

## EXHIBIT 3

Record from the July 18, 2017 "Continued" Public Hearing before Planning Commission



### STAFF REPORT

### MINOR AMENDMENTS TO TITLE 18 ZONING

### CAMAS MUNICIPAL CODE (FILE# MC17-02)

**To:** Bryan Beel, Chair  
Planning Commission

**FROM:** Sarah Fox, Senior Planner

**REPORT DATE:** July 12, 2017

#### CONTINUED PUBLIC HEARING FROM JUNE 20, 2017 TO JULY 18, 2017

##### Summary

The initial Planning Commission public hearing on proposed amendments to Title 18 (File # MC17-02) was continued to the next meeting date of July 18, 2017. With one exception, the amendments that were presented by Staff were recommended for approval by the Commissioners. The June 7<sup>th</sup> Staff Report (**Exhibit 2**, page 71) explained the purpose of the proposed amendments and was organized by chapter.

The Commission continued the public hearing to deliberate further on proposed changes to Chapter 18.07 Use Authorization. For that reason, this Staff Report focuses on the amendments to Chapter 18.07. Title 18 Zoning, as modified at the public hearing on June 20<sup>th</sup> is included as **Exhibit 1**, with specific changes made to pages 10 and 15.

Also, the Commission requested that an exhibit be prepared that compares the proposed amendments of the residential uses at CMC18.07.030 – Table 1 – Commercial and industrial land uses. **Exhibit 3** provides a comparison of proposed changes to residential uses in commercial zones as requested.

##### 18.07 Use Authorization

Chapter 18.07 Use Authorization includes tables of land uses that are organized by zoning district. The Commission continued the public hearing to focus on the commercial and industrial zones at Table 1 of CMC§18.07.030, and in particular, the residential uses that are allowed within commercial and industrial zones.

There was testimony from Melanie Poe (refer to Exhibit 2, Attachment 9) in regard to amending a table note, Note 10, which refers to the (repealed) MXPDP zone. Staff proposes to replace Note 10 with a new provision that pertains to dog kennels (refer to Exhibit 1, page 10), as the current reference to MXPDP has no meaning.

**Exhibit 1** includes the following amendments to Table 1 of CMC§18.07.030 (Exhibit 1, page 6), which can be summarized as follows:

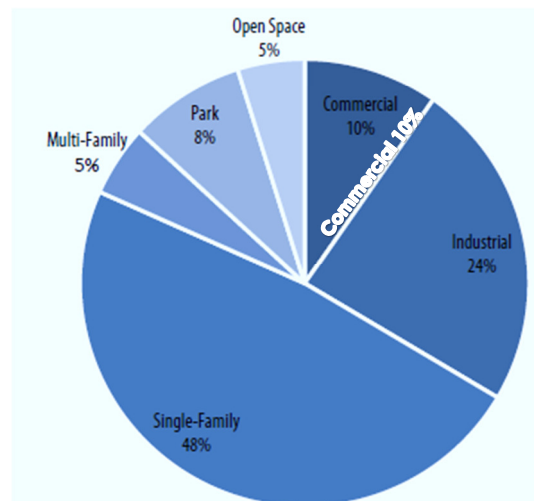
Land Uses	Staff Notes
Animal kennel, commercial boarding	To allow the use as "P" in RC, BP, LI, and HI zones
Remove "cart vendors"	The use is undefined and easily confused with "food carts"
Remove "video rental store"	The term "video" is outdated.
Amend title of "Food delivery"	Include the title of "Food Cart"
Repeal duplicative set of Residential Uses	There are two sets of residential uses in the table, which was an inadvertent error.  The set being recommended for removal includes "Note 10", which references the MXPDP zone that was repealed.

### Mixed Use Planned Development Zone (MXPDP)

In brief, the MXPDP zone was adopted in 2004, amended in 2009, and again in 2015 (Ord. 15-012) before it was repealed on May 16, 2016 (Ord. 16-007). Note 10 of the use authorization table at CMC 18.07.030 – Table 1, was only applied to two of the nine commercial and industrial zones, and referred to standards that were repealed.

When the MXPDP overlay was in effect, it allowed for multifamily development within the Regional Commercial (RC) and Community Commercial (CC) zones with City Council approval of a master plan and development agreement. The MXPDP zoning chapter was repealed due to concerns that there would be piecemeal re-designation of commercial lands into residential lands. The city must accommodate 11,182 jobs over the next twenty years.

In 2016, during the adoption of the current twenty year comprehensive plan, Council directed that a subarea plan be developed for the Grass Valley area. Grass Valley is located on the western edge of the city, and contains the majority (approx. 82%) of the 608 acres of regional commercial (RC) lands. Commercially zoned lands are 10% of the city's total acreage.



1- Proportion of Total Designated Acreage

Grass Valley is home to several national and international technology and manufacturing firms. Land uses in Grass Valley include large technology and manufacturing campuses, surrounded by retail and commercial services and residential development. The City has invested in significant infrastructure improvements in Grass Valley in support of high-tech industrial development, which is still the focus for this area. The following are excerpts from the comprehensive plan:

#### Grass Valley Economic Development Goal

**ED 3: Promote a cooperative industrial business park in which businesses and the City share resources efficiently to achieve sustainable development, with the intention of increasing economic gains and improving environmental quality.**

## Grass Valley Economic Development Policies

**ED-3.1:** Promote the development of a subarea plan that will capitalize on the creation and retention of industries that provide family-wage jobs.

**ED-3.2:** Subarea planning should capitalize on existing facilities and infrastructure and include a mix of uses that are trail- and transit-oriented and designed with high-quality streetscape appeal.

**ED-3.3:** Protect employment land from conversion to residential uses by requiring an analysis of adequate buildable lands in Grass Valley to meet 20-year employment projections prior to land conversion approval.

## Apartments in Commercial Zoning?

A question was raised at the initial hearing in regard to whether apartments could be built in commercial zones. The balance of housing and jobs lands is a crucial planning element in the Camas 2035 Comprehensive Plan. Any zoning or designation change of jobs lands (e.g. commercial and industrial lands) to residential would need to include an analysis of whether the goals established in the comprehensive plan would still be met (Refer to Policy ED-3.3).

With that said, there are currently several options available in CMC for property owners of RC and CC zoned lands who would like to develop apartments or other multifamily residential uses, and they are as follows:

1. At any time, submit a Type III application for a **site specific rezone/ single tract** to a Mixed Use zone. Refer to applicable standards at Chapters 18.24, 18.07, 18.09, 18.11 and 18.13 and 18.19. Typically, these requests are consolidated with a Site Plan Review application (refer to

Ch. 18.18). This permit type includes a public hearing and final decision by the Hearings Examiner.

2. In January of every year, submit a **comprehensive plan amendment**, a Type IV application, and request that the properties be re-designated as multifamily. Refer to Chapters 18.51 and 18.55 for procedures. This permit type includes a public hearing before Planning Commission and final decision by City Council.

3. At any time, submit a request for a **zoning code text change**, a Type IV process, and request that the city amend the use authorization table to allow residential developments in commercial zones (citywide). Refer to Chapters 18.05, 18.07 and (if amended) Chapter 18.51. This permit type includes a public hearing before Planning Commission and final decision by City Council.

### 18.55.030 - Summary of decision making processes.

The following decision making process table provides guidelines for the city's review of the indicated permits:

Table 1 - Summary of decision making processes

Approval Process							
Permit Type	I	II	III	Shore	SEPA	BOA	IV
Zone change/single tract			X <sup>(5)</sup>				
Zone code text changes							X

## Public Testimony

At the initial public hearing, there was testimony from Melanie Poe and Shawn High. Their submitted testimony can be found within Exhibit 2, beginning on page 51. The testimony of Ms. Poe in regard to

Note 10 of CMC18.07.030, and increasing the height limits in the multifamily zone, is the focus of this section.

Ms. Poe submitted items to the record on June 20, 2017---Attachments 5, 6, 8, and 9 (**Refer to Exhibit 2**, pages 57-71). Another item was submitted to the record after the initial hearing, which is dated July 7<sup>th</sup> and is Exhibit 4.

- Attachment 8 was in regard to raising the maximum height for new buildings in multifamily zoning (MF-18). The Commission was supportive of the proposed amendments and these changes are included with the amendments in Exhibit 1, page 15.
- Attachment 9 was in regard to revising Note 10 to the Use Authorization table at CMC18.07.040. The proposed revision was the focus of a lengthy discussion by the Commission. Ms. Poe recommended that the note be modified to require a "master plan with a development agreement" in lieu of referring to the repealed MXP regulations.
- Exhibit 4 responds to the discussion at the hearing. Ms. Poe provided an alternative amendment to the note, which reads as follows: "*Allow residential uses in noted commercial zones under an approved master plan and development agreement, perhaps with limitation of a minimum project size of 10 acres, with residential uses allowed in up to half of the project area.*"

## Recommendation

**Staff recommends that Planning Commission continue the public hearing from June 18, 2017, deliberate, and make the following possible motions:**

Move to forward a recommendation of approval to Council to amend Title 18 Zoning consistent with Exhibit 1\*.

OR

Move to forward a recommendation of approval to Council to amend Title 18 Zoning, consistent with Exhibit 1, with the exception of Notes 10 and 11 of CMC18.07.030 – Table 1 – Commercial and industrial land uses, which will be revised as follows:

Note 10: On tracts of ten acres or more, subject to approval by City Council of a master plan and Development Agreement, up to 50% of the net developable acreage may be developed with a mix of residential and employment uses. The remaining 50% of the net developable acreage shall be developed with employment uses as specified in the underlying zone.

Note 11: Conditional use permit is required if facilities for kennels are proposed outdoors.

OR

Move to forward a recommendation of approval to Council to amend Title 18 Zoning, consistent with Exhibit 1, with the exception of the Residential Uses section of CMC18.07.030 – Table 1 – Commercial and industrial land uses, which will remain as currently adopted<sup>†</sup>.

\* This option would **replace** Note 10 of CMC18.07.030 with a restriction on outdoor dog kennels.

† This option would **keep** Note 10 of CMC18.07.030 without changing the reference to MXP.

**Record from the July 18, 2017 "Continued" Public Hearing before  
Planning Commission**

Exhibit 1  
MC17-02

**DRAFT AMENDMENTS TO TITLE 18 – ZONING**

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Chapter 18.03 - DEFINITIONS ..... 1  
Chapter 18.05 - ZONING MAP AND DISTRICTS ..... 3  
Chapter 18.07 - USE AUTHORIZATION ..... 5  
Chapter 18.09 - DENSITY AND DIMENSIONS ..... 12  
Chapter 18.11 - PARKING ..... 16  
Chapter 18.13 - LANDSCAPING ..... 16  
Chapter 18.17 - SUPPLEMENTAL DEVELOPMENT STANDARDS ..... 20  
Chapter 18.51 - COMPREHENSIVE PLAN AND ZONING AMENDMENTS ..... 24

**Note to reader:** The following proposed amendments are shown as underlined or strike-through ~~text~~. The full content of each chapter is not included, which means that if changes are not shown in this document then they are not intended.

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**Chapter 18.03 - DEFINITIONS**

**18.03.030 - Definitions for land uses.**

For the purposes of this title, the following definitions shall apply:

"Food cars/ food trucks / food delivery business" means a business in which food is primarily prepared and sold from a vehicle or trailer, rather than a site-specific building. Restaurants or fast food restaurants with in a fixed authorized location permanent building are not included in this definition. Food carts are generally not allowed to conduct business within the public right-of-way and must be located on leased or owned property. For more information refer to zoning structure setbacks, uses allowed in the zone, and siting requirements at CMC Chapter 18.18 Site Plan Review.

"Kennel / commercial/ boarding- (primary use) means any premises or building in which four or more dogs or cats at least four months of age kept commercially for board, propagation or sale. Facilities for kennels / boarding must be entirely indoors, unless otherwise approved with a Type III permit.

