

ORDINANCE NO. 2612

AN ORDINANCE adopting modifications to Title 16, Title 17, and Title 18 of the Camas Municipal Code by making minor clarifications and corrections to the development regulations.

WHEREAS, the city has conducted its annual review of Camas Municipal Code Title 16 governing environment, Title 17 governing land division and development, and Title 18 governing zoning, and has recommended modifications to clarify existing regulations, to correct grammatical errors, and to make other minor revisions,

WHEREAS, the Planning Commission held a public hearing on December 7, 2010, to consider the proposed revisions, and

WHEREAS, the Planning Commission favorably recommended to forward the amendments to the City Council, and

WHEREAS, the City Council held a public hearing on January 18, 2011, to consider the proposed revisions,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAMAS AS FOLLOWS:

Section I

Title 16, Title 17 and Title 18 of the Camas Municipal Code are amended as set forth in Exhibit "A" attached hereto and by this reference incorporated herein. Exhibit "B" attached hereto is a short table that indexes the amendments.

Section II

This ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED BY the Council and APPROVED by the Mayor this 7th day of February, 2011.

SIGNED: Paul De
Mayor

SIGNED: John M. Augin
Clerk

APPROVED as to form:
G. M. Thomas
City Attorney

Title 16 ENVIRONMENT*

Chapters:

SEPA

16.01 General Provisions

16.03 Definitions

16.05 Administrative Provisions

16.07 Categorical Exemption and Threshold Determinations

16.09 Environmental Impact Statements

16.11 Environmental Documents and Hearings

16.13 SEPA and Agency Decisions and Appeals

16.15 Categorical Exemptions

16.17 Agency Compliance

16.19 Fees

16.21 Forms

ARCHAEOLOGICAL

16.31 Archaeological Resource Preservation

16.33 Public View, Open Space Protection and Historic Sites and Structures

16.35 Historic Preservation

CRITICAL AREAS

16.51 General Provisions

16.53 Wetlands

16.55 Critical Aquifer Recharge Areas

16.57 Frequently Flooded Areas

16.59 Geologically Hazardous Areas

16.61 Fish and Wildlife Habitat Conservation Areas

* Prior history: Prior code §§ 10.32.010--10.32.200, 10.32.210(a)--10.32.210(e), 10.32.220--10.32.240, 10.32.250(1)--10.32.250(4), 10.32.260 and 10.32.270 as amended by Ords. 1785, 1821, 2053, 2072, 2073, 2137, 2367, 2443 and 2477.

SEPA

Chapter 16.01 GENERAL PROVISIONS

Sections:

16.01.010 Statutory authority

16.01.020 Severability

16.01.010 Statutory authority

The city adopts this chapter under the State Environmental Policy Act (SEPA), RCW 43.21C.120, and the SEPA Rules, WAC 197-11-904. (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.01.020 Severability.

If any provision of this title or its application to any person or circumstances is held invalid, the remainder of this title, or the application of the provision to other persons or circumstances, shall not be affected.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

Chapter 16.03 DEFINITIONS

Sections:

16.03.010 Adoption by reference

16.03.010 Adoption by reference

This chapter contains uniform usage and definitions of terms under SEPA. The city adopts the following sections of WAC Chapter 197-11 by reference, as supplemented by WAC 173-806-030 above:

TABLE INSET:

197-11-702	Act.
197-11-704	Action.
197-11-706	Addendum.
197-11-708	Adoption.
197-11-710	Affected tribe.
197-11-712	Affecting.
197-11-714	Agency.
197-11-716	Applicant.
197-11-718	Built environment.
197-11-720	Categorical exemption.
197-11-722	Consolidated appeal.
197-11-724	Consulted agency.
197-11-726	Cost-benefit analysis.
197-11-728	County/City.
197-11-730	Decision maker
197-11-732	Department.
197-11-734	Determination of non-significance (DNS).
197-11-736	Determination of significance (DS).
197-11-738	EIS.
197-11-740	Environment.
197-11-742	Environmental checklist.
197-11-744	Environmental document.
197-11-746	Environmental review.
197-11-748	Environmentally sensitive area.
197-11-750	Expanded scoping.
197-11-752	Impacts.
197-11-754	Incorporation by reference.
197-11-756	Lands covered by water.
197-11-758	Lead Agency.
197-11-760	License.
197-11-762	Local Agency.
197-11-764	Major action.
197-11-765	Mitigated DNS.
197-11-768	Mitigation.

197-11-770	Natural environment.
197-11-772	NEPA.
197-11-774	Nonproject.
197-11-776	Phased review.
197-11-778	Preparation.
197-11-780	Private Project.
197-11-782	Probable.
197-11-784	Proposal.
197-11-786	Reasonable alternative.
197-11-788	Responsible official.
197-11-790	SEPA.
197-11-792	Scope.
197-11-793	Scoping.
197-11-794	Significant.
197-11-796	State Agency.
197-11-797	Threshold determination.
197-11-799	Underlying governmental action.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

Chapter 16.05 ADMINISTRATIVE PROVISIONS

Sections:

- 16.05.010 Adoption by reference.
- 16.05.020 Additional definitions.
- 16.05.030 Responsible official designated.
- 16.05.040 Lead agency--Determination.
- 16.05.050 Lead agency--Transfer to state.
- 16.05.060 Time limit consideration.
- 16.05.070 Additional timing considerations.

16.05.010 Adoption by reference.

The city adopts the following sections of WAC Chapter 197-11 by reference:

TABLE INSET:

197-11-040	Definitions.
197-11-050	Lead agency.
197-11-055	Timing of the SEPA process.
197-11-060	Content of Environmental review.
197-11-070	Limitations on action during SEPA process.
197-11-080	Incomplete or unavailable information.
197-11-090	Supporting documents.
197-11-100	Information required of applicants.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.05.020 Additional definitions.

In addition to those definitions contained within WAC 197-11-700 through 197-11-799, when used in this chapter, the following terms shall have the following meanings, unless the context indicates otherwise:

"Department" means any division, subdivision, or organizational unit of the city established by ordinance, rule, or order.

"Early notice" means the city's response to an applicant stating whether it considers issuance of a determination of significance likely for the applicant's proposal (mitigated DNS procedures).

"Ordinance" means the ordinance, resolution, or other procedure used by the city to adopt regulatory requirements.

"SEPA rules" means WAC Chapter 197-11 adopted by the department of ecology. (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.05.030 Responsible official designated.

A. For those proposals for which the city is the lead agency, the responsible official shall be the community development director or designee.

B. For all proposals for which the city is the lead agency, the responsible official shall make the threshold determination, supervise scoping and preparation of any required EIS, and perform any other functions assigned to the "lead agency" or "responsible official" by those sections of the SEPA rules that were adopted by reference in WAC 173-806-020.

C. The city shall retain all documents required by the SEPA rules (WAC Chapter 197-11) and make them available in accordance with RCW Chapter 42.56.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.05.040 Lead agency--Determination

A. The department within the city receiving an application for or initiating a proposal that involves a nonexempt action shall determine the lead agency for that proposal under WAC 197-11-050 and WAC 197-11-922 through WAC 197-11-940; unless the lead agency has been previously determined or the department is aware that another department or agency is in the process of determining the lead agency.

B. When the city is the lead agency for a proposal, the department receiving the application shall determine the responsible official who shall supervise compliance with the threshold determination requirements, and if an EIS is necessary, shall supervise preparation of the EIS.

C. When the city is not the lead agency for a proposal, all departments of the city shall use and consider, as appropriate, either the DNS or the final EIS of the lead agency in making decisions on the proposal. No city department shall prepare or require preparation of a DNS or EIS in addition to that prepared by the lead agency, unless required under WAC 197-11-600. In some cases, the city may conduct supplemental environmental review under WAC 197-11-600.

D. If the city or any of its departments receives a lead agency determination made by another agency that appears inconsistent with the criteria of WAC 197-11-922 through 197-11-940, it may object to the determination. Any objection must be made to the agency originally making the determination and resolved within fifteen days of receipt of the determination, or the city must petition the Department of Ecology for a lead agency determination under WAC 197-11-946 within the fifteen-day time period. Any such petition on behalf of the city may be initiated by community development director.

E. Departments of the city are authorized to make agreements as to lead agency status or shared lead agency duties for a proposal under WAC 197-11-942 and 197-11-944; provided, that the responsible official and any department that will incur responsibilities as the result of such agreement must approve the agreement.

F. Any department making a lead agency determination for a private project shall require sufficient information from the applicant to identify which other agencies have jurisdiction over the proposal (that is: which agencies require nonexempt licenses).

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.05.050 Lead agency--Transfer to state

For any proposal for a private project where the city would be the lead agency and for which one or more state agencies have jurisdiction, the city's responsible official may elect to transfer the lead agency duties to a state agency. The state agency with jurisdiction appearing first on the priority listing in WAC 197-11-936 shall be the lead agency and the city shall be an agency with jurisdiction. To transfer lead agency duties, the city's responsible official must transmit a notice of the transfer, together with any relevant information available on the proposal to the appropriate state agency with jurisdiction. The responsible official of the city shall also give notice of the transfer to the private applicant and any other agencies with jurisdiction over the proposal.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.05.060 Time limit consideration

The following time limits (expressed in calendar days) shall apply when the city processes licenses for all private projects and those governmental proposals submitted to the city by other agencies:

A. Categorical Exemptions. The city shall identify whether an action is categorically exempt within seven days of receiving a completed application.

B. Threshold Determinations.

1. The city should complete threshold determinations that can be based solely upon review of the environmental checklist for the proposal within fifteen days of the date an applicant's adequate application and completed checklist are submitted.

2. When the responsible official requires further information from the applicant or consultation with other agencies with jurisdiction:

a. The city should request such further information within fifteen days of receiving an adequate application and completed environmental checklist;

b. The city shall wait no longer than thirty days for a consulted agency to respond;

c. The responsible official should complete the threshold determination within fifteen days of receiving the requested information from the applicant or the consulted agency.

3. When the city must initiate further studies, including field investigations, to obtain the information to make the threshold determination, the city should complete the studies within thirty days of receiving an adequate application and a completed checklist.

4. The city shall complete threshold determinations on actions where the applicant recommends in writing that an EIS be prepared, because of the probable significant adverse environmental impact(s) described in the application, within fifteen days of receiving an adequate application and completed checklist.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.05.070 Additional timing considerations

A. For nonexempt proposals, the DNS or draft EIS for the proposal shall accompany the city's staff recommendation to any appropriate advisory body, such as the planning commission.

B. If the city's only action on a proposal is a decision on a building permit or other license that requires detailed project plans and specifications, the applicant may request in writing that the city conduct environmental review prior to submission of the detailed plans and specifications.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

Chapter 16.07 CATEGORICAL EXEMPTION AND THRESHOLD DETERMINATIONS

Sections:

16.07.010 Purpose--Adoption provisions.

16.07.020 Flexible.

16.07.025 Environmentally sensitive areas.

- 16.07.030 Use.
- 16.07.040 Environmental checklist.
- 16.07.050 Mitigated determination.

16.07.010 Purpose--Adoption provisions.

This chapter contains the rules for deciding whether a proposal has a "probable significant, adverse environmental impact" requiring an environmental impact statement (EIS) to be prepared. This part also contains rules for evaluating the impacts of proposals not requiring an EIS. The city adopts the following sections of WAC Chapter 197-11 by reference, as supplemented in this chapter:

TABLE INSET:

197-11-300	Purpose of this part.
197-11-305	Categorical exemptions.
197-11-310	Threshold determination required.
197-11-315	Environmental checklist.
197-11-330	Threshold determination process.
197-11-335	Additional information.
197-11-340	Determination of non-significance (DNS).
197-11-350	Mitigated DNS.
197-11-355	Optional DNS process.
197-11-360	Determination of significance (DS) initiation of scoping.
197-11-390	Effect of threshold determination.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.07.020 Flexible.

A. The city establishes the following exempt levels for minor new construction under WAC 197-11-800(1) (b) based on local conditions:

1. For residential dwelling units in WAC 197-11-800(1) (b) (i) (Note: Range four to twenty units): up to ten dwelling units;
2. For agricultural structures in WAC 197-11-800(1) (b) (ii) (Note: Range ten thousand to thirty thousand square feet): up to thirty thousand square feet;
3. For office, school, commercial, recreational, service or storage buildings in WAC 197-11-800(1) (b) (iii) (Note: Range four thousand to twelve thousand square feet and twenty to forty parking spaces): up to twelve thousand square feet and up to forty parking spaces;
4. For parking lots in WAC 197-11-800(1)(b)(iv) (Note: Range twenty to forty parking spaces): up to forty parking spaces;
5. For landfills and excavations in WAC 197-11-800(1)(b)(v) (Note: Range one hundred to five hundred cubic yards): up to five hundred cubic yards.

B. Whenever the city establishes new exempt levels under this section, it shall send them to the Department of Ecology, headquarters office, Olympia, Washington, under WAC 197-11-800(1)(c).

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.07.025 Environmentally sensitive areas.

The city has adopted maps of certain areas within the city characterized as environmentally sensitive. These maps, which are incorporated by reference, shall be used to generally indicate the location of lands within the city characterized by steep slopes (fifteen percent or greater), potentially unstable soils, wetlands, and streams/watercourses. Lands containing such environmentally sensitive

features, as determined by site investigation or studies, whether or not mapped, shall be subject to the provisions of this section. To the extent permitted by state law, the exemptions listed in CMC Section 16.07.020 and WAC 197-11-800 shall not apply within environmentally sensitive areas. (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.07.030 Use.

A. Each department within the city that receives an application for a license or, in the case of governmental proposals, the department initiating the proposal, shall determine whether the license and/or the proposal is exempt. The department's determination that a proposal is exempt shall be final and not subject to administrative review. If a proposal is exempt, none of the procedural requirements of this title apply to the proposal. The city shall not require completion of an environmental checklist for an exempt proposal.

B. In determining whether or not a proposal is exempt, the department shall make certain the proposal is properly defined and shall identify the governmental licenses required (WAC 197-11-060). If a proposal includes exempt and nonexempt actions, the department shall determine the lead agency, even if the license application that triggers the department's consideration is exempt.

C. If a proposal includes both exempt and nonexempt actions, the city may authorize exempt actions prior to compliance with the procedural requirements of this chapter, except that:

1. The city shall not give authorization for:

- a. Any nonexempt action,
- b. Any action that would have an adverse environmental impact, or
- c. Any action that would limit the choice of alternatives;

2. A department may withhold approval of an exempt action that would lead to modification of the physical environment, when such modification would serve no purpose if nonexempt action(s) were not approved; and

3. A department may withhold approval of exempt actions that would lead to substantial financial expenditures by a private applicant when the expenditures would serve no purpose if nonexempt action(s) were not approved.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.07.040 Environmental checklist.

A. A completed environmental checklist (or a copy) in the form provided in WAC 197-11-960, shall be filed at the same time as an application for a permit, license, certificate, or other approval not specifically exempted in this title; except, a checklist is not needed if the city and applicant agree an EIS is required, SEPA compliance has been completed, or SEPA compliance has been initiated by another agency. The city shall use the environmental checklist to determine the lead agency and, if the city is the lead agency, for determining the responsible official, and for making the threshold determination.

B. For private proposals, the city will require the applicant to complete the environmental checklist, providing assistance as necessary. For city proposals, the department initiating the proposal shall complete the environmental checklist for that proposal.

C. The city may require that it, and not the private applicant, will complete all or part of the environmental checklist for a private proposal, if either of the following occurs:

1. The city has technical information on a question or questions that is unavailable to the private applicant; or

2. The applicant has provided inaccurate information on previous proposals or on proposals currently under consideration.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.07.050 Mitigated determination.

- A. As provided in this section and in WAC 197-11-350, the responsible official may issue a determination of nonsignificance (DNS) based on conditions attached to the proposal by the responsible official, or on changes to, or clarifications of, the proposal made by the applicant.
- B. An applicant may request in writing early notice of whether a determination of significance (DS) is likely under WAC 197-11-350. The request must:
1. Follow submission of a permit application and environmental checklist for a nonexempt proposal for which the department is lead agency; and
 2. Precede the city's actual threshold determination for the proposal.
- C. The responsible official should respond to the request for early notice within fifteen working days. The response shall:
1. Be written;
 2. State whether the city currently considers issuance of a DS likely and, if so, indicate the general or specific area(s) of concern that are leading the city to consider a DS; and
 3. State that the applicant may change or clarify the proposal to mitigate the indicated impacts, revising the environmental checklist and/or permit application as necessary to reflect the changes or clarifications.
- D. As much as possible, the city should assist the applicant with identification of impacts to the extent necessary to formulate mitigation measures.
- E. When an applicant submits a changed or clarified proposal, along with a revised environmental checklist, the city shall base its threshold determination on the changed or clarified proposal and should make the determination within fifteen days of receiving the changed or clarified proposal:
1. If the city indicated specific mitigation measures in its response to the request for early notice, and the applicant changed or clarified the proposal to include those specific mitigation measures, the city shall issue and circulate a determination of nonsignificance under WAC 197-11-340(2).
 2. If the city indicated areas of concern, but did not indicate specific mitigation measures that would allow it to issue a DNS, the city shall make the threshold determination, issuing a DNS or DS as appropriate.
 3. The applicant's proposed mitigation measures (clarifications, changes, or conditions) must be in writing and must be specific. For example, proposals to "control noise" or "prevent stormwater runoff" are inadequate, whereas proposals to "muffle machinery to X decibel" or "construct two hundred feet stormwater retention pond at Y location" are adequate.
 4. Mitigation measures which justify issuance of a mitigated DNS may be incorporated in the DNS by reference to agency staff reports, studies, or other documents.
- F. A mitigated DNS is issued under WAC 197-11-340(2), requiring a fifteen-day consent period and public notice.
- G. Mitigation measures incorporated in the mitigated DNS shall be deemed conditions of approval of the permit decision and may be enforced in the same manner as any term or condition of the permit, or enforced in any manner specifically prescribed by the city.
- H. If the city's tentative decision on a permit or approval does not include mitigation measures that were incorporated in a mitigated DNS for the proposal, the city should evaluate the threshold determination to assure consistency with WAC 197-11-340(3)(a) (withdrawal of DNS).
- I. The city's written response under subsection B of this section shall not be construed as a determination of significance. In addition, preliminary discussion of clarifications or changes to a proposal, as opposed to a written request for early notice, shall not bind the city to consider the clarifications or changes in its threshold determination.
- (Ord. 2517 § 1 (Exh. A (part)), 2008)

Chapter 16.09 ENVIRONMENTAL IMPACT STATEMENTS

Sections:

16.09.010 Purpose--Adoption by reference.

16.09.020 Preparation.

16.09.010 Purpose--Adoption by reference.

This chapter contains the rules for preparing environmental impact statements. The city adopts the following sections of WAC Chapter 197-11 by reference, as supplemented by this article:

TABLE INSET:

197-11-400	Purpose of EIS.
197-11-402	General requirements.
197-11-405	EIS types.
197-11-406	EIS timing.
197-11-408	Scoping.
197-11-410	Expanded scoping.
197-11-420	EIS preparation.
197-11-425	Style and size.
197-11-430	Format.
197-11-435	Cover letter or memo.
197-11-440	EIS contents.
197-11-442	Contents of EIS on non-project proposals.
197-11-443	EIS contents when prior non-project EIS.
197-11-444	Elements of the environment.
197-11-448	Relationship of EIS to other considerations.
197-11-450	Cost-benefit analysis.
197-11-460	Issuance of DEIS.
197-11-460	Issuance of FEIS.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.09.020 Preparation.

A. Preparation of draft and final EIS's and SEIS's is the responsibility of community development department under the direction of the responsible official. Before the city issues an EIS, the responsible official shall be satisfied that it complies with this title and WAC Chapter 197-11.

B. The draft and final EIS or SEIS shall be prepared by city staff, the applicant, or by a consultant selected by the city or the applicant. If the responsible official requires an EIS for a proposal and determines that someone other than the city will prepare the EIS, the responsible official shall notify the applicant immediately after completion of the threshold determination. The responsible official shall also notify the applicant of the city's procedure for EIS preparation, including approval of the draft and final EIS prior to distribution.

C. The city may require an applicant to provide information the city does not possess, including specific investigations. However, the applicant is not required to supply information that is not required under this title, or that is being requested from another agency. (This does not apply to information the city may request under another ordinance or statute.)

(Ord. 2517 § 1 (Exh. A (part)), 2008)

Chapter 16.11 ENVIRONMENTAL DOCUMENTS AND HEARINGS

Sections:

16.11.010 Purpose--Adoption by reference.

- 16.11.020 Notice.
- 16.11.030 Consulted agency determination.
- 16.11.040 Existing document use.

16.11.010 Purpose--Adoption by reference.

This chapter contains rules for consulting, commenting and responding on all environmental documents under SEPA, including rules for public notice and hearings. The city adopts the following sections of WAC Chapter 197-11 by reference, as supplemented in this chapter:

TABLE INSET:

197-11-500	Purpose of this part.
197-11-502	Inviting comment.
197-11-504	Availability and cost of environmental documents.
197-11-508	SEPA Register.
197-11-510	Public Notice.
197-11-535	Public hearings and meetings.
197-11-545	Effect of no comment.
197-11-550	Specificity of comments.
197-11-560	FEIS response to comments.
197-11-570	Consulted agency costs to assist lead agency.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.11.020 Notice.

A. Whenever the city issues a DNS under WAC 197-11-340(2) or a DS under WAC 197-11-360(3), the city shall give public notice as follows:

1. If public notice is required for a nonexempt license, the notice shall state whether a DS or DNS has been issued and when comments are due.
2. If no public notice is required for the permit or approval, the city shall give notice of the DNS or DS by publishing notice in a newspaper of general circulation in the county, city or general area where the proposal is located.
3. Whenever the city issues a DS under WAC 197-11-360(3), the city shall state the scoping procedure for the proposal in the DS as required in WAC 197-11-408.

