



STAFF REPORT

Minor Amendments to Camas Municipal Code

Title 15, 16, 17 and 18

File# MC18-01

<u>TO</u>	Bryan Beel, Chair Planning Commission
<u>FROM</u>	Madeline Sutherland, Planning Intern
<u>DATE</u>	November 20 th , 2018

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 and corrections or typos.

The proposed CMC amendments are provided with the two attachments: Attachment 1 shows the draft changes as strike-through text or underlined. Attachment 2 provides the amendments without any mark-ups.

Staff has proposed amendments within the following chapters of Title 15, 16, 17 and 18:

Title 15 Buildings and Construction

Chapter 15.50.090(L) - Clearing and Grading

The proposed addition to this chapter 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.

Title 16 Environment

Chapter 16.13.060 – SEPA Appeal.

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 instead of Council due to the unbiased

decision. The amendments are an effort to ensure that there is consistency between all sections of code that relate to SEPA appeals.

Chapter 16.51.250(B) – Bonds to ensure mitigation, maintenance, and monitoring and Chapter 16.53.050(J)(2)(a)

CMC Section 17.21.050 *Financial Security agreements* currently states the bond amount as 200%. The bond percentages currently cited in CMC Section 16.51.250(B) and 16.53.050(J)(2)(a) are not consistent with CMC 17.21.050 *Financial Security agreements* and therefore should be revised for consistency.

Chapter 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*.

Title 17 Land Development

Chapter 17.09.030(B)(5)(q) – Preliminary short plat approval and Chapter 17.11.030(B)(5)(q) – Preliminary subdivision plat approval.

There are comprehensive plan policies that call for the minimization of clearing and grading and often staff does not see the location or height of retaining walls until engineering plan approval instead of during preliminary plat reviews, which typically include a public hearing. Those early reviews could avoid the later discovery for the need for tall retaining walls, and would be 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, instead of at the construction and engineering stages of the development.

Chapter 17.19.040(Table 1) - Infrastructure 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 for an average size car to maneuver in an alley way, making it difficult for larger cars/trucks. The proposed change would allow more room for all types of cars to maneuver through alley's to access parking and garages.

Chapter 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 originally had the same meaning but different language. By editing Chapter 17.21.030 to contain the same language as Chapter 14.06.200, there should not be any future conflicts.

Chapter 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 I.E. water service, sewer laterals and rain drain/storm water laterals and the as-built drawings are not available to provide these utility locations until final acceptance has been approved.

Title 18 Zoning

Chapter 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.

Chapter 18.27.050 – Development standards.

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, eliminating the impact fees will encourage the development of accessory dwelling units which supports the comprehensive plans goals.

Chapter 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" area to "critical" areas.

Chapter 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 instead of Council due to the unbiased decision the Hearings Examiner can provide. The amendments are an effort to ensure that there is consistency between all sections of code that relate to SEPA appeals.

Recommendation

Staff recommends the Commission conduct a public hearing, accept testimony, deliberate, and forward a recommendation to City Council regarding the proposed amendments.

Minor Amendments to Camas Municipal Code (CMC)

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Title 15 Buildings and Construction

15.50.090 - Clearing and grading standards.

The purpose of this section is to provide general standards for all clearing and grading activities undertaken within the city of Camas. This section is intended to apply to all clearing and grading activities including both activities that do and do not require formal approval by the city.

- A. Minimize Potential Impacts. All clearing and grading activities shall be conducted so as to minimize potential adverse effects of these activities on surface water quality and quantity, groundwater recharge, fish and wildlife habitat, adjacent properties, and downstream drainage channels. The permittee shall attempt to prevent impacts and minimize the clearing of naturally occurring vegetation, retain existing soils, and maintain the existing natural hydrological functions of the site.
 - 1. If working on a phased project, clearing and grading activities must be confined to the particular phase of the project in which full civil improvements are being constructed. Future phases may not be cleared or graded to assist the contractor in balancing the overall site.
- B. Mark Clearing and Grading and Land Disturbance Limits. Prior to commencing activity, the applicant shall establish and mark on-site clearing and grading limits and other critical site features as appropriate with orange construction fence or other means approved by the city.
- C. Natural Features and Vegetation Retention. Wherever possible, vegetation, drainage, and other natural features of the site shall be preserved, and the grading and clearing shall be performed in a manner that minimizes impacts resulting from building, road, and utility footprints. Groundcover and tree disturbance shall be minimized, and root zones shall be protected.
- D. No ground cover or trees located within a required critical area or its established buffer shall be removed, nor shall any mechanical equipment operate in such areas, provided that conditions deemed by the director to be a public nuisance may be removed.
- E. Aesthetics. Land disturbance activity undertaken in such a manner so as to preserve and enhance the city of Camas aesthetic character. Important landscape characteristics that define the aesthetic character, such as large trees (over eight inches dbh), important vegetative species, and unique landforms or other natural features shall be preserved to the extent practicable.
- F. Site Containment. Erosion, sediment, and other impacts resulting from any clearing and grading activity shall be contained on site. Containment of such impacts may require temporary erosion/sedimentation control measures during and immediately following clearing and grading activities. The faces of slopes shall be prepared and maintained to control erosion. Check dams, riprap, plantings, terraces, diversion ditches, sedimentation ponds, straw wattles, or other devices or methods shall be employed where necessary to control erosion and provide safety. Devices or procedures for erosion protection shall be initiated or installed as soon as possible during grading operations and shall be maintained in operable condition by the owner.
- G. Protection of Adjacent Properties. Adjacent properties, storm drain inlets, and the downstream natural and built drainage system shall be protected from sediment deposition and erosion by appropriate use of BMPs such as vegetative buffer strips, sediment barriers or filters, dikes or mulching, or by a combination of soil stabilization measures. If protection is inadequate and deposition occurs on the adjacent property, public right-of-way, or drainage system, the permittee shall immediately remove the deposited sediment and restore the affected area to its original condition. Downstream properties and waterways shall be protected from erosion and sedimentation during construction due to temporary increases in the volume, velocity, and peak flow rate of runoff from the site by use and implementation of sediment ponds, or other acceptable methods to the city engineer.
- H. Construction Access. Construction vehicle access shall be, whenever feasible, limited to one route. A temporary access road shall be provided at all sites. Access surfaces shall be stabilized to minimize the

tracking of sediment onto adjacent roads by utilizing appropriate BMPs. Other measures may be required at the discretion of the director in order to ensure that sedimentation is not tracked onto public streets by construction vehicles, or washed into storm drains. Sediment deposited on the paved right-of-way shall be removed in a manner that prevents it from entering the drainage system.

- I. Stabilization of Disturbed Areas. All exposed soil shall be stabilized by application of suitable BMPs and soil stabilization measures, including but not limited to sod or other vegetation, plastic covering, mulching, or application of base course(s) on areas to be paved. All BMPs shall be selected, designed and maintained consistent with the Camas Design Standards Manual. From October 1 through July 5, no unworked soils shall remain exposed for more than two days. From July 6 through September 30, no unworked soil shall remain exposed for more than seven days. The city may permit extension of these times or require reduction of these times, including shutting down all clearing and grading activities based on current or projected weather conditions with prior approval of the director.
- J. Dust Suppression. Dust from clearing, grading, and other construction activities shall be minimized at all times. Impervious surfaces on or near the construction area shall be swept, vacuumed, or otherwise maintained to suppress dust entrainment. Any dust suppressants used shall be approved by the director. Petrochemical dust suppressants are prohibited. Watering the site to suppress dust may be prohibited, unless it can be done in a way that keeps sediment out of the drainage system.
- K. Erosion and Sediment Control. The property owner shall design and implement erosion and sediment control BMPs appropriate to the scale of the project and necessary to prevent sediment from leaving the project site.
 1. In addition to the measures in this title and other referenced ordinances and manuals, the director may impose the following additional measures, as appropriate for the project.
 - a. Performance monitoring to determine compliance with water quality standards.
 - b. Funding additional city inspection time, up to a full-time inspector.
 - c. Stopping work to control erosion and sedimentation.
 - d. Construction of additional siltation/sedimentation ponds.
 - e. Establishment a series of sediment tanks or temporary filter vaults.
 - f. Installation of high quality catch basin inserts to filter runoff.
 - g. Use of erosion control blankets, nets, or mats in addition to or in conjunction with straw mulch.
 - h. Temporary on-site stormwater conveyance systems designed, constructed, and stabilized to prevent erosion from leaving the site and impacting properties, streams, wetlands downstream of the clearing and grading activity. Stabilization measures shall be provided that comply with local BMPs at stormwater conveyance system outlets to prevent erosion of outlets, adjacent streambanks, slopes, and downstream reaches or properties.
 - i. If the initially implemented erosion and sediment BMPs do not adequately control erosion and sedimentation, additional BMPs shall be installed, including but not limited to the extraordinary BMPs described in subsection (1) of this section. It is the permittee's responsibility to ensure sediment does not leave the site in an amount that would violate applicable state, or local water quality standard(s).
 2. The timing/sequencing requirements for implementing/removing erosion and sediment control measures are as follows:
 - a. The permittee must install the temporary erosion control prior to all other clearing, grading, or construction.