Kennel / boarding (incidental use) means any premises or building in which four or more dogs or cats at least four months of age are kept commercially for training or board. Propagation and sale of pets may not occur as an incidental use. Facilities for the boarding of animals may occupy no more than 30 percent of the gross floor area of the primary building and must be indoors. Excessive barking may be considered cause for revocation of permit in accordance with CMC Section 9.32.050 - Public disturbance noises.

"Video rental store" means an establishment engaged primarily in the business of renting video cassettes, DVD's and games.

**Commented [LH1]:** Video rental stores are a thing of the past and should be removed.

### 18.03.040 - Definitions for development terms.

As used in this title:

"Developed/net acreage" means the total acreage of a land use development exclusive of open space and critical areas. Developed/net acreage includes infrastructure, storm drainage facilities and lots and access easements.

"Lot line" means the property line bounding a lot.

Lot Line, Front. "Front lot line" means, in the case of an interior lot, the lot line separating the lot from a street other than an alley, and in the case of a corner lot, the shortest lot line separating the lot from a street other than an alley. See ~~Figure 18.03-8.~~

Lot Line, Rear. "Rear lot line" means a lot line which is opposite and most distant from the front lot line. In the case of an ~~triangular or~~ irregular shaped lot, a line ten feet in length within the lot parallel to and ~~at the maximum distance most distant~~ from the front lot line shall be considered the rear lot line for purposes of determining required setbacks. See Figures 18.03-6 and 18.03-8.

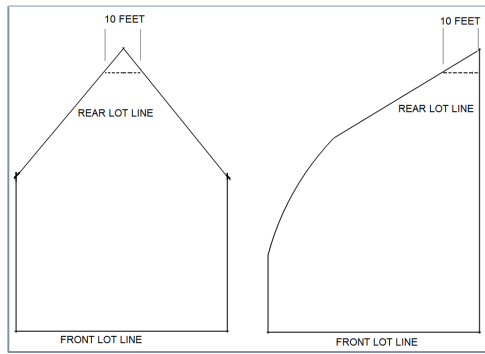
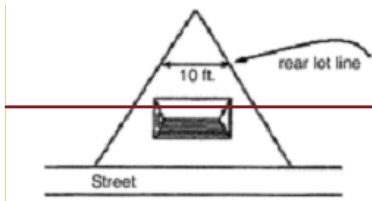


Figure 18.03-6 Rear Lot Line in the Case of ~~a Triangular~~ Irregular Lot

**Commented [SF2]:** Net acreage is a more widely used term, although they are interchangeable. The use of the term "net" instead of "developed" is being proposed within the dimension tables.

**Commented [LH3]:** This figure should be repealed as it is too confusing.

**Commented [SF4]:** This figure should be repealed and replaced due to inconsistent elements of the figure (e.g. lot lines not at right angles).

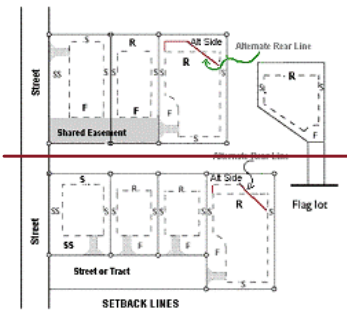


Figure 18.03-8 (1 of 2)

Commented [LH5]: Repeal figure. This diagram is inconsistent with the definitions of lot front and side.

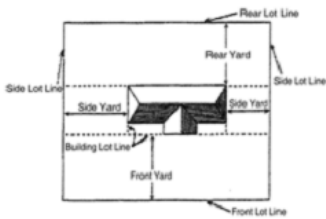


Figure 18.03-8 Yard and Lot Lines (2 of 2)

## Chapter 18.05 - ZONING MAP AND DISTRICTS

### Sections:

#### 18.05.010 - Zoning maps administration.

- A. This title shall consist of the text titled the "City of Camas Zoning Code," and that certain map or books of maps identified by the approving signatures of the mayor and the city clerk, and marked and designated as "The Zoning Map of the City of Camas," which map or book of maps shall be placed on file in the offices of the city clerk, county auditor, and other city departments. This title, and each and all of its terms and map details, is to be interpreted in light of the context of the book of maps in relationship to the comprehensive plan. In any conflict between the maps and the text of this code the text shall prevail.
- B. Zoning text and map Amendments. Amendments may be proposed by city council ~~or on its own motion, or may be proposed~~ by the planning commission on its own motion, or such an amendment may be proposed by an applicant or city staff pursuant to CMC Chapter ~~18.55-51 Administration and Procedures~~Comprehensive Plan and Zoning Amendments.
- C. Administration and Procedures. A correct copy of each amendment to the text or to the map established by this title shall be maintained on file in the offices of the city clerk and the planning official.

**Exhibit 1  
MC17-02**

- D. Site Specific Rezones. A site specific rezone involves an application of an owner of a specific parcel or set of contiguous parcels that does not require modification of the comprehensive plan. Site specific rezones are decided by the hearing officer after a public hearing. The criteria for reviewing and approving a site specific rezone are as follows:
1. The use or change in zoning requested shall be in conformity with the adopted comprehensive plan, the provisions of this title, and the public interest.
  2. The proposed zone change shall be compatible with the existing established development pattern of the surrounding area in terms of lot sizes, densities and uses.
- E. Timing and Responsibility for Updating Official Zoning Map. All amendments hereafter made to the zoning map by ordinance shall be shown on such map(s), and it shall be the responsibility of the planning official to keep the maps up to date at all times. Any amendments to the zoning map shall be made in accordance with the comprehensive plan map, as amended.

**18.05.020 - Districts designated.**

For the purposes of the Code, the city is divided into zoning districts designated as follows:

District	Symbol	Comprehensive Plan Designation
<del>Residential 20,000</del>	<del>R-20</del>	<del>Single-family Low</del>
Residential 15,000	R-15	Single-family Low
Residential 12,000	R-12	Single-family Medium
Residential 10,000	R-10	Single-family Medium
Residential 7,500	R-7.5	Single-family Medium
Residential 6,000	R-6	Single-family High
<del>Residential 5,000</del>	<del>R-5</del>	<del>Single-family High</del>
Multifamily-10	MF-10	Multifamily Low
Multifamily-18	MF-18	Multifamily High
<del>Multifamily-24</del>	<del>MF-24</del>	<del>Multifamily High</del>
Multifamily Cottage	MF-C	Overlay
Neighborhood Commercial	NC	Commercial
Community Commercial	CC	Commercial
Regional Commercial	RC	Commercial
Mixed Use	MX	Commercial
Downtown Commercial	DC	Commercial
Light Industrial	LI	Industrial
Heavy Industrial	HI	Industrial
Business Park	BP	Industrial
Light Industrial/Business Park	LI/BP	<del>Light Industrial/Business Park</del> Industrial
Neighborhood Park	NP	Park
Special Use Park	SU	Park
Open space/Green space	OS	Open space   Green space

**Commented [LH6]:** This designation was removed with the Comprehensive Plan update.

**Commented [SF7]:** Code publishing error. This was modified with comp plan update.

**18.05.040 - Residential and multifamily zones.**

- A. ~~R-20 Residential-20,000. This zone is intended to ensure that the rural character of certain portions of the city is maintained. Residential development is expected to consist of large custom single-family dwellings on uniquely configured lots which are designed to be sensitive to topographic and environmental considerations. The average lot size is twenty thousand square feet at densities of one to two dwellings per acre.~~

**Commented [LH8]:** This zone was removed with the recently adopted zone map.



**Exhibit 1**

**MC17-02**

- B. R-15 Residential-15,000. This zone is intended for single-family dwellings with a minimum density of two to three dwellings per acre. This zone will permit the rural character of a number of existing neighborhoods to be maintained. The average lot size is fifteen thousand square feet.
- C. R-12 Residential-12,000. This zone is intended for single-family dwellings with densities of three to four dwelling units per acre. This zone is designated for areas with steep topography for greater flexibility in site layout, and where potential hazards do not exist. The average lot size is twelve thousand square feet.
- D. ~~R-10~~ Residential-10,000. This zone is intended for single-family dwellings with densities of four to five dwellings per acre. This zone is intended to be zoned near low density residential districts, and where potential natural hazards do not exist. The average lot size is ten thousand square feet.
- E. R-7.5 Residential-7,500. This zone is intended for single-family dwellings with densities of five to six dwellings per acre. This zone should have less slope than lower density zones, and be adjacent to existing high density residential districts. The average lot size is seven thousand five hundred square feet.
- F. R-6 Residential-6,000. This zone is intended for single-family dwellings with densities of six to seven dwellings per acre. The slope of property is less than other lower density residential zones. This zone serves a transition to multifamily or commercial zones. The average lot size is six thousand square feet.
- ~~G. R-5 Residential-5,000. This zone is intended for single-family dwellings, either attached or detached, with densities of up to eight and one-half dwellings per acre. The slope of property is less than other medium density residential zones. Like the R-6 district, this zone serves as a transition to multifamily or commercial zones. The average lot size is five thousand square feet.~~
- H. MF-10 Multifamily Residential. This zone provides for a diversity of dwellings such as duplexes, triplexes, fourplexes, rowhouses, and apartment complexes, with a density of up to ten units per acre. It is desirable for this zone to be adjacent to parks and multi-modal transportation systems. This zone can also serve as a transition between commercial and residential zones.
- I. MF-18 and MF-24 Multifamily Residential. These zones are intended to provide for dwellings such as rowhouses and apartment complexes. It is desirable for these zones to be adjacent to parks and multi-modal transportation systems. These zones also serve as a transition between commercial and residential zones.
- J. MF-C Cottage. This is an overlay zone, which is intended to increase the housing supply and style choices for smaller, single-level dwellings. It is desirable that cottages are designed to include unique architectural elements such as a front porch, steep-pitch gable roof, and a recessed garage; and to accommodate those with mobility impairments. This overlay zone may be utilized within multi-family zones only, and upon approval of a zoning district change.

**Commented [LH9]:** This zone was removed with the recently adopted zone map.

**18.05.060 - Overlay zones/special planning areas.**

Overlay zones implement the goals and values expressed in the comprehensive plan, ~~or special planning areas such as the North Dwyer Creek master plan.~~ Uses within this area may be subject to standards which deviate from those in the primary zone.

**Commented [LH10]:** This section of the code was repealed.

**Chapter 18.07 - USE AUTHORIZATION**

**Sections:**

**18.07.020 - Interpretation of land use tables.**

The land use tables in this chapter determine whether a specific use is allowed in a zone district. The zone district is located on the vertical column and the specific use is located on the horizontal rows of these tables.

- A. If the letter "X" appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for certain temporary uses.
- B. If the letter "P" appears in the box at the intersection of the column and the row, the use is allowed in that district subject to review procedures in accordance with CMC Chapter 18.55 "Administration and Procedures."
- C. If the letter "C" appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review procedures specified in Chapter 18.43 "Conditional Use Permits," and the general requirements of the Camas Municipal Code.

**Exhibit 1**

**MC17-02**

- D. If the letter "T" appears in the box at the intersection of the row, the use is temporarily permitted under the procedures of Chapter 18.47 "Temporary Use Permits." Other temporary uses not listed may be authorized as provided in Chapter 18.47.
- E. If a number appears in a box at the intersection of the column and the row, the use is subject to the requirements specified in the note corresponding with the number immediately following the table.
- F. Uses accessory to a use permitted or conditionally permitted in any zone may be authorized subject only to those criteria and/or processes deemed applicable by the head of the planning department.
- G. If a use is not listed under either Section 18.07.030 Table 1 or 18.07.040 Table 2, and is not an accessory or temporary use, then the use shall be subject to a zoning code text amendment. Notwithstanding a zoning code text amendment, or whatever review process is deemed more applicable by the community development director, shall may determine whether a proposed land use not specifically listed in a land use table is allowed in a zone. The director shall take into consideration the following when making a determination:

1. Whether or not the proposed use in a particular zone is similar impact to other permitted or conditional uses or is compatible with other uses; and

2. Whether or not the proposed use is consistent with the zone's purpose.

A use listed in one table but not the other shall be considered a prohibited use in the latter.

