



STAFF REPORT

11TH AVENUE DUPLEX

FILES: CUP18-01 AND DR18-09

TO: Hearings Examiner **HEARING DATE:** January 17, 2019

BY: Sarah Fox, Senior Planner **REPORT DATE:** December 31, 2018

PROPOSAL: To request conditional use approval to construct a duplex residential structure on a single family lot

LOCATION: The site is located at 133 NW 11th Avenue, Camas, which is also described as Tax Parcel #80121-000.

APPLICANT: Gary Darling, Contact Marketing
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APPLICATION SUBMITTED: September 28, 2018		Technically Complete: November 30, 2018
PUBLIC NOTICE:	Notice of application and public hearing was mailed to property owners within 300 feet of the site on December 11, 2018, and published in the Post Record on December 20, 2018, legal publication #103770.	
APPLICABLE LAW:	The application was submitted on September 28, 2018, and the applicable codes are those vested and in effect through Ordinance #18-014 (Adopted 9-4-18). Camas Municipal Code Chapters (CMC): Title 16 Environment, Title 17 Land Development; and Title 18 Zoning; Specifically (not limited to): Chapter 17.19 Design & Improvement Standards; Chapter 18.07 Use Authorization, Chapter 18.09 Density and Dimensions; Chapter 18.13 Landscaping; Chapter 18.19 Design Review; Chapter 18.43 Conditional Use Permits; and Chapter 18.55 Administrative Provisions. [Note: Citations from Camas Municipal Code (CMC) are indicated with <i>italicized type</i> .]	

REPORT CONTENTS

I. SUMMARY	2
II. CRITERIA OF APPROVAL FOR CONDITIONAL USE PERMITS (CMC§18.43.050 "A" THROUGH "F").....	2
A. The proposed use will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity of the proposed use, or in the district in which the subject property is situated;	2
B. The proposed use shall meet or exceed the development standards that are required in the zoning district in which the subject property is situated;	2
C. The proposed use shall be compatible with the surrounding land uses in terms of traffic and pedestrian circulation, density, building, and site design;	4
D. Appropriate measures have been taken to minimize the possible adverse impacts that the proposed use may have on the area in which it is located;.....	5
E. The proposed use is consistent with the goals and policies expressed in the comprehensive plan;	5
F. Any special conditions and criteria established for the proposed use have been satisfied. In granting a conditional use permit the hearings examiner may stipulate additional requirements to carry out the intent of the Camas Municipal Code and comprehensive plan.	5
III. CRITERIA OF APPROVAL FOR DESIGN REVIEW (CMC§18.19.050)	6
IV. CONCLUSIONS OF LAW	6
V. RECOMMENDATIONS.....	7

I. SUMMARY

The applicant has proposed to redevelop a residential lot with a duplex. The lot is in a single family zone, Residential 7,500 (R-7.5), where duplex developments must obtain conditional use approval per CMC§18.07.040-Table 2.

The 4,994 square foot (sq. ft.) property is vacant. Adjacent properties are a mix of styles, sizes and densities (e.g. single family and multifamily). The application materials includes photos of surrounding properties and a map of nearby multifamily properties. The property is part of the Cowan's Addition subdivision that was platted in 1927. There is a fourplex located directly north of the property. All properties adjacent to the subject site, with the exception of the fourplex are on approximately 5,000 sq. ft. lots.

II. CRITERIA OF APPROVAL FOR CONDITIONAL USE PERMITS (CMC§18.43.050 "A" THROUGH "F")

A. The proposed use will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity of the proposed use, or in the district in which the subject property is situated;

Discussion: CMC 18.03.040 Definitions, defines duplex as *"a structure containing two dwelling units on one lot."* The applicant has proposed a structure with two dwelling units, which is consistent with this definition. The project is a redevelopment in a single family zone, but is a use that can be conditionally allowed.

Findings: The proposed development as a duplex is allowed with approval of a conditional use permit.