B. Whenever the city issues a draft EIS under WAC 197-11-455(5) or a supplemental EIS under WAC 197-11-620, notice of the availability of those documents shall be given by:

1. Indicating the availability of the DEIS in any public notice required for a nonexempt license; and
2. Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located.

C. Whenever possible, the city shall integrate the public notice required under this section with existing notice procedures for the city's nonexempt permit(s) or approval(s) required for the proposal.

D. The city may require an applicant to complete the public notice requirements for the applicant's proposal at his or her expense.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.11.030 Consulted agency determination.

A. The community development department shall be responsible for preparation of written comments for the city in response to a consultation request prior to a threshold determination, participation in scoping, and reviewing a draft EIS.

B. This department shall be responsible for the city's compliance with WAC 197-11-550 whenever the city is a consulted agency, and is authorized to develop operating procedures that will ensure that responses to consultation requests are prepared in a timely fashion and include data from all appropriate departments of the city.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.11.040 Existing document use.

This chapter contains rules for using and supplementing existing environmental documents prepared under SEPA or NEPA for the city's own environmental compliance. The city adopts the following sections of WAC Chapter 197-11 by reference:

TABLE INSET:

197-11-600	When to use existing environmental documents.
197-11-610	Use of NEPA documents.
197-11-620	Supplemental environmental impact statement--Procedures.
197-11-625	Addenda--Procedures.
197-11-630	Adoption--Procedures.
197-11-635	Incorporation by reference--Procedures.
197-11-640	Combining documents.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

Chapter 16.13 SEPA AND AGENCY DECISIONS AND APPEALS

Sections:

16.13.010 Purpose--Adoption by reference.

16.13.020 Policies.

16.13.030 Conditions.

16.13.040 Denial.

16.13.050 Adopted policies.

16.13.060 Appeal.

16.13.010 Purpose--Adoption by reference.

This chapter contains rules (and policies) for SEPA's substantive authority, such as decisions to mitigate or reject proposals as a result of SEPA. This chapter also contains procedures for appealing SEPA determinations to agencies or the courts. The city adopts the following sections of WAC Chapter 197-11 by reference:

TABLE INSET:

197-11-650	Purpose of this part.
197-11-655	Implementation.
197-11-660	Substantive authority and mitigation.
197-11-680	Appeals.
197-11-700	Definitions.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.13.020 Policies.

The policies and goals set forth in this title are supplementary to those in the existing authorization of the city.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.13.030 Conditions.

The city may attach conditions to a permit or approval for a proposal so long as:

- A. Such conditions are necessary to mitigate specific probable adverse environmental impacts identified in environmental documents prepared pursuant to this title; and
- B. Such conditions are in writing; and
- C. The mitigation measures included in such conditions are reasonable and capable of being accomplished; and
- D. The city has considered whether other local, state, or federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts; and
- E. Such conditions are based on one or more policies in Section 16.13.050 of this chapter, and cited in the license or other decision document.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.13.040 Denial.

The city may deny a permit or approval for a proposal on the basis of SEPA so long as:

- A. A finding is made that approving the proposal would result in probable significant adverse environmental impacts that are identified in a final EIS or final supplemental EIS prepared pursuant to this title; and
- B. A finding is made that there are no reasonable mitigation measures capable of being accomplished that are sufficient to mitigate the identified impact; and
- C. The denial is based on one or more policies identified in Section 16.13.050 of this chapter and identified in writing in the decision document.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.13.050 Adopted policies.

The city designates and adopts by reference the following policies as the basis for the city's exercise of authority pursuant to Sections 16.13.020 through 16.13.060:

- A. The city shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:
 - 1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
 - 2. Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
 - 3. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
 - 4. Preserve important historic, cultural, and natural aspects of our national heritage;
 - 5. Maintain, wherever possible, an environment which supports diversity and variety of individual choice;
 - 6. Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
 - 7. Enhance the quality of renewable resources and approach the maximum attainable recycling of resources that can be depleted.
- B. The city recognizes that each person has a fundamental and inalienable right to a healthful environment, and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.13.060 Appeal.

Except for permits and variances issued pursuant to Chapter 18.88 of the city code (chapter relating to shoreline management), when any proposal or action not requiring a decision of the city council is conditioned or denied on the basis of SEPA by a nonelected official, the decision shall be appealable to the city council. Such appeal may be perfected by the proponent or any aggrieved party by giving notice to the responsible official within ten days of the decision being appealed. Review by the city council shall be on a de novo basis.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

Chapter 16.15 CATEGORICAL EXEMPTIONS

Sections:

16.15.010 Purpose--Adoption by reference.

16.15.010 Purpose--Adoption by reference.

The city adopts by reference the following sections of WAC Chapter 197-11 for categorical exemptions, as supplemented in this title:

TABLE INSET:

197-11-800	Categorical exemptions.
197-11-880	Emergencies.
197-11-890	Petitioning DOE to change exemptions.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

Chapter 16.17 AGENCY COMPLIANCE

Sections:

16.17.010 Purpose--Adoption by reference.

16.17.010 Purpose--Adoption by reference.

This chapter contains rules for agency compliance with SEPA, including rules for charging fees under the SEPA process, designating environmental sensitive areas, listing agencies with environmental expertise, selecting the lead agency, and applying these rules to current agency activities. The city adopts the following sections of WAC Chapter 197-11 by reference:

TABLE INSET:

197-11-900	Purpose of this part.
197-11-902	Agency SEPA policies.
197-11-916	Application to ongoing actions.
197-11-920	Agencies with environmental expertise.
197-11-922	Lead agency rules.
197-11-924	Determining the lead agency.
197-11-926	Lead agency for governmental proposals.

197-11-928	Lead agency for public and private proposals.
197-11-930	Lead agency for private projects with one agency with jurisdiction.
197-11-932	Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.
197-11-934	Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
197-11-936	Lead agency for private projects requiring licenses from more than one state agency.
197-11-938	Lead agencies for specific proposals.
197-11-940	Transfer of lead agency status to a state agency.
197-11-942	Agreements on lead agency status.
197-11-944	Agreements on division of lead agency duties.
197-11-946	DOE resolution of lead agency disputes.
197-11-948	Assumption of lead agency status.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

Chapter 16.19 FEES

Sections:

16.19.010 Required.

16.19.020 Threshold determination.

16.19.030 Environmental impact statement.

16.19.040 Notice--Publication.

16.19.050 Copy preparation.

16.19.010 Required.

The city shall require the following fees for its activities in accordance with the provisions of this title.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.19.020 Threshold determination.

For every environmental checklist the city reviews when it is lead agency, the city shall collect a fee in accordance with the most current fee schedule adopted by the city. The time periods provided for by this title for making a threshold determination shall not begin to run until payment of the fee.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.19.030 Environmental impact statement.

A. When the city is the lead agency for a proposal requiring an EIS and the responsible official determines that the EIS shall be prepared by employees of the city, the city may charge and collect a reasonable fee from any applicant to cover costs incurred by the city in preparing the EIS. The responsible

official shall advise the applicant(s) of the projected costs for the EIS prior to actual preparation; the applicant shall post bond or otherwise ensure payment of such costs.

B. The responsible official may determine that the city will contract directly with a consultant for preparation of an EIS, or a portion of the EIS, for activities initiated by some persons or entity other than the city and may bill such costs and expenses directly to the applicant. Such consultants shall be selected by mutual agreement of the city and applicant after a call for proposals. The city may require the applicant to post bond or otherwise ensure payment of such costs.

C. If a proposal is modified so that an EIS is no longer required, the responsible official shall refund any fees collected under subsection A or B of this section which remain after incurred costs are paid. (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.19.040 Notice--Publication.

The city may collect a reasonable fee from an applicant to cover the cost of meeting the public notice requirements of this title relating to the applicant's proposal. (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.19.050 Copy preparation.

The city may charge any person for copies of any document prepared under this title, and for mailing the document, in a manner provided by RCW Chapter 42.56. (Ord. 2517 § 1 (Exh. A (part)), 2008)

Chapter 16.21 FORMS

Sections:

16.21.010 Adoption by reference.

16.21.010 Adoption by reference.

The city adopts the following forms and sections of WAC Chapter 197-11 by reference:
TABLE INSET:

197-11-960	Environmental checklist.
197-11-965	Adoption notice.
197-11-970	Determination of non-significance (DNS).
197-11-980	Determination of significance and scoping notice (DS).
197-11-985	Notice of assumption of lead agency status.
197-11-990	Notice of action.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

ARCHAEOLOGICAL

Chapter 16.31 ARCHAEOLOGICAL RESOURCE PRESERVATION

Sections:

16.31.010 Purpose.

16.31.020 Definitions.

16.31.030 Coordination.

16.31.040 Recording.

16.31.050 Permit required.

16.31.060 Applicability.

16.31.070 Predetermination required.

- 16.31.080 Predetermination standards.
- 16.31.090 Predetermination reports.
- 16.31.100 Review of predetermination reports and further action.
- 16.31.110 Archaeological resource survey required.
- 16.31.120 Survey standards.
- 16.31.130 Survey reports.
- 16.31.140 Review of survey reports and further action.
- 16.31.150 Discovery principle.
- 16.31.160 Notification to tribes.
- 16.31.170 Enforcement.

16.31.010 Purpose.

The purposes of this chapter are to:

- A. Encourage the identification and preservation of cultural, archaeological, and historic resources consistent with the Growth Management Act of 1990, as amended, and Camas' comprehensive plan;
 - B. Establish clear procedures and specific standards for identifying, documenting and preserving Camas' cultural, archaeological and historic resources;
 - C. Ensure use of the best available technology and techniques commonly accepted as standards in the profession of archaeology;
 - D. Establish a fair and equitable process for balancing the identification and preservation of cultural, archaeological, and historic resources with economic development;
 - E. Ensure coordination and consistency in the implementation of the State Environmental Policy Act, the Shoreline Management Act and the Growth Management Act.
- (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.31.020 Definitions.

In carrying out the provisions of this chapter, the following definitions shall apply:

"Adequately surveyed and documented" means that: (1) the survey method, level of analysis, and area covered are sufficient to meet the requirements of this chapter; and (2) the documentation is sufficient to allow another archaeologist to repeat the survey and reach the same conclusion. Adequacy shall be determined by the director.

"Archaeological object" means an object that comprises the physical evidence of an indigenous and subsequent culture, including material remains of past human life, including monuments, symbols, tools, facilities and technological by-products (WAC 25-48-020(8)).

"Archaeological resource survey" means procedure by which an archaeologist makes an assessment of the presence or absence of an archaeological site on a parcel, a preliminary assessment of a site's significance, and a recommendation for further evaluation, avoidance, mitigation, or recovery of resources.

"Archaeological resources" means any material remains of human life or activities which are of archaeological interest. This shall include all sites, objects, structures, artifacts, implements, and locations of prehistoric or archaeological interest, whether previously recorded or still unrecognized, including, but not limited to, those pertaining to prehistoric and historic American Indian or aboriginal burials, campsites, dwellings, and their habitation sites, including rock shelters and caves, their artifacts and implements of culture such as projectile points, arrowheads, skeletal remains, grave goods, basketry, pestles, mauls, and grinding stones, knives, scrapers, rock carvings and paintings, and other implements and artifacts of any material (WAC 25-48-020(10)). This shall also include any material remains of human life or activities from historic periods which are located at least partially below the ground surface necessitating the use of archaeological methods for study or recovery.

"Archaeological site" means a geographic locality in Washington, including but not limited to, submerged and submersible lands, and the bed of the sea within the state's jurisdiction, that contains archaeological objects (WAC 25-48-020(9)).

"Archaeologist" means either a qualified archaeologist (RCW 27.53.030(9)) or a professional archaeologist (RCW 27.53.030(8) and WAC 25-48-020(4)) who has been approved by the city. Both qualified archaeologists and professional archaeologists may perform predeterminations and surveys. Only professional archaeologists may perform services such as evaluation and data recovery for which a state permit is needed.

"DAHP" means the Washington State Department of Archaeology and Historic Preservation.

"Department" means the community development department.

"Director" means the director of the community development department or designee.

"Feature" means an artifact or set of artifacts which loses its integrity when moved due to its size and complexity (e.g., a hearth or a house floor).

"Known, recorded archaeological site" means an archaeological site which has been recorded with DAHP.

"Of archaeological interest" means capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques such as controlled observation, contextual measurement, controlled collection, analysis, interpretation, and explanation (WAC 25-48-020(12)).

"Predetermination" means a procedure similar to, but of less intensity than an archaeological resource survey. Its purpose is to determine whether an archaeological site is likely to be present or absent on a parcel, and based on that determination recommend whether or not to proceed with an archaeological resource survey.

"Probability level" means account classification of property according to the probability of its having archaeological resources. The probability levels are low (zero to twenty percent), low-moderate (twenty to forty percent), moderate (forty to sixty percent), moderate-high (sixty to eighty percent), and high (eighty to one hundred percent). The probability levels assigned to property within the urban growth boundary of the city are identified in that map entitled "City of Camas Archaeological Probability, July 21, 2006."

"Significant archaeological site" means an archaeological site which has been determined by a professional archaeologist to contain: (1) archaeological objects at a density of at least one hundred per cubic meter per stratigraphic or cultural unit; or (2) at least one feature; or (3) at least one relatively uncommon archaeological object; or (4) skeletal remains.

"Survey" means archaeological resource survey.

"Tribes" means any federally recognized or other local Native American government organization which may consider the site to be of historic or cultural significance.
(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.31.030 Coordination.

A. General. Where the provisions of this chapter conflict with each other or with other laws, ordinances or programs, the more restrictive provisions shall apply.

B. SMA. The provisions of this chapter shall apply throughout Camas, including areas regulated by Camas' shoreline management master program.

C. SEPA. The regulations of the State Environmental Policy Act shall supplement the provisions of this chapter.

D. Development Review. For projects subject to Title 18, Chapter 18.55 of the Camas Municipal Code, a determination that an application is complete shall not be made until any required predetermination has been completed and a predetermination report has been submitted.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.31.040 Recording.

Any archaeological site identified pursuant to the provisions of this chapter shall be recorded with DAHP.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.31.050 Permit required.

A permit from DAHP shall be secured prior to digging, altering, excavating, and/or removing archaeological objects and sites or historic archaeological resources, or proposing to remove glyptic or painted records of tribes or peoples, or archaeological resources from native Indian cairns or graves (WAC 25-48-050).

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.31.060 Applicability.

A. The provisions of this chapter shall apply:

1. When any item of archaeological interest is discovered during the course of a permitted ground-disturbing action or activity (Section 16.31.150);
2. When the director determines that reliable information indicates the possible existence of an archaeological site on a parcel for which an application for a permit or approval for a ground-disturbing action or activity has been submitted.

B. The provisions of this chapter shall apply, except as provided in this section and in subsection C of this section, to all ground-disturbing actions or activities for which a permit or approval is required:

1. On all parcels in probability level high;
2. On parcels of at least five acres in probability levels moderate-high and moderate;
3. Regardless of parcel size or probability level, when proposed within one-fourth mile of a known, recorded archaeological site as measured on a horizontal plane extending in all directions. Such an action or activity may be exempted by the director, when appropriate, during the predetermination process due to the effects of a geographic barrier (Section 16.31.070(F)).

C. The following shall not trigger or shall be exempted from the provisions of this chapter:

1. Accessory dwelling units;
2. Land use permits issued under clear and objective standards, such as those for fences, sheds, decks, patios or driveways;
3. Sign permits;
4. Conditional use permits for a change in use only, not involving ground disturbance for structural modification;
5. Zoning variance approvals;
6. Ground-disturbing actions or activities which constitute normal maintenance and repair of existing structures and facilities; or
7. Ground-disturbing actions or activities proposed in areas which the director determines to have been adequately surveyed and documented (as defined in Section 16.31.020) in the past and within which no archaeological resources have been discovered.

D. When more than one probability level traverses a parcel, the entire parcel shall be considered to be within the level with the greatest probability rating.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.31.070 Predetermination required.

A. A predetermination shall be required for any nonexempt ground-disturbing action or activity for which a permit or approval is required within probability level high.

B. A predetermination shall be required for any nonexempt ground-disturbing action or activity for which a permit or approval is required and which is located on a parcel of at least five acres within probability levels moderate-high and moderate.

C. A predetermination shall be required for all nonexempt ground-disturbing actions or activities for which a permit or approval is required which are proposed within one-fourth mile of a known, recorded archaeological site.

- D. A predetermination shall be required when the director determines that reliable information indicates the possible existence of an archaeological site on a parcel for which an application for a permit or approval for a ground-disturbing action or activity has been submitted.
- E. A predetermination shall be required when any item of archaeological interest is discovered during the course of a permitted ground-disturbing action or activity.
- F. During the predetermination process, the director will determine whether a ground-disturbing action or activity is exempt under Section 16.31.060(B)(3) or 16.31.060(C)(7) of this chapter. In the event that the director is able to make such a determination of exemption based solely upon background research (Section 16.31.080(C)), the city shall reduce the applicant's total fee obligation for the project by one-half of the predetermination fee.
- G. A predetermination shall not be performed when a survey is required under Section 16.31.110 of this chapter.
- H. The director may waive the requirement for a predetermination if the applicant chooses to provide a survey in accordance with Sections 16.31.110 and 16.31.130 of this chapter.
(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.31.080 Predetermination standards.

Predeterminations shall include at a minimum the following elements and be carried out according to the following standards:

- A. Predeterminations shall be performed by a qualified or professional archaeologist.
 - B. Predeterminations shall be performed to the high standard of quality which fulfills the purposes of this chapter.
 - C. Background Research. A thorough review of records, documentation, maps, and other pertinent literature shall be performed.
 - D. Surface Inspection. A visual inspection of the ground surface shall be completed when conditions yield at least fifty percent visibility.
 - E. Subsurface Investigation. Subsurface investigation shall be performed when considered necessary by the archaeologist. When necessary, the following standards shall apply:
 - 1. Subsurface probes shall be no less than eight inches/twenty centimeters in diameter (twelve inches/thirty centimeters or more preferred) at the ground surface, and shall delve no less than twenty inches/fifty centimeters deep into natural soil deposits whenever possible.
 - 2. The most appropriate number of and locations for subsurface probes shall be determined by the archaeologist.
 - 3. All material excavated by subsurface probes shall be screened using both one-fourth inch and one-eighth inch hardware mesh cloths.
- (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.31.090 Predetermination reports.

A report shall be completed for each predetermination to the high standard of quality which fulfills the purposes of this chapter and standardized guidelines furnished by the department. A completed report shall be submitted to DAHP as well as the city.
(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.31.100 Review of predetermination reports and further action.

- A. Predetermination reports shall be reviewed by the director.
- B. When the director determines that a predetermination report is complete and adequate, the director shall, based upon the information contained in the report, determine whether an archaeological site is likely to exist.
- C. Where the director determines that an archaeological site is not likely to exist, the application may proceed through the remainder of the development review process.

D. Where the director determines that an archaeological site is likely to exist, an archaeological resource survey shall be required and carried out in accordance with the provisions of this chapter. (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.31.110 Archaeological resource survey required.

A survey shall be required when the results of a predetermination indicate further investigation is necessary and either:

- A. No previous survey has been done; or
- B. A previous survey or documentation is determined by the director to be inadequate.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.31.120 Survey standards.

Surveys shall include at a minimum the following elements and be carried out according to the following standards:

- A. Surveys shall be performed by a professional archaeologist.
- B. Surveys shall be performed to the high standard of quality which fulfills the purposes of this chapter.
- C. Background Research. A thorough review of records, documentation, and other pertinent literature shall be performed.
- D. Surface Inspection. A systematic, one hundred percent visual inspection of the ground surface shall be completed when conditions yield at least fifty percent visibility.
- E. Subsurface Investigation. Subsurface investigation shall be performed when considered necessary by the archaeologist, utilizing the same standards set forth within CMC Section 16.31.080(E).

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.31.130 Survey reports.

A report shall be completed for each survey in accordance with state guidelines and to the high standard of quality which fulfills the purposes of this chapter. A completed report shall be submitted to DAHP as well as the city.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.31.140 Review of survey reports and further action.

- A. Survey reports shall be reviewed by the director.
- B. When the director determines that a survey report is complete and adequate, the director shall, based upon the information contained in the report, determine whether an archaeological site has been identified.
- C. Where the director determines that no archaeological site has been identified, the application may proceed through the remainder of the development review process.
- D. Where the director determines that an archaeological site has been identified and is not likely to be significant, the application may proceed through the remainder of the development review process.
- E. Where the director determines that an archaeological site has been identified and is likely to be significant, archaeological resources shall be further evaluated, avoided, properly mitigated, or properly recovered in accordance with the director's recommendation and subject to state regulations. Priority for protection in-place and thorough evaluation and data recovery shall be given to significant archaeological sites. Bonding may be required to ensure that the site is treated in accordance with the director's recommendation and provisions of the state permit. Monitoring and future corrective measures may be required to ensure that an archaeological site is not degraded by a permitted development.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.31.150 Discovery principle.