**18.07.030 - Table 1—Commercial and industrial land uses.**

KEY: P = Permitted Use  
 C = Conditional Use  
 X = Prohibited Use  
 T = Temporary Use

Zoning Districts	NC	DC	CC	RC	MX	BP	LI/ BP	LI	HI
<b>Commercial Uses</b>									
Animal kennel, commercial/boarding <sup>6</sup>	X	X	X	<del>C</del> p <sup>10</sup>	X	<del>C</del> p <sup>10</sup>	X	<del>X</del> p <sup>10</sup>	<del>X</del> p <sup>10</sup>
Animal shelter <sup>6</sup>	X	X	X	C	X	C	X	C	P
Antique shop <sup>6</sup>	P	P	P	P	P	C	X	X	P
Appliance sales and service <sup>6</sup>	X	P	P	P	P	P	X	C	P
Automobile repair (garage) <sup>6</sup>	X	P	C	P	X	P	X	P	P
Automobile sales, new or used <sup>6</sup>	X	P	X	P	X	P	X	P	P
Automobile service station <sup>6</sup>	X	P	C	P	X	P	X	P	P
Automobile wrecking <sup>6</sup>	X	X	X	X	X	X	X	X	C
Bakery (wholesale) <sup>6</sup>	X	X	X	P	X	P	p <sup>5</sup>	P	P
Bakery (retail) <sup>6</sup>	P	P	P	P	P	P	p <sup>5</sup>	P	P
Banks, savings and loan	X	P	P	P	P	P	p <sup>5</sup>	P	P
Barber and beauty shops <sup>6</sup>	P	P	P	P	P	P	p <sup>5</sup>	P	P
Boat building <sup>6</sup>	X	X	X	C	X	C	X	C	P
Boat repair and sales <sup>6</sup>	X	P	X	P	X	P	X	P	P
Book store <sup>6</sup>	C	P	P	P	P	P	p <sup>5</sup>	P	P
Bowling alley/billiards <sup>6</sup>	X	P	X	P	P	P	X	P	P
Building, hardware and garden supply store <sup>6</sup>	X	P	C	P	P	P	X	P	P
Bus station <sup>6</sup>	X	C	C	P	C	P	X	P	P
Cabinet and carpentry shop <sup>6</sup>	X	P	C	P	C	P	p <sup>5</sup>	P	P
Candy, confectionery store <sup>6</sup>	P	P	P	P	P	P	p <sup>5</sup>	P	P
<del>Cart vendors<sup>6</sup></del>	<del>C</del>	<del>P</del>	<del>C</del>	<del>P</del>	<del>C</del>	<del>P</del>	<del>p<sup>5</sup></del>	<del>P</del>	<del>P</del>
Cemetery <sup>6</sup>	X	X	X	C	X	X	X	C	P

**Commented [SF11]:** This use was brought to our attention by a business owner. There should be locations in the city where it can be outright permitted.

**Commented [SF12]:** There isn't a definition for cart vendors in CMC. Outdated term and would like to avoid confusion with "food carts". See below.

**Exhibit 1  
MC17-02**

Zoning Districts	NC	DC	CC	RC	MX	BP	LI/ BP	LI	HI
Clothing store <sup>6</sup>	C	P	P	P	P	P	X	P	P
Coffee shop, cafe <sup>6</sup> or kiosk	P	P	P	P	P	P	P <sup>5</sup>	P	P
Convention center <sup>6</sup>	X	P	X	C	C	P	P	C	X
Day care center <sup>6</sup>	C	P	P	C	P	C	P <sup>5</sup>	C	C
Day care, adult	P	P	P	P	P	P	P	P	P
Day care, family home <sup>6</sup>	P	P	P	P	P	X	P <sup>5</sup>	P	X
Day care, mini-center <sup>6</sup>	P	P	P	P	P	P	P <sup>5</sup>	P	X
Delicatessen (deli) <sup>6</sup>	P	P	P	P	P	P	P <sup>5</sup>	P	P
Department store <sup>6</sup>	X	P	C	P	P	P	X	P	X
Electric vehicle battery charging station and rapid charging stations	P	P	P	P	P	P	P	P	P
Equipment rental <sup>6</sup>	C	P	C	C	C	P	P <sup>5</sup>	P	P
Event center	X	P	C	P	C	P	P	P	P
Feed store <sup>6</sup>	X	X	X	P	X	C	X	P	P
Fitness center/sports club <sup>6</sup>	X	P	P	P	P	P	P <sup>5</sup>	P	P
Funeral home <sup>6</sup>	X	P	C	P	P	X	X	X	X
Florist shop <sup>6</sup>	P	P	P	P	P	P	P <sup>5</sup>	P	X
Food cart/ Food truck / Food delivery business <sup>6</sup>	<del>X-C</del>	P	C	P	C	P	<del>X-C</del>	P	X
Furniture repair; upholstery <sup>6</sup>	X	P	C	P	P	P	X	P	P
Furniture store <sup>6</sup>	X	P	C	P	P	P	X	P	X
Gas/fuel station <sup>6</sup>	X	P	C	P	X	P	X	P	P
Gas/fuel station with mini market <sup>6</sup>	X	P	C	P	X	P	X	P	P
Grocery, large scale <sup>6</sup>	X	P	C	P	P	C <sup>8</sup>	X	P	P
Grocery, small scale <sup>6</sup>	P	P	C	P	P	P	X	P	P
Grocery, neighborhood scale <sup>6</sup>	P	P	P	P	P	P	P <sup>5</sup>	P	X
Hospital, emergency care <sup>6</sup>	X	C	P	P	P	P	X	P	X
Hotel, motel <sup>6</sup>	X	C	C	P	P	P	X	P	X
Household appliance repair <sup>6</sup>	X	P	C	P	P	P	X	P	P
Industrial supplies store <sup>6</sup>	X	P	X	C	C	C	X	C	P
Laundry/dry cleaning (industrial)	X	X	X	P	X	X	X	P	P
Laundry/dry cleaning (retail) <sup>6</sup>	P	P	P	P	P	P	P <sup>5</sup>	P	P
Laundry (self-serve)	P	P	P	P	P	P	X	P	P
Liquor store <sup>6</sup>	X	P	C	P	C	C	X	C	C
Machine shop <sup>6</sup>	X	X	C	C	C	C	P <sup>5</sup>	C	P
Marijuana processor	X	X	X	X	X	X	X	X	X
Marijuana producer	X	X	X	X	X	X	X	X	X
Marijuana retailer	X	X	X	X	X	X	X	X	X
Medical or dental clinics (outpatient) <sup>6</sup>	C	P	P	P	P	P	P <sup>5</sup>	P	P
Mini-storage/vehicular storage <sup>6</sup>	X	X	C	C	X	P	X	P	P
Manufactured home sales lot <sup>6</sup>	X	X	X	P	X	X	X	P	P
Newspaper printing plant <sup>6</sup>	X	P	C	C	X	X	X	P	P
Nursery, plant <sup>6</sup>	X	P	C	C	C	C	X	C	P
Nursing, rest, convalescent, retirement home <sup>6</sup>	C	P	P	P	P	X	X	X	X
Office supply store <sup>6</sup>	X	P	P	P	P	X	P <sup>5</sup>	P	P
Pawnshop <sup>6</sup>	X	X	X	X	X	X	X	C	C
Parcel freight depots <sup>6</sup>	X	P	X	P	X	P	P <sup>5</sup>	P	P

**Commented [SF13]:** Cart vendors were allowed as a CUP in the NC zone.

**Exhibit 1**  
**MC17-02**

Zoning Districts	NC	DC	CC	RC	MX	BP	LI/ BP	LI	HI
Pet shops <sup>6</sup>	X	P	P	P	P	P	X	P	C
Pharmacy <sup>6</sup>	X	P	P	P	P	P	P <sup>5</sup>	P	P
Photographic/electronics store <sup>6</sup>	X	P	P	P	P	P	P <sup>5</sup>	P	P
Plumbing, or mechanical service <sup>6</sup>	X	X	X	P	C	P	X	P	P
Printing, binding, blue printing <sup>6</sup>	C	P	P	P	P	P	P <sup>5</sup>	P	P
Professional office(s) <sup>6</sup>	C	P	P	P	P	P	P	P	P
Public agency <sup>6</sup>	C	P	P	P	P	P	P	P	P
Real estate office <sup>6</sup>	C	P	P	P	P	P	T	P	P
Recycling center <sup>6</sup>	X	X	X	X	X	X	X	P	P
Recycling collection point <sup>6</sup>	T or C	P	T or C	T or C	C	C	P <sup>5</sup>	P	P
Recycling plant <sup>6</sup>	X	X	X	X	X	X	X	C	P
Research facility <sup>6</sup>	X	P	C	C	X	P	P	P	P
Restaurant <sup>6</sup>	C	P	P	P	C	P	P <sup>5</sup>	P	P
Restaurant, fast food <sup>6</sup>	X	P	C	P	C	P	P <sup>5</sup>	P	P
Roadside produce stand <sup>6</sup>	T	T	T	T	C	X	T	T	T
Sand, soil, gravel sales and storage <sup>6</sup>	X	X	X	X	X	X	X	C	P
Second-hand/consignment store <sup>6</sup>	C	P	P	P	P	P	X	P	P
Sexually oriented business <sup>1,5</sup>	X	X	X	X	X	X	P	X	X
Shoe repair and sales <sup>6</sup>	P	P	P	P	P	P	X	P	P
Smoke shop/head shop <sup>9</sup>	X	X	P	P	X	X	X	X	X
Stock broker, brokerage firm	P	P	P	P	P	P	P	P	P
Specialty goods production (e.g. brew pub)	P	P	P	P	P	P	P	P	P
Taverns <sup>6</sup>	X	P	C	P	C	P	X	P	P
Theater, except drive-in <sup>6</sup>	X	P	C	P	P	X	X	P	P
Truck terminals <sup>6</sup>	X	C	X	C	X	X	X	C	P
Veterinary clinic <sup>6</sup>	X	P	C	P	P	P	X	P	P
<del>Video rental store<sup>6</sup></del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>X</del>	<del>P</del>	<del>X</del>
Warehousing, wholesale and trade <sup>6</sup>	X	X	X	C	C	P	P <sup>5</sup>	P	P
Warehousing, bulk retail <sup>6</sup>	X	X	X	C	C	X	X	P	P
<b>Manufacturing and/or processing of the following:</b>									
Cotton, wool, other fibrous material	X	X	X	X	X	P	X	P	P
Food production or treatment	X	X	X	C	C	P	X	P	C
Foundry	X	X	X	X	X	X	X	C	C
Furniture manufacturing	X	P	X	X	C	C	X	P	P
Gas, all kinds (natural, liquefied)	X	X	X	X	X	X	X	X	C
Gravel pits/rock quarries	X	X	X	X	X	X	X	X	C
Hazardous waste treatment—Off-site	X	X	X	X	X	X	X	X	P
Hazardous waste treatment—On-site	X	X	X	X	X	X	X	X	P
Junkyard/wrecking yard	X	X	X	X	X	X	X	X	C
Metal fabrication and assembly	X	X	X	X	X	C	X	X	P
Hazardous waste treatment—On-site	X	X	X	X	X	X	X	X	P
Paper, pulp or related products	X	X	X	X	X	X	X	X	P
Signs or other advertising structures	X	X	X	C	C	C	P	C	P
Electronic equipment	X	P	X	X	X	X	P	P	P