B. THE PROPOSED USE SHALL MEET OR EXCEED THE DEVELOPMENT STANDARDS THAT ARE REQUIRED IN THE ZONING DISTRICT IN WHICH THE SUBJECT PROPERTY IS SITUATED;

Discussion: Development standards at CMC§18.09.040 Table 2, for a single family lot include building setback minimums, maximum height standards, and maximum building lot coverage standards. Compliance with those standards is discussed below under the subheading "Setbacks". There are also specific building design standards for duplexes within CMC Chapter 18.19 Design Review that are discussed in detail at Part III of this report. There are landscaping requirements within both CMC Chapter 17.19 Design and Improvement Standards and CMC Chapter 18.13 Landscaping, which is discussed below at subheading "Landscaping".

SETBACKS: The setback standards for a lot that is less than 4,999 square feet are as follows: Front yard is 20 feet; side yard is five feet; and rear yard is 20 feet. The applicant has proposed side yard setbacks of 5.4 feet, rear yard at 25.2 feet, and a front setback of 20 feet.

Findings: The setbacks as proposed meet the minimum requirements.

LANDSCAPING: Per drawing C3, the applicant is proposing a tree in the front yard of each dwelling unit. A street tree for every new residential unit is a requirement per CMC17.19.030 (F)(1), *"Each dwelling unit within a new development shall be landscaped with at least one tree in the planting strip of the right-of-way, or similar location in the front yard of each dwelling unit, with the exception of flag lots and lots accessed by tracts. Required trees shall be a minimum two-inch diameter at breast height (dbh) to create a uniform streetscape (dbh is four and one-half feet above the ground as measured from upside of tree)." The proposed tree in front of each unit complies with this standard.*

The new use is also a conditional use, which requires compliance with additional landscaping standards at CMC§18.13.020. The following is an analysis of compliance with the landscaping standards of CMC Chapter 18.13 Landscaping.

A. The property owner shall be responsible for any future damage to a street, curb, or sidewalk caused by landscaping.

Findings: The building department will monitor if damage occurs during construction.

B. Landscaping and trees shall be selected and located to deter sound, filter air contaminants, curtail erosion, minimize stormwater run-off, contribute to living privacy, reduce the visual impacts of large buildings and paved areas, screen, and emphasize or separate outdoor spaces of different uses or character.

C. Landscape, Tree and Vegetation Plan must include a combination of trees, shrubs, and ground cover to achieve the purposes of this chapter.

- 1. Required landscaping shall be comprised of a minimum of sixty percent native vegetation (or adapted to northwest climate), or drought-tolerant vegetation, and fifty percent evergreen.*
- 2. Deciduous trees shall have straight trunks, be fully branched, have a minimum caliper of two inches, be equivalent to a fifteen-gallon container size, and be adequately staked for planting.*
- 3. Evergreen trees shall be a minimum of five feet in height, fully branched, and adequately staked for planting.*

Findings: The landscape plan meets these criteria. The landscape plan includes native vegetation in excess of the minimum. The Building Division will inspect trees when planted to determine if they meet the requirements as noted.

D. Street trees will be required as part of the frontage improvements. Species, size and spacing of the trees must be consistent with the Design Standards Manual. Unless otherwise specified, trees must generally be spaced thirty feet apart. Substitute varieties are subject to approval by the City of Camas.

Findings: A landscape plan includes a street tree for each unit.

E. Proposed vegetation cannot be an invasive species as listed within the most current edition of the Clark County Noxious Weed List (e.g. English Ivy cultivars).

Findings: The plan does not include any invasive species.

F. Shrubs shall be a minimum of five-gallon pot size. Upright shrubs shall have a minimum height at planting of eighteen inches. Spreading shrubs at planting shall have a minimum width of eighteen inches (smaller shrub sizes may be approved where it is more appropriate within a particular landscape plan).

G. Ground Cover, defined as living material and not including bark chips or other mulch, shall be from containers of one gallon or larger. Plants shall be planted and spaced in a triangular pattern which will result in eighty percent cover in three years. Lawn cannot be the primary ground cover within required landscape buffers unless approved for stormwater conveyance. Grass species, if used as ground cover, shall be native or drought-tolerant, and appropriate for the use of the area.

Findings: The landscape plan includes ground cover along the side and rear yard of Oregon grape and Kinnickinick. Front yard planting appears to include grass.