- b. The permittee must remove all temporary erosion and sediment control within thirty days after final site stabilization or after control is no longer needed, per agreement with the director. Before removing such controls, the permittee must remove trapped sediment or stabilize on site. Any soils disturbed during sediment removal must be permanently stabilized by the permittee.

L. Clearing and grading including utility and road construction activities shall be allowed only from May 1st to October 1st of each year. The City may extend or shorten the dry season on a case-by-case basis depending on actual weather conditions.

Commented [MS1]: This is a reoccurring SEPA condition.

([Ord. No. 16-003](#) , § I(Exh. A), 3-21-2016)

Title 16 Environment

16.13.060 - SEPA appeal.

Except for permits and variances issued pursuant to the Camas shoreline master program and consolidated appeals pursuant to Section 18.55.165(C), when any proposal or action is conditioned or denied on the basis of SEPA by a nonelected official, the decision shall be appealable to the hearings examiner. Such appeal may be perfected by the proponent or any aggrieved party by giving notice to the city of Camas clerk within fourteen days of the date the decision was issued.

Commented [MS2]: The amendment is an effort to ensure that there is consistency between all sections of code that relate to SEPA appeals.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

([Ord. No. 2691, § I\(Exh. A\), 1-21-2014](#) ; [Ord. No. 17-002](#) , § I(Exh. A), 3-6-2017)

Editor's note— [Ord. No. 17-002](#) , § I(Exh. A), adopted March 6, 2017, amended the catchline of § 16.13.060 from "Appeal" to read as herein set out.

16.51.250 - Bonds to ensure mitigation, maintenance, and monitoring.

- A. When mitigation required pursuant to a development proposal is not completed prior to the city final permit approval, such as final plat approval, the city shall require the applicant to post a performance bond or other security in a form and amount deemed acceptable by the city. If the development proposal is subject to mitigation, the applicant shall post a mitigation bond or other security in a form and amount deemed acceptable by the city to ensure mitigation is fully functional.
- B. The bond shall be in the amount of two hundred one hundred twenty five percent of the estimated cost of the uncompleted actions, or the estimated cost of restoring the functions and values of the critical area that are at risk, whichever is greater.
- C. The bond may be in the form of a surety bond, performance bond, assignment of savings account, or an irrevocable letter of credit guaranteed by an acceptable financial institution with terms and conditions acceptable to the city attorney.
- D. Bonds or other security authorized by this section shall remain in effect until the city determines, in writing, that the standards bonded for have been met.
- E. Depletion, failure, or collection of bond funds shall not discharge the obligation of an applicant or violator to complete required mitigation, maintenance, monitoring, or restoration.

Commented [MS3]: This section needs to be revised for consistency.

- F. Public development proposals may be relieved from having to comply with the bonding requirements of this section if public funds have previously been committed for mitigation, maintenance, monitoring, or restoration.
- G. Any failure to satisfy critical area requirements established by law or condition including, but not limited to, the failure to provide a monitoring report within thirty days after it is due, or comply with other provisions of an approved mitigation plan, shall constitute a default, and the city may demand payment of any financial guarantees or require other action authorized by the city code or any other law.
- H. Any funds recovered pursuant to this section shall be used to complete the required mitigation.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.53.050 - Wetland permits.

J. Wetland Permit Financial Assurances.

1. Types of Financial Assurances. The responsible official shall accept the following forms of financial assurances:
 - a. An escrow account secured with an agreement approved by the responsible official;
 - b. A bond provided by a surety for estimates that exceed five thousand dollars;
 - c. A deposit account with a financial institution secured with an agreement approved by the responsible official;
 - d. A letter of commitment from a public agency; and
 - e. Other forms of financial assurance determined to be acceptable by the responsible official.
2. Financial Assurance Estimates. The applicant shall submit itemized cost estimates for the required financial assurances. The responsible official may adjust the estimates to ensure that adequate funds will be available to complete the specified compensatory mitigation upon forfeiture. In addition, the cost estimates must include a contingency as follows:
 - a. ~~All forms of financial assurance estimates shall be multiplied by two hundred percent. Estimates for bonds shall be multiplied by one hundred fifty percent;~~
 - b. ~~All other estimates shall be multiplied by one hundred ten percent.~~
3. Waiver of Financial Assurances. For Type I wetland permits, the responsible official may waive the requirement for one or both financial assurances if the applicant can demonstrate to the responsible official's satisfaction that posting the required financial assurances will constitute a significant hardship.
4. Acceptance of Work and Release of Financial Assurances.
 - a. Release of Performance Assurance. Upon request, the responsible official shall release the performance assurance when the following conditions are met:
 - i. Completion of construction and planting specified in the approved compensatory mitigation plan;
 - ii. Submittal of an as-built report documenting changes to the compensatory mitigation plan that occurred during construction;
 - iii. Field inspection of the completed site(s); and
 - iv. Provision of the required maintenance assurance.
 - b. Release of Maintenance Assurance. Upon request, the responsible official shall release the maintenance assurance when the following conditions are met:

Commented [MS4]: This section needs to be revised for consistency.

- i. Completion of the specified monitoring and maintenance program;
 - ii. Submittal of a final monitoring report demonstrating that the goals and objectives of the compensatory mitigation plan have been met as demonstrated through:
 - (A) Compliance with the specific performance standards established in the wetland permit; or
 - (B) Functional assessment of the mitigation site(s); and
 - (C) Field inspection of the mitigation site(s).
 - c. Incremental Release of Financial Assurances. The responsible official may release financial assurances incrementally only if specific milestones and associated costs are specified in the compensatory mitigation plan and the document legally establishing the financial assurance.
5. Transfer of Financial Assurances. The responsible official may release financial assurances at any time if equivalent assurances are provided by the original or a new permit holder.
6. Forfeiture. If the permit holder fails to perform or maintain compensatory mitigation in accordance with the approved wetland permit, the responsible official may declare the corresponding financial assurance forfeit pursuant to the following process:
- a. The responsible official shall, by registered mail, notify the wetland permit holder/agent that is signatory to the financial assurance, and the financial assurance holder of nonperformance with the terms of the approved wetlands permit;
 - b. The written notification shall cite a reasonable time for the permit holder, or legal successor, to comply with provisions of the permit and state the city's intent to forfeit the financial assurance should the required work not be completed in a timely manner;
 - c. Should the required work not be completed timely, the city shall declare the assurance forfeit;
 - d. Upon forfeiture of a financial assurance, the proceeds thereof shall be utilized either to correct the deficiencies which resulted in forfeiture or, if such correction is deemed by the responsible official to be impractical or ineffective, to enhance other wetlands in the same watershed or contribute to an established cumulative effects fund for watershed scale habitat and wetland conservation.
- K. Programmatic Permits for Routine Maintenance and Operations of Utilities and Public Facilities. The responsible official may issue programmatic wetland permits for routine maintenance and operations of utilities and public facilities within wetlands and wetland buffers, and for wetland enhancement programs. It is not the intent of the programmatic permit process to deny or unreasonably restrict a public agency or utility's ability to provide services to the public. Programmatic permits only authorize activities specifically identified in and limited to the permit approval and conditions.
1. Application Submittal Requirements. Unless waived by the responsible official with specific findings in the approval document in accordance with subsection (K)(2) of this section, applications for programmatic wetland permits shall include a programmatic permit plan that includes the following:
- a. A discussion of the purpose and need for the permit;
 - b. A description of the scope of activities in wetlands and wetland buffers;
 - c. Identification of the geographical area to be covered by the permit;
 - d. The range of functions and values of wetlands potentially affected by the permit;
 - e. Specific measures and performance standards to be taken to avoid, minimize, and mitigate impacts on wetland functions and values, including:
 - i. Procedures for identification of wetlands and wetland buffers;
 - ii. Maintenance practices proposed to be used;

- iii. Restoration measures;
 - iv. Mitigation measures and assurances;
 - v. Annual reporting to the responsible official that documents compliance with permit conditions and proposes any additional measures or adjustments to the approved programmatic permit plan;
 - vi. Reporting to the responsible official any specific wetland or wetland buffer degradations resulting from maintenance activities when the degradation occurs or within a timely manner;
 - vii. Responding to any department requests for information about specific work or projects;
 - viii. Procedures for reporting and/or addressing activities outside the scope of the approved permit; and
 - ix. Training all employees, contractors and individuals under the supervision of the applicant who are involved in permitted work.
2. Findings. A decision preliminarily approving or denying a programmatic wetland permit shall be supported by findings of fact relating to the standards and requirements of this chapter.
3. Approval Conditions. Approval of a programmatic wetland permit shall incorporate at least the following as conditions:
- a. The approved programmatic permit plan;
 - b. Annual reporting requirements; and
 - c. A provision stating the duration of the permit.
4. Duration and Re-authorization.
- a. The duration of a programmatic permit is for five years, unless:
 - i. An annual performance based re-authorization program is approved within the permit; or
 - ii. A shorter duration is supported by findings.
 - b. Requests for re-authorization of a programmatic permit must be received prior to the expiration of the original permit.
 - i. Re-authorization is reviewed and approved through the process described in subsection (K)(1) of this section.
 - ii. Permit conditions and performance standards may be modified through the re-authorization process.
 - iii. The responsible official may temporarily extend the original permit if the review of the re-authorization request extends beyond the expiration date.
- L. Wetland Permit—Emergency.
1. Authorization. Notwithstanding the provisions of this chapter or any other laws to the contrary, the responsible official may issue prospectively or, in the case of imminent threats, retroactively a temporary emergency wetlands permit if:
- a. The responsible official determines that an unacceptable threat to life or loss of property will occur if an emergency permit is not granted; and
 - b. The anticipated threat or loss may occur before a permit can be issued or modified under the procedures otherwise required by this act and other applicable laws.

