

## STAFF REPORT

Minor Amendments to Camas Municipal Code (CMC)

File No. MC19-01

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<u>TO</u>	Bryan Beel, Chair Planning Commission
<u>FROM</u>	Madeline Sutherland, Assistant Planner
<u>DATE</u>	June 11, 2019

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### Summary

Staff has been working with the development community to receive input on chronic code issues that have been challenging to administer since the past review cycle. This workshop is a discussion of the proposed code amendments to the chapters of Title 17 and 18 along with minor edits to chapters in other titles.

The proposed CMC amendments are provided with the one attachment that shows the draft changes as strike-through text or underlined.

### **CMC Section 9.32.050(A)(5) – Public disturbance noises.**

Staff have run into issues with interior new home construction noises. By striking exterior, staff can enforce exterior and interior public disturbance noise regulations.

### **CMC Section 12.12.010 – Permit – Required & CMC Section 12.12.020 – Permit – Fee – Terms.**

Staff has been reviewing existing agreements with franchise utilities in an attempt to ensure that all agreements are current. During this investigation, staff found verbiage in CMC 12.12 that is inconsistent with the necessity and practice of requiring encroachment permits from franchise utility companies doing work within the City rights-of-way.

The current code states that utility franchises do not need to acquire encroachment permits; however, the engineering division finds it essential to verify potential utility conflicts, traffic control plans, surface restoration and construction methodology by way of an encroachment permit. The permit is used to ensure that the utility work is not imposing issues of safety, health and welfare to the general public. This process also allows staff to identify potential impacts to City utilities and streets.

### **CMC Section 17.09.030(C)(3) – Preliminary short plat approval.**

The development community has proposed to strike out “included” and insert “considered by the City” to allow the City to consider WDOT’s recommendations instead of requiring the City to add WDOT’s conditions of approval to the decision. Staff agrees with this change.

**CMC Section 17.09.040 – Expiration.**

A subdivision application expires after five years with a possible two year extension while a short plat expires after five years with a possible four year extension. The development community has suggested to have the same extension time frame. Therefore staff have proposed to change the extension period for a short plat to two years.

**CMC Section 17.19.020(A)(4) - Improvements, supervision, inspections and permits required.**

The development community has suggested an option to subdivide commercial or industrial land without requiring street improvements until the site develops and goes through site plan review. Staff requires these improvements for a binding site plan however, depending on the situation, the time when the improvements shall be completed may be extended to a later date.

**CMC Section 17.19.030(D)(2) – Tract, block and lot standards.**

In the past, there has been concern with how the term “practical” has been interpreted. The intent is to create side lot lines as close to a 90 degree angle as possible to line up with utilities. Staff has proposed to strike out “shall” and replace with “generally” so practical isn’t taken too literally.

**CMC Section 17.19.030(F) – Landscaping.**

This section requires a storm facility to maintain a 30 foot setback from a street. Staff have conditioned in previous staff reports to allow storm facilities to be constructed closer to a street if there is an enhanced landscaping buffer. Changing this section of code to comply with this condition was brought forward by staff.

**CMC Section 17.21.010(C) & CMC Section 17.21.050(D)**

The additions to both Chapters 17.21.010.C and 17.21.050.D are a means of clarifying the link between *Title 17 - Land Development* requirements, specifically *Chapter - 17.21 Procedures for Public Improvements* and the encroachment permit requirements of *Title 12 - Streets, Sidewalks and Public Places*, specifically *Chapter 12.12 Excavations*. Both the noted language additions are already requirements under Chapter 12.12.20 and 12.12.040.

Adding them to *Chapter - 17.21 Procedures for Public Improvements* will ensure that Developers are aware of the time limits for uncompleted work within the rights-of-way that is outlined in Chapter 12.12.20 paragraph 3, and related financial security as outlined in Chapter 12.12.040.

**CMC Section 17.21.060(B)(2)(a)– Contents of Final Plat or Short Plat.**

This section references the surveyor’s certificate requirements in RCW 58.09.080 that needs to appear on a final plat. The development community suggested that RCW 64.90.245 needs to be referenced as well because it includes additional requirements for a surveyor’s certificate on a plat. Staff agrees with this change.

**CMC Section 17.21.060(B)(2)(e) – Contents of Final Plat or Short Plat.**

The development community has suggested to change “All” to “Public” because “All” means all public and private which may include homes, fences, sheds, driveways, etc. Staff is not in support of this change because the intent of “all” is to include all improvements, not just public improvements.

The development community has suggested to strike out “this title and with” and add “CMC Title 17 and” for clarification. Staff agrees with this change.