H. Appropriate measures shall be taken, e.g., installation of irrigation system, to assure landscaping success. If plantings fail to survive, it is the responsibility of the property owner to replace them.

Findings: The application did not provide a proposal for an irrigation system. A condition to this effect shall be included to address this criterion.

I. Required trees, as they grow, shall be pruned in accordance with the International Society of Arboriculture. The pruned tree will provide at least eight feet of clearance above sidewalks and twelve feet above street roadway surfaces.

J. Existing trees may be used as street trees if there will be no damage from the development which will kill or weaken the tree. Sidewalks of variable width and elevation may be utilized to save existing street trees, subject to approval by the city.

K. *Vision clearance hazards shall be prohibited.*

L. *Street trees and other required landscaping which dies or is removed, must be replaced within one year of death or removal. Replacement street trees may be an alternative species from the city's recommended tree list, and may be in a different location as approved by the city.*

Findings: Staff has included a condition in regard to maintenance and replacement.

CMC§18.13.051 Minimum Tree Density Requirement (A), "Tree Density. A minimum tree density per net acre is required and must be incorporated within the overall landscape plan. The tree density may consist of existing trees, replacement trees or a combination of existing and replacement trees, pursuant to the priority established in Section 18.13.052."

Findings: The property is 0.11 acres and therefore must include two tree units (20 tree units per acre). The applicant includes two Leland Cypress trees to meet this requirement.

CMC§18.13.055 (B).Landscaping and Screening Design Standards.

(1) L1, General Landscaping.

a. Intent. The L1 standard is intended to be used where distance is the principal means of separating uses or development, and landscaping enhances the area between them. The L1 standard consists principally of groundcover plants; trees and high and low shrubs also are required.

b. Required Materials. There are two ways to provide trees and shrubs to comply with an L1 standard. Shrubs and trees may be grouped. Groundcover plants, grass lawn, or approved flowers must fully cover the landscaped area not in shrubs and trees.

Findings: The application includes five feet of landscaping as required between the single family residential properties to the west and east of the lot. The front yard landscaping does not group the trees and shrubs. A condition to remedy this is included.

C. THE PROPOSED USE SHALL BE COMPATIBLE WITH THE SURROUNDING LAND USES IN TERMS OF TRAFFIC AND PEDESTRIAN CIRCULATION, DENSITY, BUILDING, AND SITE DESIGN;

Discussion: The subject property is located in a neighborhood with a mix of designs and densities.

The applicant has proposed a design for the duplex that staggers the units rather than being flush with one another and the front doors are visible from the street. The front doors are set forward of the garage doors for both units as demonstrated on Sheet A2.00. Design Review criteria is discussed in the following section.

Findings: The development design is generally compatible with the surrounding land uses.

ROADS: CMC 17.19.040(B) requires that new developments construct half street improvements. NW 11th Avenue consists of a 65-foot right-of-way, with paved road and curbs on both sides. The applicant is not required to dedicate any additional right-of-way to meet this standard. The applicant is required to construct sidewalk, driveway access, and replace any worn or damaged curb along the frontage.

Findings: Dedication of additional right-of-way is not required. Staff finds that the following requirements are feasible and are compatible with the neighboring properties:

- **The applicant shall construct a 5-ft. wide hard surface sidewalk that is ADA compliant. Sidewalk shall be detached in order to allow for a planter strip.**
- **A shared driveway access shall be constructed to serve both sides of the duplex. Driveway throat shall not exceed 40% of the total lot frontage.**
- **Road surface restoration for utility cuts shall be per Camas Design Standards Manual, General Detail G2 which requires: Surface restoration for longitudinal trench cuts to be full lane width with 2-**

inch grind and inlay and for transverse trench cuts to be 12-feet on each side of trench with a full width 2-inch grind and inlay.

Water: There is an existing 6-inch ductile iron water main located in NW 11th Avenue. Applicant is proposing to provide two individual services to be tapped at the main for each unit. The Applicant will be required to extend these services to the right-of-way and install a double detector check valve and water meters for billing purposes. The domestic and irrigation lines beyond the meters will be privately owned and maintained by the Applicant.