2. Conditions. Any emergency permit granted shall incorporate, to the greatest extent practicable and feasible, but not inconsistent with the emergency situation, the standards and criteria required for nonemergency activities under this act and shall:
 - a. Be limited in duration to the time required to complete the authorized emergency activity, not to exceed ninety days; and
 - b. Require, within this ninety-day period, the restoration of any wetland altered as a result of the emergency activity, except that if more than the ninety days from the issuance of the emergency permit is required to complete restoration, the emergency permit may be extended to complete this restoration.
 3. Notice. Notice of issuance of an emergency permit shall be published in a newspaper having general circulation in the city of Camas not later than ten days after issuance of such permit.
 4. Termination. The emergency permit may be terminated at any time without process upon a determination by the responsible official that the action was not or is no longer necessary to protect human health or the environment.
- M. Revocation. In addition to other remedies provided for elsewhere in this chapter, the responsible official may suspend or revoke wetland permit(s) issued in accordance with this chapter and associated development permits, pursuant to the provisions of [the Shoreline Master Program], Appendix B, Administration and Enforcement, if the applicant or permittee has not complied with any or all of the conditions or limitations set forth in the permit, has exceeded the scope of work set forth in the permit, or has failed to undertake the project in the manner set forth in the permit.
- N. Enforcement. At such time as a violation of this chapter has been determined, enforcement action shall be commenced in accordance with the enforcement provisions of Appendix B — Administration and Enforcement, and may also include the following:
1. Applications for city land use permits on sites that have been cited or issued an administrative notice of correction or order under Title 18, or have been otherwise documented by the city for activities in violation of this chapter, shall not be processed for a period of six years provided:
 - a. The city has the authority to apply the permit moratorium to the property;
 - b. The city records the permit moratorium; and
 - c. The responsible official may reduce or wave the permit moratorium duration upon approval of a wetland permit under this section.
 2. Compensatory mitigation requirements under subsections C and D of this section may be increased by the responsible official as follows:
 - a. All or some portion of the wetland or wetland buffer impact cannot be permitted or restored in place; and
 - b. Compensatory mitigation for the impact is delayed more than one year from the time of the original citation or documentation of the violation.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

([Ord. No. 15-001](#), § VI—IX, 1-5-2015; [Ord. No. 15-007](#), § II(Exh. A), 3-16-2015; [Ord. No. 17-002](#), § I(Exh. A), II, 3-6-2017)

Footnotes:

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If priority habitats are not present in the vicinity of the proposed land use, criterion (ii) is sufficient for buffer width reductions. The development of these measures and their review by the city, which may include referral to independent qualified professionals, shall be at the applicant's expense. If proposed future land uses are more intense, they are not eligible to maintain this reduction.

16.59.090 - Performance standards—Specific hazards.

- A. Erosion and Landslide Hazard Areas. Activities on sites containing erosion or landslide hazards shall meet the following requirements:
1. Management Zone Required. A management zone shall be established from all edges of erosion or landslide hazard areas. The size of the management zone shall be determined by the city to eliminate or minimize the risk of property damage, death, or injury resulting from erosion and landslides caused in whole or part by the development, based upon review of and concurrence with a critical area report prepared by a qualified professional.
 - a. Management Zone Established. A management zone shall be established from the edges of areas characterized by steep slopes, potentially unstable soils, erosion potential, or seismic activity. The management zone will be established by a qualified professional and shall adequately protect the proposed development, adjacent developments, and subject critical area. The management zone shall generally be equal to the height of the slope, or fifty feet, whichever is greater. A management zone less than fifty feet may be established if a qualified professional determines that such reduction will adequately protect the proposed development, adjacent developments, and subject critical area.
 - b. Increased Management Zone. The management zone may be increased where the city determines a larger management zone is necessary to prevent risk of damage to proposed and existing development(s);
 2. Design Standards. Development under this section shall be designed to meet the following basic requirements. The requirement for long-term slope stability shall exclude designs that require periodic maintenance or other actions to maintain their level of function. The basic development design standards are:
 - a. The proposed development shall not decrease the factor of safety for landslide occurrences below the limits of 1.5 for static conditions, and 1.2 for dynamic conditions. Analysis of dynamic conditions shall be based on a minimum horizontal acceleration as established by the current version of the International Building Code,
 - b. Structures and improvements shall be clustered to avoid geologically hazardous areas and other critical areas,
 - c. Structures and improvements should minimize alterations to the natural contour of the slope, and foundations shall be tiered where possible to conform to existing topography,
 - d. Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation,
 - e. The proposed development shall not result in greater risk or a need for increased management zones on neighboring properties,
 - f. The use of retaining walls that allow the maintenance of existing natural slope area is preferred over graded artificial slopes, and
 - g. Development shall be designed to minimize impervious lot coverage;
 3. Vegetation Removal. Within a geologically hazardous area and related management zone, removal of vegetation shall be limited to the following:

a. Selective vegetation removal as provided under CMC Section 16.51.120130, or

Commented [MS5]: Changed to reference correct section.

b. The city may authorize, as part of a critical area review, vegetation removal that has been determined to have no greater adverse impact on the geologically hazardous area, and is not necessary for mitigating any other impact under this code. The determination of no greater adverse impact will take into consideration a vegetation removal plan prepared by a certified landscape architect or arborist, and reviewed by a geotechnical engineer;

4. Seasonal Restriction. Clearing and grading under a city permit shall be allowed only from May 1st to October 1st of each year, provided that the city may extend or shorten the dry season on a case-by-case basis depending on actual weather conditions;

5. Utility Lines and Pipes. Utility lines and pipes shall be permitted in erosion and landslide hazard areas only when the applicant demonstrates that no other practical alternative is likely. The line or pipe shall be appropriately located and designed so that it will continue to function in the event of an underlying failure;

6. Point Discharges. Point discharges from surface water facilities and roof drains onto or upstream from an erosion or landslide hazard area shall be prohibited except as follows:

a. Conveyed via continuous storm pipe downslope to a point where there are no erosion hazards areas downstream from the discharge,

b. Discharged at flow durations matching predeveloped conditions, with adequate energy dissipation, into existing channels that previously conveyed stormwater runoff in the predeveloped state, or

c. Dispersed discharge upslope of the steep slope onto a low-gradient undisturbed management zone demonstrated to be adequate to infiltrate all surface and stormwater runoff;

7. Roads and utilities (see subsection (A)(5) of this section) may be permitted within a geologic hazard area or management zone if the city determines that no other reasonable alternative exists which could avoid or minimize impacts to a greater extent.

B. Seismic Hazard Areas. Activities proposed to be located in seismic hazard areas shall meet the standards of CMC Section 16.59.080.

C. Other Hazard Areas. Activities on sites containing or adjacent to geologically hazardous areas, shall meet the standards of CMC Section 16.59.080.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

Title 17 Land Development

17.09.030 - Preliminary short plat approval.

A. Preapplication.

1. In accordance with CMC Chapter 18.55, the applicant must proceed with the formal preapplication process prior to application submittal for review.

2. The applicant shall submit to the community development department the preapplication form and copies of their proposal drawn to an engineer scale on paper, showing lot sizes, topography and overall lot dimensions.

B. Application/Fees. In addition to those items listed in CMC 18.55.110, the following items are required, in quantities specified by the City of Camas, for a complete short plat application for preliminary approval. Items may be waived if, in the judgment of the community development director, they are not applicable to the proposal:

1. Completed general application form as prescribed by the community development director with the applicable application fee;
2. Complete and submit a transportation impact study to determine the adequacy of the transportation system to serve the proposed development, and to mitigate impacts of the proposal on the surrounding transportation system, if required;
3. Complete applications for other required land use approvals applicable to the proposal;
4. Vicinity map showing location of the site; and
5. Site and development plans which provide the following information:
 - a. A preliminary plat map meeting the standards identified in CMC Section 17.01.050,
 - b. The names of owners of adjacent land and the names of any adjacent subdivisions,
 - c. Lines marking the boundaries of the existing lot(s) (any existing lot to be eliminated should be a dashed line and so noted),
 - d. Names, locations, widths and dimensions of existing and proposed public street rights-of-way, public and private access easements, parks and other open spaces, reservations, and utilities,
 - e. Location, footprint and setbacks of all existing structures on the site,
 - f. Location of sidewalks, street lighting, and street trees,
 - g. Lot area and dimensions for each lot,
 - h. Location of proposed new property lines and numbering of each lot,
 - i. Location of proposed building envelopes and sewer tanks,
 - j. Location, dimensions and purpose of existing and proposed easements. Provide recorded documents that identify the nature and extent of existing easements,
 - k. Location of any proposed dedications,
 - l. Existing and proposed topography at two-foot contour intervals, extending to five feet beyond the project boundaries,
 - m. Location of any critical areas and critical area buffers, to indicate compliance with all applicable provisions of the critical areas legislation, as required under Title 16 and Title 18 of this code,
 - n. Description, location and size of existing and proposed utilities, storm drainage facilities, and roads to service the lots,
 - o. Locations of all fire hydrants within five hundred feet of the proposal, and
 - p. A survey of existing significant trees as required under CMC Section 18.31.080;
 - q. Show location and height of proposed retaining walls.
6. For properties with slopes of ten percent or greater a preliminary grading plan will be required with the development application that shows:
 - a. Two-foot contours,
 - b. The proposed lots and existing topography,

Commented [MS6]: Added an application submittal requirement.

