055.

In order to comply with State law, this ordinance needed to be adopted and take effect no later than September 30, 2021. Councilmember Hedrick move to approve Ordinance 1551, with a second from Councilmember Hardin, passed 4-0.

CLAIMS/PAYROLL – Councilmember Hedrick move to approve Claims of October 5, 2021 and Payroll of September 20, 2021 and October 5, 2021, with a second from Councilmember Hardin, passed 4-0.

MAYOR’S TIME – Mayor Hopkins retracted his statement that the City of Ruston sales and use tax rate was 9.9, which was made in the September Newsletter Mayors Corner. Mayor Hopkins learned that Pierce County had increased their sales tax in July 2021 which changed the City of Ruston sales tax to 10%. The increase will be used for chemical dependency and mental health services. Mayor Hopkins was pleased to announce the City won a summary judgement with prejudiced related to a lawsuit by the Point Ruston developers over sewer connection fees. Ruston was found to be the sewer provider for City of Ruston boundaries at the Point Ruston development. Budget time is upon us, and all departments are busy finalizing their budgets. Mayor Hopkins will present the preliminary budgets for Council review at the next council meeting. Mayor Hopkins announced Ruston Associate Planner, Charles McKenna, came onboard effective October 1, 2021 and welcomed Charles as a great addition to city staff. Charles is in the small space at City Hall and will be the first to transition to an office at Ruston School, which will give him more room to meet applicants and contractors for planning and permitting.

Councilmember Hedrick – Nothing at this time.

Councilmember Hardin – Nothing at this time.

Councilmember Kristovich – Absent.

Councilmember Syler – Nothing at this time.

Councilmember Huson – Nothing at this time.

CITY OF RUSTON
Regular Council Minutes
October 5, 2021

MEETING AJOURNED – At 7:15PM Councilmember Hedrick moved to adjourn, with a second from Councilmember Hardin, passed 4-0.

Mayor Bruce Hopkins

ATTEST:

Judy Grams