



## 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from Melanie Poe (refer to Exhibit 2, Attachment 9) in regard to amending a table note, Note 10, which refers to the (repealed) MXPDP zone.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:

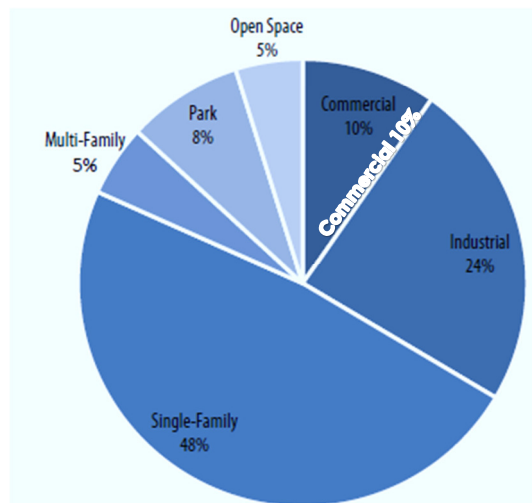
Land Uses	Staff Notes
Animal kennel, commercial boarding	To allow the use as "P" in RC, BP, LI, and HI zones
Remove "cart vendors"	The use is undefined and easily confused with "food carts"
Remove "video rental store"	The term "video" is outdated.
Amend title of "Food delivery"	Include the title of "Food 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.