



STAFF REPORT

File No. MC19-01, MC19-03, MC19-04, & MC19-06

Miscellaneous Code Updates (Chapter 9.32 & 12.12, and Title 17 & 18)

Signs (Chapter 18.15)

Accessory Dwelling Units (Chapter 18.27)

Fencing (Section 18.17.050)

TO Mayor Turk
City Council

FROM Robert Maul, Planning Manager
Lauren Hollenbeck, Senior Planner
Madeline Sutherland, Assistant Planner

DATE October 21, 2019

Summary

At the beginning of this year, Council agreed on a list of action items at the annual council planning conference to accomplish. A couple of the action items included updates to the Sign Code and the Accessory Dwelling Unit (ADU) Code. Staff researched other jurisdiction's codes and compared them to the City of Camas code, which resulted in proposed code amendments that encourages the development of ADUs and addresses the advancing technology and aesthetic value of electronic message board signs. As an outcome from the annual council planning conference, staff continued to collaborate with the Development Community to receive input on development code issues that have been challenging to administer and interpret since the past review cycle. An Ad Hoc group consisting of members from the development community provided input on changes they would like to see to the Camas Municipal Code. Staff brought the proposed amendments before Planning Commission for a workshop and a public hearing. Staff was directed to update the fencing section concerning height limitations.

Findings

MISC. CODE UPDATES

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 proposed amendment is 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.

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 suggestion is to allow the same extension time frame of two years.

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 currently 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.

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.

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. RCW 64.90.245 needs to be referenced as well because it includes additional requirements for a surveyor’s certificate on a plat.

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

The proposed change is to strike out “this title and with” and add “CMC Title 17 and” for clarification.

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.

The suggestion is 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 2 – Building Setbacks for Single-Family Residential Zones.

The proposed amendment is 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. 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. The building envelope will likely be larger however, the dwelling will still be limited to the lot coverage requirements for the zone. This change will not impact the vision clearance area.

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.

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

SIGNS

CMC 18.15.040(A)(8) – General definitions and regulations

A definition for “nit” was added because in section 18.15.110(E) – Sign illumination, the proposed code changes reference nits, therefore a definition has been added. The definition is from the City of Bonney Lake Municipal Code.

CMC 18.15.040(B)(8) –Sign Types

Planning Commission had a concern with the size of electronic message board signs permitted. Currently the code allows electronic message board signs to be 30% of the total sign area or 100 square feet, whichever is larger. The proposed change is to reduce the size to 36 square feet, which permits an electronic message board sign to be 6’ by 6’ or 30% of total sign area, whichever is less. By changing to “whichever is less”, electronic message board signs cannot exceed 30% of the total sign area until they reach 36 square feet. This will prevent oversized and distracting electronic message board signs in the City.

The technology for signs is advancing. Electronic message board signs are starting to look like videos instead of messages. To avoid distracting videos from taking place on signs, language is proposed to be added to prohibit videos from being displayed on electronic message board signs.

CMC 18.15.110 – Sign illumination

The proposed amendment is to add electronic message board sign regulations under section 18.15.110 because sign illumination relates to electronic message board signs. Subsection “D” and “E” were added to regulate the brightness and architectural appearance of signs. Most signs are the same brightness at night and during the day and do not fit in with its surroundings. This proposed addition is from the City of Bonney Lake Municipal Code and will regulate the appearance and brightness of electronic message board signs.

FENCING

CMC Section 18.17.050 – Fences and walls.

Staff has been directed to look at tightening up language for fencing height for added clarity. The proposed change includes decorative elements into the 6 foot maximum fence height.

ACCESSORY DWELLING UNITS

CMC Section 18.27.010(E) – Purpose.

The purpose reflects the overall intent of the chapter. The sentence proposed to be added is from the City of Vancouver’s Code. Many single family homeowners are concerned that ADUs could cause unwanted impacts to the neighborhood character. By adding this sentence, it ensures staff will take into consideration the impacts an ADU could potentially have on the character of the neighborhood when reviewing an ADU application.