In the event that any item of archaeological interest is uncovered during the course of a permitted ground-disturbing action or activity:

- A. All ground-disturbing activity shall immediately cease.
 - B. The applicant shall notify the department and DAHP.
 - C. The applicant shall provide for a predetermination and a predetermination report prepared in accordance with the provisions of this chapter. The director shall review the report and issue a determination in accordance with Section 16.31.100 of this chapter in a reasonably diligent manner, taking into account all pertinent factors and conditions (within seven calendar days whenever feasible). Where such determination is that an archaeological site is not likely to exist, construction may continue. Where such determination is that an archaeological site is likely to exist, the applicant shall provide a survey and survey report. The director shall produce a map of the parcel indicating clearly the portion(s) of the parcel, if any, within which construction may continue under the supervision of an archaeologist and monitoring by the director while the required survey is being completed. The provisions of this section shall apply.
 - D. In the event any archaeological or historic materials are encountered during project activity, work in the immediate area (initially allowing for a 100 foot buffer; this number may vary by circumstance) must stop and the following actions taken:
 - 1. Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering; and
 - 2. Take reasonable steps to ensure the confidentiality of the discovery site; and
 - 3. Take reasonable steps to restrict access to the site of discovery.
- The project proponent will notify the concerned tribes and all appropriate city, county, state, and federal agencies, including the Washington State Department of Archaeology and Historical Preservation. The agencies and tribe(s) will discuss possible measures to remove or avoid cultural material, and will reach an agreement with the project proponent regarding action to be taken and disposition of material. If human remains are uncovered, appropriate law enforcement agencies shall be notified first, and the above steps followed. If the remains are determined to be native, consultation with the affected tribes will take place in order to mitigate the final disposition of said remains.

16.31.160 Notification to tribes.

Whenever a predetermination or survey is required, the applicant shall provide the tribes with a copy of the application and all supporting materials by certified mail, return receipt requested, and shall provide proof of compliance with this requirement to the director. Comments from the tribes shall be accepted by the director until five p.m. on the fourteenth day from the date notification was mailed to the tribes. Should the fourteenth day fall on a non-business day, the comment period shall be extended until five p.m. on the next business day.
(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.31.170 Enforcement.

The provisions of this chapter shall be enforced in accordance with the provisions of CMC Chapter 18.55 of this code.
(Ord. 2517 § 1 (Exh. A (part)), 2008)

Chapter 16.33 PUBLIC VIEW, OPEN SPACE PROTECTION AND HISTORIC SITES AND STRUCTURES

Sections:

- 16.33.010 Public view, open space protection and historic sites and structures.
- 16.33.015 Archaeological resources.
- 16.33.020 Traffic and transportation.
- 16.33.030 Ground and surface water quality.
- 16.33.040 Public facilities.

16.33.010 Public view, open space protection and historic sites and structures.

A. Policy Background.

1. Camas has a magnificent natural setting of greenery, mountains, and water; visual amenities and opportunities are an integral part of the city's environmental quality.
2. The city has developed particular sites for the public's enjoyment of views of mountains, water, open space networks and skyline and has many scenic routes and other public places where such views enhance one's experience.
3. Obstruction of public views or open space networks may occur when a proposed structure is located in close proximity to the street property line, when development occurs on lots situated at the foot of a street that terminates or changes direction because of a shift in the street grid pattern, when buildings are built on a ridge line, or when development along a street creates a continuous wall separating the street from the view.
4. As part of the city's character, it is important to preserve sites and structures which reflect significant elements of the city's historic heritage and to designate and regulate such sites and structures as historic landmarks.
5. Adopted land use regulations attempt to protect private views through height and bulk controls and other zoning regulations but it is impractical to protect private views through project-specific review.

B. Policies.

1. It is the city's policy to protect public views of significant natural and human-made features: Mount Hood and major bodies of water including the Columbia River, Lacamas Lake and the Washougal River. These include public places consisting of viewpoints, parks, scenic routes, and view corridors identified in the comprehensive plan and the comprehensive park and recreation plan.
2. The responsible official may condition or deny a proposal to eliminate or reduce its adverse impacts on designated public views or open space networks.
3. It is the city's policy to protect public views of historic sites or landmarks designated by the city or identified in the review process which, because of their prominence of location or contrasts or siting, age, or scale, are easily identifiable visual features of their neighborhood or the city and contribute to the distinctive quality or identity of their neighborhood or the city.
4. A proposed project may be conditioned or denied to mitigate view impacts.
5. Mitigating measures may include, but are not limited to:
 - a. Requiring a change in the height of development;
 - b. Requiring a change in the bulk of the development;
 - c. Requiring a redesign of the profile of the development;
 - d. Requiring on-site view corridors or requiring enhancements to off-site view corridors;
 - e. Relocating the project on the site;
 - f. Requiring a reduction or re-arrangement of walls, fences, or plant material; and
 - g. Requiring a reduction or rearrangement of accessory structures including, but not limited to, tower railings and antennae.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.33.015 Archaeological resources.

A. Policy Background.

1. The city has sites containing objects of archaeological and historical significance.
2. The discovery, identification, excavation, preservation and study of archaeological resources, the inventorying of archaeological sites and collections, and the providing of information to state, federal and private construction agencies regarding the impact of construction activities on archaeological resources are public functions, and the city is an appropriate agency to assist in the carrying out of these functions.
3. The conversion of undeveloped lands into residential, commercial and industrial uses may result in the destruction of archaeological resources.
4. Development of land should be regulated to mitigate adverse impacts to archaeological resources.

B. Policies.

1. It is the city's policy to identify, inventory and preserve archaeological resources and archaeological sites located within the city.
2. Whenever a development proposal contains a known or suspected archaeological site, the responsible officials shall assess the probable effect of the impact and the need for mitigating measures.
3. Whenever the responsible official determines that a development project may contain an archaeological site or may adversely impact a known archaeological site, the proponent may be required to retain the services of a qualified professional archaeologist to assess the impact of the development, and to propose such mitigating measures as may be necessary.
4. The responsible official shall notify the Washington State Office of Archaeology and Historic Preservation, Department of Community Development, of any development activity that may adversely impact a recognized or suspected archaeological site.
5. If the responsible official makes a written finding that a development project will adversely impact an archaeological site, then the responsible official may condition or deny the development project to minimize such adverse impact.
6. Mitigation measures may include:
 - a. Reduction in size or scope of the project;
 - b. Requiring the implementation of mitigation measures as recommended by a professional archaeologist;
 - c. Requiring compliance with any permits or conditions as may be imposed or recommended by the Washington State Office of Archaeology and Historic Preservation.
7. If archaeological resources are discovered on a development site after approval of the development by the city without the imposition of appropriate mitigation measures, then the responsible official may issue an order to cease and desist all development activity in the affected area until such time as an appropriate archaeological resources assessment can be undertaken and mitigating measures, if necessary, implemented.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.33.020 Traffic and transportation.

A. Policy Background.

1. Excessive traffic can adversely affect the stability, safety and character of Camas' neighborhoods and downtown.
2. Substantial traffic volumes associated with major projects may adversely impact surrounding areas.
3. Individual projects may create adverse impacts on transportation facilities which service such projects. Such impacts may result in a need for turn channelization, right-of-way dedication, street widening, or other improvements including traffic signalization.

B. Policies.

1. Minimize or prevent adverse traffic impacts that would undermine the stability, safety and/or character of downtown, a neighborhood, or surrounding areas.
2. In determining the necessary traffic and transportation impact mitigation, the responsible official shall examine the expected peak traffic and circulation pattern of the proposed project weighed against such factors as the availability of public transit; existing vehicular and pedestrian traffic conditions; accident history; the trend in local area development; parking characteristics of the immediate area; the use of the street as determined by the city and the availability of goods, services and recreation with reasonable walking or biking distance.
3. Mitigating measures which may be applied to projects may include, but are not limited to:
 - a. Changes in access;
 - b. Changes in the location, number and size of curb cuts and driveways;
 - c. Provision of transit incentives including transit pass subsidies;
 - d. Bicycle parking;
 - e. Signage;

- f. Improvements to pedestrian and vehicular traffic operations including signalization, turn channelization, right-of-way dedication, street widening, or other improvements proportionate to the impacts of the project; and
 - g. Transportation management plans.
4. For projects which result in adverse impacts, the responsible official may reduce the size and/or scale of the project if the responsible official determines that the traffic improvements outlined under the above paragraph would not be adequate to effectively mitigate the adverse impacts of the project.
(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.33.030 Ground and surface water quality.

A. Policy Background.

- 1. Camas' water quality is adversely affected primarily dumping of pollutants and drainage-related sewage overflows into its lakes, streams, creeks, and other systems draining into the Washougal and Columbia Rivers.
- 2. Camas' water quality is also adversely affected by storm drainage runoff; nonpoint source discharges from streets, parking lots and other impervious surfaces; and construction site runoff.
- 3. Federal, state and regional water quality regulations and programs cannot always anticipate or eliminate adverse impacts to water quality.

B. Policies.

- 1. It is the city's policy to minimize or prevent adverse water quality impacts.
- 2. For any project proposal which poses a potential threat to water quality in Camas, the responsible official shall assess the probable effect of the impact and the need for mitigating measures. The assessment shall be completed in consultation with appropriate agencies with water quality expertise.
- 3. If the responsible official makes a written finding that the applicable federal, state and regional regulations did not anticipate or are inadequate to address the particular impact(s) of the project, the responsible official may condition or deny the project to mitigate its adverse impacts.
- 4. Mitigating measures may include, but are not limited to:
 - a. Use of an alternative technology;
 - b. Reduction in the size or scope of the project or operation;
 - c. Landscaping; and
 - d. Limits on the time and duration of the project or operation.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.33.040 Public facilities.

A. Policy Background.

- 1. A single development though otherwise consistent with zoning regulations, may create excessive demands upon existing public services and facilities. "Public services and facilities" in this context includes facilities such as sewers, storm drains, solid waste disposal facilities, parks, schools, police and fire facilities, and streets and services such as transit, solid waste collection, public health services, and police and fire protection, provided by either a public or private entity.

B. Policies.

- 1. It is the city's policy to minimize or prevent adverse impacts to existing public services and facilities.
- 2. The responsible official may require as part of the environmental review of a project, a reasonable assessment present and planned condition and capacity of public services and facilities to serve the area affected by the proposal.
- 3. Based upon such analyses, a project which would result adverse impacts on existing public services and facilities may be conditioned or denied to lessen its demand for services and facilities, or required to improve or add services and/or facilities to meet demand caused by the project.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

Chapter 16.35 HISTORIC PRESERVATION

Sections:

- 16.35.010 Purpose.
- 16.35.020 Applicability.
- 16.35.030 Definitions.
- 16.35.040 Clark County historic preservation commission.
- 16.35.050 National Register of Historic Places.
- 16.35.060 Clark County heritage register.
- 16.35.070 Review of changes to Clark County heritage register property(ies)--Design review.
- 16.35.080 Relationship to zoning.
- 16.35.090 Review and monitoring of property(ies) for special property tax valuation.
- 16.35.100 Clark County cultural resources inventory.
- 16.35.110 Violations and enforcement.

16.35.010 Purpose.

The purpose of this chapter is to provide for the identification, evaluation and protection of cultural and historic resources in the city and to encourage the preservation, restoration and rehabilitation of these resources for future generations in order to:

- A. Safeguard the heritage of Camas as represented by those buildings, districts, objects, sites and structures which reflect significant elements of the city's history;
- B. Increase recognition of Camas' cultural and historic resources;
- C. Foster a sense of identity based upon the city's history;
- D. Assist, encourage and provide incentives to property owners for preservation, restoration and reuse of significant buildings, districts, objects, sites and structures; and
- E. Promote and facilitate the early identification and resolution of conflicts between preservation of cultural and historic resources and alternative land uses.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.35.020 Applicability.

This chapter applies to:

- A. Property(ies) within the city listed or eligible to be listed on any historic or cultural resource inventory for Clark County;
- B. Property(ies) within the city listed or eligible to be listed on the National Register of Historic Places, Washington State Heritage Register, Clark County Heritage Register or other local register for Clark County.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.35.030 Definitions.

The following words and terms when used in this chapter shall mean as follows, unless a different meaning clearly appears from the context:

"Board" shall refer to the Clark County board of commissioners, except where reference is made to the "local review board" for purposes of the special valuation tax incentive program.

"Clark County cultural resources inventory" or "inventory" means a comprehensive inventory of historic resources within the boundaries of Clark County including resources identified in the Clark County cultural resources inventory and other inventories by local jurisdictions within Clark County.

"Commission" means the "Clark County historic preservation commission."

"Contributing" means a property which dates to the historic period and retains sufficient physical integrity so as to convey its historic character.

"Cultural resources" consist of historic or prehistoric or archaeological sites and standing structures, cemeteries, burial grounds and funerary objects and distributions of cultural remains and artifacts.

"Emergency repair" means work necessary to prevent destruction or dilapidation to real property or structural appurtenances thereto immediately threatened or damaged by fire, flood, earthquake or other disaster.

"Historic district" is a geographically definable area possessing a significant concentration, linkage or continuity of sites, buildings, structures or objects united by past events or aesthetically by plan or physical development.

"National Register of Historic Places" means the national listing of properties significant to our cultural history because of their documented importance to our history, architectural history, engineering or cultural heritage.

"Noncontributing" means a property which either does not date to the historic period or has not retained sufficient physical integrity so as to convey its historic character.

"Ordinary repair and maintenance" means work for which a permit issued by the city is not required by law, and where the purpose and effect of such work is to correct any deterioration or decay of or damage to the real property or structure appurtenance therein and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay or damage.

"Qualified archaeologist" means a person who has had formal training and/or experience in archaeology over a period of at least three years, and has been certified in writing to be a qualified archaeologist by two professional archaeologists, as defined in RCW 27.53.030.

"Significance" shall refer to a quality of a property which helps one understand the history of the local area, state, or nation by illuminating the local, statewide or nationwide impact of the events or persons associated with the property, or its architectural type or style in information potential. The local area may be as large as Clark County or Southwest Washington, or as small as a neighborhood. Local significance may apply to a property that illustrates a theme that is important to one or more localities; state significance to a theme important to the history of the state; and national significance to property of exceptional value in representing or illustrating an important theme in the history of the nation.

"Special valuation tax incentive program" or "special valuation" means the local option program makes available to property owners a special tax valuation for rehabilitation of historic property(ies) under which the assessed value of an eligible historic property is determined at a rate that excludes, for up to ten years, the actual cost of the rehabilitation.

"Washington Heritage Register" means the state listing of properties significant to the community, state or nation but which do not meet the criteria of the National Register of Historic Places. (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.35.040 Clark County historic preservation commission.

A. Authority. The Clark County historic preservation commission shall serve as the review authority on matters of historic preservation as outlined in subsection C of this section for properties within the city of Camas.

B. Composition of the Commission. Appointments to the commission shall be made by the Clark County board of commissioners. All members shall be selected based on the professional or demonstrated expertise criteria (CCC Section 18.328.040(B)), rather than by geographic distribution.

C. Powers and Duties. The major responsibilities of the commission are to identify and actively encourage the conservation of the county's historic and cultural resources by initiating and maintaining a register of historic places and reviewing proposed changes to register property(ies); to raise community awareness of the county's historic and cultural resources; and to serve as the county's primary resource in matters of historic preservation. In carrying out these responsibilities, the commission shall engage in the following activities:

1. Maintain a comprehensive inventory of historic and cultural resources within the boundaries of the city of Camas to be included in the Clark County cultural resources inventory; publicize and periodically update inventory results;
2. Maintain the Clark County heritage register. This official register shall be comprised of buildings, structures, sites, objects and districts identified by the commission as having historic significance worthy

of recognition by the county and encouragement of efforts by owners to maintain, rehabilitate and preserve properties;

3. Review nominations to the Clark County heritage register and National Register of Historic Places according to criteria in Sections 16.31.050 and 16.31.060 of this title. Make designations to the Clark County heritage register;
4. Review proposals as required in Section 16.35.060(B) and (C) for historic districts on the Clark County heritage or National Registers;
5. Submit nominations to the Washington State Heritage Register and National Register of Historic Places;
6. Provide for comment by the commission on all applications for approvals, permits, environmental assessments or impact statements, and other similar documents pertaining to identified historic or cultural resources or adjacent property(ies) upon staff request;
7. Provide information, comment and support to the public and agencies on matters related to historic preservation;
8. Encourage recognition of noteworthy efforts in the rehabilitation or maintenance of historic buildings, structures, sites and districts, and new construction in historic areas;
9. Serve as the local review board for special valuation pursuant to RCW 84.26.

D. Rules and Officers.

1. The commission shall establish and adopt its rules and procedures not inconsistent with this chapter.
2. The commission shall select from among its membership a chairperson and vice chair to conduct the commission's business.

E. Commission Staff. Staff for the commission shall be provided by the Clark County department of community development with additional assistance and information to be provided by other county or city departments as may be necessary to aid the commission in carrying out its duties and responsibilities under this chapter.

F. Interlocal Agreement Required. An interlocal agreement shall be established between the city and Clark County implementing the provisions of this chapter.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.35.050 National Register of Historic Places.

A. Nominations to the National Register of Historic Places shall be reviewed as established in the Code of Federal Regulations (36CFR60).

B. The commission shall hold a duly advertised public hearing at a regularly scheduled meeting at which the applicable criteria are reviewed and a recommendation forwarded to the State Department of Archaeology and Historic Preservation (DAHP) within sixty days of the date of application. The OAHF shall complete the designation process and notify the applicant of the designation decision.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.35.060 Clark County heritage register.

A. Criteria for Determining Eligibility for Designation in the Register. Any building, structure, site, object or district may be designated for inclusion in the Clark County heritage register if it:

1. Has integrity of location, design, setting, materials, workmanship, feeling and association; and
2. Is at least fifty years old, or is of lesser age and has exceptional importance; and
3. Is significantly associated with the history, architecture, archaeology, engineering or cultural heritage of the community; and
4. Meets at least one of the following criteria:
 - a. Is associated with events that have made a significant contribution to the broad patterns of national, state or local history; or
 - b. Embodies the distinctive architectural characteristics of a type, period, style or method of design or construction, or represents a significant and distinguishable entity whose components may lack individual distinction; or

- c. Is an outstanding work of a designer, builder or architect who has made a substantial contribution to their field; or
- d. Exemplifies or reflects special elements of the county's history; or
- e. Is associated with the lives of persons significant in national, state or local history; or
- f. Has yielded or may be likely to yield important archaeological information related to history or prehistory; or
- g. Is an historic building or cultural resource removed from its original location but which is significant for architectural value, or association with an historic person or event, or prehistory; or
- h. Is a birthplace or grave of a prehistoric or historical figure of outstanding importance and is the only surviving structure or site associated with that person; or
- i. Is a cemetery or burial site which derives its primary significance from age, from distinctive design features, or from association with historic events, or cultural patterns; or
- j. Is a reconstructed building that has been executed in an historically accurate manner on the original site; or
- k. Is a creative and unique example of folk architecture and design created by persons not formally trained in the architectural or design professions, and which does not fit into formal architectural or historical categories.

B. Nominating, Designating and Listing Property(ies) or Districts to the Clark County Heritage Register.

1. Any person may nominate a building, structure, site, object, or district for inclusion in the Clark County heritage register. The owner must consent to placement of the nominated resource prior to consideration for designation by the commission. In its designation decision, the commission shall consider the Clark County cultural resources inventory and the Camas urban area comprehensive plan.
2. The commission shall consider the merits of the nomination, according to the criteria in subsection A of this section and according to the nomination review standards established in its rules and procedures, at a public hearing. Adequate notice will be given to the public, the owner(s) and the author(s) of the nomination, if different, and lessees, if any, of the subject property prior to the public meeting according to standards for public meetings established in rules and in compliance with RCW 42.30, Open Public Meetings Act. Such notice shall include publication in a newspaper of general circulation in Clark County and posting of the property per CCC Section 18.600.080. If the commission finds that the nominated property is eligible for the Clark County heritage register, the commission shall list the property in the register with the owner's consent.
3. In the case of individual property(ies), the designation shall include all exterior features, interior features, and outbuildings which directly contribute to the significance of the historic or architectural character.
4. In the case of districts, the designation shall include description of the boundaries of the district; the characteristics of the district which justifies its designation; and a list of all property(ies) including features, structures, sites and objects which contribute to the designation of the district.
5. The public, property owner(s) and author(s) of the nomination, if different, and lessees, if any, shall be notified of the listing by mailed notice.

C. Designating Historic Districts.

1. Historic districts may be identified and nominations made in conformance with the criteria in this chapter. A simple majority of property owners within the proposed historic district must consent, in writing, to nomination of properties prior to designation. Design guidelines shall be adopted as an integral part of each historic district designation.
2. Commission staff together with city staff shall:
 - a. Review the proposal for land use impacts, consistent with the comprehensive plan, neighborhood action plan, and other related plans and codes. The designation of a historic district should not have the effect of significantly hampering redevelopment in commercial areas. Staff shall submit its analysis of these issues to the commission;
 - b. Draft design guidelines for the proposed historic district and submit them to the commission.

3. The commission shall hold a duly advertised public hearing to review the proposal. It shall make findings concerning the proposed district's historic significance; the appropriate boundaries of such a district; land use impacts, consistency and compatibility issues; and appropriate design guidelines. Contributing structures and features as well as noncontributing structures shall be identified. The commission shall issue a final determination designating the historic district or denying the proposal following the public hearing.

4. Designated historic districts shall be recorded on the official zoning maps of the city and the county.

5. A decision of the commission designating a building, structure, site, object or district or denying such a proposal may be appealed to the city council.

D. Removal of Property(ies) or Historic Districts from the Clark County Heritage Register.

1. A property owner may request a review of a property for possible removal from the Clark County heritage register. A written request may be submitted to the commission and considered at a public meeting. However, there is no automatic right to have a property removed from the register.

2. In the event that any property or historic district no longer meets the criteria for designation to the Clark County heritage register, the commission may initiate removal from such designation by the same procedure as provided for in establishing the designation, except that a property or historic district may be removed from the Clark County heritage register without owner consent. The decision to remove a property or district from the Clark County heritage register may be appealed to the city council.