- c. The proposed lots with proposed topography, and
 - d. Total quantities of cut and fill;
 - 7. Preliminary stormwater plan and report;
 - 8. For properties with development contemplated on slopes of ten percent or greater a preliminary geotechnical report will be consistent with CMC Chapter 16.59;
 - 9. A narrative addressing ownership and maintenance of open spaces, stormwater facilities, public trails and critical areas, and the applicable approval criteria and standards of the Camas Municipal Code.
- C. Review Procedures.
- 1. Referral to Other Departments. Upon receipt of a complete application for a short subdivision, the community development department shall transmit one copy of the application to any department or agency deemed necessary to review the proposal.
 - 2. Additional Submittals. The review process will determine if additional studies or submittals are required with regard to SEPA, critical areas, archeological or historical significance. If further material is required, the review process will stop until the required information is submitted in accordance with CMC Chapter 18.55.
 - 3. Proposed short subdivisions located adjacent to the right-of-way of state highways shall be submitted to the Washington Department of Transportation (WSDOT) for review, consideration and recommendation. This condition may be satisfied as part of the SEPA process. However, if a SEPA checklist is not required, it is the applicant's responsibility to notify WSDOT of the proposal. Recommendations from Washington Department of Transportation shall be included in the conditions of approval for the short subdivision.
 - 4. Community Development Director. The community development director or designee may approve, approve with modifications, or deny the application for a preliminary short plat.
- D. Criteria for Preliminary Short Plat Approval. The community development director or designee shall base their decision on an application for preliminary plat approval on the following criteria:
- 1. The proposed short plat is in conformance with the Camas comprehensive plan, neighborhood traffic management plan, Camas parks and open space comprehensive plan, and any other city adopted plans;
 - 2. Provisions have been made for water, storm drainage, erosion control and sanitary sewage disposal for the short plat which are consistent with current standards and plans as adopted in the Camas Design Standard Manual;
 - 3. Provisions have been made for roads, utilities, street lighting, street trees, and other improvements that are consistent with the six-year street plan, the Camas Design Standard Manual and other state adopted standards and plans;
 - 4. Provisions have been made for dedications, easements and reservations;
 - 5. Appropriate provisions are made to address all impacts identified by the transportation impact study;
 - 6. The design, shape and orientation of the proposed lots are appropriate to the proposed use for which the lots are intended;
 - 7. Provisions are made for the maintenance of commonly owned private facilities;
 - 8. The short plat complies with the relevant requirements of the Camas land development and zoning codes, and all other relevant local regulations; and
 - 9. That the plat meets the requirements of Chapter 58.17 RCW and other applicable state and local laws which were in effect at the time of preliminary plat approval.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

(Ord. No. 2612, § I(Exh. A), 2-7-2011)

17.11.030 - Preliminary subdivision plat approval.

A. Preapplication.

1. In accordance with CMC Chapter 18.55 the applicant must proceed with the formal preapplication process prior to application submittal review.
2. The applicant shall submit to the community development department the preapplication form and copies of their proposal drawn to an engineer scale on paper, showing lot sizes, topography, and overall lot dimensions.

B. Application. In addition to those items listed in CMC 18.55.110, the following items are required, in quantities specified by community development department, for a complete application for preliminary subdivision approval. Items may be waived if, in the judgment of the community development director or designee, the items are not applicable to the particular proposal:

1. Completed general application form as prescribed by the community development director, with the applicable application fees;
2. A complete and signed SEPA checklist. The SEPA submittal should also include a legal description of the parcel(s) from deed(s);
3. Complete applications for other required land use approvals applicable to the proposal;
4. A vicinity map showing location of the site;
5. A survey of existing significant trees as required under CMC Section 18.31.080;
6. All existing conditions shall be delineated. Site and development plans shall provide the following information:
 - a. A plat map meeting the standards identified in CMC Section 17.01.050,
 - b. Owners of adjacent land and the names of any adjacent subdivisions,
 - c. Lines marking the boundaries of the existing lot(s) (any existing lot to be eliminated should be a dashed line and so noted),
 - d. Names, locations, widths and dimensions of existing and proposed public street rights-of-way and easements and private access easements, parks and other open spaces, reservations and utilities,
 - e. Location of sidewalks, street lighting and street trees,
 - f. Location, footprint and setbacks of all existing structures on the site,
 - g. Lot area and dimensions for each lot,
 - h. Location of proposed new property lines and numbering of each lot,
 - i. Location of the proposed building envelopes and sewer tanks,
 - j. Location, dimension and purpose of existing and proposed easements. Provide recorded documents that identify the nature and extent of existing easements,
 - k. Location of any proposed dedications,

- l. Existing and proposed topography at two-foot contour intervals extending to five feet beyond project boundaries,
- m. Location of any critical areas and critical area buffers to indicate compliance with all applicable provisions of the critical areas legislation,
- n. Description, location and size of existing and proposed utilities, storm drainage facilities and roads to service the lots,
- o. Location of all existing fire hydrants within five hundred feet of the proposal;

g. Show location and height of proposed retaining walls.

Commented [MS7]: Added an application submittal requirement.

- 7. For properties with slopes of ten percent or greater a preliminary grading plan will be required with the development application that shows:
 - a. Two-foot contours,
 - b. The proposed lots and existing topography,
 - c. The proposed lots with proposed topography, and
 - d. Total quantities of cut and fill;
- 8. Preliminary stormwater plan and report;
- 9. For properties with development proposed on slopes of ten percent or greater a preliminary geotechnical report will be consistent with CMC Chapter 16.59;
- 10. Clark County assessor's maps which show the location of each property within three hundred feet of the subdivision;
- 11. Applicant shall furnish one set of mailing labels for all property owners as provided in CMC Section 18.55.110;
- 12. Complete and submit a transportation impact study to determine the adequacy of the transportation system to serve a proposed development and to mitigate impacts of the proposal on the surrounding transportation system; and
- 13. A narrative addressing ownership and maintenance of open spaces, stormwater facilities, public trails and critical areas, and the applicable approval criteria and standards of the Camas Municipal Code. It should also address any proposed building conditions or restrictions.

C. Review Procedures.

- 1. Referral to Other Departments. Upon receipt of a complete preliminary plat application, the community development department shall transmit one copy of the preliminary plat to any department or agency deemed necessary to review the proposal.
- 2. The review process shall follow the guidelines of CMC Chapter 18.55 for a Type III application.
- 3. Public Notice and Public Hearing. The process for public notice, hearings, decisions and appeals shall be as provided for Type III decisions as identified in CMC Chapter 18.55.

D. Criteria for Preliminary Plat Approval. The hearings examiner decision on an application for preliminary plat approval shall be based on the following criteria:

- 1. The proposed subdivision is in conformance with the Camas comprehensive plan, parks and open space comprehensive plan, neighborhood traffic management plan, and any other city adopted plans;
- 2. Provisions have been made for water, storm drainage, erosion control and sanitary sewage disposal for the subdivision that are consistent with current standards and plans as adopted in the Camas Design Standard Manual;

3. Provisions have been made for road, utilities, street lighting, street trees and other improvements that are consistent with the six-year street plan, the Camas Design Standard Manual and other state adopted standards and plans;
4. Provisions have been made for dedications, easements and reservations;
5. The design, shape and orientation of the proposed lots are appropriate to the proposed use;
6. The subdivision complies with the relevant requirements of the Camas land development and zoning codes, and all other relevant local regulations;
7. Appropriate provisions are made to address all impacts identified by the transportation impact study;
8. Appropriate provisions for maintenance of commonly owned private facilities have been made;
9. Appropriate provisions, in accordance with RCW 58.17.110, are made for:
 - a. The public health, safety, and general welfare and for such open spaces, drainage ways, streets, or roads, alleys or other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe conditions at schools bus shelter/stops, and for students who walk to and from school, and
 - b. The public use and interest will be served by the platting of such subdivision and dedication;
10. The application and plans shall be consistent with the applicable regulations of the adopted comprehensive plans, shoreline master plan, state and local environmental acts and ordinances in accordance with RCW 36.70B.030.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

(Ord. No. 2612, § I(Exh. A), 2-7-2011)

17.19.040 - Infrastructure standards.

Note: For the purposes of this title, the terms "street" and "road" are synonymous in meaning.

- A. Private Street. Private street(s) may be authorized when all of the following occur:
 1. Allowing private streets in the area being developed will not adversely affect future circulation in neighboring lots of property or conflict with an existing adopted street plan;
 2. Adequate and reasonable provisions are made for the ownership, maintenance, and repair of all utilities and the proposed private streets;
 3. The proposed private streets can accommodate potential full (future) development on the lots or area being developed;
 4. Connect to no more than one public street, unless it is an alley;
 5. Conform to the Camas Design Standard Manual;
 6. Alleys shall be privately owned and maintained;
 7. Access requirements for recycle service, garbage service, and emergency vehicles are provided;
 8. Provisions for adequate parking enforcement are recorded within a private covenant to ensure emergency vehicle access. These provisions shall be noted on the final plat, e.g. Towing service.