Exhibit 1

MC17-02

Zoning Districts	NC	DC	CC	RC	MX	BP	LI/ BP	LI	HI
<b>Industrial Uses</b>									
High-tech industry	X	P	X	X	P	P	P <sup>2</sup>	X	X
Manufacturing of miscellaneous goods (e.g. musical instruments, toys, vehicle parts)	X	X	X	X	C	X	X	P	P
Optical goods	X	C	C	C	C	P	P <sup>5</sup>	P	P
Packaging of prepared materials	X	X	C	P	C	C	P <sup>5</sup>	C	P
Scientific and precision instruments	X	P	X	X	X	P	P	P	P
<b>Recreational, Religious, Cultural Uses</b>									
Auditorium <sup>6</sup>	C	P	P	P	P	P	X	P	P
Community club <sup>6</sup>	C	P	P	P	P	P	X	P	P
Church <sup>6</sup>	P	P	P	P	P	P	X	P	P
Golf course/driving range <sup>6</sup>	P	X	P	P	X	P	P <sup>5</sup>	P	P
Library <sup>6</sup>	C	P	P	P	P	P	X	P	P
Museum <sup>6</sup>	C	P	P	P	P	P	X	P	P
Recreational vehicle park <sup>6</sup>	X	X	X	C	X	X	X	P	P
Open space <sup>6</sup>	P	P	P	P	P	P	P	P	P
Park or playground	P	P	P	P	P	P	P	P	P
Sports fields <sup>6</sup>	C	X	P	P	P	P	X	P	P
Trails	P	P	P	P	P	P	P	P	P
<b>Educational Uses</b>									
College/university <sup>6</sup>	P	P	P	P	P	P	X	P	P
Elementary school <sup>6</sup>	P	P	P	P	P	P	X	P	P
Junior or senior high school <sup>6</sup>	P	P	P	P	P	P	X	P	P
Private, public or parochial school <sup>6</sup>	P	P	P	P	P	P	X	P	P
Trade, technical or business college <sup>6</sup>	P	P	P	P	P	P	P	P	P
<b>Residential Uses</b>									
Adult family home	C	P	P	X	P	X	X	X	X
Assisted living	C	P	P	X	P	X	X	X	X
Bed and breakfast	P	P	P	X	P	X	X	X	X
Designated manufactured home	X	X	X	X	P	X	X	X	X
Duplex or two-family dwelling	X	C/P <sup>7</sup>	X	X	P	X	X	X	X
Group home	C	P	P	X	P	X	X	X	X
Home occupation	P	P	P	X	P	X	X	X	X
Housing for the disabled	P	P	P	X	P	X	X	X	X
Apartment, <u>multi-family development, rowhouses</u>	X	P	X	X	<u>P-C</u>	X	X	X	X
Residence accessory to and connected with a business	P	P	P	X	P	X	X	X	X
<del>Single family attached (e.g. rowhouses)</del>	<del>X</del>	<del>C/P<sup>2</sup></del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
Single-family dwelling	X	X	X	X	P	X	X	X	X
<b>Residential Uses in Commercial and Industrial Zones</b>									
<del>Adult family home</del>	<del>C</del>	<del>P</del>	<del>P</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
<del>Assisted living</del>	<del>C</del>	<del>P</del>	<del>P</del>	<del>X/P<sup>10</sup></del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
<del>Bed and breakfast</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
<del>Designated manufactured home</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
<del>Duplex or two-family dwelling</del>	<del>X</del>	<del>C/P<sup>7</sup></del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
<del>Group home</del>	<del>C</del>	<del>P</del>	<del>P</del>	<del>X</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>

**Exhibit 1  
MC17-02**

Zoning Districts	NC	DC	CC	RC	MX	BP	LI/ BP	LI	HI
Home occupation	P	P	P	X/P <sup>10</sup>	P	X	X	X	X
Housing for the disabled	P	P	P	X/P <sup>10</sup>	P	X	X	X	X
Apartment, multifamily development	X	C/P <sup>2</sup>	X/ P <sup>10</sup>	X/P <sup>10</sup>	P	X	X	X	X
Residence accessory to and connected with a business	P	P	P	X/P <sup>10</sup>	P	X	X	X	X
Single family dwelling	X	X	X	X	P	X	X	X	X
<b>Communication, Utilities and Facilities</b>									
Electrical vehicle infrastructure	P	P	P	P	P	P	P	P	P
Major telecommunication facility <sup>6</sup>	X	X	X	X	X	X	X	X	C
Minor telecommunication facility	P	P	P	P	P	P	P	C	P
Wireless communications facility <sup>3,6</sup>	Refer to Chapter 18.35 X C C P C P P P P								
Facilities, minor public	P	P	P	P	C	P	P	C	P
Facility, essential <sup>6</sup>	X	X	C	C	C	C	P	C	C
Railroad tracks and facilities <sup>6</sup>	C	X	C	C	C	X	X	C	C
<b>Temporary Uses</b>									
Temporary sales office for a development <sup>4</sup>	T	T	T	T	T	T	T	T	T

Notes:

1. See CMC Chapter 5.36 Sexually Oriented Businesses for additional regulations for siting sexually oriented business facilities.
2. Similar uses are permitted in the zone district only at the discretion of the community development director or designee.
3. ~~See CMC Chapter 18.35 "Telecommunication Ordinance" for wireless communication uses permitted according to the zone district. Reserved.~~
4. See CMC Chapter 18.47 "Temporary Uses" for additional regulations.
5. See secondary use provisions of LI/BP zone.
6. See CMC Chapter 18.19 "Design Review" for additional regulations. CMC Chapter 18.19 is not applicable to development in the LI/BP zone.
7. Residential uses may be outright permitted if part of a mixed use building, where residential use is not located on the ground level; otherwise it shall be a conditional use.
8. If grocery store is less than one hundred thousand square feet then use is outright permitted. If one hundred thousand square feet or over then a conditional use permit is required.
9. A. Must be sited a minimum one thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or game arcade to which is not restricted to persons twenty-one years or older as defined in WAC 314-55-010 on June 20, 2015;  
B. The business shall post clear signage in a conspicuous location near each public entrance stating no person under the age of twenty-one may enter the premises; and  
C. No smoke shop/head shop subject to this note shall be located within five miles of an existing lawfully established smoke shop/head shop. All measurements under (A) and (C) shall be measured from the nearest property line of the property on which the use is proposed to the nearest property line of an existing business utilizing Clark County GIS.
10. ~~Allowed as approved in a mixed use planned development (MXPDP) overlay area. Conditional use permit is required if facilities for kennels are proposed outdoors.~~

**Commented [SF14]:** Staff provided optional language in the Staff Report for footnote.

**18.07.040 - Table 2—Residential and multifamily land uses.**

KEY: P=Permitted Use  
C=Conditional Use  
X = Prohibited Use  
T = Temporary Use

**Authorized Uses in Residential and Multifamily Zones**

	<b>R</b>	<b>MF</b>
<b>Residential Uses</b>		
Adult family home, residential care facility, supported living arrangement, or housing for the disabled 1	P	P
Apartments	P 2	P
Assisted living 1	C	P
Designated manufactured homes	P	P
Duplex or two-family dwelling	C	P
Manufactured home	X	X
Manufactured home park	X	C
Nursing, rest, convalescent, retirement home 1	C	P
Single-family Residential attached housing for three or more units (e.g., rowhouses)	X / P 2	P
Single-family dwelling (detached)	P	P
<b>Incidental Uses</b>		
Accessory dwelling unit	P	P
Animal training, kennel, boarding	X	C
Day care center 1	C	P
Day care, family home	P	P
Day care, minicenter 1	C	P
Electric vehicle battery charging station and rapid charging stations	P	P
Gardening and horticulture activities	P	P
Home occupation	P	P
Bed and breakfast 1	C	C
<b>Recreation/Religious/Cultural</b>		
Church 1	C	C
Community clubs, private or public 1	C	C
Library 1	C	C
Museum 1	C	C
Open space 1	P	P
Public or semi-public building 1	C	C
Park or playground	P	P
Sports fields 1	C	C
Trails	P	P
<b>Educational Uses</b>		
Private, public or parochial school 1	C	C
Trade, technical, business college 1	X	X C
College/university 1	X	X
<b>Communication and Utilities</b>		
Major communication facility 1	X	X
Minor communication facility	C	C
Wireless communication facility 1	Refer to Chapter 18.35	
	C	C
Facilities, minor public	C	C

**Exhibit 1  
MC17-02**

	<i>R</i>	<i>MF</i>
<i>Public utilities, minor</i>	C	C
<i>Pumping station 1</i>	C	C
<i>Railroad tracks and facilities 1</i>	C	C
<i>Temporary Uses</i>		
<i>Sales office for a development in a dwelling 1, 4</i>	T	T
<i>Sales office for a development in a trailer 3, 4</i>	T	T

Notes:

1. See Chapter 18.19 "Design Review" for additional regulations.
2. Permitted in the R zones as part of a planned development only.
3. Site plan review required per CMC Section 18.18.020(A)(1).
4. Notwithstanding the time limitations of a temporary use, a sales office proposed and approved through a Type III application may be approved with a longer time frame than one hundred eighty days.

**Chapter 18.09 - DENSITY AND DIMENSIONS**

**18.09.030 - Table 1—Density and dimensions for commercial and industrial zones.**

	NC	DC	CC	RC	MX	LI	BP	HI	LI/BP <sup>Note 24</sup>
<b>Bulk Regulations</b>									
<b>Maximum Density (dwelling units/net acre)</b>	n/a	None	n/a	n/a	24	n/a	n/a	n/a	n/a
<b>Minimum lot area (square feet)</b>	5,000	<sup>Note 1</sup> None	<sup>Note 1</sup> None	<sup>Note 1</sup> None	1,800	10,000	½ acre	<sup>Note 1</sup> None	10 acres
<b>Minimum lot width (feet)</b>	40	<sup>Note 1</sup> None	<sup>Note 1</sup> None	<sup>Note 1</sup> None	<sup>Note 1</sup> None	100	100	<sup>Note 1</sup> None	Not specified
<b>Minimum lot depth (feet)</b>	40	<sup>Note 1</sup> None	<sup>Note 1</sup> None	<sup>Note 1</sup> None	<sup>Note 1</sup> None	<sup>Note 1</sup> None	100	<sup>Note 1</sup> None	Not specified
<b>Setbacks: Commercial and industrial development setbacks shall be as follows, unless along a flanking street of a corner lot. If along flanking street, then the setback must be treated like a front, and provide safe sight distance.</b>									
<b>Minimum front yard (feet) <sup>Note 3</sup></b>	15	<sup>Note 1</sup> None	<sup>Note 1</sup> None	<sup>Note 1</sup> None	<sup>Note 3</sup> 5	Not specified	15	<sup>Note 1</sup> None	5' per 1 foot of building height (200' minimum)
<b>Minimum side yard (feet)</b>	<sup>Note 1</sup> None/ 10 <sup>Note 12</sup>	<sup>Note 1</sup> None	<sup>Note 1</sup> None	<sup>Note 1</sup> None	<sup>Note 1</sup> None/ 10'	15' or 25' if abutting a residential area	15	<sup>Note 1</sup> None	100' for building; 25' for parking
<b>Minimum rear yard (feet)</b>	<sup>Note 1</sup> None	<sup>Note 1</sup> None	<sup>Note 1</sup> None	<sup>Note 1</sup> None	<sup>Note 1</sup> None/25'	25'	50	<sup>Note 1</sup> None	100' for building; 25' for parking area
<b>Lot Coverage</b>									

**Commented [LH15]:** Density is added to this table similar to the residential table.



**Exhibit 1  
MC17-02**

	NC	DC	CC	RC	MX	LI	BP	HI	LI/BP <sup>Note 24</sup>
<b>Lot coverage (percentage)</b>	85%	<del>Note 1</del> <u>None</u>	<del>Note 1</del> <u>None</u>	<del>Note 1</del> <u>±</u> <u>None</u>	<del>Note 1</del> <u>None</u> <u>1 story (60%)</u> <u>2 stories or more (50%)</u>	70%	50%	<del>Note 1</del> <u>None</u>	1 story (30%) 2 stories (40%) 3 stories (45%)
<b>Building Height</b>									
<b>Maximum building height (feet)</b>	2.5 stories; or 35	<del>Note 1</del> <u>None</u>	<del>Note 1</del> <u>None</u>	<del>Note 1</del> <u>±</u> <u>None</u>	<del>Note 1</del> <u>None</u>	acre or less: 35' 1 to 2 acres: 45' 2 acres or more: 60'	<del>Note 1</del> <u>±</u> <u>None</u>	<del>Note 1</del> <u>±</u> <u>None</u>	60

Notes:

- ~~1. No limitation.~~
- ~~2. If along a flanking street of corner lot.~~
- ~~3. On corner parcels, (parcels bordered by two or more streets), the setback requirements shall be the same for all street frontages. Front setback restrictions shall apply.~~
- ~~4. The densities and dimensions in the LI/BP zone may be reduced under a planned industrial development. See Chapters 18.20 North Dwyer Creek Residential Overlay and 18.21 Light Industrial/Business Park.~~
5. Existing non-conforming R residential dwelling units shall satisfy the setbacks of CMC Section 18.09.040 Table 21, based on comparable lot size.
- ~~6. Maximum setback at front building line is ten feet.~~

**18.09.040 - Table 21—Density and dimensions—Single-family residential zones.**  
Density and Dimensions for Single-family Residential Zones <sup>1</sup>

	<del>R-5</del>	R-6	R-7.5	R-10	R-12	R-15	<del>R-20</del>
A. Standard New Lots							
Maximum density (dwelling units/ <del>gross-net</del> acre)	<del>8.7</del>	7.2	5.8	4.3	3.6	2.9	<del>2.1</del>
Average lot area (square feet) <sup>5</sup>	<del>5,000</del>	6,000	7,500	10,000	12,000	15,000	<del>20,000</del>
Minimum lot size (square feet)	<del>4,000</del>	4,800	6,000	8,000	9,600	12,000	<del>16,000</del>
Maximum lot size (square feet) <sup>4</sup>	<del>6,000</del>	<u>7,200</u>	<u>9,000</u>	<u>12,000</u>	<u>14,400</u>	<u>18,000</u>	<u>24,000</u>
Minimum lot width (feet)	<del>50</del>	60	70	80	90	100	<del>100</del>
Minimum lot depth (feet)	<del>80</del>	90	90	100	100	100	<del>100</del>
Maximum building lot coverage	<del>45%</del>	40%	40%	35%	30%	30%	<del>30%</del>
Maximum building height (feet) <sup>3</sup>	<del>35</del>	35	35	35	35	35	<del>35</del>
B. Density Transfer Lots <sup>1</sup>							
Maximum density (dwelling units/ <del>net</del> gross acre)	<del>8.7</del>	7.2	5.8	4.3	3.6	2.9	<del>2.1</del>
Minimum lot size (square feet)	<del>3,500</del>	4,200	5,250	7,000	8,400	10,500	<del>14,000</del>
Maximum lot size (square feet) <sup>4</sup>	<del>6,000</del>	7,200	9,000	12,000	14,400	18,000	<del>24,000</del>
Minimum lot width (feet) <sup>1</sup>	<del>40</del>	50	60	60	70	80	<del>90</del>
Minimum lot depth (feet) <sup>1</sup>	<del>80</del>	80	80	90	90	100	<del>100</del>
Maximum building lot coverage	<del>45%</del>	40%	40%	40%	35%	35%	<del>30%</del>
Maximum building height (feet) <sup>3</sup>	<del>35</del>	35	35	35	35	35	<del>35</del>

**Commented [LH16]:** Consistency with buildable (unencumbered) lands data and realistic expectations for developers.

**Commented [SF17]:** Allows more flexibility, but does not create lots that can later be divided as their size is just under double the average lot size of the zone. For example, in an R-6 zone, a 12,000 square foot lot can be divided into two lots with an average size of 6,000 square feet each.

**18.09.040 - Table 2—Building setbacks for single-family residential zones.**

Setbacks based on average lot sizes (not zone specific) <sup>2</sup>	Up to 4,999 sq. ft.	5,000 to <del>7,499</del> <u>11,999</u> sq. ft.	<del>7,500 to 9,999</del> <u>10,000 to 11,999</u> sq. ft.	<del>10,000 to 14,999</del> <u>12,000 to 14,999</u> sq. ft.	<del>15,000 to 19,999</del> <u>15,000 to 19,999</u> sq. ft.	<del>20,000 to 24,999</del> <u>20,000 to 24,999</u> sq. ft.	<del>25,000 to 29,999</del> <u>25,000 to 29,999</u> sq. ft.	<del>30,000 to 34,999</del> <u>30,000 to 34,999</u> sq. ft.	35,000 or more sq. ft.
Minimum front yard (feet)	<del>15-20</del>	20	<del>20</del>	<del>20</del>	25	<del>30</del>	<del>30</del>	30	
Minimum side yard and corner lot rear yard (feet)	5	5	<del>5</del>	<del>5</del>	10	<del>15</del>	<del>15</del>	15	
Minimum side yard flanking a street (feet)	15	20	<del>20</del>	<del>20</del>	25	<del>30</del>	<del>30</del>	30	
Minimum rear yard (feet)	20	25	<del>25</del>	<del>25</del>	30	<del>35</del>	<del>35</del>	35	
Minimum lot frontage on a cul-de-sac or curve (feet)	25	30	<del>30</del>	<del>30</del>	35	<del>40</del>	<del>40</del>	40	

**Commented [SF18]:** Separate the dimension tables to reduce the confusion of setbacks being based on lot sizes. Also, two zones will not be part of the table above, which would further confuse this chart after revision.

Notes to Tables 1 and 2:

- For additional density provisions, see CMC Sections 18.09.060 through 18.09.180.
- Setbacks ~~may be reduced to~~ must be consistent with average lot sizes of the development in which it is located. Notwithstanding the setbacks requirements of this chapter, setbacks and/or building envelopes clearly established on an approved plat or development shall be applicable.
- Maximum building height: three stories and a basement, not to exceed height listed.

**Exhibit 1  
MC17-02**

4. For parcels with an existing dwelling, a one time exception may be allowed to partition from the parent parcel a lot that exceeds the maximum lot size permitted in the underlying zone. Any further partitioning of the parent parcel or the oversized lot must comply with the lot size requirements of the underlying zone.
5. Average lot area is based on the square footage of all lots within the development or plat. The average lot size may vary from the stated standard by no more than five hundred square feet.
6. The maximum building lot coverage for single-story homes may be up to forty-five percent in R-6 and R-7.5 zones, and forty percent in R-10 and R-12 zones. To qualify for increased lot coverage, a single-story home cannot include a basement or additional levels.

**18.09.050 – Table 1 Density and dimensions for multifamily residential zones.**

	MF-10	MF-18	<del>MF-24</del>	MF-C Overlay
Density				
Maximum density (dwelling units per <del>gross-net</del> acre)	10	18	<del>24</del>	<del>18/24</del>
Minimum density (dwelling units per <del>net</del> gross acre)	6.0	6.0	<del>6.0</del>	6.0
Standard lots				
Minimum lot area (square feet)	3,000	2,100	<del>1,800</del>	None
Minimum lot width (feet)	<del>30-36</del>	<del>20-26</del>	<del>20</del>	<del>0-None</del>
Minimum lot depth (feet)	70	60	<del>60</del>	<del>0-None</del>
Maximum gross floor area (GFA) per dwelling unit (square feet)	No max	No max	<del>No max</del>	1,000 <sup>Note 4</sup>
Setbacks				
Minimum front yard/at garage front (feet)	<del>15/2018</del>	<del>10/2018</del>	<del>10/2018</del>	<del>0/2018</del>
Minimum side yard (feet)	3 <sup>Note 1</sup>	3 <sup>Note 1</sup>	<del>3</del> <sup>Note 1</sup>	0 / <u>If abutting R-zone than setback is 10'</u>
Minimum side yard, flanking a street (feet)	15	15	<del>15</del>	15
Minimum rear yard	10	10	<del>10</del>	0 / <u>If abutting R-zone than setback is 10'</u>
Lot coverage				
Maximum building lot coverage	55%	65%	<del>75%</del>	Building coverage is limited by a minimum of 200 sq. ft. of useable yard adjacent to each dwelling unit.
Building height				
Maximum building height (feet)	35 <sup>Note 2</sup>	<del>45-50</del> <sup>Note 2-5</sup>	<del>45</del> <sup>Note 2</sup>	18 <sup>Note 3</sup>

Table 3 Notes:

1. The non-attached side of a dwelling unit shall be three feet, otherwise a zero-lot line is assumed.
2. Maximum ~~building height~~: three stories and a basement but not to exceed height listed ~~above~~.
3. Maximum ~~building height~~: one story and a basement but not to exceed height listed ~~above~~.
4. GFA in this instance does not include covered porches or accessory structures as defined per CMC 18.17.040.
- ~~5. Maximum four stories but not to exceed height listed.~~

**Commented [LH19]:** Driveways are not deep enough as vehicles hang out over the sidewalk.

**Commented [SF20]:** Recommended by Planning Commission at June 20<sup>th</sup> public hearing.

### 18.09.140 - Front yard—Exception.

- A. Commercial and Industrial Districts. For a lot in a NC, CC, RC, LI or HI district proposed for commercial or industrial development, which is across a street from a residential (R) zone, the yard setback from the street shall be fifteen feet.
- B. Sloping Lot in any Zone. If the natural gradient of a lot from front to rear along the lot depth line exceeds an average of twenty percent, the front yard may be reduced by one foot for each two percent gradient over twenty percent. In no case under the provisions of this subsection shall the setback be less than ten feet. The front of a garage shall not be closer than 18 feet from the back of the sidewalk.

## Chapter 18.11 - PARKING

### Sections:

### 18.11.020 - Design.

The design of off-street parking shall be as follows:

- A. Ingress and Egress. The location of all points of ingress and egress to parking areas shall be subject to the review and approval of the city.
- B. Backout Prohibited. In all commercial and industrial developments and in all residential buildings containing five or more dwelling units, parking areas shall be so arranged as to make it unnecessary for a vehicle to back out into any street or public right-of-way.
- C. Parking Spaces—Access and Dimensions. Adequate provisions shall be made for individual ingress and egress by vehicles to all parking stalls at all times by means of unobstructed maneuvering aisles. ~~The city is directed to promulgate and enforce standards for maneuvering aisles and parking stall dimensions, and to make such standards available to the public.~~
  - 1. Off-street parking space dimensions shall be as follows or as otherwise approved by the director:
    - a. Standard spaces shall be a minimum of 9.0 feet in width;
    - b. Standard spaces shall be a minimum of 18.0 feet in length.
  - 2. Aisle width dimensions shall be as follows or as otherwise approved by the director:
    - a. One-way aisle width shall be 15 feet
    - b. Two-way aisle width shall be 24 feet
- D. Small Car Parking Spaces. A maximum of thirty percent of the total required parking spaces may be reduced in size for the use of small cars, provided these spaces shall be clearly identified with a sign permanently affixed immediately in front of each space containing the notation "compacts only." Spaces designed for small cars may be reduced in size to a minimum of eight feet in width and fifteen feet in length. Where feasible, all small car spaces shall be located in one or more contiguous areas and/or adjacent to ingress/egress points within parking facilities. Location of compact car parking spaces shall not create traffic congestion or impede traffic flows.

## Chapter 18.13 - LANDSCAPING

### Sections:

### 18.13.010 - Purpose.

The purpose of this chapter is to establish minimum standards for landscaping in order to provide screening between incompatible land uses, minimize the visual impact of parking areas, provide for shade, minimize erosion, and to implement the comprehensive plan goal of preserving natural beauty in the city.

### 18.13.020 - Scope.

Landscaping standards shall apply to all new multifamily, commercial, industrial, ~~and~~ governmental uses, including change of use, and parking lots ~~of with greater than four spaces, and any development that is subject to Design Review (Refer to Chapter 18.19 Design Review) or more.~~

**Exhibit 1  
MC17-02**

as churches, schools, civic organizations, etc., the standards for landscaping will be the same as the landscaping standards in community commercial zones.

**18.13.030 - Expansion.**

In a case where a site expands, landscaping shall be provided only for the percentage of expansion.

**18.13.040 - Procedure.**

Detailed plans for landscaping shall be submitted with plans for building and site improvements. Included in the plans shall be type and location of plants and materials.