E. Effects of Designation and Listing on the Register.

1. Designation and listing on the Clark County heritage register is an honorary designation denoting significant association with the historic, architectural, archaeological, engineering or cultural heritage of the community. Property(ies) is(are) listed individually or as contributing property(ies) to an historic district.

2. Prior to the commencement of any work associated with the significant features as defined in the designation of the register property or historic district, excluding ordinary repair, maintenance and emergency measures defined in Section 16.35.070, the owner must request and receive a certificate of appropriateness from the commission for the proposed work.

3. Prior to whole or partial demolition of a register property or historic district, the owner must request and receive a waiver of a certificate of appropriateness.

4. After demolition of a structure the commission may initiate removal of the property from the Clark County heritage register.

5. While Clark County is certified as certified local government (CLG), all properties and historic districts designated on the Clark County heritage register and the National Register of Historic Places may be eligible for a special tax valuation on their rehabilitation pursuant to CMC Section 16.07.090.

F. Recording Designations and Listings. All properties which are designated and listed on the Clark County heritage register shall have a copy of the listing recorded with the county auditor's office. A copy of the designation and listing letter for recording shall be forwarded to the auditor's office by commission staff.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.35.070 Review of changes to Clark County heritage register property(ies)--Design review.

A. Review Required. No person shall construct any new building or structure, or reconstruct, alter, restore, remodel, repair, move, demolish or make any material change affecting significant historic features as listed in the designation application to any existing property on the Clark County heritage register or within an historic district on the Clark County heritage register, whether the property is contributing or noncontributing, without review by the commission and without receipt of a certificate of appropriateness, or in the case of demolition, a waiver of certificate of appropriateness, as a result of the review.

1. For individual or contributing properties, the review shall apply to all features of the property, interior and exterior that contribute to its designation and are listed on the designation.

2. For noncontributing properties, the review shall apply to exterior changes. The purpose of the review in this case is to ensure that the proposed changes do not further detract from the property's compatibility with the historic district, and to encourage changes which would enhance its compatibility with the historic district.

3. For new construction or redevelopment, the review shall apply to the exterior of the structure(s). The purpose of the review is to ensure that the exterior design of the proposed structure enhances the historic district through conformance with the adopted design guidelines.

This requirement shall apply whether or not the proposed alteration also requires a building or other permit, except as noted under subsection B of this section. Information required by the commission to review the proposed changes are established in its rules and procedures. A pre-application conference is recommended but must be requested by the applicant.

B. Exemptions. The following activities do not require a certificate of appropriateness or review by the commission:

1. Ordinary repair and maintenance activities, including painting and emergency measures as defined in Section 16.35.030, which do not affect significant historic features;
2. Ordinary repairs and maintenance which do not alter the appearance of a significant feature and do not utilize substitute materials do not require a certificate of appropriateness;
3. If there are no interior features of significance, repairs to or replacement of utility systems do not require a certificate of appropriateness if such work does not alter a significant feature.

C. Review Process.

1. Requests for Review and Issuance of a Certificate of Appropriateness or Waiver. The building or zoning official shall report any application for a permit to work on a designated Clark County heritage register property or in a Clark County heritage historic district to the commission. If the activity is not exempt from review, the commission or staff shall notify the applicant of the review requirements. The building or zoning official shall not issue any such permit until a certificate of appropriateness or a waiver is received from the commission but shall work with the commission in considering building and fire code requirements.

2. There shall be two types of reviews for issuance of a certificate of appropriateness:

a. An administrative review by commission staff for repairs and replacements-in-kind as listed below, but not limited to, the following:

- i. Repairs (other than ordinary repair and maintenance) using the same materials and design as the original,
- ii. Re-roofing using the same type and color of material,
- iii. Replacement of sidewalks and driveways using the same type and color of materials,
- iv. Replacement of foundations or major portions thereof, using the same type and color of materials,
- v. Replacement of utility systems if contributing interior features of significance are present,
- vi. Structural or seismic upgrades which do not alter or affect significant features.

b. A public hearing review by the commission for alterations in appearance, replacement of historic materials, new construction or additions, or demolition or removal of a Clark County heritage register building or cultural resource. Demolition of structures or facilities with recognized historical significance is also subject to the State Environmental Policy Act.

3. When a certificate of appropriateness is required, the following procedures shall govern according to the type of review required:

a. Applications requiring administrative review for certificates of appropriateness shall be reviewed by the commission staff.

b. Applications for the certificate shall be submitted to the commission staff on forms provided by the commission and must include a clear photograph or photographs of the building, object, site or structure, a brief description of the intended work, and samples of replacement material for comparison with the existing or the original building or structure.

c. Decision of the commission staff on the application shall be made within fifteen days from the date on which the commission staff receives a technically complete application.

d. The commission staff may, on his or her own motion, refer the application to the commission for a decision in accordance with the procedures set forth for a public hearing review. The time for a decision of the commission on the application shall run from the date that the application is referred to the commission by the staff.

e. Appeals from the decision of the commission staff regarding the issuance of a certificate of appropriateness under administrative review may be appealed to the commission (not the hearing examiner).

4. Public Hearing Review. Alterations in appearance, replacement of historic material (other than in-kind), or new construction or additions. Alteration in the appearance of a significant contributing feature, the replacement of historic material (other than in-kind) in a significant feature, additions to a Clark County heritage register (CCHR) or new construction on a CCHR property or in an historic district, or any excavation on an archaeological site requires a public hearing review for a certificate of appropriateness. The owner or his/her agent (architect, contractor, lessee, etc.) shall apply to the commission for a review of proposed changes on a Clark County heritage register property or within a Clark County heritage register historic district and request a certificate of appropriateness or, in the case of demolition, a waiver. Each application for review of proposed changes shall be accompanied by information as required by the commission in its rules and procedures for the review of the proposed project. The commission staff shall meet with the applicant and review the proposed work according to the design review criteria established in rules. Notice of the design review shall be published in a newspaper of general circulation with the agenda for a public hearing and the property posted. The commission shall complete its review and make its recommendations decision within the timelines established in CCC Section 17.600.080, unless an extension of time is necessary. The commission's decision shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision. If the owner agrees to the commission's decision, a certificate of appropriateness shall be awarded by the commission according to standards established in its rules and procedures. The commission's recommendations and decision, and, if awarded, the certificate of appropriateness shall be transmitted to the building or zoning official. If a certificate of appropriateness is awarded, the building or zoning official may then issue the permit.

5. Demolition. A waiver of certificate of appropriateness is required before a permit may be issued to allow whole or partial demolition of a designated Clark County heritage register property or in a Clark County heritage register historic district. Demolition is subject to review under the State Environmental Policy Act.

a. The owner or his/her agent shall attend a pre-application conference with staff to review demolition or alternative plans.

b. After the pre-application conference, the owner or agent may apply to the commission for review of the proposed demolition and request a waiver of certificate of appropriateness through a public hearing. With the application, the applicant shall provide a bona fide list of alternatives to demolition (which includes, but is not limited to, economic analysis; offers to lease, sell or dedicate site to a private, public or nonprofit entity, and outcome of the offer; relocation of building, etc.)

c. Such review shall last no longer than forty-five days from the date of application, unless the commission finds that an extension of time is necessary. In no case shall the commission extend the review period beyond an additional forty-five days.

d. If no alternative to demolition is agreed upon, the commission shall issue a waiver of certificate of appropriateness. The commission may attach to the waiver, pursuant to the public hearing, conditions mitigating the loss of the Clark County heritage register property. Mitigation measures may include, but are not limited to, an identification plaque, use of an architectural element in new construction, moving the building, and/or buffering of the historic or cultural resource. The waiver and any attached mitigation conditions shall be transmitted to the official in charge of issuing demolition permits. Any attached mitigation conditions shall become conditions of approval should a demolition permit be granted.

e. After demolition of a property, the commission may initiate its removal from the Clark County heritage register.

6. Appeal of Approval or Denial of a Waiver of a Certificate of Appropriateness. The commission's decision regarding a waiver of a certificate of appropriateness may be appealed to the city council. Appeal of the city council's decision regarding a waiver of a certificate of appropriateness may be appealed to superior court.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.35.080 Relationship to zoning.

A. Property(ies) designated to the Clark County heritage register shall be subject to the provisions set forth herein, as well as the bulk, use, setback and other controls of the zoning district in which they are located. Nothing contained herein shall be construed to be repealing, modifying, or waiving any zoning provisions.

1. Property(ies) on any historic register or the Clark County cultural resources inventory shall be so noted in the city's manual or electronic permit tracking system or other database to alert staff and public as to the presence of an historic site, structure, object or building. Archaeological sites are exempt from this requirement.

2. An official county map shall indicate an "HR-C" for "Historic or Heritage Register - Camas" for any property listed on the national, state or local registers, with the exception of specific archaeological sites.

3. Property(ies) within the city listed on the Clark County cultural resource inventory shall be indicated on an official map(s) with an "HI-C" for "Historic Inventory--Camas" with the exception of specific archaeological sites.

4. Historic district boundaries approved by the commission shall be indicated on the city's official zoning maps.

5. Any application for development of building permit review on a property designated HR-C or HI-C shall be routed to commission and city staff for review or action pursuant to this title and the commission's rules and procedures prior to permit approval.

B. The Clark County planning division with assistance from city staff is responsible for review of impacts to potential or existing historic resources. All applications for approval, permits, environmental assessments or impact statements, and other similar documents pertaining to property(ies) on the Clark County cultural resource inventory or adjacent property(ies) shall be reviewed by appropriate staff or a qualified consultant.

Comments shall be forwarded to the responsible staff for the application under consideration. If a property or historic district is on the National Register of Historic Places or the Clark County heritage register, the commission staff shall contact the property owner(s) or agent(s) in writing and advise them of the register status and applicable requirements.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.35.090 Review and monitoring of property(ies) for special property tax valuation.

This section implements the local option special valuation tax incentive program as established in RCW 84.26.

A. Time Lines.

1. Applications must be filed by the first day of October with the county assessor's office and shall be forwarded to the commission by the assessor within ten days of filing.

2. For applications filed at least thirty days prior to the next regularly scheduled meeting of the commission, the case may be put on the agenda for that meeting. If there are not thirty days, the case will be scheduled for the next regularly scheduled meeting of the commission.

3. Applications shall be reviewed by the commission before December 31st of the calendar year in which the application is made.

4. Commission decisions regarding the applications shall be certified in writing and filed with the assessor within ten days of the decision.

B. Procedure.

1. The applicant files an application for special valuation with the county assessor's office no later than October 1st preceding the tax assessment year for which they wish to apply. A fee is required as established in CCC Chapter 17.60 and is payable to the Clark County department of community development.
 2. The assessor forwards the application(s) to the commission within ten days of receipt of the completed application.
 3. The commission reviews the application(s), consistent with its rules and procedures, and determines if the application(s) are complete and if the property(ies) meet the criteria set forth in WAC 254-17-070(1) and listed in subsection (C)(3) of this section.
 - a. If the commission finds the property(ies) meet all the criteria, then it shall approve the application(s).
 - b. If the commission determines the property(ies) do not meet all the criteria, then it shall deny the application(s).
 4. The commission certifies its decisions in writing and states the facts upon which the approvals or denials are based and files copies of the certifications with the assessor.
 5. For approved applications:
 - a. The commission staff forwards copies of the agreements, applications, and supporting documentation (as required by WAC 254-17-090(4) and identified in subsection C of this section) to the assessor;
 - b. The commission staff forwards the signed agreement and application documents to the county auditor for recording. The applicant shall be assessed fees for recording as provided for in CCC Chapter 17.60 and other applicable county codes;
 - c. Notifies the Washington State Advisory Council that the property(ies) have been approved for special valuation; and
 - d. Monitors the property(ies) for continued compliance with the agreements throughout the ten-year special valuation period. Monitoring may include an annual site visit by staff or commission members.
 6. The commission determines in a manner consistent with its rules of procedure, whether or not property(ies) are disqualified from special valuation either because of:
 - a. The owner's failure to comply with the terms of the agreement; or
 - b. A loss of historic value resulting from physical changes to the building or site.
 7. For disqualified property(ies) pursuant to RCW 84.26.080, the commission shall notify the owner, assessor, and Washington State Advisory Council in writing and state the facts supporting its findings.
- C. Criteria.

1. Historic Property Criteria. The class of property eligible to apply for special valuation in Clark County shall mean all property(ies) listed on the National Register of Historic Places, Clark County heritage register or property(ies) certified as contributing to local and/or National Register Historic Districts which have been substantially rehabilitated at a cost and within a time period which meets the requirements set forth in RCW Chapter 84.26.
2. Application Criteria. Complete applications shall consist of the following documentation:
 - a. A legal description of the historic property;
 - b. A copy of the nomination form to the National Register of Historic Places or Clark County heritage register for the subject property(ies);
 - c. Comprehensive exterior and interior photographs of the historic property before and after rehabilitation. Photographs should be four inches by six inches or five inches by seven inches minimum format either black and white or color, with negatives and must be clearly labeled to identify case, location, subjects and the direction the photograph was taken:
 - i. Photos taken prior to construction,
 - ii. Historic photos or other source materials of replicated features,
 - iii. If in an historic district, a current streetscape;
 - d. Architectural plans or other legible drawings depicting the completed rehabilitation work signed by the architect or drafts-person; and
 - e. Notarized affidavit(s):

- i. Attesting to the actual itemized cost of the rehabilitation work completed prior to the date of application, and
- ii. Indicating rehabilitation work was completed within the twenty-four month period of time prior to application for special valuation.

Documentation of both must be made available to the commission;

- f. Samples of utilized materials may be required by the commission;
- g. Other information as required by staff or the commission at a pre-application meeting.
3. Property Review Criteria. In its review the commission shall determine if the property(ies) meet all the following criteria:
 - a. The property is historic property which is designated to the local and/or national registers;
 - b. The property has been rehabilitated at a cost which meets the definition set forth in RCW 84.26.017(2) within twenty-four months prior to the date of application; and
 - c. The property has not been altered in any way which adversely affects those elements which qualify it as historically significant as determined by applying the Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties (WAC 254-17-100(1) and listed in subsection (C)(4) of this section).
4. Rehabilitation and Maintenance Criteria. The Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties in WAC 254-17-100 shall be used by the commission as minimum requirements for determining whether or not an historic property is eligible for special valuation and whether or not the property continues to be eligible for special valuation and whether or not the property continues to be eligible for special valuation once it has been so classified.
- D. Agreement. The historic preservation special valuation agreement in WAC 254-17-117 shall be used by the commission as the minimum agreement necessary to comply with the requirements of RCW 84.26.050(2).
- E. Appeals. Any decision of the commission acting on any application for classification as historic property, eligible for special valuation, may be appealed to superior court under RCW 34.04.130 in addition to any other remedy of law. Any decision on the disqualification of historic property eligible for special valuation, or any other dispute, may be appealed to the county board of equalization. (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.35.100 Clark County cultural resources inventory.

- A. Purpose of the Inventory. The Clark County cultural resources inventory is a tool for planning and research, and includes those resources believed to have cultural or historic significance for Clark County, the region, or the nation, regardless of current ownership.
- B. Effect of Listing on the Inventory. Listing on the Clark County cultural resources inventory does not result in any regulatory requirements pursuant to this chapter.
- C. Application for Listing on the Inventory.
 1. A property owner may make application for listing on the inventory by completing an inventory form available from the Clark County department of community development and submitting it to the commission staff, if the building, structure, site, object, or district is at least fifty years old, or is of lesser age and has exceptional architectural, historical or cultural importance.
 2. The city of Camas or Clark County may conduct an historic and cultural resource inventory and make application for listing on the inventory.
- D. Listing on the Inventory.
 1. New listings of buildings, structures, sites, objects or districts to the inventory is subject to review by the department of community development together with staff from the city. Consideration of listing shall be based upon development of a comprehensive inventory methodology which determines a rank order.
 2. Property(ies) which are demolished shall be maintained in the inventory records for historical research purposes. (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.35.110 Violations and enforcement.

Violations of this chapter shall be grounds for the commission to review the property for removal from the register. The property owner may also be subject to special valuation disqualifications as stated in WAC 458-15-070 and all applicable laws.
(Ord. 2517 § 1 (Exh. A (part)), 2008)

CRITICAL AREAS

Chapter 16.51 GENERAL PROVISIONS

Sections:

- 16.51.010 Purpose.
- 16.51.020 Authority.
- 16.51.030 Relationship to other regulations.
- 16.51.040 Severability.
- 16.51.050 Administrative rules.
- 16.51.060 Interpretation.
- 16.51.070 Critical areas--Regulated.
- 16.51.080 Best available science.
- 16.51.090 Applicability.
- 16.51.100 Exemptions.
- 16.51.110 Exception--Reasonable use.
- 16.51.120 Allowed activities.
- 16.51.130 Review required.
- 16.51.140 Critical area reporting evaluation--Requirements.
- 16.51.150 Critical area report--Modifications to requirements.
- 16.51.160 Mitigation requirements.
- 16.51.170 Mitigation sequencing.
- 16.51.180 Mitigation plan requirements.
- 16.51.190 Innovative mitigation.
- 16.51.200 Unauthorized critical area alterations and enforcement.
- 16.51.210 Critical area markers, signs and fencing.
- 16.51.220 Notice on title.
- 16.51.230 Native growth protection areas (Reserved).
- 16.51.240 Critical area protective mechanism.
- 16.51.250 Bonds to ensure mitigation, maintenance, and monitoring.

16.51.010 Purpose.

- A. The purpose of this chapter is to designate and classify ecologically sensitive and hazardous areas, and to protect these areas, their functions and values, while allowing for some reasonable use of property.
- B. The city finds that critical areas provide a variety of valuable and beneficial biological and physical functions that benefit the city of Camas and its residents, and/or may pose a threat to human safety, or to public and private property.
- C. Goals. By managing development and alteration of critical areas, this chapter seeks to:
 - 1. Protect members of the public and public resources and facilities from injury, loss of life, or property damage due to landslides and steep slope failures, erosion, seismic events, or flooding;
 - 2. Protect unique, fragile, and valuable elements of the environment, including ground and surface waters;
 - 3. Direct activities not dependent on critical area resources to less ecologically sensitive sites, and mitigate necessary impacts to critical areas by regulating alterations in and adjacent to critical areas; and

4. Prevent cumulative adverse environmental impacts to critical aquifer recharge and frequently flooded areas.

D. The regulations of this chapter are intended to protect critical areas in accordance with the Growth Management Act, and through the application of best available science, as determined according to WAC 365-195-900 through 365-195-925, and in consultation with state and federal agencies and other qualified professionals.

E. This chapter is to be administered with flexibility and attention to site-specific characteristics. It is not the intent of this chapter to make a parcel of property unusable by denying its owner reasonable economic use of the property.

F. The city's enactment or enforcement of this chapter shall not be construed for the benefit of any individual person or group of persons other than the general public.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.020 Authority.

As provided herein, the director shall mean the community development director or designee. The director is given the authority to interpret and apply, and the responsibility to enforce this chapter to accomplish the stated purpose.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.030 Relationship to other regulations.

A. These critical area regulations shall apply as an overlay and in addition to zoning and other regulations, including the city of Camas Design Standards Manual, adopted by the city.

B. These critical area regulations may be applied concurrently with review conducted under the State Environmental Policy Act (SEPA), or other development review as adopted.

C. In the event of a conflict with any other provisions of this chapter, that which provides more protection to the critical areas shall apply.

D. Compliance with the provisions of this chapter does not constitute compliance with other federal, state and local regulations and permit requirements that may be required (for example, shoreline substantial development permits, HPA permits, Army Corps of Engineers Section 404 permits, NPDES permits). The applicant is responsible for complying with all requirements, apart from the process established in this chapter.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.040 Severability.

If any clause, sentence, paragraph, section, or part of this chapter, or the application thereof to any person or circumstances shall be judged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered. The decision shall not affect or invalidate the remainder of any part thereof, and to this end the provisions of each clause, sentence, paragraph, section, or part of this law are declared to be severable.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.050 Administrative rules.

Applicable departments within the city of Camas are authorized to adopt such administrative rules and regulations as necessary and appropriate to implement these chapters, and to prepare and require the use of such forms as necessary for its administration. The applicant shall be responsible for the initiation, preparation, submission, and expense of all required reports, assessment(s), studies, plans, reconnaissance(s), peer review(s) by qualified consultants, and other work prepared in support of or necessary to review the application.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.060 Interpretation.

In the interpretation and application of the ordinance codified in this chapter, the provisions of this chapter shall be considered to be the minimum requirements necessary, shall be liberally construed to serve the purpose of the ordinance codified in this chapter, and shall be deemed to neither limit nor repeal any other provisions under state statute.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.070 Critical areas--Regulated.

A. Critical areas regulated by this chapter include wetlands (CMC Chapter 16.53), critical aquifer recharge areas (CMC Chapter 16.55), frequently flooded areas (CMC Chapter 16.57), geologically hazardous areas (CMC Chapter 16.59), and fish and wildlife habitat conservation areas (CMC Chapter 16.61).

B. All areas within the city meeting the definition of one or more critical area, platted natural open space area, and conservation covenant areas, regardless of any formal identification, are designated critical areas and are subject to these provisions.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.080 Best available science.

A. Best Available Science to be Used Must be Consistent with Criteria. The best available science is that scientific information applicable to the critical area prepared by local, state, or federal natural resource agencies, a qualified scientific professional, or team of qualified scientific professionals, that is consistent with criteria established in WAC 365-195-900 through WAC 365-195-925.

