



## STAFF REPORT

Minor Amendments to Camas Municipal Code

Titles 15, 16, 17 and 18

File# MC18-01

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To: Mayor Turk  
City Council

From: Madeline Sutherland, Assistant Planner on behalf of the Planning  
Commission

Staff Report Date: December 21, 2018      Public Hearing Date: January 7, 2019

Notices      The Department of Commerce acknowledged receipt of the proposed amendments on December 12, 2018 (Material ID #25592). A State Environmental Policy Act (SEPA) determination of non-significance for a non-project action was published on December 13, 2018 with a comment period ending on December 27, 2018. Published in the Camas Post Record on December 13, 2018 (Legal publication #103460) online and at other public viewing locations throughout the city.

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### Summary

As part of our periodic code update, the proposed minor amendments to Title 15 Buildings and Construction, Title 16 Environment, Title 17 Land Development, and Title 18 Zoning of the Camas Municipal Code (CMC) include updates to clarify sections that may have been challenging to administer since the past review cycle, new additions or typos.

A public hearing before Planning Commission ("Commission") was held on November 20, 2018. The Commission deliberated and proposed additional amendments. The Commission's forwarded amendments to Title 15, 16, 17 and 18 were unanimously recommended for adoption.

The proposed CMC amendments are provided as Attachment 1. Attachment 2 is the version brought before Planning Commission for reference.

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## *Title 15 Buildings and Construction*

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### **Section 15.50.090(L) - Clearing and Grading**

The proposed addition to this section includes adding a development standard that limits construction from May first to October first of each year due to the rainy season. This requirement has been a standing SEPA condition in most SEPA decisions issued by staff and therefore adding it to the code will eliminate the need for this repetitive SEPA condition. Planning Commission added language to this section, to include considerations of the location of the project.

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## *Title 16 Environment*

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### **Section 16.13.060 – SEPA Appeal.**

There has been conflicts between 16.13.060 and 18.55.200(F) as the processing of SEPA appeals is inconsistent. The amendment will require that consolidated SEPA appeals will be brought before the Hearings Examiner. Currently, Type II appeals are sent to the Hearings Examiner and SEPA permits are sent to City Council. Given that Type II decisions often include an associated critical area and SEPA decision, this amendment will ensure that there is consistency between hearings bodies and all sections of code that relate to SEPA appeals.

### **Section 16.53.050(N)(1)(c) - Wetland permits.**

Planning Commission found that the word "wave" should correctly be "waive" and recommended the correction.

### **Section 16.59.090(3)(a) – Performance standards – Specific hazards.**

This section currently references CMC Section 16.51.130 – *Review required* and should be revised to reference CMC Section 16.51.120 – *Critical area reporting evaluation requirements*.

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## *Title 17 Land Development*

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### **Section 17.09.030(B)(5)(q) – Preliminary short plat approval and**

### **Section 17.11.030(B)(5)(p) – Preliminary subdivision plat approval.**

The proposed amendments are intended to be consistent with comprehensive plan policies that call for the minimization of clearing and grading. Often staff does not have information in regard to the location or height of retaining walls until engineering plan approval, which is after preliminary plat reviews and approvals. An early review would provide an opportunity to discuss other methods to avoid the need for tall retaining walls consistent with comprehensive plan policies. The proposed amendment includes requiring the applicant to show the location and height of proposed retaining walls with the preliminary plat submittal application.

There has also been minor grammatical changes to the listing of requirements at subsections "p" and "o" respectively.

Section 17.19.040 – Infrastructure standards

**Section 17.19.040 (B) Streets (3)(c)**

Planning Commission found that the word "eminent" should correctly be "imminent" and recommended the correction.

**Table 17.19.040-1 – Minimum Private Street Standards**

The tract and pavement width for alleys have been proposed to increase by two feet, creating a tract width of twenty feet and a pavement width of eighteen feet. The average car is sixteen feet in length, and with a current minimum pavement width of sixteen feet, this would only allow an average size car to maneuver in an alleyway, making it difficult for larger cars/trucks. The proposed change would allow more room for all types of cars to maneuver through alleys to access parking and garages.

**Section 17.21.030(B) – Land disturbing activities – erosion prevention/ sediment control.**

This section has been revised to match CMC Section 14.06.200 – *Bonds and insurance*. Both sections have the same meaning but different language, which caused confusion. By editing Section 17.21.030 to read the same as Section 14.06.200, there should not be any confusion.

**Section 17.21.060(E)(1)&(H) – Final plat or short plat procedures for land divisions.**

The intent behind 17.21.060(H) is to only allow one model home permit per plat to be issued after final plat, and before final acceptance. Commercial is a separate process therefore it has been stricken out. Other residential building permits will not be accepted until after final acceptance. One of the first steps in the intake/review process is to make copies of all utility locations that includes water service, sewer laterals and rain drain/stormwater laterals and the as-built drawings are not available to provide these utility locations until final acceptance has been approved. There are a few sections updated to reference the correct section in the Camas Municipal Code.

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*Title 18 Zoning*

**Section 18.05.050(F) – Commercial and industrial zones.**

There currently is not a definition for the Business Park zone in this section of the code and therefore is proposed to be added.

**Section 18.09.060 – Density transfers.**

The Building Industry Association of Clark County brought forward the changes to add greater flexibility to a project design, allow for more options of housing types while still

providing the ability for the City to achieve its policy objectives of tree and open space retention through negotiated preservation.

**Section 18.27.050 - Development standards.**

- M. Impact Fees. Accessory dwelling units shall be subject to impact fees at the following rates: twenty-five percent of the single-family rate for internal conversions, and thirty-five percent for external conversions.

The City of Camas' Comprehensive Plan Housing goals are to increase affordable housing by increasing the supply and diversity of housing. To reach this goal, staff recommended eliminating impact fees for accessory dwelling units to encourage their development. The Commission did not support the proposed amendment.

**Section 18.55.030(Table 1) – Summary of decision making process.**

The first change made to the table was differentiating between Type I and II approval process for design review. Type I is minor and Type II is major. The second amendment to Table 1 is updating the term "sensitive" areas to "critical" areas.

**Section 18.55.200(F) – Appeals-Generally.**

There has been conflicts between 16.13.060 and 18.55.200(F). The reasoning for this code amendment is to take consolidated SEPA appeals to the Hearings Examiner. Currently, Type II appeals are sent to the Hearings Examiner. Type II decisions often include an associated SEPA decision. The amendments are an effort to ensure that there is consistency between hearings bodies and all sections of code that relate to SEPA appeals.

Recommendation

Upon Planning Commission's recommendation, staff recommends that Council conduct a public hearing, deliberate and move to approve the Minor Amendments to Camas Municipal Code to Titles 15, 16, 17 and 18 (File No. MC18-01) and direct the City Attorney to prepare an ordinance for Council's consideration at the January 22, 2019 Regular meeting.