**18.13.050 - Landscaping standards.**

- A. The property owner shall be responsible for any future damage to a street, curb, or sidewalk caused by landscaping.
- B. Landscaping shall be selected and located to deter sound, filter air contaminants, curtail erosion, minimize stormwater run-off, contribute to living privacy, reduce the visual impacts of large buildings and paved areas, screen, and emphasize or separate outdoor spaces of different uses or character. The required landscaping must be a combination of trees, shrubs, and ground cover to achieve these purposes.
- ~~C. Plants that minimize upkeep and maintenance shall be selected.~~
- ~~D. Plants shall complement or supplement surrounding natural vegetation.~~
- ~~E. Plants chosen shall be in scale with building development.~~
- F. Minimum landscaping as a percent of gross site area shall be as follows:

Zone	Percent of Landscaping Required
HI	20%
RC, LI	15%
CC	<del>10</del> 15%
MX	<del>10</del> 15%
NC, MF	<u>5</u> 10% on lots less than 10,000 square feet; <del>10</del> 15% on lots greater than 10,000 square feet
BP	(see Section 18.37.040 "Landscaping standards")
LI/BP	(see Section 18.21.070 "Landscaping standards")
Parking lots	(see Section 18.13.060 of this chapter)

**Commented [SF21]:** Goal is to remove language and standards that are within the engineering Design Standards Manual, unless a code regulation would be more appropriate.

**Commented [SF22]:** Consistent with the requirements within the Camas Design Standard Manual.

- ~~G. Deciduous trees shall have straight trunks, be fully branched, have a minimum caliper of one and one-half inches, be equivalent to a fifteen-gallon container size, and be adequately staked for planting.~~
- ~~H. Evergreen trees shall be a minimum of five feet in height, fully branched, and adequately staked for planting.~~
- ~~I. Shrubs shall be a minimum of five-gallon pot size. Upright shrubs shall have a minimum height at planting of eighteen inches. Spreading shrubs at planting shall have a minimum width of eighteen inches (smaller shrub sizes may be approved where it is more appropriate within a particular landscape plan).~~
- ~~J. Ground cover, defined as living material and not including bark chips or other mulch, shall at planting, have a maximum spacing of twelve inches on center for flats, and a maximum twenty-four inches on center between mature plants from containers of one gallon or larger.~~
- ~~K. Appropriate measures shall be taken, e.g., installations of watering-irrigation systems, to assure landscaping success. If plantings fail to survive, it is the responsibility of the property owner to replace them.~~
- ~~L. Trees shall not be planted closer than twenty five feet from the curb line of the intersections of streets or alleys, and not closer than ten feet from private driveways (measured at the back edge of the sidewalk), fire hydrants, or utility poles.~~

**Commented [SF23]:** Throughout the code, the minimum tree size is 2"

**Exhibit 1  
MC17-02**

M. Street trees shall not be planted closer than twenty feet to light standards. Except for public safety, no new light standard location should be positioned closer than ten feet to any existing street tree, and preferably such locations will be at least twenty feet distant.

N. Trees shall not be planted closer than two and one-half feet from the face of the curb except at intersections, where it should be five feet from the curb in a curb return area.

O. Where there are overhead power lines, tree species that will not interfere with those lines shall be chosen.

P. Trees shall not be planted within two feet of any permanent hard surface paving or walkway. Sidewalk cuts in concrete for trees shall be at least four feet by four feet; however, larger cuts are encouraged because they allow additional area and water into the root system and add to the health of the tree. Space between the tree and such hard surface may be covered by permeable nonpermanent hard surfaces such as grates, bricks on sand, paved blocks, cobblestones, or ground cover.

Q. Required Trees, as they grow, shall be pruned to their natural form in accordance with the International Society of Arboriculture. The pruned tree will provide at least eight feet of clearance above sidewalks and twelve feet above street roadway surfaces.

R. Existing trees may be used as street trees if there will be no damage from the development which will kill or weaken the tree. Sidewalks of variable width and elevation may be utilized to save existing street trees, subject to approval by the city.

S. Vision clearance hazards shall be avoided/prohibited.

T. Street trees and other required landscaping which dies or is removed, must be replaced within one year of death or removal. Replacement street trees may be an alternative species from the city's recommended tree list, and may be in a different location as approved by the city.

**Commented [SF24]:** Recommended by the city's consulting arborist.

**Commented [SF25]:** Recommended by the city's consulting arborist.

**Commented [LH26]:** This section was added in an attempt to lessen the impact of new development adjacent to different zones. This section is very similar to the previously approved MXPD chapter that was repealed.

**18.13.055 - Landscape buffering standards.**

A. Landscape buffers shall be in compliance with the below referenced table:

**Table 1- Landscape Buffers**

Abutting zone	Residential		Commercial		Business Park		Industrial	
	Not Separated by a Street	Separated by a Street	Not Separated by a Street	Separated by a Street	Not Separated by a Street	Separated by a Street	Not Separated by a Street	Separated by a Street
Uses on Site								
Residential	5' L1	5' L1	10' L3	10' L2	10' L2	10' L2	10' L2 w/F2 Fence	10' L3
Commercial	10' L3	5' L2	5' L1	5' L2	5' L2	5' L2	10' L3	10' L2
Industrial	10' L2 w/F2 Fence	L2	L3	L2	10' L3	L2	5' L2	5' L1

B. Landscaping and Screening Design Standards.

1. L1, General Landscaping.

**Exhibit 1**

**MC17-02**

a. Intent. The L1 standard is intended to be used where distance is the principal means of separating uses or development, and landscaping enhances the area between them. The L1 standard consists principally of groundcover plants; trees and high and low shrubs also are required.

b. Required Materials. There are two ways to provide trees and shrubs to comply with an L1 standard. Shrubs and trees may be grouped. Groundcover plants, grass lawn, or approved flowers must fully cover the landscaped area not in shrubs and trees.

**2. L2, Low Screen.**

a. The standard is applied where a low level of screening sufficiently reduces the impact of a use or development, or where visibility between areas is more important than a greater visual screen.

b. Required Materials. The L2 standard requires enough low shrubs to form a continuous screen three feet high and ninety-five percent opaque year-round. In addition, one tree is required per thirty lineal feet of landscaped area, or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area. A three-foot high masonry wall or fence at an F2 standard may be substituted for shrubs, but the trees and groundcover plants are still required.

**3. L3, High Screen.**

a. The L3 standard provides physical and visual separation between uses or development principally using screening. It is used where such separation is warranted by a proposed development, notwithstanding loss of direct views.

b. Required Materials. The L3 standard requires enough high shrubs to form a screen six feet high and ninety-five percent opaque year-round. In addition, one tree is required per thirty lineal feet of landscaped area, or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area. A six-foot high wall or fence that complies with an F1 or F2 standard may be substituted for shrubs, but the trees and groundcover plants are still required. When applied along street lot lines, the screen or wall is to be placed along the interior side of the landscaped area.

**4. Fences.**

**a. F1, Partially Sight-Obscuring Fence.**

i. Intent. The F1 fence standard provides partial visual separation. The standard is applied where a proposed use or development has little impact, or where visibility between areas is more important than a total visual screen.

ii. Required Materials. A fence or wall that complies with the F1 standard shall be six feet high, and at least fifty percent sight-obscuring. Fences may be made of wood, metal, bricks, masonry, or other permanent materials.

**b. F2, Fully Sight-Obscuring Fence.**

i. Intent. The F2 fence standard provides visual separation where complete screening is needed to protect abutting uses, and landscaping alone cannot provide that separation.

ii. Required Materials. A fence or wall that complies with the F2 standard shall be six feet high, and one hundred percent sight obscuring. Fences may be made of wood, metal, bricks, masonry or other permanent materials.

**5. The applicant may provide landscaping and screening that exceeds the standards in this chapter provided:**

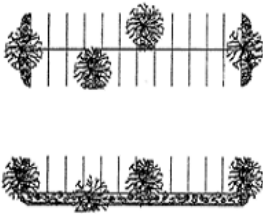
a. A fence or wall (or a combination of a berm and fence or wall), may not exceed a height of six feet above the finished grade at the base of the fence or wall (or at the base of a berm, if combined with one), unless the approval authority finds additional height is necessary to mitigate potential adverse effects of the proposed use, or other uses in the vicinity; and landscaping and screening shall not create vision clearance hazards.

b. The Community Development Director may approve use of existing vegetation to fulfill landscaping and screening requirements of this chapter, if that existing landscaping provides at least an equivalent level of screening as the standard required for the development in question.

c. Required landscaping and screening shall be located on the perimeter of a lot or parcel. Required landscaping and screening shall not be located on a public right-of-way or private street easement.

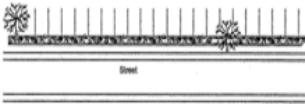
**18.13.060 - Parking areas.**

- A. Parking areas are to be landscaped at all perimeters.
- B. All parking areas shall provide interior landscaping for shade and visual relief.
- C. Parking lots shall have a minimum ratio of one tree per six double-loaded stalls or one tree per three single-loaded stalls (See Figure 18.13-1).



**Figure 18.13-1 Parking Lot Planting Islands**

- D. Planter strips (medians) and tree wells shall be used within parking areas and around the perimeter to accommodate trees, shrubs and groundcover.
- E. Planter areas shall provide a five-foot minimum width of clear planting space.
- F. Wheel stops should be used adjacent to tree wells and planter areas to protect landscaping from car overhangs.
- G. Curbed planting areas shall be provided at the end of each parking aisle to protect parked vehicles.
- H. No more than fifteen parking spaces shall be located in a row without a landscaped divider strip (See Figure 18.13-2).



**Figure 18.13-2 Parking Lot Landscape Divider Strip**

**18.13.070 - Assurance device.**

In appropriate circumstances, the city may require a reasonable performance of maintenance assurance device, in a form acceptable to the finance department, to assure compliance with the provisions of this chapter and the approved landscaping plan.

**Chapter 18.17 - SUPPLEMENTAL DEVELOPMENT STANDARDS**

**18.17.050 — Fences and walls.**

- A. Purpose. The purpose of this section is to provide minimum regulations for fences and masonry walls, with the desired objectives of privacy and security for residents, and safety for motorists and pedestrians using the streets and sidewalks.
- B. Permits. If a fence or wall is over six feet high then a building permit will be required, and the fencing/wall must meet required setbacks.
- B.C. Heights and Location.



**Exhibit 1**

**MC17-02**

1. Fences/walls not more than six feet in height may be maintained along the side yard or rear lot lines fully within the property; provided, that such wall or fence does not extend into the front yard area. The height of the fence/wall shall be measured from the finished grade.

1-2. A fence/wall shall not exceed 42 inches high in the front yard. The front yard area is the distance between the front property line and the nearest point of the building specified in the zone districts under this title. ~~See Figure 18.17.050-1.~~



**Figure 18.17.050-1 Fence Heights**

- ~~G. A fence shall not exceed three and one-half feet (forty-two inches) in height in the front yard.~~
- D. Access. No fence/wall shall be constructed so as to:
  - ~~1. (1) block Block or restrict vehicular access to a dedicated alley, access or way, or~~
  - ~~2. (2) create Create a traffic hazard by impairing or obstructing vision clearance from any driveway, alley, or access.~~
  - ~~1. Fences over three and one-half feet shall not be placed in the vision clearance area on corner lots.~~
- E. Prohibited Materials. Fiberglass sheeting, barbed wire, razor ribbon or other similar temporary material shall not be permitted as a fencing or wall material, unless otherwise allowed in commercial and industrial zones.
- F. Temporary Fences. Vacant property and property under construction may be fenced with a maximum six-foot high, nonview-obscuring fence.
- ~~G. Measurement of Fence and Wall Height. The height of a fence or wall shall be measured at the highest average ground level within three feet of either side of such wall or fence. In order to allow for variation in topography, the height of a required fence or wall may vary an amount not to exceed six inches; provided, however, that in no event shall the average height of such wall or fence exceed the maximum height permitted for that location.~~
- HG. Agriculture/Ranching (A/R) Exception. Barbed wire and electric fences shall be permitted on land classified A/R. All electric fences in such instances shall be clearly identified. Maintenance, repair and replacement of existing fences shall be governed by state law.
- H Security fencing may be permitted with the following limitations:
  - 1. The security fencing shall consist of not more than four strands of barbed wire located on the top of a six-foot high fence; and
  - 2. The security fencing shall be associated with a commercial or industrial development.