B. Streets.

1. Half Width Improvement. Half width improvements, when determined appropriate by the City Engineer, shall include utility easements, pedestrian pathway, storm water drainage, street lighting and signage, environmental permits, provisions for mitigation improvements and mitigation areas as necessary, bike lanes, and improvements to the centerline of the right-of-way as necessary to provide the minimum structural street section per the Camas Design Standard Manual.
2. Streets abutting the perimeter of a development shall be provided in accordance with CMC 17.19.040(B)(1) above, and the Design Standard Manual. Additional paving may be required to ensure safe and efficient roads to exist to serve the land development and provide bike lanes.
3. The city engineer may approve a delay of frontage street improvements for development proposals under any of the following conditions:
 - a. If the future grade or alignment of the adjacent public street is unknown and it is not feasible to establish the grade in a reasonable period;
 - b. The immediate improvement of the street would result in a short, isolated segment of improved street;
 - c. The frontage is part of an impending or eminent city street improvement project;
 - d. Street improvements in the vicinity are unlikely to occur within six years.
4. In the event the frontage improvement is delayed, the owner must provide an approved form or financial surety in lieu of said improvements.
5. Dedication of additional right-of-way may be required for a development when it is necessary to meet the minimum street width standards or when lack of such dedication would cause or contribute to an unsafe road or intersection.
6. Extension. Proposed street systems shall extend existing streets at the same or greater width unless otherwise approved by the public works department and authorized by city council in approval of the plat.
 - a. Streets and pedestrian/bicycle paths shall be extended to the boundaries of the plat to ensure access to neighboring properties, unless the presence of critical areas or existing development render such extension infeasible. The design shall contribute to an integrated system of vehicular and pedestrian circulation.
 - b. Grading of steep topography may be necessary to achieve this objective.
7. Names. All street names, street numbers, and building numbers shall be assigned in accordance with CMC 12.24
8. Right-of-way, tract and pavement widths for streets shall be based on Table 17.19.040-1 and Table 17.19.040-2.

Table 17.19.040-1 Minimum Private Street Standards

Private Road/Street	Tract Width	Pavement Width	Sidewalk
A. Access to four or less dwelling units ²	20'	12'	Sidewalk optional, no parking on both sides.

B. Access to five or more dwelling units less than or equal to 100' in length ³	30'	20'	Five-foot detached sidewalk on one side, with planter strip, no parking on both sides.
C. Access to five or more dwelling units greater than 100' and not over 300' in length ³	42'	28'	Five-foot detached sidewalk on one side, with planter strip, no parking on one side.
D. Access to five or more dwelling units, greater than 300 feet in length ³	48'	28'	Five-foot detached sidewalks required on both sides of the street, with planter strip. No parking on one side.
E. Alley	20'±8'	18'±6'	No parking on both sides.
F. Commercial/Industrial ²	40'	24'	Five-foot detached sidewalk on one side, with planter strip, no parking both sides.

Commented [MS8]: Increased alley widths.

Table 17.19.040-2 Minimum Public Street Standards

Public Street	Right-of-Way	Pavement Width	Sidewalk
A. Street (by approval of City Engineer) ¹	52'	28'	Five foot detached sidewalk on both sides, with planter strip, no parking on one side.
B. Street (two lane)	60'	36'	Five foot detached sidewalks required on both sides of the street, with planter strip. Bike lanes required on collectors and arterials, no on-street parking.
C. Street (three lane)	74'	46' to include 12' median	Six foot detached sidewalks required on both sides of the street, with planter strip, bike lanes, no on-street parking.
D. Street (five lane)/Arterial	100'	74' to include 14' median	Six foot detached sidewalks required on both sides of the street, with planter strip, bike lanes, no on-street parking.

Notes to tables above:

¹ All buildings abutting a street designed and constructed with less than 36 feet of pavement width shall have automatic fire sprinkler systems installed that comply with NFPA 13D or 13R.

² Access to two lots or less may be designed and established as an easement rather than a tract. Garbage and recycling containers shall be placed at the public right-of-way. If roadway is less than 150 feet in length, the minimum structural road section is exempt.

³ Road/street lengths are calculated to include the cumulative network.

9. Intersections. Any intersection of streets that connect to a public street, whatever the classification, shall be at right angles as nearly as possible, shall not exceed fifteen degrees, and not be offset insofar as practical. All right-of-way lines at intersections with arterial streets shall have a corner radius of not less than twelve feet.

10. Street Layout. Street layout shall provide for the most advantageous development of the land development, adjoining area, and the entire neighborhood. Evaluation of street layout shall take into consideration potential circulation solutions for vehicle, bicycle and pedestrian traffic, and, where feasible, street segments shall be interconnected.

a. Circulation Plan. Applicants shall submit a circulation plan at application which includes the subject site and properties within six hundred feet of the proposed development site. The plan shall incorporate the following features both on-site and off-site:

- i. The circulation plan shall be to an engineering scale at one inch = one hundred feet or the scale may be increased or decreased at a scale approved by the director;
- ii. Existing and proposed topography for slopes of ten percent or greater, with contour intervals not more than ten feet;
- iii. Environmental sensitive lands (geologic hazards, wetlands, floodplain, shoreline, etc.);
- iv. Existing and proposed streets, bicycle/pedestrian pathways, trails, transit routes; and
- v. Site access points for vehicles, pedestrians, bicycles, and transit.

b. Cross-circulation shall be provided that meets the following:

- i. Block lengths shall not exceed the maximum access spacing for the roadway class per the city's design standards manual.
- ii. Cul-de-sacs and permanent dead-end streets over three hundred feet in length may be denied unless topographic or other physical constraints prohibit achieving this standard. When cul-de-sacs or dead-end streets are permitted, a direct pedestrian or bicycle connection shall be provided to the nearest available street or pedestrian oriented use.
- iii. The city engineer may recommend approval of a deviation to the design standards of this section based on findings that the deviation is the minimum necessary to address the constraint and the application of the standard if impracticable due to topography, environmental sensitive lands, or existing adjacent development patterns.

c. While it is important to minimize the impact to the topography from creating an integrated road system, improved site development and circulation solutions shall not be sacrificed to minimize the amount of cut and fill requirements of the proposal.

d. Where critical areas are impacted, the standards and procedures for rights-of-way in the critical areas overlay zone shall be followed.

- e. When the proposed development's average lot size is seven thousand four hundred square feet or less, one additional off-street parking space shall be required for every five units, notwithstanding the requirements of CMC Chapter 18.11. These spaces are intended to be located within a common tract.
 - f. When, on the basis of topography, projected traffic usage or other relevant facts, it is unfeasible to comply with the foregoing right-of-way, tract and street width standards, the approval authority, upon recommendation from the city engineer, may permit a deviation from the standards of Table 17.19.040-1 and Table 17.19.040-2.
 - g. The city engineer or designee may determine a wider width is necessary due to site circumstances, including but not limited to topography, traffic volume, street patterns, on-street parking, lot patterns, land use and bike and transit facilities that justify an increase in width.
 - h. When existing streets adjacent to or within land to be developed are of inadequate width, additional right-of-way shall be provided at the time of land development.
11. Access Management.
- a. Access to all marginal access streets shall be restricted so as to minimize congestion and interference with the traffic carrying capacity of such street, and to provide separation of through and local traffic in accordance with CMC 17.19.030.D.6. The restrictions imposed shall be in accordance with the Camas Design Standards Manual.
 - b. The city engineer may grant exceptions to the access restriction policies and standards when no other feasible access alternative exists.
12. Street Design. When interior to a development, publicly owned streets shall be designed and installed to full width improvement as a means of insuring the public health, safety, and general welfare in accordance with the city comprehensive plans. Full width improvements shall include utility easements, sidewalks, bike lanes as necessary, and control of stormwater runoff, street lighting, and signage, as provided below.
- a. Shall be graded as necessary to conform to Camas Design Standard Manual.
 - b. Grades shall not exceed six percent on major and secondary arterials, ten percent on collector streets, or twelve percent on any other street. However, provided there are no vehicular access points, grades may be allowed up to fifteen percent when:
 - i. Exceeding the grades would facilitate a through street and connection with a larger neighborhood;
 - ii. The greater grade would minimize disturbance of critical slopes;
 - iii. Automatic fire sprinklers are installed in all structures where the fire department response to the structure requires travel on the grade;
 - iv. Tangents, horizontal curves, vertical curves, and right-of-way improvements conform to public works department standards;
 - v. Full width improvement is required as a condition of the land use approval in accordance with city standards; and
 - vi. In flat areas allowance shall be made for finished street grades having a minimum slope of one-half percent.
 - c. Centerline radii of curves shall be not less than three hundred feet on primary arterials, two hundred feet on secondary arterials, or seventy feet on other streets.
 - d. Shall be of asphaltic concrete according to Camas Design Standard Manual.