B. Absence of Valid Scientific Information. Where there is an absence of valid scientific information, or incomplete scientific information relating to a critical area, leading to uncertainty about the risk to critical area function of permitting an alteration of or impact to the critical area, the director shall:

1. Limit development and land use activities until the uncertainty is sufficiently resolved; and
2. Require an effective adaptive management program that relies on scientific methods to evaluate how well regulatory and nonregulatory actions protect the critical area. An adaptive management program is a formal and deliberate scientific approach to taking action and obtaining information in the face of uncertainty. An adaptive management program shall:

- a. Address funding for the research component of the adaptive management program,
- b. Change course based on the results and interpretation of new information that resolves uncertainties, and
- c. Commit to the appropriate timeframe and scale necessary to reliably evaluate regulatory and nonregulatory actions affecting protection of critical areas and anadromous fisheries.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.090 Applicability.

Land proposals below are subject to the criteria, guidelines, report requirements, conditions, and performance standards in CMC Chapters 16.50 through 16.95:

- A. Binding site plan;
- B. Blasting permits;
- C. Commercial development;
- D. Conditional use permit;
- E. Light industrial or industrial development;
- F. Planned residential development;
- G. Short plat;
- H. Subdivision;
- I. Shoreline substantial development permit;
- J. Unclassified use;
- K. Any grading, filling, or clearing of land, or logging or removal of timber on land characterized in a critical area described in CMC Section 16.51.070(A); and

L. Other activities as specified within CMC Chapters 16.51 through 16.61.
(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.100 Exemptions.

A. Exempt Activities. The following developments, activities, and associated uses shall be exempt from the provisions of this title; provided, that they are otherwise consistent with the provisions of other local, state and federal laws and requirements:

1. Emergencies. Emergency activities are those activities necessary to prevent an immediate threat to public health, safety, or welfare, or that pose an immediate risk of damage to private property, and that require remedial or preventative action in a timeframe too short to allow for compliance with the requirements of these provisions.

An emergency response shall utilize reasonable methods to address the emergency considering the applicable critical area(s); in addition, they must have the least possible impact to the critical area or its management zone. The person or agency undertaking such action shall notify the city within four days following commencement of the emergency activity. If the director determines that the action taken, or any part of the action taken, was beyond the scope of an allowed emergency action, then enforcement will commence;

2. After the emergency, the person or agency undertaking the action shall fully restore and/or mitigate any impacts to the critical area and management zones resulting from the emergency action in accordance with an approved critical area report and mitigation plan. Restoration and/or mitigation activities must be initiated within one year of the date of the emergency, and completed in a timely manner;

3. Operation, Maintenance or Repair. Operation, maintenance or repair of existing structures, infrastructure improvements, utilities, public or private roads, dikes, levees or drainage systems that do not further alter or increase the impact to, or encroach further within, the critical area or management;

4. Passive Outdoor Activities. Recreation, education, and scientific research activities that do not degrade the critical area, including fishing, hiking, and bird watching. Trails must be constructed pursuant to CMC Section 16.51.120(C)(4); and

5. Forest Practices. Forest practices regulated and conducted in accordance with the provisions of Chapter 76.09 RCW and forest practices regulations, Title 222 WAC, and those that are exempt from city of Camas' jurisdiction, provided that forest practice conversions are not exempt.

B. Exempt Activities Shall Avoid Impacts to Critical Areas. All exempted activities shall use reasonable methods to avoid potential impacts to critical areas. To be exempt from these provisions does not give permission to degrade a critical area or ignore risk from natural hazards. Any incidental damage to, or alteration of, a critical area that is not a necessary outcome of the exempted activity shall be restored, rehabilitated, or replaced at the responsible party's expense.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.110 Exception--Reasonable use.

A. If the application of this title would deny all reasonable use of the subject property, the property owner may apply for an exception pursuant to this section.

B. Exception Request and Review Process. An application for a reasonable use exception shall be made to the city and shall include a critical area application and fee; critical area report, including mitigation plan, if necessary; and any other related project documents, such as permit applications to other agencies, special studies, and environmental documents prepared pursuant to the State Environmental Policy Act (Chapter 43.21C RCW) (SEPA documents). A staff report shall be prepared to include a recommendation to the approval authority based on review of the submitted information, a site inspection, and the proposal's ability to comply with reasonable use exception criteria in subsection D of this section.

C. Public Hearing Required. A request for an exception under this section shall be considered through a Type III hearing process in accordance with CMC Chapter 18.55.

D. Reasonable Use Review Criteria. The criteria for review and approval of reasonable use exceptions is:

1. The application of these provisions would deny all reasonable use of the property;
 2. No other reasonable use of the property has less impact on the critical area;
 3. Any alteration is the minimum necessary to allow for reasonable use of the property; and
 4. The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant after the effective date of these provisions or its predecessor.
- E. Burden of Proof. The burden of proof shall be on the applicant to bring forth evidence in support of the application and to provide sufficient information on which any decision has to be made on the application.
- (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.120 Allowed activities.

A. Critical Area Report not Required. Activities which have been reviewed and permitted or approved by the city, or other agency with jurisdiction, for impacts to critical or sensitive areas, do not require submittal of a new critical area report or application under this chapter, unless such submittal was required previously for the underlying permit.

B. Required Use of Best Management Practices. All allowed activities shall be conducted using the best management practices, adopted pursuant to other provisions contained in this code, that result in the least amount of impact to the critical areas. Best management practices shall be used for tree and vegetation protection, construction management, erosion and sedimentation control, water quality protection, and regulation of chemical applications. The city shall monitor the use of best management practices to ensure that the activity does not result in degradation to the critical area. Any incidental damage to, or alteration of, a critical area shall be restored, rehabilitated, or replaced at the responsible party's expense.

C. Allowed Activities. The following activities are allowed:

1. Permit Requests Subsequent to Previous Critical Area Review. Development permits and approvals that involve both discretionary land use approvals (such as subdivisions, rezones, or conditional use permits) and construction approvals (such as building permits) if all of the following conditions have been met:

a. There have been no material changes in the potential impact to the critical area or management zone since the prior review,

b. There is no new information available that is applicable to any critical area review of the site or particular critical area,

c. The permit or approval has not expired or, if no expiration date, no more than five years has elapsed since the issuance of that permit or approval, and

d. Compliance with any standards or conditions placed upon the prior permit or approval has been achieved or secured;

2. Modification to Existing Structures. Structural modifications, additions to, or replacement of an existing legally constructed structure that does not further alter or increase the impact to the critical area or management zone, and where there is no increased risk to life or property as a result of the proposed modification or replacement, provided that restoration of structures substantially damaged by fire, flood, or act of nature must be initiated within one year of the date of such damage, as evidenced by the issuance of a valid building permit, and diligently pursued to completion;

3. Activities Within the Improved Right-of-Way. Replacement, installation, or construction of utility facilities, lines, pipes, mains, equipment, or appurtenances, not including substations, when such facilities are located within the improved portion of the public right-of-way or a city-authorized private roadway, except those activities that alter a wetland or watercourse, such as culverts or bridges, or results in the transport of sediment or increased stormwater;

4. Public and Private Pedestrian Trails.

a. Existing public and private trails established consistent with the city of Camas parks and open space plan may be maintained, replaced, or extended, provided there is no increase in the impact to the critical area or management zone.

- b. Other public and private pedestrian trails, except in wetlands, fish and wildlife habitat conservation areas, or their management zones, subject to the following:
 - i. The trail surface shall meet all other requirements including water quality standards set forth in the city of Camas Design Standards Manual,
 - ii. Critical area and/or management zone widths shall be increased, where possible, equal to the width of the trail corridor, including disturbed areas, and
 - iii. Trails proposed to be located in landslide or erosion hazard areas shall be constructed in a manner that does not increase the risk of landslide or erosion, and in accordance with an approved geotechnical report;
5. Selective Vegetation Removal Activities. The following vegetation removal activities, provided that no vegetation shall be removed from a critical area or its management zone without approval from the director, are allowed:
 - a. The removal of invasive plant species including Himalayan blackberry (*Rubus discolor*, *R. procerus*), Evergreen blackberry (*Rubus laciniatus*), English Ivy as well as any other noxious weed or invasive plant species acknowledged by the city, with hand labor and light equipment (e.g., push mowers, powered trimmers, etc.),
 - b. The removal of trees that are hazardous, posing a threat to public safety, or posing an imminent risk of damage to private property, from critical areas and management zones, provided that:
 - i. The applicant submits a report from a certified arborist, registered landscape architect, or professional forester that documents the hazard and provides a replanting schedule for the replacement trees,
 - ii. Tree cutting shall be limited to limbing and crown thinning, unless otherwise justified by a qualified professional. Where limbing or crown thinning is not sufficient to address the hazard, trees should be topped to remove the hazard rather than cut at or near the base of the tree,
 - iii. The landowner shall replace any trees that are felled or topped with new trees at a ratio of two replacement trees for each tree felled or topped within one year in accordance with an approved restoration plan. Tree species that are native and indigenous to the site and a minimum caliper of two inches shall be used,
 - iv. If a tree to be removed provides critical habitat, such as an eagle perch, a qualified wildlife biologist shall be consulted to determine timing and methods of removal that will minimize impacts, and
 - v. Hazard trees determined to pose an imminent threat or danger to public health or safety, or to public or private property, or serious environmental degradation, may be removed or topped by the landowner prior to receiving written approval from the city; provided, that within fourteen days following such action, the landowner shall submit a restoration plan that demonstrates compliance with these provisions,
 - c. Measures to control a fire or halt the spread of disease or damaging insects consistent with the State Forest Practices Act; Chapter 76.09 RCW, and Camas fire department requirements; provided, that the removed vegetation shall be replaced in-kind or with similar native species within one year in accordance with an approved restoration plan;
6. Chemical Applications. The application of herbicides, pesticides, organic or mineral-derived fertilizers, or other hazardous substances, provided that their use shall be restricted in accordance with Department of Fish and Wildlife Management Recommendations, and the regulations of the Department of Agriculture and the U.S. Environmental Protection Agency;*
7. Minor Site Investigative Work. Work necessary for land use submittals, such as surveys, soil logs, percolation tests, and other related activities, where such activities do not require construction of new roads or significant amounts of excavation. In every case, impacts to the critical area shall be minimized and disturbed areas shall be immediately restored; and
8. Navigational Aids and Boundary Markers. Construction or modification of navigational aids and boundary markers.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

* More information on commercial and residential use of chemicals can be found in Department of Ecology "Critical Aquifer Recharge Areas: Guidance Document," Publication #05-10-028.

16.51.130 Review required.

Mapping. The approximate location and extent of critical areas are shown on the adopted critical area maps. These maps are to be used as a guide for the city, project applicants, and/or property owners, and may be continually updated as new critical areas are identified. They are a reference and do not provide a final critical area designation or delineation. If the proposed activity is within, adjacent to, or is likely to impact a critical area, the city shall require a critical area report from the applicant that has been prepared by a qualified professional. If the report concludes that there is a critical area present then the city of Camas shall:

- A. Review and evaluate the critical area report;
 - B. Determine whether the development proposal conforms to the purposes and performance standards of these provisions;
 - C. Assess potential impacts to the critical area and determine if they are necessary and unavoidable; and
 - D. Determine if any mitigation proposed by the applicant is sufficient to protect the functions and values of the critical area and public health, safety, and welfare concerns consistent with the goals, purposes, objectives, and requirements of these provisions.
- (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.140 Critical area reporting evaluation--Requirements.

- A. Incorporating Best Available Science. The critical area report shall use scientifically valid methods and studies in the analysis of critical area data and field reconnaissance, and reference the source of science used. The critical area report shall evaluate the proposal and the likelihood of all probable adverse impacts to critical areas in accordance with these provisions.
 - B. Minimum Report Contents. At a minimum, the report shall contain the following:
 - 1. The name and contact information of the applicant, a description of the proposal, and identification of the permit requested;
 - 2. A copy of the site plan for the development proposal showing identified critical areas, management zones, property lines, limits of any areas to be cleared, and a description of the proposed stormwater management plan for the development and consideration of impacts to drainage alterations;
 - 3. The dates, names, and qualifications of the persons preparing the report, and documentation of any fieldwork performed on the site;
 - 4. Identification and characterization of critical areas, wetlands, water bodies, and management zones within the proposed project area;
 - 5. A description of reasonable efforts made to avoid, minimize, and mitigate impacts to critical areas;
 - 6. A proposal for financial guarantees to ensure compliance; and
 - 7. Any additional information required for the critical area, as specified in the corresponding chapter.
 - C. Unless otherwise provided, a critical area report may be supplemented by or composed, in whole or in part, of any reports or studies required by other laws and regulations, or previously prepared for and applicable to the development proposal site, as approved by the director.
- (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.150 Critical area report--Modifications to requirements.

- A. Limitations to Study Area. The director may limit or extend the required geographic area of the critical area report as deemed appropriate, so long as it is within the proposed site.
- B. Modifications to Required Contents. The applicant may consult with the director prior to or during preparation of the critical area report to obtain city written approval for modifications to the required contents of the report where, in the judgment of a qualified professional, more or less information is required to adequately address the probable critical area impacts and required mitigation.
- C. Additional Information May be Required. The director may require additional information to be included in the critical area report when determined to be necessary to the review of the proposed activity

in accordance with these provisions. Additional information that may be required, includes, but is not limited to:

1. Historical data, including original and subsequent mapping, aerial photographs, data compilations and summaries, and available reports and records relating to the site or past operations at the site;
2. Grading and drainage plans; and
3. Information specific to the type, location, and nature of the critical area.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.160 Mitigation requirements.

A. The applicant shall avoid all impacts that degrade the functions and values of a critical area or areas. Unless otherwise provided in these provisions, if alteration to the critical area is necessary, all adverse impacts to or from critical areas and management zones resulting from a development proposal or alteration shall be mitigated in accordance with an approved critical area report and SEPA documents.

B. Mitigation should be in-kind and on-site, when possible, and sufficient to maintain the functions and values of the critical area, and to prevent risk from a hazard posed by a critical area.

C. Mitigation shall only be implemented after city approval of a critical area report that includes a mitigation plan; and mitigation shall be in accordance with the provisions of the approved critical area report.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.170 Mitigation sequencing.

Applicants shall demonstrate that reasonable efforts have been examined with the intent to mitigate impacts to critical areas. When an alteration to a critical area is proposed, mitigation can be accomplished through a variety of methods. Generally, avoiding the impact altogether is the preferred option. Methods to reduce impacts and mitigate for them should follow a series of steps taken in sequential order:

A. Avoiding the impact altogether by not taking a certain action or parts of an action (usually by either finding another site or changing the location on the site);

B. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps, such as project design, developable area configuration, relocation, or timing, to avoid or reduce impacts;

C. Minimizing or eliminating the hazard by restoring or stabilizing the hazard area through engineered or other methods;

D. Reducing or eliminating the impact or hazard over time by preservation and maintenance operations during the life of the action;

E. Compensating for the impact to critical areas by replacing, enhancing, or providing substitute resources or environments;

F. Monitoring the hazard or other required mitigation and taking remedial action when necessary; and

G. Rectifying the impact to critical areas by repairing, rehabilitating, or restoring the affected environment to the historical conditions, or the conditions existing at the time of the initiation of the project.

Following this process is referred to as mitigation sequencing, and mitigation for individual actions may include a combination of the measures provided in this section.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.180 Mitigation plan requirements.

When mitigation is required, the applicant shall submit to the city a mitigation plan as part of the critical area report. The mitigation plan shall include:

A. Environmental Goals and Objectives. The mitigation plan shall include a written report identifying environmental goals and objectives of the compensation proposed and including:

1. A description of the anticipated impacts to the critical areas, the mitigating actions proposed, and the purposes of the compensation measures, including the site selection criteria, identification of compensation goals, identification of resource functions, and dates for beginning and completion of site compensation construction activities. The goals and objectives shall be related to the functions and values of the impacted critical area; and

2. An analysis of the likelihood of success of the mitigation project.

B. Performance Standards. The mitigation plan shall include measurable specific criteria for evaluating whether or not the goals and objectives of the mitigation project have been successfully attained, and whether or not the requirements of these provisions have been met.

C. Detailed Construction Plans. The mitigation plan shall include written specifications and descriptions of the mitigation proposed, including but not limited to, the proposed construction sequence, timing and duration; grading and excavation details; erosion and sediment control features; a planting plan specifying plant species, quantities, locations, size, spacing and density; and, measures to protect and maintain plants until established.

These written specifications shall be accompanied by detailed site diagrams, scaled cross-sectional drawings, topographic maps showing slope percentage and final grade elevations, and any other drawings appropriate to show construction techniques or anticipated final outcome.

D. Monitoring Program. The mitigation plan shall include a program for monitoring construction of the compensation project and for assessing a completed project. A protocol shall be included outlining the schedule for site monitoring (for example, monitoring shall occur in years one, three, and five after site construction), and how the monitoring data will be evaluated to determine if the performance standards are being met. A monitoring report shall be submitted as needed to document milestones, successes, problems, and contingency actions of the compensation project. The compensation project shall be monitored for a period necessary to establish that performance standards have been met, but not for a period less than five years.

E. Contingency Plan. The mitigation plan shall include identification of potential courses of action, and any corrective measures to be taken if monitoring or evaluation indicates project performance standards are not being met.

F. Financial Guarantees. The mitigation plan shall include financial guarantees, as determined by the approval authority, to ensure that the mitigation plan is fully implemented. Financial guarantees ensuring fulfillment of the compensation project, monitoring program, and any contingency measures shall be posted consistent with these provisions.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.190 Innovative mitigation.

The city may encourage, facilitate, and approve innovative mitigation projects. Advance mitigation or mitigation banking are examples of alternative mitigation projects allowed under the provisions of this section wherein one or more applicants, or an organization with demonstrated capability, may undertake a mitigation project together if it is demonstrated that all of the following circumstances exist:

A. Creation or enhancement of a larger system of critical areas and open space is preferable to the preservation of many individual habitat areas;

B. The group demonstrates the organizational and fiscal capability to act cooperatively;

C. The group demonstrates that long-term management of the habitat area will be provided;

D. There is a clear potential for success of the proposed mitigation at the identified mitigation site; and

E. Conducting mitigation as part of a cooperative process does not reduce or eliminate the required replacement ratios.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.200 Unauthorized critical area alterations and enforcement.

A. When a critical area or its management zone has been altered in violation of these provisions, all ongoing development work shall stop and the critical area shall be restored. The city shall have the authority to issue a stop work order to cease all ongoing development work, and order restoration, rehabilitation, or replacement measures at the owner's or other responsible party's expense to compensate for violation of these provisions.

B. Restoration Plan Required. Where a violation has occurred, all development work shall remain stopped until a restoration plan is submitted by the property owner and/or violator (applicant) and approved by the city. Such a plan shall be prepared by a qualified professional and shall describe how the actions proposed meet the intent of requirements described in subsection C of this section. The director may, at the applicant's expense, seek expert advice in determining the adequacy of the plan and may impose additional requirements to mitigate critical areas issues.

C. Minimum Performance Standards for Restoration.

1. For alterations to critical aquifer recharge areas and frequently flooded areas, the following minimum performance standards shall be met for the restoration of a critical area, provided that if the violator can demonstrate that greater functional and habitat values can be obtained, these standards may be modified:

a. The historic structural and functional values shall be restored, including water quality and habitat functions;

b. The historic soil types and configuration shall be replicated;

c. The critical area and management zones shall be replanted with native vegetation that replicates the vegetation historically found on the site in species types, sizes, and densities; and

d. The historic functions and values should be replicated at the location of the alteration.

2. For alterations to frequently flooded and geological hazardous areas, the following minimum performance standards shall be met for the restoration of a critical area, provided that, if the violator can demonstrate that greater safety can be obtained, these standards may be modified:

a. The hazard shall be reduced to a level equal to, or less than, the predevelopment hazard;

b. Any risk of personal injury resulting from the alteration shall be eliminated or minimized; and

c. The hazard area and management zones shall be replanted with native vegetation sufficient to minimize the hazard.

D. Enforcement. Violations and compliance issues under these provisions are subject to enforcement under CMC Chapter 18.55.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.210 Critical area markers, signs and fencing.

A. Temporary Markers. The outer perimeter of the management zones and/or critical areas may be required to be marked in the field in such a way as to ensure that no unauthorized intrusion will occur, and verified by the director prior to the commencement of permitted activities. This temporary marking, if required, shall be maintained throughout construction, and shall not be removed until permanent signs, if required, are in place.

B. Permanent Signs. The city may require, as a condition of any permit or authorization issued pursuant to this chapter, that the applicant install permanent signs along the boundary of a critical area or management zone to city standards.

C. Fencing.

1. The director may condition any permit or authorization issued pursuant to this chapter to require the applicant to install a permanent fence to city specifications at the edge of the habitat conservation area or management zone, when, in the opinion of the city, fencing will reasonably minimize or prevent future impacts to the habitat conservation area.

2. Fencing installed as part of a proposed activity, or as required in this subsection, shall be designed so as to not interfere with species migration, including fish runs, and shall be constructed in a manner that minimizes habitat impacts.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.220 Notice on title.

- A. The proponent of any new development proposal which involves a critical area or management zone may be required to file a notice with the Clark County recording division of the county auditor's office. The notice, if required, shall state the presence of the critical area or management zone on the property, of the application of these provisions to the property, and the fact that limitations on actions in or affecting the critical area or management zone may exist. The notice shall run with the land.
- B. This notice on title shall not be required for a development proposal by a public agency, or public or private utility:
 - 1. Within a recorded easement or right-of-way;
 - 2. Where the agency or utility has been adjudicated the right to an easement or right-of-way; or
 - 3. On the site of a permanent public facility.
- C. The applicant shall submit proof that the notice has been filed for public record before the city approves any development proposal for the property or, in the case of subdivisions, short subdivisions, planned unit developments, and binding site plans, at or before recording.
(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.51.230 Native growth protection areas (Reserved).