Commented [SF27]: Moved measurement to "C" above.

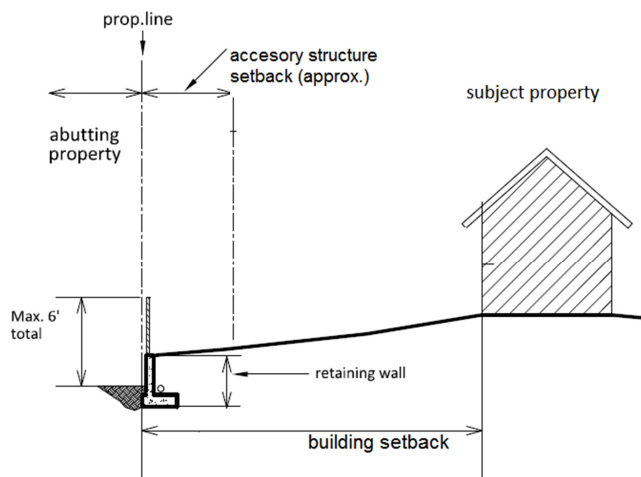
**18.17.060 - Retaining walls.**

- A. Permits required. Building permits are required for retaining walls over 4'-0" in height, and for retaining walls that support additional weight (e.g. steep slopes, buildings, parking areas). Retaining walls are measured from the bottom of the footing to the top of the wall.
- B. Drainage required behind retaining wall to relieve build-up of water pressure.

**Exhibit 1**  
**MC17-02**

C. Exterior Facing Retaining Walls are those walls that are supporting fill. The exposed side is facing the neighboring property or right-of-way and the fill side is within the subject property. (Refer to Figure 18.17.060 1 Exterior Facing Retaining Walls).

- a. When fence is atop the retaining wall, then the total height of wall and fence shall not exceed 42" (front yard) or 6'-0" (side and rear yards), or setback a distance of one foot for every foot in height of fence in excess of allowed height.
- b. When retaining wall is over 30" above grade, then guards are required if on the property line.
- c. Retaining walls over 6'-0" in height will be subject to Design Review approval.

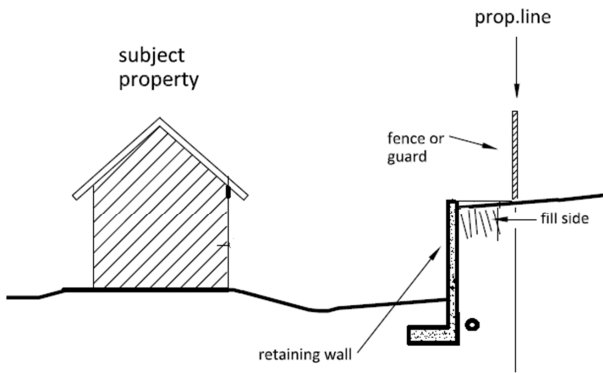


**Figure 18.17.060-1 Exterior Facing Retaining Wall**

**Exhibit 1**  
**MC17-02**

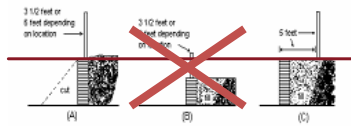
D. Interior Facing Retaining Walls are those walls that are supporting cuts. The fill side of the retaining wall is facing the neighboring property and the exposed side is facing the subject property. (Refer to Figure 18.17.060 2 Interior Facing Retaining Walls)

- a. When fence is atop the retaining wall, then the total height of fence shall not exceed 42" (front) or 6'-0" (side and rear) depending on location, unless fence meets setbacks.
- b. When retaining wall is over 30" above grade, then guards are required if on the property line.



**Figure 18.17.060-2 Interior Facing Retaining Wall**

A. Where a retaining wall protects a cut below the natural grade and is located within a required yard, such retaining wall may be topped by a fence or wall of the same height that would otherwise be permitted at that location if no retaining wall existed. See Figure 18.17.060-1(A) Retaining Walls.



**Figure 18.17.060-1 Retaining Walls**

B. Where a retaining wall contains a fill above the natural grade, and is located within a required yard, the height of the retaining wall shall be considered as contributing to the permissible height of a fence or wall at that location. A nonsight obscuring fence up to three and one-half feet in height may be erected at the top of the retaining wall for safety. See Figure 18.17.060-1(B) Retaining Walls.

C. Where a wall or fence is located in a required yard adjacent to a retaining wall containing a fill, such wall shall be setback a distance of one foot for each one foot in height of such wall or fence. The area between the wall or fence and the retaining wall shall be landscaped and continuously maintained. See Figure 18.17.060-1(C) Retaining Walls.

## Chapter 18.51 - COMPREHENSIVE PLAN AND ZONING AMENDMENTS

### Sections:

#### 18.51.010 - Application ~~and criteria therein~~ for amendments to comprehensive plan.

Any interested person, including applicants, citizens, planning commission, city council, city staff, and other agencies, may submit an application in the month of January each year for a comprehensive plan amendment. The application shall specify:

- A. A detailed statement of what is proposed and why;
- B. A statement of the anticipated impacts of the change, including the geographic area affected, and issues presented by the proposed change;
- C. An explanation of why the current comprehensive plan is deficient or should not continue in effect;
- D. A statement of how the proposed amendment complies with and promotes the goals and specific requirements of the growth management act;
- E. A statement of what changes, if any, would be required in functional plans (i.e., the city's water, sewer, stormwater or shoreline plans) if the proposed amendment is adopted;
- F. A statement of what capital improvements, if any, would be needed to support the proposed change which will affect the capital facilities plans of the city;
- G. A statement of what other changes, if any, are required in other city or county codes, plans, or regulations to implement the proposed change; and
- H. The application shall include an environmental checklist in accordance with the State Environment Policy Act (SEPA).

#### 18.51.020 - Application review process for comprehensive plan.

The comprehensive plan shall be reviewed once a year as a Type IV legislative process, and in accordance with RCW 35A.63.070—073, unless there is an emergency, with the following procedure:

- A. In the months of November and December, city staff and applicants shall complete preapplication meetings;
- B. In the month of January of each year, applicants shall submit an application form containing all of the information required by Section 18.51.010 of this chapter;
- C. ~~The city may take as much as sixty days from the closing of the application period (January thirty-first) to complete the initial review of proposals. Environmental determination requirements associated with an application may lengthen this period. In the months of February and March of each year, the city shall review all proposed changes (including any changes initiated by the city). If no amendments are received, the chairman of the planning commission shall so report to the mayor and city council, and the annual review of the comprehensive plan shall be considered completed. The city may take as much as sixty days from the closing of the application period (January thirty first) to complete the initial review of proposals. Environmental determination requirements associated with an application may lengthen this period.~~

#### 18.51.025 - Zoning code map and text and map amendments.

- A. ~~Amendments to the zoning code text or other development regulations shall follow procedures for a Type IV decision legislative process per CMC 18.55.030.G, which may be adopted by the city council at any time after public notice and hearings, and planning commission consideration and recommendations as provided by law, except as provided in this chapter with respect to the official zoning map.~~
- B. ~~Requests for zoning map amendments shall follow procedures for a Type III decision, and include the following information with an application per CMC 18.55.030.C:~~
  1. ~~An application form indicating the applicant(s), application date, property information (including address, size, zoning, and current use), specific map amendment request, and other pertinent information.~~
  2. ~~Narrative that addresses the following criteria:~~
    - a. ~~The map amendment shall be consistent with the policies and provisions of the comprehensive plan including the comprehensive plan map;~~
    - b. ~~The amendment shall be compatible with the uses and zoning of the adjacent properties and surrounding areas;~~

Commented [LH28]: These revisions are to include approval criteria for map and code change amendments.

**Exhibit 1**

**MC17-02**

- c. The amendment is warranted due to changed circumstances, error, or because of a demonstrated need for additional property in the proposed zoning district;
- d. The subject property is suitable for development in conformance with zoning standards under the proposed zoning district;
- e. Adequate public facilities and services are likely to be available to serve the development allowed by the proposed zone;
- f. Specific information about the intended use and development of the property.

**18.51.030 - Staff report**~~Evaluation Criteria.~~

~~For consideration for~~ any proposed amendment to either the comprehensive plan, zoning code text or development regulations. The planning department shall prepare and submit to the planning commission a staff report which ~~addresses~~ evaluates the following:

- ~~A. The issues set forth in this chapter;~~
- ~~BA.~~ Impact upon the City of Camas comprehensive plan and zoning code;
- ~~CB.~~ Impact upon surrounding properties, if applicable;
- ~~DC.~~ Alternatives to the proposed amendment; and
- ~~ED.~~ Appropriate Relevant code citations and other adopted relevant documents that may be affected by the proposed change.
- ~~F. The SEPA checklist and determination.~~

The report shall include a copy of the application for each proposed amendment, any written comments on the proposals received by the department, and shall contain the department's recommendation on adoption, rejection or deferral of each proposed change; and the SEPA checklist with the determination.

**~~18.51.040 - Notification and hearing.~~**

~~Upon consideration of any amendment, modification, or alteration to the comprehensive plan or zoning code, the planning commission shall hold at least one public hearing on the proposed amendment. Any person can submit written comment to the department prior to the public hearing, and/or present oral testimony at the public hearing. Notice of the time, place, and purpose of such public hearing shall be published in the official newspaper of the city in accordance with CMC Section 18.55.320 Type IV - Legislative hearing process. The hearing may be continued from time to time at the discretion of the planning commission, but no additional notices need be published.~~

**Commented [SF29]:** This section is redundant as it is provided within Chapter 18.55.

**18.51.050 - Council consideration and decision.**

Subsequent to planning commission review and recommendation, the city council shall consider each request for an amendment to the comprehensive plan or zoning code at a public meeting, at which time the applicant will be allowed to make a presentation. Any person submitting a written comment on the proposed change shall also be allowed an opportunity to make a responsive oral presentation. Such opportunities for oral presentation shall be subject to reasonable time limitations established by the council.

- A. At minimum, the criteria the city council shall use to make a decision on a proposed amendment are as follows:
  - 1. The application and criteria established therein;
  - 2. The staff report and recommendation;
  - 3. The planning commission recommendation;
  - 4. The public interest.
- B. The city council shall make a decision by motion, resolution, or ordinance as appropriate. The city council decision on a planning commission recommendation following a public hearing shall include one of the following actions:
  - 1. Approve as recommended;
  - 2. Approve with additional conditions;
  - 3. Modify, with or without the applicant's concurrence;
  - 4. Deny (resubmittal is not allowed until the next year for comprehensive plan amendments);
  - 5. Remand the proposal back to the planning commission for further proceedings.

**Exhibit 2 is the  
Record from the June 20, 2017  
Planning Commission Hearing**  
(to avoid duplication, exhibit 2 is not included  
with this combined pdf)

**Proposed Amendments to CMC18.07.030 (In part)**  
**Residential Land Uses Allowed in Commercial and Industrial Zones**

<b>Staff Notes:</b>		Only the CC and RC zones are subject to Footnote 10. The allowed uses in the other zones were identical.
This first list is proposed to remain as amended. Exhibit 1 includes changes to List 1 as shown (in red).	This duplicated (2nd) list of land uses is being proposed to be stricken. Notice that "single family attached" was not part of the 2nd listing of uses.	