- e. Shall have concrete curbs and gutters. Curb return radii shall be no less than thirty-five feet on arterial and collector streets, and no less than twenty-five feet on all other streets. Larger radii may be required at the direction of the city engineer.
 - f. Shall have storm drains in accordance with the Camas Design Standard Manual.
13. Sidewalks shall be constructed as specified in Camas Design Standard Manual. See Table 17.19.040-1 and Table 17.19.040-2 for dimensions.
- a. Prior to final acceptance of any land development, the developer shall install sidewalks, when required under Table 17.19.040-1 and Table 17.19.040-2, adjacent to or within all public or common areas or tracts, and at all curb returns. Sidewalks along individual lots may be deferred at the discretion of the city engineer until occupancy of the primary structure. Further, any trail or trails, including but not limited to the T-5 and T-1 trails, identified in the most recent Camas Parks and Open Space Plan shall be constructed prior to final acceptance;
 - b. All sidewalk areas shall be brought to sub grade by the developer at the time of improving streets.
14. Cul-de-sacs. A cul-de-sac greater than four hundred feet from the centerline-to-centerline intersections shall require special considerations to assure that garbage, recycle, and emergency vehicles have adequate access. Buildings on all lots located more than four hundred feet from the centerline-to-centerline intersections shall have automatic fire sprinklers.
15. Turn-arounds. Adequate provisions for turn arounds shall be provided and shall be designed and installed in a manner acceptable to the city engineer, or in accordance with the Camas Design Standard Manual, if applicable.
- C. Utilities.
1. Generally. All utilities designed to serve the development shall be placed underground and, if located within a critical area, shall be designed to meet the standards of the critical areas ordinance.
- a. Those utilities to be located beneath paved surfaces shall be installed, including all service connections, as approved by the public works department; such installation shall be completed and approved prior to application of any surface materials.
 - b. Easements may be required for the maintenance and operation of utilities as specified by the public works department.
2. Sanitary sewers shall be provided to each lot at no cost to the city and designed in accordance with city standards.
- a. Detached units shall have their own sewer service and STEP or STEF or conventional gravity system as required.
 - b. Duplex units may have up to two sewer services at the discretion of the engineering and public works departments.
 - c. Multifamily units shall have one sewer lateral per building.
 - d. Commercial or industrial units shall have privately owned and maintained sewer systems acceptable to the city.
 - e. Capacity, grade and materials shall be as required by the city engineer. Design shall take into account the capacity and grade to allow for desirable extension beyond the development. The city will not require the developer to pay the extra cost of required oversize sewer mains or excessive depth of mains necessary to provide for extension beyond the development.
 - f. If sewer facilities mandated by this section will, without additional sewer construction, directly serve property outside the development, equitable distribution of the costs thereof shall be made as follows:

- i. If the property outside the development is in a stage of development wherein the installation of sewer facilities may occur, then the city may require construction as an assessment project, with appropriate arrangements to be established with the developer to insure financing their proportional share of the construction.
 - ii. In the event the sewer facility installation is not constructed as an assessment project, then the city shall reimburse the developer an amount estimated to be equal to the proportionate share of the cost for each connection made to the sewer facilities by property owners outside of the development, limited to a period of fifteen years from the time of installation. At the time of the approval of the plat, the city shall establish the actual amount of reimbursement, considering current construction costs.
 - g. Developments that require a sanitary sewer pumping station that will be conveyed to the city for future operation and maintenance shall be shown on a separate tract, and be dedicated to the city at the time the plat is recorded.
3. Storm Drainage. The storm drainage collection system shall meet the requirements of the city's officially adopted storm water standards.
- a. Storm drainage facilities shall be placed on their own tract or within an open space tract and are to be maintained by the homeowners within the development in accordance with city standards. Alternatively, the city may allow, on a case by case basis, a development to connect to an off-site storm drainage facility provided such facility will be adequately sized and appropriate agreements are in place for maintenance of said facility. Provisions must be in writing informing the homeowners of the responsibility and outlining the maintenance procedures in accordance with adopted city standards.
 - b. Drainage facilities shall be provided within the development. When available and required by the public works department, drainage facilities shall connect to storm sewers outside of the development.
 - c. Capacity, grade and materials shall be as provided by the city engineer. Design of drainage within the development shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the development and to allow extension of the system to serve such areas.
 - d. All stormwater generated by projects shall be treated, detained, and disposed of in accordance with the applicable standards set forth in CMC 14.02. Any deviations from the aforementioned standards shall be submitted in writing to the director of public works for his review and approval.
 - e. All lots shall provide drainage for stormwater runoff from roof and footing drains to an approved drainage system. Rear yard low point area drains and/or storm drain lateral stubs connected to an approved drainage system shall be provided to each lot as necessary to prevent stormwater runoff impacts to adjoining parcels as determined by the city.
4. Water System.
- a. Each lot within a proposed development shall be served by a water distribution system designed and installed in accordance with city design standards. Locations of fire hydrants and flow rates shall be in accordance with city standards and the International Fire Code. The distance between fire hydrants, as indicated in the fire code, is allowed to be doubled when automatic fire sprinklers are installed throughout the development.
 - b. Each unit of a duplex shall have its own water service.
 - c. Multifamily units shall have one service for each building.

- d. Landscaping in open space tracts must have a service for an irrigation meter. The owner of the tract is responsible for payment for all fees associated with the installation of the meter and the water usage.

(Ord. 2491 § 1 (Exh. A), 2007; Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2450 § 1, 2006; Ord. 2443 § 2 (Exh. A (part)), 2006)

(Ord. No. 2545, § II, 5-4-2009; Ord. No. 2582, § III, 2-1-2010; Ord. No. 2612, § I(Exh. A), 2-7-2011; [Ord. No. 2691, § I\(Exh. A\), 1-21-2014](#); [Ord. No. 17-005](#), §§ I(Exh. A), II, 5-15-2017)

17.21.030 - Land disturbing activities—Erosion prevention/ sediment control.

Any person, company, corporation, group, entity or jurisdiction proposing to commence any land-disturbing activity, shall be required to meet the following standards:

- A. Install all erosion prevention/sediment control measures required by the approved erosion prevention/sediment control plan prior to commencement of work.
- B. ~~Furnish to the city an approved form of security in the amount of two hundred percent of the estimated cost of the erosion prevention/sediment control measures, including associated labor, set forth in the approved erosion prevention/sediment control plan for all land-disturbing activities of an acre or more. For all land-disturbing activities of an acre or more, furnish to the city an approved form of security in the amount of two hundred percent of the engineer's estimated cost of the erosion prevention/sediment control measures, including associated labor, shown on the approved erosion prevention/sediment control plan.~~
- C. Construct any storm drainage facilities required to detain and dispose of stormwater generated by the project, prior to commencement of work on other portions of the project. The city may require the construction of a temporary storm drainage facility that would bypass and protect the permanent facility until such time as the rest of the project is complete and ready for the permanent facility to be brought online.
- D. Implementation of erosion prevention/sediment control measures in addition to those measures approved on the erosion prevention/sediment control plan may be required to address weather-related problems and to assure compliance with local, state and federal requirements for water quality. Any proposed additional erosion prevention/sediment control measures must be approved by the city prior to use. The city shall have the right to issue a stop work order on all construction not related to erosion prevention/sediment control until such time as acceptable prevention and control measures are implemented.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

Commented [MS9]: Changed 17.21.030(B) to same language as 14.06.200- Bonds and insurance.
14.06.200 - Bonds and insurance.
For all land-disturbing activities of an acre or more, furnish to the city an approved form of security in the amount of two hundred percent of the engineer's estimated cost of the erosion prevention/sediment control measures, including associated labor, shown on the approved erosion prevention/sediment control plan.
(Ord. No. 2613, § II(Exh. A), 3-7-2011)

17.21.060 - Final plat or short plat procedures for land divisions.

- A. Application. The following items are required, in quantities specified by the community development department, for a complete application for final plat or short plat approval. Items may be waived if, in the judgment of the community development department, the items are not applicable to the particular proposal:

1. Completed general application form and applicable fees;
2. An eight and one-half inches by eleven inches copy of the final plat;
3. Documentation of the square footage of each lot and mathematical boundary closure of the subdivision, of each lot, tract and block, of street centerlines, showing the error of closure, if any;
4. Three copies of the final plat or short plat survey in conformance with the standards set forth in CMC Sections 17.01.050, ~~17.09.03020~~ and ~~17.11.020030~~, as applicable;
5. A plat certificate from title insurance company documenting the ownership and title of all interested parties in the plat or short plat, subdivision or dedication, and listing all encumbrances. The certificate must be dated within forty-five calendar days prior to the date of filing the application for final plat or short plat approval;
6. Public improvements must either be complete or secured. If secured, the developer/owner must submit a subdivision improvement bond or other financial security in a form acceptable to the city attorney in the amount of one ~~hundred~~ ~~twenty five percent~~ of improvement cost of deferred improvement and in accordance with CMC Section 17.21.050(B)(1);
7. Any documentation necessary to demonstrate conditions of preliminary plat or short plat approval have been met; and
8. Private covenants intended to be recorded with the plat or short plat that include provisions for maintenance of all required improvements, such as storm or sewage facilities, open space areas, etc.

Commented [MS10]: Changed to reference correct section.

Commented [MS11]: Changed to correct percentage.