The next proposed changes are to add clarification at the end of section “iii.” to clarify that the records will be finically secured in accordance to CMC Title 17. Staff finds it is unnecessary to add this language because CMC Title 17 is stated above and the current code language will suffice.

**CMC Section 18.03.040 – Definitions for development terms. and 18.09.040 Table 2**

Staff has interpreted that the front setback is measured from the point that the minimum width of the lot is achieved on pie-shaped lots. By pushing the house towards the rear of the lot due to setbacks, “snout houses” will be avoided which is the intent of this section.

Option One: The development community does not agree with this interpretation and has suggested to delete the “building line” definition and change the language in Table 2 from “yard” to “setback” to clarify the setback shall conform with the table.

Option Two: Staff finds another solution to this problem is to change the lot width definition so the definition does not require the front setback to start at the minimum lot width of pie-shaped lots. Since the intent is to avoid snout houses, adding a garage setback requirement from the front of the house would be a solution.

**CMC Section 18.07.030 – Table 1 – Commercial and industrial uses.**

Storage facilities are currently permitted in Light Industrial, Heavy Industrial and Business Park. A conditional use permit is required in Community Commercial and Regional Commercial zones. Staff is proposing to prohibit storage facilities in all zones except Light and Heavy Industrial. Community Commercial zones are intended for retail, professional services, and eating and drinking establishments. Regional Commercial is intended for merchandise, services of food clusters and some recreational activities. Business Park is intended for employment growth with a campus like style. Light and Heavy Industrial are intended for warehousing, research, and storage. Storage facilities do not fit into commercial or business park zoning, therefore it is proposed to only be permitted in Light and Heavy Industrial zones because it fits into the character of the zoning.

**CMC Section 18.07.040 Table 2 – Residential and multifamily land uses.**

A duplex requires a conditional use permit if proposed in a single-family zone. Staff is recommending to permit duplexes in single family zoned properties and require design review instead of a conditional use permit. Design review will ensure the duplex fits in with the single family neighborhood character.

There is a low percentage of multi-family zoned properties compared to single family zoned properties in Camas. Currently, single family is out-right permitted in multi-family zones. The intent of multi-family zones are for multiple units, therefore a single family use in a multi-family zone should require a conditional use permit.

**CMC Section 18.09.040 Table 1 – Density and dimensional standards for Single-Family Residential Zones**

The development community is proposing to delete the average lot area row because a minimum and maximum lot size is stated. Staff is not in support because the average lot size is needed for a short plat or subdivision to comply with the zoning. If the average lot size is stricken, there could be multiple lots the minimum lot size permitted which would fit into a different zoning designation.

**CMC Section 18.09.040 Table 2 – Building Setbacks for Single-Family Residential Zones.**

The development community is proposing to reduce the “side yard flanking a street” setback and increase the rear yard setback for corner lots to push the house to the front of the lot to allow for a larger backyard. Currently the setbacks don’t allow for a large enough backyard because both sides of corner lots abutting a street are treated as two front yards instead of one front and one side yard.

**CMC Section 18.13.060(C) – Parking areas.**

This change is to correct a typo. “C” is stated twice.

**CMC Section 18.18.040 – Submittal and contents of a complete application.**

Staff is proposing to strike out this section because Engineering does not need this estimate until the plans are actually submitted for construction review.

The sections below were brought forward by the development community, however no specific edits have been proposed.

**CMC Chapter 17.09 – Short Subdivisions**

The development community has suggested to allow phasing for short plats because short plats allow up to nine lots. There were not specific changes to the code submitted at this time. Staff is not in support with this suggestion because nine lots should be constructed in one phase.

**CMC Section 17.11.060 – Subdivisions – Expiration**

A subdivision expires after five years plus a two year extension. The development community is suggesting to allow for an unlimited amount of two year extensions because subdivisions need more time. The Clark County Code was referenced because they allow for unlimited two year extensions. Staff is not in support with this suggestion.

**CMC Section 17.19.040(B)(12)(c) – Infrastructure standards**

The development community is proposing to reduce the distance from the centerline radii of curves in a subdivision to an arterial which are stated in the Engineering Standards because many times a subdivision is one lot deep and does not meet the minimum requirement. There were no specific changes to the Camas Municipal Code therefore staff has nothing to support for this update.

**CMC Section 18.17.050 & 060 – Retaining Walls**

The development community recommended a separate maximum height for a retaining wall and fence instead of a maximum height for both combined. This code section has been discussed many times with staff although no specific changes have been made.

**CMC Section 18.55.345 – Final plat approval.**

City Councils approves final plats on the consent agenda during meetings. The development community referenced Battle Grounds Code and is recommending to eliminate council review for final plats and delegate them to the director or manager.

**Recommendation**

Staff requests direction from the Commission on the proposed amendments.