CMC Section 18.27.020 – Scope.

The City of Portland allows ADUs in any zone that currently has a residence. Camas’s code restricts ADUs to single-family and multi-family zones although residential uses are permitted in other zones. Single family residential is permitted in mixed use, however ADUs are not permitted in Mixed Use zoning. ADUs are proposed to be permitted in all zones where residential uses are permitted.

CMC Section 18.27.030 – Definition.

Staff is suggesting to add language from the City of Vancouver’s Code because it gives a well-rounded definition of an ADU instead of repeating other sections.

The language that is stricken repeats the purpose and scope sections and does not comply with the changes in other sections. Therefore it has been proposed to be stricken.

CMC Section 18.27.040(B) - Establishing an accessory dwelling unit.

The 40 foot front yard setback for an internal or attached ADU is not necessary because of the proposed changes to setbacks in Section 18.27.050(D) which restricts ADUs from protruding beyond the front building line of the primary residence.

CMC Section 18.27.040(C) - Establishing an accessory dwelling unit.

The City of Vancouver allows internal conversions to exceed 40% of the primary living space if the internal conversion is a garage or basement. However, Camas limits internal conversions to 40% of the primary living space, restricting the amount of space available for internal ADU conversions. An example would be if the garage took up 45% of the primary dwelling living space, the code would limit the internal conversion to 40%, and leave the remaining 5% unusable.

CMC Section 18.27.040(E) - Establishing an accessory dwelling unit.

The building code requires a minimum of a six feet separation between two structures, therefore there is no need to require a ten foot separation between the primary residence and a detached ADU.

CMC Section 18.27.050(B) – Development standards.

A detached ADU cannot exceed 40% of the primary dwellings living space. Each zone also has a maximum lot coverage percentage. The smaller the lot is, the smaller the lot coverage is, and the smaller the ADU can be. At some point a lot becomes too small to construct an ADU. Therefore there is no need for a minimum lot size an ADU to be constructed on.

CMC Section 18.27.050(D) – Development standards.

The proposed change requires an ADU to follow the same requirements as the primary residence in regards to dimensional standards unless otherwise stated in the chapter. This change has been added for clarity.

CMC Section 18.27.050(D) – Development standards.

Detached ADUs are similar in size and nature to an accessory structure, therefore a detached ADU should comply with the same rear and side yard setbacks. An attached ADU is similar to an addition to a residence because both are adding square footage that is attached to the primary residence, therefore an attached ADU should comply with the same side and rear setbacks as the primary structure as would an addition.

CMC Section 18.27.050(E) – Development standards.

There is no need for a 10 % outbuilding lot coverage requirement when the overall site has a maximum lot coverage requirement. Deleting this section will not affect the maximum lot coverage requirement for single-family or multi-family zones.

CMC Section 18.27.050(G) – Development standards.

Many cities do not have a maximum number of bedrooms regulation. If the ADU meets all the dimensional standards, there is no need to limit the number of bedrooms. It is very unlikely that there would be over two bedrooms in an ADU. This would allow for more than one person to live in the ADU.

CMC Section 18.27.050(H) – Development standards.

There is no need to require off street parking for an ADU if there is existing on street parking. The cost to create an off street parking space is expensive and discourages residents from creating ADUs. The City's goal is to encourage the growth of ADUs.

CMC Section 18.27.050(K) – Development standards.

The code does not mention whether utilities can be connected or shared between the primary residence and the ADU. The City of Bellingham and the City of Portland allow shared or connected utilities. Therefore both options should be stated in this section for clarification. This change will not decrease the cost of utility connection fees.

Recommendation

Upon Planning Commission's recommendation, staff recommends that Council conduct a public hearing, deliberate and move to approve Amendments to Camas Municipal Code to Titles 9, 12, 17 and 18, (File No. MC19-01, MC19-03, MC19-04, & MC19-06) and direct the City Attorney to prepare an ordinance for Council's consideration at the November 4, 2019 Regular meeting