		Zoning Districts										
		Acreage by zone										
		11	72	248		608		38	513	850	92	859
		NC	DC	CC	CC-2nd	RC	RC-2nd	MX	BP	LI/ BP	LI	HI
[Listed 1st in Table]	[Listed 2nd in Table]											
<b>Residential Uses</b>	<b>Residential Uses in Commercial and Industrial Zones</b>											
Adult family home	Adult family home	C	P	P		X		P	X	X	X	X
Assisted living	Assisted living	C	P	P		X	X/P <sup>10</sup>	P	X	X	X	X
Bed and breakfast	Bed and breakfast	P	P	P		X		P	X	X	X	X
Designated manufactured home	Designated manufactured home	X	X	X		X		P	X	X	X	X
Duplex or two-family dwelling	Duplex or two-family dwelling	X	C/P <sup>7</sup>	X		X		P	X	X	X	X
Group home	Group home	C	P	P		X		P	X	X	X	X
Home occupation	Home occupation	P	P	P		X	X/P <sup>10</sup>	P	X	X	X	X
Housing for the disabled	Housing for the disabled	P	P	P		X	X/P <sup>10</sup>	P	X	X	X	X
Apartment, <u>multifamily development, rowhouses</u>	Apartment, multifamily development	X	P	X	X/P <sup>10</sup>	X	X/P <sup>10</sup>	<u>P-C</u>	X	X	X	X
Residence accessory to and connected with a business	Residence accessory to and connected with a business	P	P	P		X	X/P <sup>10</sup>	P	X	X	X	X
<del>Single family attached (e.g. rowhouses)</del>		<del>X</del>	<del>C/P<sup>7</sup></del>	<del>X</del>		<del>X</del>		<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
Single-family dwelling	Single-family dwelling	X	X	X		X		P	X	X	X	X

**Proposed Amendments to CMC18.07.030 (In part)**

**Residential Land Uses Allowed in Commercial and Industrial Zones**

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		Acreage by zone										
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		NC	DC	CC	CC-2nd	RC	RC-2nd	MX	BP	LI/ BP	LI	HI
[Listed 1st in Table]	[Listed 2nd in Table]											
<b>Residential Uses</b>	<b>Residential Uses in Commercial and Industrial Zones</b>											
Adult family home	Adult family home	C	P	P		X		P	X	X	X	X
Assisted living	Assisted living	C	P	P		X	<del>X/P</del> <sup>10</sup>	P	X	X	X	X
Bed and breakfast	Bed and breakfast	P	P	P		X		P	X	X	X	X
Designated manufactured home	Designated manufactured home	X	X	X		X		P	X	X	X	X
Duplex or two-family dwelling	Duplex or two-family dwelling	X	C/P <sup>7</sup>	X		X		P	X	X	X	X
Group home	Group home	C	P	P		X		P	X	X	X	X
Home occupation	Home occupation	P	P	P		X	<del>X/P</del> <sup>10</sup>	P	X	X	X	X
Housing for the disabled	Housing for the disabled	P	P	P		X	<del>X/P</del> <sup>10</sup>	P	X	X	X	X
Apartment, <u>multifamily development, rowhouses</u>	Apartment, multifamily development	X	C/P <sup>7</sup>	X	<del>X/P</del> <sup>10</sup>	X	<del>X/P</del> <sup>10</sup>	<del>P-C</del>	X	X	X	X
Residence accessory to and connected with a business	Residence accessory to and connected with a business	P	P	P		X	<del>X/P</del> <sup>10</sup>	P	X	X	X	X
<del>Single family attached (e.g. rowhouses)</del>		<del>X</del>	<del>C/P<sup>7</sup></del>	<del>X</del>		<del>X</del>		<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
Single-family dwelling	Single-family dwelling	X	X	X		X		P	X	X	X	X

\*Correction to previous exhibit. The use is listed as "C/P7" not "P" in the second set. Should it be a "P" or "C/P7" when amended?

**Notes:**

**7.** Residential uses may be outright permitted if part of a mixed use building, where residential use is not located on the ground level; otherwise it shall be a conditional use.

**10.** Allowed as approved in a mixed use planned development (MXPDP) overlay area.





1806 SE 202<sup>nd</sup> Avenue  
Camas, Washington 98607

July 07, 2017

To: City of Camas Community Development

**Re: Title 18 Code Changes – 18.09 Density and Dimensions**

To Planning Commission and Staff,

I am providing additional comments in response to discussions during Planning Commission hearing held on June 20, 2017.

The issue I have further comments on relates to Residential uses in Commercial zones. Attachment 1 to staff report showed that there are TWO sets of residential uses in *Table 1 - 18.07.030 Commercial and Industrial Land Uses*. The two sets are different – the first set is older and does not allow residential in some Commercial zones, and the second set was a result of adding Note 10, which allowed residential uses upon approval of a MXPDP zone overlay. Staff's final recommendation was to cross out the second set, and keep the first set.

Removing the second set of residential uses would effectively wipe out any residential potential that land owners may have relied upon when they purchased their property. I previously suggested a revision to Note 10:

*Note 10 [for residential uses in certain commercial zones ]: Allowed as approved in a ~~mixed use planned development (MXPDP) overlay area~~ master plan with development agreement.*

Instead of changing Note 10, Staff laid out other mechanisms that could be used by an owner seeking a mix of uses on their commercial property. Here are my comments on these options:

1. Wait for the City to complete their Sub area plans

This avenue takes the planning out of the hands of the property owner. It is unknown if residential uses would be allowed at the end of this planning exercise. Subarea planning will occur on properties that have already been consolidated by a handful of owners, who have already stated their desires for inclusion of residential uses.

## 2. Request a Comp Plan change

This avenue is a Type IV annual process, and would require a higher level of analysis than would be required through a Type III discretionary process.

## 3. Request a zone code change.

This avenue is also a Type IV process, and would require a higher level of analysis than would be required through a Type III discretionary process. Staff mentioned that rezoning to the MX zone would be Type III process, however, the MX zone requires a vertical mix of uses that are not suitable for large scale suburban commercial areas (which can provide horizontal mixed uses). Staff also mentioned that the MX code will be going through an update this year, so it is unknown at this time what the state of that code will be. I also note that this current code change is changing apartments in the MX zone from Permitted to Conditional.

## 4. Flexible Developments

Staff also mentioned Flexible Developments as an option, but I note that that code states that *"Only permitted land uses within the underlying zoning classification shall be considered permitted within a flexible development"*. Thus, if residential is not allowed in Commercial, I don't see where this approach would be applicable.

In summary, I find no suitable Type III options to allow a commercial property owner to request residential uses in a mix of uses. Therefore, I request that Planning Commission again consider changing Note 10 to allow residential uses in noted commercial zones under an approved master plan and development agreement, perhaps with limitations of a minimum project size of 10 acres, with residential uses allowed in up to half of the project area.

Thank you for your consideration of these comments.

Sincerely,

Melanie Poe, Project Manager  
Torvale, LLC  
[melanie@torvale.com](mailto:melanie@torvale.com)  
360-947-0347

**From:** [Melanie Poe](#)  
**To:** [Community Development Email](#)  
**Subject:** Re: Comment for Title 18 Code Changes, Planning Commission Hearing to be held July 18, 2017  
**Date:** Friday, July 07, 2017 4:59:20 PM  
**Attachments:** [170707 Torvale Comment Letter.pdf](#)  
[ATT00001.htm](#)

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To Camas Community Development,

Attached please find a comment for Planning Commission hearing to be held on July 18 2017.

Please consider and include comment as part of record of proposed Title 18 code changes.

Thank you.

Best wishes,  
Melanie Poe  
Project Planner  
360-947-0347  
[melanie@torvale.com](mailto:melanie@torvale.com)

### Chapter 18.09 - DENSITY AND DIMENSIONS

18.09.030 - Table 1—Density and dimensions for commercial and industrial zones.

	NC	DC	CC	RC	MX	LI	BP	HI	LI/BP <sup>Note 4</sup> <sub>2</sub>
<b>Bulk Regulations</b>									
<b>Maximum Density (dwelling units/net acre)</b>	n/a	None	n/a	n/a	24	n/a	n/a	n/a	n/a
<b>Minimum lot area (square feet)</b>	5,000	<del>Note 1</del> None	<del>Note 1</del> None	<del>Note 1</del> None	1,800	10,000	½ acre	<del>Note 1</del> None	10 acres
<b>Minimum lot width (feet)</b>	40	<del>Note 1</del> None	<del>Note 1</del> None	<del>Note 1</del> None	<del>Note 1</del> None	100	100	<del>Note 1</del> None	Not specified
<b>Minimum lot depth (feet)</b>	40	<del>Note 1</del> None	<del>Note 1</del> None	<del>Note 1</del> None	<del>Note 1</del> None	<del>Note 1</del> None	100	<del>Note 1</del> None	Not specified
<b>Setbacks:</b>									
Commercial and industrial development setbacks shall be as follows, unless along a flanking street of a corner lot. If along flanking street, then the setback must be treated like a front, and provide safe sight distance.									
<b>Minimum front yard (feet) <del>Note 3</del></b>	15'	<del>Note 5-4</del>	<del>Note 5-4</del>	<del>Note 5-4</del>	<del>Note 3</del> 6	<del>Not specified</del> None	15	<del>Note 1</del> None	5' per 1 foot of building height (200' minimum)
<b>Minimum side yard (feet)</b>	<del>Note 1</del> None/ 10' <del>Note 12</del>	<del>Note 1</del> None	<del>Note 1</del> None	<del>Note 1</del> None	<del>Note 1</del> 10'	15' or 25' if abutting a residential area	15	<del>Note 1</del> None	100' for building; 25' for parking
<b>Minimum rear yard (feet)</b>	<del>Note 1</del> None	<del>Note 1</del> None	<del>Note 1</del> None	<del>Note 1</del> None	<del>Note 1</del> 25'	25'	50	<del>Note 1</del> None	100' for building; 25' for parking area
<b>Lot Coverage</b>									
<b>Lot coverage (percentage)</b>	85%	<del>Note 1</del> None	<del>Note 1</del> None	<del>Note 1</del> None	<del>Note 1</del> 1 story (60%) 2 stories or more (50%)	70%	50%	<del>Note 1</del> None	1 story (30%) 2 stories (40%) 3 stories (45%)
<b>Building Height</b>									
<b>Maximum building height (feet)</b>	2.5 stories; or 35	<del>Note 1</del> None	<del>Note 1</del> None	<del>Note 1</del> None	<del>Note 1</del> None	acre or less: 35'; 1 to 2 acres: 45'; 2 acres or more: 60'	<del>Note 1</del> None	<del>Note 1</del> None	60

**Notes:** ~~1. No limitation.~~

~~12.~~ If along a flanking street of corner lot.

~~3.~~ On corner parcels, (parcels bordered by two or more streets), the setback requirements shall be the same for all street frontages. Front setback restrictions shall apply.

~~24.~~ The densities and dimensions in the LI/BP zone may be reduced under a planned industrial development. See Chapters ~~18.20 North Dwyer Creek Residential Overlay and~~ 18.21 Light Industrial/Business Park.

~~36.~~ Maximum setback at front building line is ten feet.

~~54.~~ Residential dwelling units shall satisfy the setbacks of CMC Section 18.09.040 Table 2, based on comparable lot size.



July 18, 2017

To: Chair Hull and Planning Commission

From: Phil Bourquin, Community Development Director

Handwritten initials "PB" in blue ink.

Re: Proposed amendments to CMC 18.07.030 – Table 1

#### BACKGROUND:

At the Planning Commission hearing of June 20, 2017, deliberative discussion arose regarding striking or deleting CMC 18.07.030 Table-1, footnote 10:

*"10. Allowed as approved in a mixed use planned development (MXPD) overlay area."*

A notable concern included a presumption that that buyers and sellers of property rely on the codes in place when making decisions to sell or buy. As it relates to footnote 10, without a clear understanding that the underlying MXPD overlay zone had been repealed in 2016, a buyer or seller might have simply relied on the existing text of the code as an available mechanism under which a mixed use development may be considered.

With the continuance of the June 20<sup>th</sup> hearing, Staff reviewed the concerns of the public and drafted language that was included in the July 12<sup>th</sup> Staff Report -- The intent of which was to provide some resolution to the issues raised.

Upon further deliberation, it is the opinion of the Community Development Director that further refinement is desirable for clarity. With the additional revisions noted below, it is believed the code will provide the opportunity for the City to partner with property owners in strategically integrating alternative housing types, in a walkable community, where residents can work, shop, eat and recreate.

#### RECOMMENDATION:

It is the recommendation of the Community Development Director that the Planning Commission support amending CMC 18.07.030 Table-1, footnote 10 to read as follows:

**Note 10: On tracts 10 acres or more, subject to approval by City Council of a master plan and development agreement, a mixed use development may be approved provided no less than 51% of the net developable acreage is committed to commercial uses.**