16.51.240 Critical area protective mechanism.

- A. Identified critical areas and their associated buffer or management zones shall be protected and preserved through a permanent protective mechanism acceptable to the city. This may include placing the critical area and its associated buffer or management zone in a separate tract; executing a protective easement; or dedicating the critical area and its associated buffer or management zone to a public agency, or public or private land trust. The mechanism shall provide for maintenance of the critical area and its associated buffer or management zone.
- B. If the protective mechanism includes placing the critical area and its associated buffer or management zone in a separate tract, then the critical area tract(s) shall:
 - 1. Be recorded on all documents of title of record for all affected lots;
 - 2. Be designated on the face of the plat or recorded drawing in a format approved by the city. The designation shall include the following restriction:
 - a. An assurance that native vegetation will be preserved for the purpose of preventing harm to property and the environment, including, but not limited to, controlling surface water runoff and erosion, maintaining slope stability, management zoning, and protecting plants and animal habitat; and
 - b. The right of the city to enforce the terms of the restriction.
- C. The city may require that any required critical area tract be dedicated to the city, or held by an incorporated homeowner's association or other legal entity.
(Ord. 2517 § 1 (Exh. A (part)), 2008)

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 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.
- 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)

Chapter 16.53 WETLANDS

Sections:

- 16.53.010 Purpose, applicability and exemptions.
- 16.53.020 Rating system.
- 16.53.030 Critical area report--Additional requirements for wetlands.
- 16.53.040 Standards.
- 16.53.050 Wetland permits.

16.53.010 Purpose, applicability and exemptions.

A. Purpose.

1. Wetlands constitute important natural resources which provide significant environmental functions including: the control of floodwaters, maintenance of summer stream flows, filtration of pollutants, recharge of ground water, and provision of significant habitat areas for fish and wildlife. Uncontrolled urban-density development in and adjacent to wetlands and designated buffers can eliminate or significantly reduce the ability of wetlands to provide these important functions, thereby detrimentally affecting public health, safety, and general welfare.
2. It is the purpose of this chapter to provide balanced wetland protection measures which:
 - a. Further the goal of no net loss of wetland acreage and functions;
 - b. Encourage restoration and enhancement of degraded and low quality wetlands;
 - c. Provide a greater level of protection for higher-quality wetlands;
 - d. Maintain consistency with federal wetland protective measures; and
 - e. Respect the rights of property owners by allowing reasonable use of property.

B. Applicability.

1. The provisions of this chapter apply to all lands, all land uses and development activity, and all structures and facilities in the city, whether or not a permit or permit authorization is required, and shall apply to every person, firm, partnership, corporation, group, governmental agency, or other entity that owns, leases, or administers land within the city. No person, company, agency, or applicant shall alter a wetland or wetland buffer except as consistent with this chapter.
2. The city will not approve any permit or otherwise issue any authorization to alter the condition of any land, water, or vegetation, or to construct or alter any structure or improvement in, over, or on a wetland or wetland buffer, without first ensuring compliance with the requirements of this chapter, including, but not limited to, the following development permits:
 - a. Building permit;
 - b. Grading permit;
 - c. Forest practices conversion permit;
 - d. Conditional use permit;
 - e. Shoreline conditional use permit;

- f. Shoreline substantial development permit;
- g. Shoreline variance;
- h. Short subdivision;
- i. Subdivision;
- j. Planned residential development;
- k. Master plan;
- l. Binding site plan; or
- m. Site plan or site plan review.

3. Reasonable Use Exceptions. The following exceptions shall apply in implementing the standards of this chapter, although the standards shall be applied to the maximum extent practicable to avoid and minimize impacts on wetland functions and values. Mitigation for unavoidable adverse impacts shall be required. The standards of this chapter shall not be used to preclude the following activities in wetland areas:

- a. The placement of a single-family residence and normal accessory structures on an otherwise legally buildable lot of record. Standards may be applied on established properties to limit the proposed location and size of structures, and proposed removal of vegetation.
 - i. The expansion of a home on a lot that does not show building or development envelopes, wetlands or wetland buffers on the recorded plat, not to exceed twenty-five percent of the existing building footprint,
 - ii. The replacement of single-wide mobile home with another dwelling and normal accessory structures, and
 - iii. Fire hazard clearing recommended by the fire marshal, or consistent with written fire marshal or fire chief guidelines;
- b. The standards of this chapter shall not be used to deny all reasonable economic use of private property. The following criteria must be met in order to verify that all reasonable economic use of the property has been denied:
 - i. The application of this chapter would deny all reasonable economic use of the property,
 - ii. No other reasonable economic use of the property has less impact on the wetland and buffer area,
 - iii. Any wetland or buffer alteration is the minimum necessary to allow for reasonable economic use of the property, and
 - iv. The inability of the applicant to derive reasonable economic use of the property is not the result of actions by the applicant after the date of adoption of the ordinance codified in this chapter;
- c. The application of this chapter shall not be used to deny a development proposal for a linear facility from a public agency or public utility, provided the agency or utility meets the following criteria:
 - i. There is no practical alternative to the proposed project with less impact on the wetland and buffer area, and
 - ii. The application of this chapter would unreasonably restrict the ability to provide public utility services to the public.

4. Approval of a development permit application pursuant to the provisions of this chapter does not discharge the obligation of the applicant to comply with the provisions of this chapter.

C. Exemptions.

1. Exempt Activities and Impacts to Wetlands. All exempted activities shall use reasonable methods to avoid potential impacts to wetlands and buffers. Exemptions from permits are not exemptions from wetland stewardship responsibilities. The following developments, activities, and associated uses shall be exempt from the provisions of this chapter; provided, that they are otherwise consistent with the provisions of other local, state, and federal laws and requirements:
- a. Reconstruction of damaged or destroyed structures within the same building footprint. Expansion or reconstruction within a new or expanded footprint that affects a nonexempt wetland or wetland buffer is subject to the provisions of this title.
 - b. The harvesting or normal maintenance of vegetation in a manner that is not injurious to the natural reproduction of such vegetation.
 - c. Existing agricultural activities and structures:

- i. Agricultural activities and structures in operation at the time of adoption of the ordinance codified in this chapter that are affecting wetlands not associated with a riparian corridor are exempt from regulation under this chapter,
- ii. Changes in agricultural practices within the same "footprint" as the existing agricultural activities in subsection (C)(1)(c)(i) of this section, including reconstruction of existing agricultural structures, or construction of new agricultural structures, are exempt from regulation under this chapter,
- iii. Agricultural activities and structures in operation at the time of adoption of the ordinance codified in this chapter that are affecting wetlands associated with riparian corridors shall be regulated through CMC Chapter 16.61.
- d. The removal or eradication of noxious weeds so designated in Title 8 of this code or other exotic nuisance plants including nonnative blackberries; provided, that ground disturbing heavy machinery (scraping, ripping, etc.,) is not used. Cutting, mowing, and ground disturbance with hand tools is allowed.
- e. Site investigative work necessary for land use application submittals such as surveys, soil logs, and percolation tests.
- f. Emergency clearing to abate immediate danger to persons or property. For emergency clearing of hazard trees, remove only that portion of the hazard tree as necessary to remediate the hazard.
- g. Clearing necessary for the emergency repair of utility or public facilities. Notification of emergency work that causes substantial degradation to functions and values must be reported in a timely manner.
- h. Clearing for operation, maintenance, or repair of existing utilities or public facilities that does not further increase the impact to, or encroach further within, the wetland or wetland buffer.
- i. Clearing, as minimally necessary, for placement of fencing, private wells, septic systems, or individual lot sewer, water, electrical, or utility connections in wetland buffers, where practical alternatives do not exist.
- j. Clearing, as minimally necessary, for stream bank restoration, for native replanting, or enhancements in wetlands and wetland buffers.
- k. Clearing, as minimally necessary, for soil, water, vegetation, and resource conservation projects having received an environmental permit from a public agency in wetlands and wetland buffers.
- l. Clearing, as minimally necessary, for creating a four-foot or narrower path using natural, wood-based, or vegetated pervious surfacing in wetlands and wetland buffers.
- m. Land disturbance in wetlands and wetland buffers cumulatively less than five cubic yards in volume and three hundred square feet in area; provided, that the wetland hydroperiod is not significantly affected.
2. Exempted Wetlands. This chapter shall not apply to the following wetlands:
 - a. Small. Isolated Category III wetlands less than two thousand five hundred square feet in area, and isolated Category IV wetlands less than four thousand three hundred fifty square feet in area;
 - b. Artificial. Wetlands created from nonwetland sites including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, stormwater facilities, farm ponds, and landscape amenities; provided, that wetlands created as mitigation shall not be exempted;
 - c. Riparian. Wetlands fully within five feet, measured horizontally, of bank-full width for streams and the ordinary high water mark for lakes which are regulated under the State Shorelines Management Act (Chapter 90.58 RCW) or under CMC Chapter 16.61, are exempt.

D. Interpretation.

1. This chapter shall apply in addition to zoning and other regulations adopted by the city.
2. When there is a conflict between any provisions of this chapter or any other regulations adopted by the city of Camas, that providing the most protection to affected critical areas shall apply.
3. Compliance with this chapter does not constitute compliance with other federal, state and local regulations and permit requirements (for example, shoreline substantial development permits, hydraulic project approval (HPA) permits, Section 106 of the National Historic Preservation Act, U.S. Army Corps of Engineers Section 404 permits, National Pollutant Discharge Elimination System (NPDES) permits, or DOE Section 401 Water Quality Certification). The applicant is responsible for complying with all requirements, apart from the provisions of this chapter.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.53.020 Rating system.

A. Designating Wetlands. Wetlands are those areas, designated in accordance with the Washington State Wetland Identification and Delineation Manual, or Corps of Engineers Delineation Manual, Environmental Laboratories, 1987, or most current editions, that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions. All areas within the city of Camas meeting the wetland designation criteria in the State Identification and Delineation Manual, regardless of any formal identification, are hereby designated critical areas and are subject to the provisions of this title.

B. Wetland Rating System. Wetlands shall be rated according to the Washington State Department of Ecology (Ecology) wetland rating system found in Washington State Wetlands Rating System for Western Washington, (Ecology publication No. 04-06-025, August 2004). The rating system document contains the definitions and methods for determining if the criteria below are met:

1. Wetland Rating Categories.

a. Category I. Category I wetlands are those that meet one or more of the following criteria:

- i. Wetlands that are identified by scientists of the Washington Natural Heritage Program/DNR as high quality wetlands;
- ii. Bogs larger than one-half acre;
- iii. Mature and old growth forested wetlands larger than one acre;
- iv. Wetlands that perform many functions well, as indicated by scoring seventy points (out of one hundred) in the rating system.

Category I wetlands represent a unique or rare wetland type, are more sensitive to disturbance than most wetlands, are relatively undisturbed and contain some ecological attributes that are impossible to replace within a human lifetime, or provide a very high level of functions.

b. Category II. Category II wetlands are those that meet one or more of the following criteria:

- i. Wetlands identified by the Washington Natural Heritage Program as containing sensitive plant species;
- ii. Bogs between one-fourth and one-half acre in size;
- iii. Wetlands with a moderately high level of functions, as indicated by scoring fifty-one to sixty-nine in the Ecology rating system.

Category II wetlands are difficult, though not impossible, to replace, and provide high levels of some functions. These wetlands occur more commonly than Category I wetlands, but they still need a relatively high level of protection.

c. Category III. Category III wetlands are those with a moderate level of functions, as indicated by scoring thirty to fifty in the Ecology rating system. Generally, wetlands in this category have been disturbed in some way and are often less diverse or more isolated from other natural resources in the landscape than Category II wetlands.

d. Category IV. Category IV wetlands have the lowest levels of functions and are often heavily disturbed. They are characterized by a score of less than thirty on the rating system. These are wetlands that should be replaceable, and in some cases may be improved. However, experience has shown that replacement cannot be guaranteed in any specific case. These wetlands may provide some important functions, and should be protected to some degree.

2. Date of Wetland Rating. Wetland rating categories shall be applied as the wetland exists on the date of adoption of the rating system by the local government, as the wetland naturally changes thereafter, or as the wetland changes in accordance with permitted activities. Wetland rating categories shall not change due to illegal modifications.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.53.030 Critical area report--Additional requirements for wetlands.

- A. Prepared by a Qualified Professional. A critical areas report for wetlands shall be prepared by a qualified professional who is a wetland biologist with experience preparing wetland reports.
- B. Area Addressed in Critical Area Report. In addition to the requirements of CMC Chapter 16.51, the following areas shall be addressed in a critical area report for wetlands:
1. Within a subject parcel or parcels, the project area of the proposed activity;
 2. All wetlands and recommended buffer zones within three hundred feet of the project area within the subject parcel or parcels;
 3. All shoreline areas, water features, floodplains, and other critical areas, and related buffers within three hundred feet of the project area within the subject parcel or parcels;
 4. The project design and the applicability of the buffers based on the proposed layout and the level of land use intensity; and
 5. Written documentation from the qualified professional demonstrating compliance with the requirements of this chapter.
- C. Wetland Determination. In conjunction with the submittal of a development permit application, the responsible official shall determine the probable existence of a wetland on the subject parcel. If wetland or wetland buffers are found to be likely to exist on the parcel, wetland delineation is required.
- D. Wetland Delineation.
1. Methodology. The location of a wetland and its boundary shall be determined through the performance of a field investigation utilizing the methodology contained in the Wetlands Delineation Manual. If a wetland is located off-site and is inaccessible, the best available information shall be used to determine the wetland boundary and category.
 2. Information Requirements. Wetland boundaries shall be staked and flagged in the field and a delineation report shall be submitted to the department. The report shall include the following information:
 - a. USGS quadrangle map with site clearly defined;
 - b. Topographic map of area;
 - c. National wetland inventory map showing site;
 - d. Soil conservation service soils map showing site;
 - e. Site map, at a scale no smaller than one inch equals one hundred feet (a scaling ratio of one is to one thousand two hundred), if practical, showing the following information:
 - i. Wetland boundaries,
 - ii. Sample sites and sample transects,
 - iii. Boundaries of forested areas,
 - iv. Boundaries of wetland classes if multiple classes exist;
 - f. Discussion of methods and results with special emphasis on technique used from the Wetlands Delineation Manual;
 - g. Acreage of each wetland on the site based on the survey if the acreage will impact the buffer size determination or the project design;
 - h. All completed field data sheets per the Wetlands Delineation Manual, numbered to correspond to each sample site.
- E. Wetland Analysis. In addition to the minimum required contents of subsection D of this section, and in addition to CMC Section 16.51.170, a critical area report for wetlands shall contain an analysis of the wetlands including the following site- and proposal-related information at a minimum:
1. A discussion of measures, including avoidance, minimization, and mitigation, proposed to preserve existing wetlands and restore any wetlands that were degraded prior to the current proposed land use activity.
 2. Proposed mitigation, if needed, including a written assessment and accompanying maps of the mitigation area, including the following information at a minimum:
 - a. Existing and proposed wetland acreage;
 - b. Vegetative, faunal, and hydrologic conditions;
 - c. Relationship within watershed, and to existing water bodies;

- d. Soil and substrate conditions, topographic elevations;
 - e. Existing and proposed adjacent site conditions;
 - f. Required wetland buffers; and
 - g. Property ownership.
3. A discussion of ongoing management practices that will protect wetlands after the project site has been developed; including proposed monitoring and maintenance programs.

When deemed appropriate, the director may also require the critical area report to include an evaluation by the Department of Ecology or an independent qualified expert regarding the applicant's analysis, and the effectiveness of any proposed mitigating measures or programs, and to include any recommendations as appropriate.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.53.040 Standards.

A. Activities and uses shall be prohibited from wetlands and wetland buffers, except as provided for in this chapter.

B. Wetland Buffers.

Buffers. Wetland buffer widths shall be determined by the responsible official in accordance with the standards below:

- 1. All buffers shall be measured horizontally outward from the delineated wetland boundary or, in the case of a stream with no adjacent wetlands, the ordinary high water mark as surveyed in the field.
- 2. Buffer widths are established by comparing the wetland rating category and the intensity of land uses proposed on development sites per Tables 16.53.040-1, 16.53.040-2, 16.53.040-3 and 16.53.040-4. For Category IV wetlands, the required water quality buffers, per Table 16.53.040-1, are adequate to protect habitat functions.

Table 16.53.040-1. Buffers Required to Protect Water Quality Functions

TABLE INSET:

Wetland Rating	Low Intensity Use	Moderate Intensity Use	High Intensity Use
Category I	50 ft.	75 ft.	100 ft.
Category II	50 ft.	75 ft.	100 ft.
Category III	40 ft.	60 ft.	80 ft.
Category IV	25 ft.	40 ft.	50 ft.

Table 16.53.040-2. Buffers Required to Protect Habitat Functions in Category I and II Wetlands

TABLE INSET:

Habitat Score in the Rating Form	Low Intensity Use	Moderate Intensity Use	High Intensity Use
19 points or less	See Table 16.60.040-1	See Table 16.60.040-1	See Table 16.60.040-1
20	60 ft.	75 ft.	100 ft.
21	70	85	100
22	80	95	120
23	90	105	140
24	100	115	160
25	110	125	180
26	120	135	200

27	130	145	220
28	140	165	240
29	150	185	260
30	150	205	280
31 points or greater	150	225	300

Table 16.53.040-3. Buffers Required to Protect Habitat Functions in Category III Wetlands
TABLE INSET:

Habitat Score in the Rating Form	Low Intensity Use	Moderate Intensity Use	High Intensity Use
20 points or less	See Table 16.60.040-1	See Table 16.60.040-1	See Table 16.60.040-1
21	45 ft.	65 ft.	90 ft.
22	50	70	100
23	55	80	110
24	60	90	120
25	65 ft.	100 ft.	130 ft.
26	70	105	140
27 points or greater	75 ft.	110 ft.	150 ft.

Table 16.53.040-4. Land Use Intensity Matrix1
TABLE INSET:

	Parks and Recreation	Streets and Roads	Stormwater Facilities	Utilities	Commercial/Industrial	Residential 2
Low	Natural fields and grass areas, viewing areas, split rail fencing	NA	Outfalls, spreaders, constructed wetlands, bioswales, vegetated detention basins, overflows	Underground and overhead utility lines, manholes, power poles (without footings)	NA	Density at or lower than 1 unit per 5 acres
Moderate	Impervious trails, engineered fields, fairways	Residential driveways and access roads	Wet ponds	Maintenance access roads	NA	Density between 1 unit per acre and higher than 1 unit per 5 acres
High	Greens, tees, structures, parking, lighting,	Public and private streets, security fencing,	Maintenance access roads, retaining walls, vaults, infiltration	Paved or concrete surfaces, structures, facilities,	All site development	Density higher than 1 unit per acre

	concrete or gravel pads, security fencing	retaining walls	basins, sedimentation fore bays and structures, security fencing	pump stations, towers, vaults, security fencing, etc.		
--	---	-----------------	--	---	--	--

- 1 The responsible official shall determine the intensity categories applicable to proposals should characteristics not be specifically listed in Table 16.53.060-4.
- 2 Measured as density averaged over a site, not individual lot sizes.
3. In residential plats and subdivisions, wetlands and wetland buffers shall be placed within a nonbuildable tract with the following exceptions:
 - a. Creation of a nonbuildable tract would result in violation of minimum lot depth standards; or
 - b. The responsible official determines a tract is impractical;
 - c. Where the responsible official determines the exceptions in subsection (B)(3)(a) or (B)(3)(b) of this section are applicable, residential lots may extend into wetlands and wetland buffers; provided, that all the requirements of subsection C of this section are met.
4. Adjusted Buffer Width.
 - a. Adjustments Authorized by Wetland Permits. Adjustments to the required buffer width are authorized by Section 16.53.050(D) of this section upon issuance of a wetland permit.
 - b. Functionally Isolated Buffer Areas. Areas which are functionally separated from a wetland and do not protect the wetland from adverse impacts shall be treated as follows:
 - i. Preexisting roads, structures, or vertical separation shall be excluded from buffers otherwise required by this chapter;
 - ii. Distinct portions of wetlands with reduced habitat functions that are components of wetlands with an overall habitat rating score greater than twenty points shall not be subject to the habitat function buffers designated in Tables 16.53.040-2 and 16.53.040-3 if all of the following criteria are met:
 - (A) The area of reduced habitat function is at least one acre in size,
 - (B) The area supports less than five native plant species and does not contain special habitat features,
 - (C) The area of reduced habitat function has low or no interspersions of habitats as defined in Section H1.4 of the rating form,
 - (D) The area does not meet any WDFW priority habitat or species criteria, and
 - (E) The required habitat function buffer is provided for all portions of the wetland that do not have reduced habitat function.
 - c. Standard Requirements. Any action granting or approving a development permit application shall be conditioned on all the following:
 1. Marking Buffer During Construction. The location of the outer extent of the wetland buffer shall be marked in the field and such markings shall be maintained throughout the duration of the permit.
 2. Permanent Marking of Buffer Area. A permanent physical demarcation along the upland boundary of the wetland buffer area shall be installed and thereafter maintained. Such demarcation may consist of logs, a tree or hedge row, fencing, or other prominent physical marking approved by the responsible official. In addition, small signs shall be posted at an interval of one per lot or every one hundred feet, whichever is less, and perpetually maintained at locations along the outer perimeter of the wetland buffer as approved by the responsible official, and worded substantially as follows:
Wetland and Buffer--Please retain in a natural state.
 3. A conservation covenant shall be recorded in a form approved by the city as adequate to incorporate the other restrictions of this section and to give notice of the requirement to obtain a wetland permit prior to engaging in regulated activities within a wetland or its buffer.

