



STAFF REPORT

Minor Amendments to Camas Municipal Code (CMC)

File No. MC19-01

<u>TO</u>	Bryan Beel, Chair Planning Commission
<u>FROM</u>	Madeline Sutherland, Assistant Planner
<u>DATE</u>	August 9, 2019

Summary

Over the past few months Staff has been working with an ad hoc committee to receive input on development code issues that have been challenging to administer and interpret since the past review cycle. The ad hoc committee included: Kurt Stonex and Tim Hollenbeck of Olson Engineering, and Randy Printz of Landerholm, P.S.

This staff report includes proposed code amendments to chapters within Title 17 Land Development and Title 18 Zoning, along with minor edits to chapters in other titles. The report explains each proposed amendment and the reasoning whether staff is in support or not. Along with the staff report, there are three attachments:

- Attachment 1 – Staff Recommended Amendments
- Attachment 2 – Amendments that are not supported
- Attachment 3 - Other code sections examined without proposed edits

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

There is increased public concern with interior new home construction noises. The current CMC only provides regulations for exterior construction noise. By striking “exterior”, the city can better regulate 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 Excavations* 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 creating 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 ad hoc committee has proposed to strike out “included” and insert “considered by the City” to allow the City the flexibility to consider WDOT’s recommendations instead of requiring the City to add WDOT’s conditions of approval to the decision. Staff supports the amendment.

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 ad hoc committee has suggested to have the same extension time frame. Staff supports an amendment 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 ad hoc committee has suggested an option to subdivide commercial or industrial land without requiring street improvements until the site is developed. Staff requires these improvements for a binding site plan however, depending on the situation, the time when the improvements must be installed may be extended to a later date. Given the flexibility already available to a development, staff does not support this proposed amendment.

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 of this section of CMC is to create side lot lines as close to a 90 degree angle as possible to line up with utilities. The proposed amendment includes striking the word “shall” and replacing it with “generally” so the term “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. Throughout the years, staff has supported additional conditions of a permit to allow storm facilities to be constructed closer to a street if there was an enhanced landscaping buffer. This amendment would eliminate the need for recurring additional conditions with each permit. This amendment is supported 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 the reference 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.

Staff supports the amendments.

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 ad hoc committee 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 supports the amendment.

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

The ad hoc committee has suggested to change “All” to “Public” because “All” means 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 next proposed changes are to add clarification at the end of section “iii” to explain that the records will be financially secured in accordance to CMC Title 17. Staff finds it is unnecessary to add this language because CMC Title 17 is already referenced and the current code language will suffice. Staff is not in support of the amendments.

The ad hoc committee has suggested to strike out “this title and with” and add “CMC Title 17 and” for clarification. Staff is in support of this amendment.

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

Staff has interpreted that the lot width is measured at the front of the building envelope. In developments that contain irregular shaped lots such as pie-shaped lots, the front of the building envelope is further from the front property line than a “regular” rectangular shaped lot. The intent behind this section of code is to avoid snout houses. Snout houses are dwellings with a front façade containing mostly garage which creates an aesthetically unpleasant appearance for a neighborhood. Although the intent is to avoid snout houses, the definition forces a smaller building envelope for pie-shaped lots and staff has another solution to avoid snout houses without decreasing the building envelope.

The ad hoc committee has expressed concern with the constraints to the building envelope for a “pie-shaped” lot and has proposed the following change: 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. However staff is not in support of this amendment.

Staff suggests to change the lot width definition so the definition does not require the building envelope to be located 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 will solve this conflict.

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 better fits into the character of the zoning.

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

The ad hoc committee is proposing to delete the “average lot area” standard of the table because a minimum and maximum lot size is also a requirement. Staff is not in support of this amendment because the average lot size is needed for a short plat or subdivision to comply with the density and character of the zone. If the average lot size is stricken, there could be multiple lots at the minimum or maximum lot size permitted, and would not fit into the zoning designation.

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

The ad hoc committee 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. They believe that the setbacks for corner lots don’t allow for a large enough backyard because both sides abutting a street are treated as two front yards instead of one front and one side yard. If this amendment is approved, the building envelope will likely be larger however, the dwelling will still be limited to the lot coverage requirements for the zone. Staff supports this amendment.

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.

Recommendation

Staff recommends that the Planning Commission conduct a public hearing, accept testimony, deliberate, and make a motion to forward the amendments in Attachment 1 to City Council for adoption.