Sanitary Sewer: There is an existing 15-inch PVC gravity sewer main in NW 11th Avenue. Applicant is proposing to provide two 4-inch sewer laterals that will be tapped at the main and be extended to each duplex.

Stormwater: The proposed improvements are less than 5,000 sq. ft. of impervious surface, therefore treatment and detention are not required. Applicant is proposing to connect the roof drains to a new catch basin that would connect to the existing 10-inch storm line located at the corner of NW 11th Avenue and NW Division Street.

Findings: Staff finds that adequate provisions for water, sanitary sewer, and stormwater to the site can be provided.

D. APPROPRIATE MEASURES HAVE BEEN TAKEN TO MINIMIZE THE POSSIBLE ADVERSE IMPACTS THAT THE PROPOSED USE MAY HAVE ON THE AREA IN WHICH IT IS LOCATED;

Discussion: The proposed use as a duplex should, if designed properly, blend into the surrounding neighborhood. Staff has proposed conditions in regard to landscape and roadway improvements that should mitigate any potential adverse impacts of the project.

Findings: Staff has proposed conditions of approval to minimize potential adverse impacts.

E. THE PROPOSED USE IS CONSISTENT WITH THE GOALS AND POLICIES EXPRESSED IN THE COMPREHENSIVE PLAN;

Discussion: The citywide land use policy, Policy LU-1.3 requires compatibility of use and design of the surrounding and built environment for new development. Also, policy LU-1.5, states, *"Where compatible with surrounding uses, encourage redevelopment or infill development to support the efficient use of urban land."* The proposed project being a duplex supports the policy of "efficient use of urban land".

Policy H-1.6, states, *"Encourage in-fill development on vacant or underutilized sites, subject to design review guidelines, that have adequate urban services, and ensure that the development is compatible with the surrounding neighborhood."* Analysis of the surrounding neighborhood is provided with the applicant's submittal. Staff finds that the in-fill development is compatible.

Findings: The application is consistent with the comprehensive plan.

F. ANY SPECIAL CONDITIONS AND CRITERIA ESTABLISHED FOR THE PROPOSED USE HAVE BEEN SATISFIED. IN GRANTING A CONDITIONAL USE PERMIT THE HEARINGS EXAMINER MAY STIPULATE ADDITIONAL REQUIREMENTS TO CARRY OUT THE INTENT OF THE CAMAS MUNICIPAL CODE AND COMPREHENSIVE PLAN.

Findings: Staff has proposed conditions that will carry out the intent and purposes of the CMC and the comprehensive plan.

III. CRITERIA OF APPROVAL FOR DESIGN REVIEW (CMC§18.19.050)

According to CMC18.19.050, *“The principles as provided in the DDM or DRM are mandatory and must be demonstrated to have been satisfied in overall intent in order for approval of a design review application to be granted. Standard principles shall apply to all commercial, mixed use, or multifamily uses. Specific principles are used in addition to the standard principles for gateways and corridors, commercial, mixed uses, and multifamily (e.g. apartments, townhouses, duplexes).”*

The Design Review Committee will conduct a public meeting to review the application on January 7, 2019. The following are **staff findings**, which may be amended prior to the public hearing as recommended by the Design Review Committee.

CMC§18.19.050 (A) Standard Principles.

1. *Landscaping shall be done with a purpose. It shall be used as a tool to integrate the proposed development into the surrounding environment.*

Findings: Sheet C3 illustrates landscaping along the entire perimeter of the site to include evergreen trees at the rear of the site and ground cover plants covering the majority of the yard areas.

2. *All attempts shall be made at minimizing the removal of significant natural features. Significant natural features shall be integrated into the overall site plan.*

Findings: The site does not have any mature landscaping or trees. The site grading will be minimal.

3. *Buildings shall have a "finished" look. Any use of panelized materials shall be integrated into the development in a manner that achieves a seamless appearance.*

Findings: The applicant is proposing to utilize Hardi-plank and composition roofing. No panelized materials are proposed.

4. *A proposed development shall attempt to incorporate or enhance historic/heritage elements related to the specific site or surrounding area.*

Findings: The surrounding area has been residentially developed and no other historic elements are warranted.