4. In the case of plats, short plats, and recorded site plans, include on the face of such instrument the boundary of the wetland and its buffer, and a reference to the separately recorded conservation covenant provided for in subsection (C)(3) of this section.

D. Standard Requirements--Waivers. The responsible official shall waive the requirements of Section 16.53.030(D) and subsection B of this section in certain cases described below if the applicant designates development envelopes which are clearly outside of any wetland or buffer. The responsible official may require partial wetland delineation to the extent necessary to ensure eligibility for this waiver:

1. Residential building permits and home businesses;
 2. Site plan reviews where the responsible official determines that all development is clearly separated from the wetlands and wetland buffers:
 - a. Development envelopes shall be required for a fully complete preliminary application,
 - b. Development envelopes shall be shown on the final site plan, and
 - c. A note referencing the development envelopes shall be placed on the final site plan.
- (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.53.050 Wetland permits.

A. General.

1. A wetland permit is required for any development activity that is not exempt pursuant to Section 16.53.010(C) within wetlands and wetland buffers.
2. Standards for wetland permits are provided in subsections B, C and D of this section.
3. All wetland permits require approval of a preliminary and final enhancement/mitigation plan in accordance with the provisions of subsection E of this section unless the preliminary enhancement/mitigation plan requirement is waived under the provisions of subsection (E)(2) of this section.
4. Wetland permit application, processing, preliminary approval, and final approval procedures are set out in subsections F through I of this section.
5. Provisions for programmatic permits are provided by subsection K of this section.
6. Provisions for emergency wetland permits are provided by subsection L of this section.

B. Standards--General. Wetland permit applications shall be based upon a mitigation plan and shall satisfy the following general requirements:

1. The proposed activity shall not cause significant degradation of wetland functions;
2. The proposed activity shall comply with all state, local, and federal laws, including those related to sediment control, pollution control, floodplain restrictions, stormwater management, and on-site wastewater disposal.

C. Buffer Standards and Authorized Activities. The following additional standards apply for regulated activities in a wetland buffer:

1. Buffer Reduction Incentives. Standard buffer widths may be reduced under the following conditions, provided that functions of the post-project wetland are equal to or greater after use of these incentives.
 - a. Lower Impact Land Uses. The buffer widths recommended for proposed land uses with high-intensity impacts to wetlands can be reduced to those recommended for moderate-intensity impacts if both of the following criteria are met:
 - i. A relatively undisturbed, vegetated corridor at least one hundred feet wide is protected between the wetland and any other priority habitats that are present as defined by the Washington State Department of Fish and Wildlife*; and
 - ii. Measures to minimize the impacts of the land use adjacent to the wetlands are applied, such as infiltration of stormwater, retention of as much native vegetation and soils as possible, direction of noise and light away from the wetland, and other measures that may be suggested by a qualified wetlands professional.
 - b. Restoration. Buffer widths may be reduced up to twenty-five percent if the buffer is restored or enhanced from a pre-project condition that is disturbed (e.g., dominated by invasive species), so that functions of the post-project wetland and buffer are equal or greater. To the extent possible, restoration

should provide a vegetated corridor of a minimum one hundred feet wide between the wetland and any other priority habitat areas as defined by the Washington State Department of Fish and Wildlife. The habitat corridor must be protected for the entire distance between the wetland and the priority habitat area by some type of permanent legal protection such as a covenant or easement. The restoration plan must meet requirements in subsection D of this section for a mitigation plan, and this section for a critical area report.

c. Combined Reductions. Buffer width reductions allowed under subsections (C)(1)(a) and (C)(1)(b) of this section may be added provided that minimum buffer widths shall never be less than fifty feet for all Categories I, II and III wetlands, and twenty-five feet for all Category IV wetlands.

2. Buffer Averaging. Averaging buffers is allowed in conjunction with any of the other provisions for reductions in buffer width (listed in subsection (C)(1) of this section) provided that minimum buffer widths listed in subsection (C)(1)(c) of this section are adhered to. The community development department shall have the authority to average buffer widths on a case-by-case basis, where a qualified wetlands professional demonstrates, as part of a critical area report, that all of the following criteria are met:

a. The total area contained in the buffer after averaging is no less than that contained within the buffer prior to averaging;

b. Decreases in width are generally located where wetland functions may be less sensitive to adjacent land uses, and increases are generally located where wetland functions may be more sensitive to adjacent land uses, to achieve no net loss or a net gain in functions;

c. The averaged buffer, at its narrowest point, shall not result in a width less than seventy-five percent of the required width, provided that minimum buffer widths shall never be less than fifty feet for all Category I, Category II, and Category III wetlands, and twenty-five feet for all Category IV wetlands; and

d. Effect of Mitigation. If wetland mitigation occurs such that the rating of the wetland changes, the requirements for the category of the wetland after mitigation shall apply.

3. Stormwater Facilities. Stormwater facilities are only allowed in buffers of wetlands with low habitat function (less than twenty points on the habitat section of the rating system form); provided, the facilities shall be built on the outer edge of the buffer and not degrade the existing buffer function, and are designed to blend with the natural landscape. Unless determined otherwise by the responsible official, the following activities shall be considered to degrade a wetland buffer when they are associated with the construction of a stormwater facility:

a. Removal of trees greater than four inches diameter at four and one-half feet above the ground or greater than twenty feet in height;

b. Disturbance of plant species that are listed as rare, threatened, or endangered by the city, county, or any state or federal management agency;

c. The construction of concrete structures, other than manholes, inlets, and outlets that are exposed above the normal water surface elevation of the facility;

d. The construction of maintenance and access roads;

e. Slope grading steeper than four to one horizontal to vertical above the normal water surface elevation of the stormwater facility;

f. The construction of pre-treatment facilities such as fore bays, sediment traps, and pollution control manholes;

g. The construction of trench drain collection and conveyance facilities;

h. The placement of fencing; and

i. The placement of rock and/or riprap, except for the construction of flow spreaders, or the protection of pipe outfalls and overflow spillways; provided, that buffer functions for areas covered in rock and/or riprap are replaced.

4. Road and Utility Crossings. Crossing buffers with new roads and utilities is allowed provided all the following conditions are met:

a. Buffer functions, as they pertain to protection of the adjacent wetland and its functions, are replaced; and

- b. Impacts to the buffer and wetland are minimized.
5. Other Activities in a Buffer. Regulated activities not involving stormwater management, road and utility crossings, or a buffer reduction via enhancement are allowed in the buffer if all the following conditions are met:
- a. The activity is temporary and will cease or be completed within three months of the date the activity begins;
 - b. The activity will not result in a permanent structure in or under the buffer;
 - c. The activity will not result in a reduction of buffer acreage or function;
 - d. The activity will not result in a reduction of wetland acreage or function.
- D. Standards--Wetland Activities. The following additional standards apply to the approval of all activities permitted within wetlands under this section:
1. Sequencing. Applicants shall demonstrate that a range of project alternatives have been given substantive consideration with the intent to avoid or minimize impacts to wetlands. Documentation must demonstrate that the following hierarchy of avoidance and minimization has been pursued:
 - a. Avoid impacts to wetlands unless the responsible official finds that:
 - i. For Categories I and II wetlands, avoiding all impact is not in the public interest or will deny all reasonable economic use of the site;
 - ii. For Categories III and IV wetlands, avoiding all impact will result in a project that is either:
 - (A) Inconsistent with the city of Camas comprehensive plan,
 - (B) Inconsistent with critical area conservation goals, or
 - (C) Not feasible to construct.
 - b. Minimize impacts to wetlands if complete avoidance is infeasible. The responsible official must find that the applicant has limited the degree or magnitude of impact to wetlands by using appropriate technology and by taking affirmative steps to reduce impact through efforts such as:
 - i. Seeking easements or agreements with adjacent land owners or project proponents where appropriate;
 - ii. Seeking reasonable relief that may be provided through application of other city zoning and design standards;
 - iii. Site design; and
 - iv. Construction techniques and timing.
 - c. Compensate for wetland impacts that will occur, after efforts to minimize have been exhausted. The responsible official must find that:
 - i. The affected wetlands are restored to the conditions existing at the time of the initiation of the project;
 - ii. Unavoidable impacts are mitigated in accordance with this subsection; and
 - iii. The required mitigation is monitored and remedial action is taken when necessary to ensure the success of mitigation activities.
 2. Location of Wetland Mitigation. Wetland mitigation for unavoidable impacts shall be located using the following prioritization:
 - a. On-Site. Locate mitigation according to the following priority:
 - i. Within or adjacent to the same wetland as the impact,
 - ii. Within or adjacent to a different wetland on the same site;
 - b. Off-Site. Locate mitigation within the same watershed or use an established wetland mitigation bank; the service area determined by the mitigation bank review team and identified in the executed mitigation bank instrument;
 - c. In-Kind. Locate or create wetlands with similar landscape position and the same hydro-geomorphic (HGM) classification based on a reference to a naturally occurring wetland system; and
 - d. Out-of-Kind. Mitigate in a different landscape position and/or HGM classification based on a reference to a naturally occurring wetland system.
 3. Types of Wetland Mitigation. The various types of wetland mitigation allowed are listed below in the general order of preference.

- a. Restoration. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former or degraded wetland. For the purpose of tracking net gains in wetland acres, restoration is divided into:
- i. Re-Establishment. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former wetland. Re-establishment results in a gain in wetland acres (and functions). Activities could include removing fill material, plugging ditches, or breaking drain tiles.
 - ii. Rehabilitation. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a degraded wetland. Re-establishment results in a gain in wetland function, but does not result in a gain in wetland acres. Activities could involve breaching a dike to reconnect wetlands to a floodplain or return tidal influence to a wetland.
- b. Creation (Establishment). The manipulation of the physical, chemical, or biological characteristics of a site with the goal of developing a wetland on an upland or deepwater site where a wetland did not previously exist. Establishment results in a gain in wetland acres. Activities typically involve excavation of upland soils to elevations that will produce a wetland hydroperiod, create hydric soils, and support the growth of hydrophytic plant species.
- c. Enhancement. The manipulation of the physical, chemical, or biological characteristics of a wetland site to heighten, intensify, or improve the specific function(s), or to change the growth stage or composition of the vegetation present. Enhancement is undertaken for specified purposes such as water quality improvement, floodwater retention, or wildlife habitat. Enhancement results in a change in some wetland functions and can lead to a decline in other wetland functions, but does not result in a gain in wetland acres. Activities typically consist of planting vegetation, controlling non-native or invasive species, modifying site elevations, or the proportion of open water to influence hydroperiods, or some combination of these activities.
- d. Protection/Maintenance (Preservation). Removing a threat to, or preventing the decline of, wetland conditions by an action in or near a wetland. This includes the purchase of land or easements, repairing water control structures or fences, or structural protection such as repairing a barrier island. This term also includes activities commonly associated with the term preservation.

Preservation does not result in a gain of wetland acres, but may result in improved wetland functions.

4. Wetland Mitigation Ratios.

a. Standard Wetland Mitigation Ratios. The following mitigation ratios for each of the mitigation types described in subsections (D)(3)(a) through (D)(3)(c) of this section apply:

Table 16.53.050-1. Standard Wetland Mitigation Ratios (In Area)

TABLE INSET:

Wetland to be Replaced	Reestablishment or Creation	Rehabilitation	Reestablishment or Creation and Rehabilitation	Reestablishment or Creation and Enhancement	Enhancement
Category IV	1.5:1	3:1	1:1 R/C and 1:1 RH	1:1 R/C and 2:1 E	6:1
Category III	2:1	4:1	1:1 R/C and 2:1 RH	1:1 R/C and 4:1 E	8:1
Category II	3:1	6:1	1:1 R/C and 4:1 RH	1:1 R/C and 8:1 E	12:1
Category I, Forested	6:1	12:1	1:1 R/C and 10:1 RH	1:1 R/C and 20:1 E	24:1
Category I, Based on	4:1	8:1	1:1 R/C and 6:1 RH	1:1 R/C and 12:1 E	16:1

Score for Functions					
Category I, Natural Heritage Site	Not considered possible	6:1 Rehabilitate a natural heritage site	N/A	N/A	Case-by-case

b. Preservation. The responsible official has the authority to approve preservation of existing wetlands as wetland mitigation under the following conditions:

- i. The wetland area being preserved is a Category I or II wetland, or is within a WDFW priority habitat or species area;
- ii. The preservation area is at least one acre in size;
- iii. The preservation area is protected in perpetuity by a covenant or easement that gives the city clear regulatory and enforcement authority to protect existing wetland and wetland buffer functions with standards that exceed the protection standards of this chapter;
- iv. The preservation area is not an existing or proposed wetland mitigation site; and
- v. The following preservation/mitigation ratios apply:

Table 16.53.050-2. Wetland Preservation Ratios for Categories I and II Wetlands (In Area)

TABLE INSET:

Habitat Function of Wetland to be Replaced	In Addition to Standard Mitigation		As the Only Means of Mitigation	
	Full and Functioning Buffer	Reduced and/or Degraded Buffer	Full and Functioning Buffer	Reduced and/or Degraded Buffer
Low (<20 points)	10:1	14:1	20:1	30:1
Moderate (20 -- 30 points)	13:1	17:1	30:1	40:1
High (>30 points)	16:1	20:1	40:1	50:1

c. The responsible official has the authority to reduce wetland mitigation ratios under any of the following circumstances:

i. Documentation by a qualified wetland specialist demonstrates that the proposed mitigation actions have a very high likelihood of success based on prior experience;

ii. Documentation by a qualified wetland specialist demonstrates that the proposed actions for compensation will provide functions and values that are significantly greater than the wetland being affected;

iii. The proposed actions for compensation are conducted in advance of the impact and are shown to be successful;

iv. In wetlands where several HGM classifications are found within one delineated wetland boundary, the areas of the wetlands within each HGM classification can be scored and rated separately and the mitigation ratios adjusted accordingly, if all the following apply:

(A) The wetland does not meet any of the criteria for wetlands with "Special Characteristics," as defined in the rating system,

(B) The rating and score for the entire wetland is provided, as well as the scores and ratings for each area with a different HGM classification,

(C) Impacts to the wetland are all within an area that has a different HGM classification from the one used to establish the initial category, and

(D) The proponents provide adequate hydrologic and geomorphic data to establish that the boundary between HGM classifications lies at least fifty feet outside of the footprint of the impacts.

5. Alternate Wetland Mitigation.

a. Wetland Mitigation Banking.

i. Construction, enhancement, or restoration of wetlands to use as mitigation for future wetland development impacts is permitted subject to the following:

(A) A wetland permit shall be obtained prior to any mitigation banking. If a wetland permit is not obtained prior to mitigation bank construction, mitigation credit shall not be awarded. On projects proposing off-site wetland banking in addition to required wetland mitigation, a separate wetland permit shall be required for each activity. The performance and maintenance bond requirements of subsections (H)(3)(c) and (H)(3)(d) of this section shall not be applicable, provided there are no requests for mitigation credit prior to the city determining the mitigation banking is successful. If mitigation banking is not fully functioning, as defined in the wetland permit, at the time mitigation credit is requested, subsections (H)(3)(c) and (H)(3)(d) of this section shall apply,

(B) Federal and state wetland regulations, if applicable, may supersede city requirements;

ii. The mitigation credit allowed will be determined by the city, based on the wetland category, condition, and mitigation ratios as specified in subsection (D)(4) of this section. Prior to granting mitigation banking credit, all wetland mitigation banking areas must comply with Section 16.53.040(E)(4)(b) and (E)(4)(c), and, if applicable, subsection (H)(3) of this section;

iii. On projects proposing off-site wetland banking in addition to required wetland mitigation, a separate permit fee will be required for each activity;

iv. Purchase of banked wetland credits is permitted to mitigate for wetland impacts in the same watershed, provided the applicant has minimized wetland impacts, where reasonably possible, and the following requirements are met:

(A) Documentation, in a form approved by the city, adequate to verify the transfer of wetland credit shall be submitted, and

(B) A plat note, along with information on the title, shall be recorded in a form approved by the city as adequate to give notice of the requirements of this section being met by the purchase of banked wetland credits.

b. Cumulative Effects Fund. The city may accept payment of a voluntary contribution to an established cumulative effects fund for off-site watershed scale habitat and wetland conservation in lieu of wetland mitigation of unavoidable impacts in the following cases:

i. Residential building permits where on-site enhancement and/or preservation is not adequate to meet the requirements of subsection (D)(4) of this section;

ii. Approved reasonable use exceptions where sufficient on-site wetland and wetland buffer mitigation is not practical;

iii. Small impacts affecting less than 0.10 acre of wetland where on-site enhancement and/or preservation is not adequate to meet the requirements of subsection (D)(4) of this section; or

iv. As an additional mitigation measure when all other mitigation options have been applied to the greatest extent practicable.

6. Stormwater Facilities. Stormwater facilities are allowed in wetlands with habitat scores less than twenty on the rating form, in compliance with the following requirements:

a. Stormwater detention and retention necessary to maintain wetland hydrology is authorized; provided, that the responsible official finds that wetland functions will not be degraded; and

b. Stormwater runoff is treated for water quality in accordance with the requirements of Section 17.19.040(C)(3) prior to discharge into the wetland.

7. Utility Crossings. Crossing wetlands by utilities is allowed, provided the activity is not prohibited by subsection (D)(1) of this section, and provided all the following conditions are met:

a. The activity does not result in a decrease in wetland acreage or classification;

b. The activity results in no more than a short-term six month decrease in wetland functions; and

c. Impacts to the wetland are minimized.

8. Other Activities in a Wetland. Activities not involving stormwater management, utility crossings, or wetland mitigation are allowed in a wetland, provided the activity is not prohibited by subsection (D)(1) of this section, and provided all the following conditions are met:

- a. The activity shall not result in a reduction of wetland acreage or function; and
- b. The activity is temporary and shall cease or be completed within three months of the date the activity begins.

E. Mitigation Plans.

1. General. Mitigation plans are required for activities in a buffer or wetland. Content requirements which are inappropriate and inapplicable to a project may be waived by the responsible official upon request of the applicant at or subsequent to the pre-application consultation provided for in subsection (F)(1) of this section.

2. Preliminary Mitigation Plan. The purpose of the preliminary plan is to determine the feasibility of the project before extensive resources are devoted to the project. The responsible official may waive the requirement for a preliminary mitigation plan when a wetland permit is not associated with a development permit application (listed in Section 16.53.010(B)). The preliminary mitigation plan consists of two parts: baseline information for the site and a conceptual plan. If off-site wetland mitigation is proposed, baseline information for both the project site and mitigation site is required.

a. Baseline information shall include:

- i. Wetland delineation report as described in Section 16.53.030(D)(2);
- ii. Copies of relevant wetland jurisdiction determination letters, if available, such as determinations of prior converted crop lands, correspondence from state and federal agencies regarding prior wetland delineations, etc.;
- iii. Description and maps of vegetative conditions at the site;
- iv. Description and maps of hydrological conditions at the site;
- v. Description of soil conditions at the site based on a preliminary on-site analysis;
- vi. A topographic map of the site; and
- vii. A functional assessment of the existing wetland and buffer.

(A) Application of the rating system in Section 16.53.020(B) will generally be considered sufficient for functional assessment,

(B) The responsible official may accept or request an alternate functional assessment methodology when the applicant's proposal requires detailed consideration of specific wetland functions,

(C) Alternate functional assessment methodologies used shall be scientifically valid and reliable.

b. The contents of the conceptual mitigation plan shall include:

- i. Goals and objectives of the proposed project;
- ii. A wetland buffer width reduction plan, if width reductions are proposed, that includes:
 - (A) The land use intensity, per Table 16.53.040-4, of the various elements of the development adjacent to the wetlands,
 - (B) The wetland buffer width(s) required by Tables 16.53.040-1, 16.53.040-2 and 16.53.040-3,
 - (C) The proposed buffer width reductions, including documentation that proposed buffer width reductions fully protect the functions of the wetland in compliance with subsection C of this section;
- iii. A wetland mitigation plan that includes:
 - (A) A sequencing analysis for all wetland impacts,
 - (B) A description of all wetland impacts that require mitigation under this chapter, and
 - (C) Proposed mitigation measures and mitigation ratios;
- iv. Map showing proposed wetland and buffer. This map should include the existing and proposed buffers and all proposed wetland impacts regulated under this chapter;
- v. Site plan;
- vi. Discussion and map of plant material to be planted and planting densities;
- vii. Preliminary drainage plan identifying location of proposed drainage facilities including detention structures and water quality features (e.g., swales);
- viii. Discussion of water sources for all wetlands on the site;
- ix. Project schedule;
- x. Discussion of how the completed project will be managed and monitored; and

- xi. A discussion of contingency plans in case the project does not meet the goals initially set for the project.
- 3. Final Mitigation Plan. The contents of the final mitigation plan shall include:
 - a. The approved preliminary mitigation plan and all conditions imposed on that plan. If the preliminary mitigation plan requirement is waived, the final plan shall include the content normally required for the preliminary plan listed in this section.
 - b. Performance Standards. Specific criteria shall be provided for evaluating whether or not the goals and objectives of the mitigation project are being met. Such criteria may include water quality standards, survival rates of planted vegetation, species abundance and diversity targets, habitat diversity indices, or other ecological, geological, or hydrological criteria.
 - c. Detailed Construction Plans. Written specifications for the mitigation project shall be provided. The specifications shall include: the proposed construction sequence, grading and excavation details, water and nutrient requirements for planting, specification of substrate stockpiling techniques, and planting instructions, as appropriate. These written specifications shall be accompanied by detailed site diagrams, scaled cross-sectional drawings, topographic maps showing slope percentage and final grade elevations, and any other drawings appropriate to show construction techniques or anticipated final outcome.
 - d. Monitoring Program. The mitigation plan shall include a description of a detailed program for monitoring the success of the mitigation project.
 - i. The mitigation project shall be monitored for a period necessary to establish that the mitigation is successful, but not for a period of less than five years. Creation of forested wetland mitigation projects shall be monitored for a period of at least ten years;
 - ii. Monitoring shall be designed to measure the performance standards outlined in the mitigation plan and may include but not be limited to:
 - (A) Establishing vegetation plots to track changes in plant species composition and density over time,
 - (B) Using photo stations to evaluate vegetation community response,
 - (C) Sampling surface and subsurface waters to determine pollutant loading, and changes from the natural variability of background conditions (pH, nutrients, heavy metals),
 - (D) Measuring base flow rates and stormwater runoff to model and evaluate water quality predictions, if appropriate,
 - (E) Measuring sedimentation rates, if applicable, and
 - (F) Sampling fish and wildlife populations to determine habitat utilization, species abundance and diversity;
 - iii. A monitoring protocol shall be included outlining how the monitoring data will be evaluated by agencies that are tracking the progress of the project;
 - iv. Monitoring reports shall be submitted annually, or on a pre-arranged alternate schedule, for the duration of monitoring period;
 - v. Monitoring reports shall analyze the results of monitoring, documenting milestones, successes, problems, and recommendations for corrective and/or contingency actions to ensure success of the mitigation project.
 - e. Associated Plans and Other Permits. To ensure consistency with the final mitigation plan, associated plans and permits shall be submitted, including, but not limited to:
 - i. Engineering construction plans;
 - ii. Final site plan or proposed plat;
 - iii. Final landscaping plan;
 - iv. Habitat permit;
 - v. WDFW HPA;
 - vi. USACE Section 404 permit; and
 - vii. WDOE Administrative Order or Section 401 certification.
 - f. Evidence of Financial and Scientific Proficiency. A description of how the mitigation project will be managed during construction and the scientific capability of the designer to successfully implement the

proposed project. In addition, a demonstration of the financial capability of the applicant to successfully complete the project and ensure it functions properly at the end of the specific monitoring period.

g. Contingency Plan. Identification of potential courses of action, and any corrective measures to be taken when monitoring or evaluation indicates project performance standards are not being met.