B. Contents of Final Plat or Short Plat.

1. The final plat or short plat shall include the survey information in CMC Section ~~17.0501.050~~(A) and (B).
2. Statements. The plat shall include the following statements, and certificates of dedication when required:
 - a. A certificate with the seal of and signature of the surveyor responsible for the survey and preliminary plat in accordance with RCW 58.09.080.
 - b. Certification of examination and approval by the county assessor.
 - c. Recording certificate for completion by the Clark County auditor.
 - d. Signature lines for the city of Camas community development director or designee, and fire chief or designee.
 - e. Certification by the city engineer or designee that the developer has complied with the following:
 - i. All improvements have been installed or financially secured for in accordance with the requirements of this title and with the preliminary plat approval;
 - ii. All improvements can or will meet current public works drawing standards for road, utility and drainage construction plans;
 - iii. Original and reproducible mylar or electronic records in a format approved by the public works director or designee and certified by the designing engineer as being "as constructed" have been submitted or financially secured for city records.
 - f. City of Camas finance director certificate that states there are no delinquent special assessments, and that all special assessments on any of the property that is dedicated as streets, alleys or for other public use are paid in full at the date of certification.
 - g. Signature line for the mayor of the city of Camas.

Commented [MS12]: Changed to reference correct section.

C. Monumentation.

1. Imprinted Monument. All monuments set in land division shall be at least one-half-inch by twenty-four-inch steel bar or rod, or equivalent, with durable cap imprinted with the license number of the land surveyor setting the monument.
 2. Centerline Monument. After paving, except as provided in CMC Chapter 17.19, monuments shall be driven flush with the finished road surface at the following intersections:
 - a. Centerline intersections;
 - b. Points of intersection of curves if placement falls within the paved area; otherwise, at the beginnings and endings of curves;
 - c. Intersections of the plat boundaries and street centerlines.
 3. Property Line Monumentation. All front corners, rear corners, and beginnings and endings of curbs shall be set with monuments, except as provided in CMC Chapter 17.19. In cases where street curbs are concentric and/or parallel with front right-of-way lines, front property line monumentation may be provided by brass screws or concrete nails at the intersections of curb lines and the projections of side property lines. If curb monumentation is used, it shall be noted on the plat, and also that such monumentation is good for projection of line only and not for distance.
 4. Post-Monumentation. All monuments for exterior boundaries of the land division shall be set and referenced on the plat prior to plat recording. Interior monuments need not be set prior to recording if the developer certifies that the interior monuments shall be set within ninety days of final land division construction inspection by the public works department, and if the developer guarantees such interior monumentation.
 5. Post-Monumentation Bonding. In lieu of setting interior monuments prior to final plat recording as provided in CMC Chapter 17.19, the public works director may accept a performance bond in an amount and with surety and conditions satisfactory to the director or other secure method as the public works director may require, providing for and securing the actual setting of the interior monuments.
- D. Final Plat or Short Plat Approval Review Procedures.
1. Referral to Other Departments and Agencies. The community development department shall distribute the final plat or short plat to all departments and agencies receiving the preliminary plat or short plat, and to any other departments, special purpose districts and other governmental agencies deemed necessary for their review and comments.
 2. Departmental Approval. The community development department and other interested departments and agencies shall review the final plat or short plat, legal descriptions and lot closures and submit to the community development department written comments with respect to the final plat or short plat decision criteria.
 3. The community development department shall return the redlined plat or short plat with all department comments to the applicant's architect or engineer, and a copy of the comments to the applicant.
- E. Criteria for Final Plat or Short Plat Approval. The approval authority for subdivision final plats is the city council, and the community development department is the approval authority for short plats. If a subdivision, then all documents deemed necessary by the city for final plat approval must be submitted to the community development department no later than a minimum of fourteen calendar days prior to the city council meeting. The following criteria is the basis for approval:
1. That the proposed final plat or short plat bears the required certificates and statements of approval as required in CMC Section ~~17.21.060(B)(2)~~ 17.01.050(C);
 2. That the title insurance report furnished by the developer/owner confirms the title of the land, and the proposed subdivision is vested in the name of the owner(s) whose signature(s) appears on the plat certificate;

Commented [MS13]: Changed to reference the correct section.

3. That the facilities and improvements required to be provided by the developer/owner have been completed or, alternatively, that the developer/owner has submitted with the proposed final plat or short plat an improvement bond or other security in conformance with CMC Section 17.21.040;
 4. That the plat or short plat is certified as accurate by the land surveyor responsible for the plat or short plat;
 5. That the plat or short plat is in substantial conformance with the approved preliminary plat or short plat; and
 6. That the plat or short plat meets the requirements of Chapter 58.17 RCW and other applicable state and local laws which were in effect at the time of preliminary plat or short plat approval.
- F. Signing the Plat or Short Plat. Once the community development department verifies that all corrections have been made, the applicant shall submit two mylar copies for signature.
- G. Filing the Plat or Short Plat. The applicant shall file the final plat or short plat with the recording division of the Clark County auditor's office. The plat or short plat will be considered complete when a copy of the recorded documents are returned to the City of Camas Community Development Department.
- H. Permits for one sales office and/or one model home per plat or phase may be issued after the final plat is recorded, and prior to final acceptance, after review and approval by the city consistent with CMC 18.07.040 Table 2. Building permits applications for any other residential ~~or commercial~~ buildings will not be accepted ~~issued~~ until after final acceptance.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

(Ord. No. 2612, § I(Exh. A), 2-7-2011; [Ord. No. 17-005](#), § I(Exh. A), 5-15-2017)

Commented [MS14]: One of the first steps in the intake/review process is to make copies of all utility locations I.E. water service, sewer laterals and rain drain/storm water laterals and the as-built drawings are not available to provide these utility locations until final acceptance has been approved.

Title 18 Zoning

18.05.050 - Commercial and industrial zones.

The purpose of the commercial, industrial, and high technology zones are to provide services and employment primarily to residents. These areas are zoned according to the services they provide. As a result, each zone has different characteristics as summarized below:

- A. NC Neighborhood Commercial. This zone provides for the day-to-day needs of the immediate neighborhood. This zone is intended to be small, but fairly numerous throughout the city. Convenience goods (e.g., food, drugs and sundries), along with personal services (e.g., dry cleaning, barbershop or beauty shop), are common goods and services offered.
- B. CC Community Commercial. This zone provides for the goods and services of longer-term consumption, and tend to be higher-priced items than the neighborhood commercial zone district. Typical goods include clothing, hardware and appliance sales. Some professional services are offered, e.g., real estate office or bank. Eating and drinking establishments may also be provided. This zone tends to vary in size, but is larger than the neighborhood commercial zone.
- C. RC Regional Commercial. This zone provides apparel, home furnishings, and general merchandise in depth and variety, as well as providing services for food clusters and some recreational activities. Regional commercial is the largest of the commercial zones and is designed to serve the region or a significant portion of the region's population.

D. DC Downtown Commercial. This zone is designated as a large community commercial area, providing a large range of goods and services. This area is designed to promote commercial diversification to serve the immediate residential and office uses in the surrounding areas. Compact development is encouraged that is supportive of transit and pedestrian travel, through higher building heights and floor area ratios than those found in other commercial districts.

E. LI Light Industrial. This zone provides for uses that are more compatible with commercial, residential, or multifamily uses. Typical uses in this zone include assembly and manufacturing of electronic and precision instruments. More intensive industry, e.g., metal fabrication, is excluded.

F. BP Business Park: This zone provides for employment growth in the city by protecting industrial areas for future employment. Design of business park facilities in this district will be campus-style, with landscaped buffers, and architectural features compatible with surrounding areas.

Commented [MS15]: Added a Business Park definition.

GF. LI/BP Light Industrial/Business Park. This zone provides for uses such as, offices related to industrial usage, research and development, limited commercial, and associated warehousing uses, including the provision of employee recreation opportunities. Development in campus-like setting with generous landscaping, well-designed buildings and near major traffic corridors is anticipated.

HG. HI Heavy Industrial. This zone provides for a wide range of industrial and manufacturing uses. Types of activities in this zone include assembly, manufacturing, fabrication, processing, bulk handling and storage, research facilities, associated warehousing, and heavy trucking.

IH. MX Mixed Use. This zone provides for a wide range of commercial and residential uses. Compact development is encouraged that is supportive of transit and pedestrian travel.

(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

(Ord. No. 2547, § III(Exh. C), 5-18-2009; [Ord. No. 2691, § I\(Exh. A\), 1-21-2014](#))

18.27.050 - Development standards.

- A. Number. No more than one accessory dwelling unit per legal lot is permitted, and it must be accessory to a single-family residence. A lot of record lawfully occupied by two or more single-family residences shall not be permitted to have an accessory dwelling unit, unless the lot is short platted under Title 17 of this code. If a short plat is approved, an accessory dwelling unit for each dwelling unit is permitted only if all dimensional standards of the underlying zone, and all other provisions of this chapter are met.
- B. Lot Area. No accessory dwelling unit shall be permitted on a lot of less than five thousand square feet.
- C. Building Permit. The applicant must apply for a building permit for an accessory dwelling unit. An ADU shall comply with applicable building, fire, health, and safety codes. Addressing of the ADU shall be assigned by the building department, with approval by the fire department. An ADU cannot be occupied until a certificate of occupancy is issued by the building department.
- D. Conformance to Zoning. The addition of an accessory dwelling unit shall not make any lot, structure or use nonconforming within the development site. An accessory dwelling unit shall conform to existing requirements for the primary residence, including, but not limited to, lot coverage, front, side, and rear yard setbacks. Building height is limited to twenty-five feet for a detached ADU. Building height requirements of the underlying zone apply to the ADU for internal conversion, or structural addition to the existing primary dwelling.
- E. Outbuilding Size. For purposes of this section, an accessory structure (such as a garage or other outbuilding, but not a detached accessory dwelling unit) which contains an accessory dwelling unit may not cover more than ten percent of the total site area.