CMC§18.19.050 (B) Specific Principles, Subsection (3) Multifamily

c. Duplex, Triplex and Four-Plex.

- i. *Garages shall account for less than fifty percent of the front face of the structure. Garages visible from the street shall be articulated by architectural features, such as windows, to avoid a blank look.*

Findings: The garages will have a glass panel and are less than 50% of the front façade.

IV. CONCLUSIONS OF LAW

Based on the above findings and discussion provided in this report, staff concludes that the consolidated application for a duplex (File #CUP18-01) should be approved, because it does or can comply with the applicable standards.

- The application materials are in conformance with CMC Chapter 18.55, Article III Application Requirements.
- As conditioned, the development can satisfy the public design standards of 17.19.040 Infrastructure Standards.
- As conditioned, the development can satisfy the Design Review Standards of CMC Chapter 18.19 Design Review.

- As conditioned, the development can satisfy the requirements of CMC Chapter 18.43 Conditional Use Permits.

V. RECOMMENDATIONS

Staff recommends APPROVAL of the application for 11th Avenue Duplex (File #CUP18-01) with conditions. The recommendation is based on the application meeting the minimum requirements of Camas Municipal Codes, and conditioned as follows:

PROPOSED CONDITIONS

The following conditions are in addition to any conditions required from other permits or approvals issued to this project. Unless otherwise waived or modified in this decision, the development must comply with the minimum requirements of the Camas Municipal Code.

1. Site improvement plans for work within the right-of-way; street, water, sanitary sewer and stormwater improvements shall be prepared in accordance with Camas Design Standards Manual (CDSM) and City Standards.
2. The plans shall be prepared by a licensed civil engineer in Washington State and submitted to the City's Engineering Department for review and approval.
3. A 3% construction plan review and inspection fee shall be required for all civil site work for this development. The fee will be based on an engineer's estimate or construction bid. The specific estimate will be submitted to the City's Engineering Department for review and approval. The fee shall be paid prior to the construction plans being signed and released to the applicant. Under no circumstances will the applicant be allowed to begin construction prior to approval of the construction plans.
4. Any existing wells and septic tanks and septic drain fields shall be abandoned in accordance with state and county guide lines regardless of lots or properties served by such utility, per CMC 17.19.020.
5. Regulations for installation of public improvements, improvement agreements, bonding, final platting, and final acceptance shall be found in CMC 17.21.
6. In the event that any item of archaeological interest is uncovered during the course of a permitted ground disturbing action or activity, all ground disturbing activities shall immediately cease and the applicant shall notify the Public Works Department and DAHP.
7. The applicant shall remove all temporary erosion prevention and sediment control measures from the site at completion of all site improvements, including stabilization of all disturbed soil, unless otherwise directed by the Public Works Director.
8. Final as-built construction drawing submittals shall meet the requirements of CMC 17.01.050 and the Camas Design Standards Manual (CDSM) for engineering as-built submittals.
9. The applicant shall construct a 5-ft. wide hard surface sidewalk that is ADA compliant. Sidewalk shall be detached in order to allow for a planter strip.
10. A shared driveway access shall be constructed to serve both sides of the duplex. Driveway throat shall not exceed 40% of the total lot frontage.
11. Road surface restoration for utility cuts shall be per Camas Design Standards Manual, General Detail G2 which requires: Surface restoration for longitudinal trench cuts to be full lane width with 2-inch grind and inlay and for transverse trench cuts to be 12-feet on each side of trench with a full width 2-inch grind and inlay.
12. A revised landscaping plan must be provided no later than building plan submittal, and approved by the Planning Division prior to commencement of site construction. *The landscape plan will include an irrigation plan, and will group the front yard plantings as required per CMC§18.13.055.*

13. The approved landscaping shall be maintained in a manner as to ensure plant survival for three years after installation. A watering system shall be required. If plantings fail to survive, they must be replaced promptly.

14. Landscaping and watering system shall be installed consistent with the approved final landscaping plan **prior to receiving final occupancy permits from the Building Division.**

15. This permit shall expire in two years of the date of the final decision per CMC§18.55.260, if no building plans are submitted.