



Community Development Department

## Staff Report

### Minor Amendments to Title 16 Environment of Camas Municipal Code

File #MC16-06

To: Bryan Beel, Chair  
Planning Commission

From: Sarah Fox, Senior Planner

Date: November 9, 2016

#### Summary

As part of a periodic code improvement project, the proposed minor amendments to Title 16 Environment of the Camas Municipal Code (CMC) include updates due to changes of state law, corrections to typos, or to clarify sections that may have been challenging to administer since the past review cycle.

Staff has proposed amendments within the following chapters of Title 16:

- Chapter 16.01 General Provisions
- Chapter 16.07 Categorical Exemption and Threshold Determinations
- Chapter 16.19 Fees
- Chapter 16.21 Forms
- Chapter 16.31 Archaeological Resource Preservation
- Chapter 16.33 Public View, Open Space Protection and Historic Sites and Structures
- Chapter 16.35 Historic Preservation
- Chapter 16.51 General Provisions
- Chapter 16.53 Wetlands
- Chapter 16.61 Fish and Wildlife Habitat Conservation Areas

The proposed CMC amendments are provided with the two attachments. Attachment 1 shows the draft changes as strike-through text or underlined. Attachment 2 provides the amendments without any mark-ups. Both attachments include the same amendments, only illustrated differently.

## Title 16 Environment

### Chapter 16.01 General Provisions

Interestingly, there are eleven chapters of provisions of SEPA, with only one chapter labeled as “SEPA” (16.01 to 16.21). Amendments to this chapter include adding “SEPA” to key chapter headings, and to assist with way finding when searching the online code.

### Chapter 16.07 Categorical Exemption and Threshold Determinations

The city is allowed to establish SEPA exempt levels for minor new construction, if consistent with the thresholds provided for in WAC197-11-800(1)(b). The state raised exemption levels this year and the proposed amendments comply with those thresholds. Staff provided the state law maximum allowances as a comment within Attachment 1 (page 2). The changes also include formatting the exemptions list in a table format.

### Chapter 16.19 Fees

The changes proposed to this section include formatting, eliminating section headings and combining a few sections. No fee changes were proposed.

### Chapter 16.21 Forms

The proposal to repeal this chapter is due to the fact that the city creates its own forms and updates them as needed. The forms are substantially similar to the model forms provided by the Department of Ecology.

### Chapter 16.31 Archaeological Resource Preservation

The amendments to this chapter are to incorporate policies that will be deleted from Chapter 16.33 and to clarify how the city reviews and processes archaeological reports. There are also current provisions in regards to the tribal notification process that requires considerable staff time to track postal receipts, when electronic submissions would be more efficient and as reliable.

### Chapter 16.33 Public View, Open Space Protection and Historic Sites and Structures

The title of this chapter is proposed to change to, “Public View & Open Space Protection” given that historic policies and regulations are more appropriately organized under Chapter 16.31 Archaeological Resource Preservation or Chapter 16.35 Historic Preservation. Also, the current title did not include all of the areas of concern contained within it. It also includes policies in regard to transportation, public facilities and water. Those sections are proposed to be removed, due to the fact that the city adopted new policies for transportation and public facilities as part of the comprehensive plan update, Camas 2035, in June of this year.

Staff also, proposes to clarify what the city considers a public view and when a visual assessment would be required for a new development.

### Chapter 16.35 Historic Preservation

The amendments to this section include fixing typos and to change the name of the Clark County Board of Commissioners to the “Board of County Councilors”. The three-member council was expanded on January 1, 2016 to five members by a home rule charter that was adopted by voters in 2014.

### Chapter 16.51 General Provisions

Staff proposes to amend provisions for vegetation removal permits in critical areas. The vegetation removal permit would remain exempt from fees, but the specific provisions that allow trees to be removed would be clarified. Currently the code uses the terminology “topping” and allows it in certain circumstances. Tree topping is not an approved method of abatement by certified arborists, and the code is proposed to reflect current practices.

There are also amendments to Section 16.51.210, which concerns fencing and signage of critical areas. These provisions are currently listed as discretionary options, which means that they often become mitigation measures under SEPA. If these regularly conditioned items were adopted into CMC, then those same developments could likely have received unmitigated SEPA determinations.

### Chapter 16.53 Wetlands

The amendments include removing references to shoreline compliance, which were inadvertently added with the mandated updates to wetland regulations in 2015.

### Chapter 16.61 Fish and Wildlife Habitat Conservation Areas

Similar to Chapter 16.53, the amendments within this chapter include removing references to shoreline compliance, which were inadvertently added with the mandated updates to wetland regulations in 2015.

## Recommendation

Staff recommends that Planning Commission provide direction on proposed amendments. A public hearing in the coming months will be scheduled if supported.