- F. **Total Floor Area.** The total gross floor area of an accessory dwelling unit shall not exceed forty percent of the area of the primary dwelling's living area. The living area of the primary unit excludes uninhabitable floor area and garage or other outbuilding square footage whether attached or detached.
- G. **Number of Bedrooms.** An accessory dwelling unit shall not contain more than one bedroom.
- H. **Parking.** An accessory dwelling unit shall have a minimum of one on-site parking space, in addition to the primary dwelling unit's designated parking spaces.
- I. **Architectural Design.** The exterior appearance of an addition or detached accessory dwelling unit shall be architecturally compatible with the primary residence. Compatibility includes coordination of architectural style, exterior building materials and color, roof material, form and pitch, window style and placement, other architectural features, and landscaping.
- J. **Entrances.** For an accessory dwelling unit created by internal conversion or by an addition to an existing primary dwelling, only one entrance may be located on the front of the house, unless the house contained additional front doors before the conversion. Secondary entrances should be located on the side or rear of the primary residence to the extent possible.
- K. **Utilities.** An accessory dwelling unit shall connect to public sewer and water. A home or lot not connected to public sewer and water, which adds an accessory dwelling unit, shall connect to public sewer and water.
- L. **Nonconformity.** A home or lot which has an accessory dwelling unit which was established prior to adoption of this chapter may be approved for a building permit, subject to the provisions of Chapter 18.41 "Nonconforming Lots, Structures and Uses."

~~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.~~

Commented [MS16]: Eliminate impact fees to encourage the development of ADU's.

~~MN.~~ **Owner Occupancy.** Prior to the issuance of a building permit establishing an accessory dwelling unit, the applicant shall record the ADU as a deed restriction with the Clark County auditor's office. Forms shall be provided by the city stating that one of the dwelling units is and will continue to be occupied by the owner of the property as the owner's principal and permanent residence for as long as the other unit is being rented or otherwise occupied. The owner shall show proof of ownership, and shall maintain residency for at least six months out of the year, and at no time receive rent for the owner occupied unit. Falsely certifying owner occupancy shall be considered a violation of the zoning ordinance, and is subject to the enforcement actions.

(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

(Ord. No. 2612, § I(Exh. A), 2-7-2011; Ord. No. 2691, § I(Exh. A), 1-21-2014)

18.55.030 - Summary of decision making processes.

The following decision making process table provides guidelines for the city's review of the indicated permits:

Table 1 - Summary of decision making processes

Approval Process							
Permit Type	I	II	III	Shore	SEPA	BOA	IV

Archaeological		X	X				
Binding site plans		X					
Boundary line adjustment	X						
Building permits	X						
Certificate of occupancy	X						
Conditional use			X ⁽⁵⁾				
Design review	X	X					
	Minor	Major					
Final plats ⁽²⁾	X						
Home occupations	X	X					
	Minor	Major					
LI/BP		X ⁽¹⁾	X ⁽⁴⁾				
Minor modifications	X						
Plan/zone change							X
Planned development final master plan ⁽³⁾	X						
Planned development preliminary master plan			X ⁽⁴⁾				
Preliminary subdivision plat			X ⁽⁵⁾				
Critical Sensitive areas/OS		X	X				
SEPA threshold determination					X		
Shorelines permit				X			
Short plat		X					

Commented [MS17]: Differentiates between Type I and II approval processes for design review.

Commented [MS18]: Updated sensitive areas to critical areas.

Sign permits	X						
Site plan review		X					
Temporary uses	X						
Variance (minor)	X						
Variances (major)						X	
Zone change/single tract			X ⁽⁵⁾				
Zone code text changes							X

Notes:

- ⁽¹⁾ For development proposals subsequently submitted as part of an approved master plan, subarea plan, or binding site plan.
- ⁽²⁾ Section 17.21.060 for final plat approval.
- ⁽³⁾ Section 18.23.130 for final master plan approval.
- ⁽⁴⁾ Planning commission hearing and city council decision.
- ⁽⁵⁾ Hearing and final decision by hearings examiner.

Permit Types.

- A. **Type I Decisions.** The community development director or designee shall render all Type I decisions. Type I decisions do not require interpretation or the exercise of policy or legal judgment in evaluating approval standards. The process requires no public notice. The approval authority's decision is generally the final decision of the city. Type I decisions by the building division may be appealed to the board of adjustment.
- B. **Type II Decisions.** The community development director or designee shall render the initial decision on all Type II permit applications. Type II decisions involve the exercise of some interpretation and discretion in evaluating approval criteria. Applications evaluated through this process are assumed to be allowable in the underlying zone. City review typically focuses on what form the use will take, where it will be located in relation to other uses, natural features and resources, and how it will look. However, an application shall not be approved unless it is or can be made to be consistent, through conditions, with the applicable siting standards and in compliance with approval requirements. Upon receipt of a complete application the director determines completeness, issues a notice of application (consolidated review only), reviews and renders a notice of decision. The director's decision shall become final at the close of business on the fourteenth day after the date on the decision unless an appeal is filed. If an appeal is received the hearings examiner will review the decision based on the record and render the city's final decision.

- C. Type III Decisions. Type III decisions involve the greatest amount of discretion and/or evaluation of approval criteria. Applications evaluated through this process commonly involve conditional uses, subdivisions, and development within the city's light industrial/business park. Upon receipt of a complete application, notice of public hearing is mailed to the owners of record of the subject property, the applicant, and owners of real property within three hundred feet of the subject tract, based upon Clark County assessment records. The notice of public hearing is issued at least fourteen days prior to the hearing, and the staff report is generally made available five days prior to the hearing. If a SEPA threshold determination is required, the notice of hearing shall be made at least fifteen days prior to the hearing and indicate the threshold determination made, as well as the timeframe for filing an appeal. Type III hearings are subject to either a hearing and city final decision by the hearings examiner, or subject to a hearing and recommendation from the planning commission to the city council who, in a closed record meeting, makes the final city decision.
- D. Shoreline (SMP, Shore). The community development director acts as the "administrator." A shoreline management review committee reviews a proposal and either determines to issue a permit, or forward the application to the planning commission or hearings examiner, as appropriate. Shoreline regulations are found at Section 18.55.330 and the Camas Shoreline Master Program (2012, or as amended).
- E. SEPA (State Environmental Policy Act). When the City of Camas is the lead agency, the community development director shall be the responsible official. The procedures for SEPA are generally provided for under Title 16 of this code, as well as Sections 18.55.110 and 18.55.165 of this chapter.
- F. Board of adjustment decisions are the final decision of the city, except as provided in Section 18.45.020 Approval process of this title.
- G. Type IV Decisions. Type IV decisions are legislative actions which involve the adoption or amendment of the city's land use regulations, comprehensive plan, map inventories, and other policy documents that affect the entire city, large areas, or multiple properties. These applications involve the greatest amount of discretion and evaluation of subjective approval criteria, and must be referred by majority vote of the entire planning commission onto the city council for final action prior to adoption by the city. The city council's decision is the city's final decision.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

(Ord. No. 2612, § I(Exh. A), 2-7-2011; [Ord. No. 2691, § I\(Exh. A\), 1-21-2014](#))

18.55.200 - Appeals—Generally.

- A. Type II decisions may be appealed to the hearings examiner.
- B. The following decisions may be appealed to the City Council: (1) Shoreline master program permits; (2) SEPA decisions; (3) civil regulatory orders, and (4) civil fines. For all other decisions under this chapter, there is no appeal to any other decision maker within the city.
- C. All appeals are initiated by filing a notice of appeal with the director within fourteen days of issuance of the decision being appealed.
- D. The notice of appeal shall be in writing and contain the following information:
 - (1) Appellant's name, address and phone number;
 - (2) Appellant's statement describing his or other standing to appeal;
 - (3) Identification of the application which is the subject of the appeal;
 - (4) Appellant's statement of grounds for the appeal and the facts upon which the appeal is based;
 - (5) The relief sought, including the specific nature and extent;

- (6) A statement that the appellant has read the notice of appeal and believes the content to be true, followed by the appellant's signature.
- E. The notice of appeal shall be accompanied by an appeal fee as set forth in a fee schedule adopted by resolution.
- F. Appeals of civil regulatory orders and civil fines shall be heard de novo by the city council. All other appeals, with the exception of SEPA appeals subject to Section 18.55.165(C), shall be closed record hearings before the city council.
- G. Notice of any appeal shall be given to those entitled to notice of the decision or determination being appealed.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

(Ord. No. 2583, § I, 4-5-2010; Ord. No. 2612, § I(Exh. A), 2-7-2011)

Commented [MS19]: The amendment is an effort to ensure that there is consistency between all sections of code that relate to SEPA appeals.