F. Wetland Permit--Application.

1. Pre-Permit Consultation. Any person intending to apply for a wetland permit is encouraged, but not required, to meet with the department during the earliest possible stages of project planning in order to discuss wetland impact avoidance, minimization, compensatory mitigation, and the required contents of a mitigation plan before significant commitments have been made to a particular project design. Effort put into pre-permit consultations and planning will help applicants create projects which will be more quickly and easily processed.

2. Applications. Applications for wetland permits shall be made to the department on forms furnished by the department and in conformance with Section 16.53.030.

3. Fees. At the time of application, the applicant shall pay a filing fee in accordance with the most current fee schedule adopted by the city.

G. Wetland Permit--Processing.

1. Procedures. Wetland permit applications shall be processed using the application procedures in Chapter 18.55 unless specifically modified herein:

a. Type I Wetland Permit. The following wetland permits shall be reviewed under the Type I review process in accordance with CMC Chapter 18.55:

i. Buffer modification only;

ii. Wetland impacts resulting in less than 0.10 acre of direct wetland impact;

iii. Wetland permits associated with residential building permits, regardless of impact;

iv. Re-authorization of approved wetland permits;

v. Programmatic wetland permits that are SEPA exempt.

b. Type II Wetland Permit. The following wetland permits shall be reviewed under the Type II review process in accordance with CMC Chapter 18.55:

i. Wetland impacts resulting in 0.10 acre, or more, of direct wetland impact, other than residential building permits;

ii. Programmatic wetland permits that require SEPA review;

iii. Programmatic permit applications subject to Type II review shall not be subject to the notice requirements of Chapter 18.55. Within fourteen calendar days after the date an application is accepted as fully complete, the city shall publish in a newspaper of general circulation a summary of the notice, including the date, time, and manner of making comments, the nature and location of the proposal, and instructions for obtaining further information.

c. Type III Wetland Permit. Reasonable use exceptions, other than residential permits, made under Section 16.53.010(B)(3), shall be reviewed under the Type III review process described in Chapter 18.55.

2. Consolidation. The department shall, to the extent practicable and feasible, consolidate the processing of wetland permits with other city regulatory programs which affect activities in wetlands, such as SEPA review, subdivision, grading, and site plan approval, so as to provide a timely and coordinated permit process. Where no other city permit or approval is required for the wetland activity, the wetland permit shall be processed in accordance with a Type II process under Chapter 18.55.

3. Notification. In addition to notices otherwise required, notice of application shall be given to federal and state agencies that have jurisdiction over, or an interest in, the affected wetlands. This notice may be incorporated into a SEPA comment period.

H. Wetland Permit--Preliminary Approval.

1. Decision Maker. A wetland permit application which has been consolidated with another permit or approval request which requires a public hearing (e.g., preliminary plat) shall be heard and decided in accordance with the procedures applicable to such other request. Any other wetland permit application shall be acted on by the responsible official within the timeline specified in Chapter 18.55 for the required permit type.

2. Findings. A decision preliminarily approving or denying a wetland permit shall be supported by findings of fact relating to the standards and requirements of this chapter.
 3. Conditions. A decision preliminarily approving a wetland permit shall incorporate at least the following as conditions:
 - a. The approved preliminary mitigation plan;
 - b. Applicable conditions provided for in subsection (E)(3) of this section;
 - c. Posting of a performance assurance pursuant to subsection J of this section; and
 - d. Posting of a maintenance assurance pursuant to subsection J of this section.
 4. Duration. Wetland permit preliminary approval shall be valid for a period of three years from the date of issuance or termination of administrative appeals or court challenges, whichever occurs later, unless:
 - a. A longer period is specified in the permit; or
 - b. The applicant demonstrates good cause to the responsible official's satisfaction for an extension not to exceed an additional one year.
- I. Wetland Permit--Final Approval.
1. Issuance. The responsible official shall issue final approval of the wetland permit authorizing commencement of the activity permitted thereby upon:
 - a. Submittal and approval of a final mitigation plan pursuant to subsection (E)(3) of this section;
 - b. Installation and approval of field markings as required by Section 16.53.040(C)(2);
 - c. The recording of a conservation covenant as required by Section 16.53.040(C)(3) and included on the plat, short plat, or site plan as required by Section 16.53.040(C)(4);
 - d. The posting of a performance assurance as required by subsection (H)(3) of this section.
 2. Duration.
 - a. Wetland or Wetland Buffer Impacts. Final approval shall be valid for the period specified in the final wetland permit, or the associated development approval. Extension of the permit shall only be granted in conjunction with extension of an associated permit.
 - b. Compensatory Mitigation. The compensatory mitigation requirements of the permit shall remain in effect for the duration of the monitoring and maintenance period specified in the approval.
- 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. 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:
 - 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 Title 18 of the Camas Municipal Code, 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 CMC Chapter 18.55, 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)

* 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.

Chapter 16.55 CRITICAL AQUIFER RECHARGE AREAS

Sections:

- 16.55.010 Critical aquifer recharge areas designation.
- 16.55.020 Aquifer recharge area susceptibility ratings.
- 16.55.030 Mapping of critical aquifer recharge areas.
- 16.55.040 Activities allowed in critical aquifer recharge areas.
- 16.55.050 Critical area report--Requirements for critical aquifer recharge areas.
- 16.55.060 Performance standards--General requirements.
- 16.55.070 Performance standards--Specific uses.
- 16.55.080 Uses prohibited from critical aquifer recharge areas.

16.55.010 Critical aquifer recharge areas designation.

Critical aquifer recharge areas (CARA) are those areas with a critical recharging effect on aquifers used for potable water as defined by WAC 365-190-030(2). CARA have prevailing geologic conditions associated with infiltration rates that create a high potential for contamination of ground water resources or contribute significantly to the replenishment of ground water. These areas include the following:

- A. Wellhead Protection Areas. Wellhead protection areas shall be defined by the boundaries of the ten-year time of ground water travel, or boundaries established using alternate criteria approved by the Department of Health in those settings where ground water time of travel is not a reasonable delineation criterion, in accordance with WAC 246-290-135.
- B. Sole Source Aquifers. Sole source aquifers are areas that have been designated by the U.S. Environmental Protection Agency pursuant to the Federal Safe Drinking Water Act.
- C. Susceptible Ground Water Management Areas. Susceptible ground water management areas are areas that have been designated as moderately or highly vulnerable or susceptible in an adopted ground water management program developed pursuant to Chapter 173-100 WAC.
- D. Special Protection Areas. Special protection areas are those areas defined by WAC 173-200-090.
- E. Moderately or Highly Vulnerable Aquifer Recharge Areas. Aquifer recharge areas that are moderately or highly vulnerable to degradation or depletion because of hydrogeologic characteristics are

those areas delineated by a hydrogeologic study prepared in accordance with the state Department of Ecology guidelines.

F. Moderately or Highly Susceptible Aquifer Recharge Areas. Aquifer recharge areas moderately or highly susceptible to degradation or depletion because of hydrogeologic characteristics are those areas meeting the criteria established by the state Department of Ecology.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.55.020 Aquifer recharge area susceptibility ratings.

Aquifer recharge areas shall be rated as having high, moderate, or low susceptibility based on soil permeability, geologic matrix, infiltration, and depth to water as determined by the criteria established by the state Department of Ecology.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.55.030 Mapping of critical aquifer recharge areas.

A. The approximate location and extent of critical aquifer recharge areas are shown on the adopted critical area maps.

B. These maps are to be used as a guide for the city, project applicants, and/or property owners, and may be continuously updated as new critical areas are identified. They are a reference and do not provide a final critical area designation.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.55.040 Activities allowed in critical aquifer recharge areas.

The following activities are allowed in critical aquifer recharge areas in addition to those pursuant to allowed activities (Section 16.51.120), and do not require submission of a critical area report:

A. Construction of structures and improvements, including additions, resulting in less than five percent or two thousand five hundred square feet (whichever is greater) total site impervious surface area that do not result in a change of use or increase the use of a hazardous substance.

B. Development and improvement of parks, recreation facilities, open space, or conservation areas resulting in less than five percent total site impervious surface area and that does not increase the use of a hazardous substance.

C. Development within CARA's shall not result in the loss of more than forty percent of the total pervious surface of the site.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.55.050 Critical area report--Requirements for critical aquifer recharge areas.

A. Prepared by a Qualified Professional. An aquifer recharge area critical area report shall be prepared by a qualified professional who is a hydrogeologist, geologist, or engineer, who is licensed in the state of Washington, and has experience in preparing hydrogeologic assessments.

B. Hydrogeologic Assessment Required. For all proposed activities to be located in a critical aquifer recharge area, a critical area report shall contain a level one hydrogeological assessment. A Level One hydrogeologic assessment shall be required for any of the following proposed activities:

1. Activities that result in five percent or more, or two thousand five hundred square feet of impervious site area;

2. Activities that divert, alter, or reduce the flow of surface or ground waters, or otherwise reduce the recharging of the aquifer;

3. The use of hazardous substances, other than household chemicals used according to the directions specified on the packaging for domestic applications;

4. The use of injection wells; or

5. Any other activity determined by the director likely to have an adverse impact on ground water quality or quantity, or on the recharge of the aquifer.

C. Level One Hydrogeologic Assessment. A Level One hydrogeologic assessment shall include the following site- and proposal-related information at a minimum:

1. Available information regarding geologic and hydrogeologic characteristics of the site, including the surface location of all critical aquifer recharge areas located on site or immediately adjacent to the site, and permeability of the unsaturated zone;
2. Ground water depth, flow direction and gradient based on available information;
3. Currently available data on wells and springs within one thousand three hundred feet of the project area;
4. Location of other critical areas, including surface waters, within one thousand three hundred feet of the project area;
5. Available historic water quality data for the area to be affected by the proposed activity; and
6. Best management practices proposed to be utilized.

D. Level Two Hydrogeologic Assessment. A Level Two hydrogeologic assessment shall include the following site- and proposal-related information at a minimum, in addition to the requirements for a Level One hydrogeological assessment:

1. Historic water quality data for the area to be affected by the proposed activity compiled for at least the previous five-year period;
2. Ground water monitoring plan provisions;
3. Discussion of the effects of the proposed project on the ground water quality and quantity, including:
 - a. Predictive evaluation of ground water withdrawal effects; and
 - b. Predictive evaluation of contaminant transport based on potential releases to ground water; and
4. A spill plan that identifies equipment and/or structures that could fail, resulting in an impact. Spill plans shall include provisions for regular inspection, repair, and replacement of structures and equipment that could fail.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.55.060 Performance standards--General requirements.

A. Activities may only be permitted in a critical aquifer recharge area if the applicant can show that the proposed activity will not cause contaminants to enter the aquifer, and that the proposed activity will not adversely effect the recharging of the aquifer.

B. The critical areas report shall identify and demonstrate that measures will be taken to prevent aquifer contamination from vehicular repair, residential use of pesticides and nutrients, spreading or injection of reclaimed water, and storage tanks.

C. The proposed activity must comply with the water source protection requirements and recommendations of the Federal Environmental Protection Agency, State Department of Health, and the local health district.

D. The proposed activity must be designed and constructed in accordance with the city of Camas Design Standards Manual.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.55.070 Performance standards--Specific uses.

A. Storage Tanks. All storage tanks proposed to be located in a critical aquifer recharge area must comply with local building code requirements and must conform to the following requirements:

1. Underground Tanks. All new underground storage facilities proposed for use shall be designed and constructed so as to:

- a. Prevent releases due to corrosion or structural failure for the operational life of the tank;
- b. Be protected against corrosion, constructed of noncorrosive material, steel clad with a noncorrosive material, or designed to include a secondary containment system to prevent the release or threatened release of any stored substances; and
- c. Use material in the construction or lining of the tank that is compatible with the substance to be stored.

2. Aboveground Tanks. All new aboveground storage facilities proposed for use in the storage of hazardous substances or hazardous wastes shall be designed and constructed so as to:
- Not allow the release of a hazardous substance to the ground, ground waters, or surface waters;
 - Have a primary containment area enclosing or underlying the tank or part thereof; and
 - A secondary containment system either built into the tank structure, or a dike system built outside the tank. This applies to all tanks.
- B. No Dry Wells Shall be Allowed in Critical Aquifer Recharge Areas. Dry wells existing on the site prior to facility establishment must be abandoned using techniques approved by the state Department of Ecology prior to commencement of the proposed activity.
- C. Residential Use of Pesticides and Nutrients. Application of household pesticides, herbicides, and fertilizers shall not exceed times and rates specified on the packaging.
- D. Spreading or Injection of Reclaimed Water. Water reuse projects for reclaimed water must be in accordance with the adopted water or sewer comprehensive plans that have been approved by the departments of Ecology and Health.
- Surface spreading must meet the ground water recharge criteria given in Chapter 90.46.080 RCW and Chapter 90.46.010(9); and
 - Direct injection must be in accordance with the standards developed by authority of Chapter 90.46.042 RCW.
- E. State and Federal Regulations. The uses listed below shall be conditioned as necessary to protect critical aquifer recharge areas in accordance with the applicable state and federal regulations. Statutes, Regulations and Guidance Pertaining to Ground Water Impacting Activities
TABLE INSET:

Activity	Statute--Regulation--Guidance*
Aboveground storage tanks	Chapter 173-303-640 WAC
Animal feedlots	Chapter 173-216 -240 WAC, Chapter 173-220 (NPDES) WAC
Automobile washers	Chapter 173-216 WAC, Best Management Practices for Vehicle and Equipment Discharges (WDOE WQ-R-95-56)
Below ground storage tanks	Chapter 173-360 WAC
Chemical treatment storage and disposal facilities	Chapter 173-303 WAC
Hazardous waste generator (boat repair shops, biological research facility, dry cleaners, furniture stripping, motor vehicle service garages, photographic processing, printing and publishing shops, etc.)	Chapter 173-303 WAC
Injection wells	Federal 40 CFR Parts 144 and 146, Chapter 173-218 WAC
Junk yards and salvage yards	Chapter 173-304 WAC, Best Management Practices to Prevent Stormwater Pollution at Vehicles Recycler Facilities (WDOE 94-146)
Oil and gas drilling	Chapter 332-12-450 WAC, Chapter 344-12 WAC
On-site sewage systems (large scale)	Chapter 173-240 WAC
On-site sewage systems (<14,500 gal/day)	Chapter 246-272 WAC, Local Health

	Ordinances
Pesticide storage and use	Chapter 15.54 RCW, Chapter 17.21 RCW
Sawmills	Chapter 173-303 WAC, 173-304 WAC, Best Management Practices to Prevent Stormwater Pollution at Log Yards (WDOE 95-53)
Solid waste handling and recycling facilities	Chapter 173-304 WAC
Surface mining	Chapter 332-18 WAC
Waste water application to land surface	Chapter 173-216 WAC, Chapter 173-200 WAC, WDOE Land Application Guidelines, Best Management Practices for Irrigated Agriculture

* as amended.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.55.080 Uses prohibited from critical aquifer recharge areas.

The following activities and uses are prohibited in critical aquifer recharge areas:*

- A. Landfills. Landfills, including hazardous or dangerous waste, municipal solid waste, special waste, wood waste, and inert and demolition waste landfills;
 - B. Underground Injection Wells. Classes I, III, and IV wells and subclasses 5F01, 5D03, 5F04, 5W09, 5W10, 5W11, 5W31, 5X13, 5X14, 5X15, 5W20, 5X28, and 5N24 of Class V wells;
 - C. Mining.
 - 1. Metals and hard rock mining, and
 - 2. Sand and gravel mining;
 - D. Wood Treatment Facilities. Wood treatment facilities that allow any portion of the treatment process to occur over permeable surfaces (both natural and man-made);
 - E. Storage, Processing, or Disposal of Radioactive Substances. Facilities that store, process, or dispose of radioactive substances;
 - F. Fuel and/or gas stations;
 - G. Vehicle repair and servicing;
 - H. Oil and lubricant centers; and
 - I. Other.
 - 1. Activities that would significantly reduce the recharge to aquifers currently or potentially used as a potable water source,
 - 2. Activities that would significantly reduce the recharge to aquifers that are a source of significant baseflow to a regulated stream,
 - 3. Activities that are not connected to an available sanitary sewer system are prohibited from critical aquifer recharge areas associated with sole source aquifers, and
 - 4. Underground storage tanks for the use and storage of hazardous substances or hazardous materials.
- (Ord. 2517 § 1 (Exh. A (part)), 2008)

* Prohibited uses are based on "Guidance Document for the Establishment of Critical Aquifer Recharge Area Ordinances," by Ecology, July 2000, publication #97-30, and local concerns.

Chapter 16.57 FREQUENTLY FLOODED AREAS

Sections:

- 16.57.010 Designation of frequently flooded areas.
- 16.57.020 Critical area report--Additional requirements.
- 16.57.030 Warning and disclaimer of liability.

- 16.57.040 Performance standards--General requirements.
- 16.57.050 Performance standards--Specific uses.
- 16.57.060 Performance standards--Areas of shallow flooding.
- 16.57.070 Uses and activities prohibited from frequently flooded areas.
- 16.57.080 Variations--Additional considerations for frequently flooded areas.

16.57.010 Designation of frequently flooded areas.

A. Frequently Flooded Areas. Frequently flooded areas include:

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for City of Camas" dated August 2, 1982, with accompanying flood insurance maps. The flood insurance study and accompanying maps are hereby adopted by reference, declared part of this chapter. These are minimum designations; the director may identify additional areas.

B. Use of Additional Information. The director may use additional flood information that is more restrictive or detailed than that provided in the flood insurance study conducted by the Federal Emergency Management Agency (FEMA) to designate frequently flooded areas, including data on channel migration, historical data, high water marks, photographs of past flooding, location of restrictive floodways, maps showing future build-out conditions, maps that show riparian habitat areas, or similar information.

C. Flood Elevation Data. When base flood elevation data is not available (A and V zones), the director shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, in order to administer this chapter.

D. Designation Made by Director. The flood insurance maps are to be used as a guide for the city, project applicants and/or property owners, and the public, and should be considered a minimum designation of frequently flooded areas. As flood insurance maps may be continuously updated as areas are reexamined or new areas are identified, the best available information for flood hazard area identification shall be the basis for regulation.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.57.020 Critical area report--Additional requirements.

A. Prepared by a Qualified Professional. A frequently flooded areas report shall be prepared by a qualified professional who is a hydrologist, or engineer, who is licensed in the state of Washington, with experience in preparing flood hazard assessments.

B. Area Addressed in Critical Area Report. The following areas shall be addressed in a critical area report for frequently flooded areas:

1. The site area of the proposed activity;
2. All areas of a special flood hazard area, as indicated on the flood insurance map(s), within three hundred feet of the project area; and
3. All other flood areas indicated on the flood insurance map(s) within three hundred feet of the project area.

C. Flood Hazard Assessment Required. A critical area report for a proposed activity within a frequently flooded area shall contain a flood hazard assessment, including the following site- and proposal-related information at a minimum:

1. Site and Construction Plans. A copy of the site and construction plans for the development proposal showing:
 - a. Floodplain (one hundred year flood elevation), ten- and fifty-year flood elevations, floodway, other critical areas, management zones, and shoreline areas,
 - b. Proposed development, including the location of existing and proposed structures, fill, storage of materials, and drainage facilities, with dimensions indicating distances to the floodplain,
 - c. Clearing limits, and
 - d. Elevation of the lowest floor (including basement) of all structures, and the level to which any structure has been floodproofed;

2. Floodproofing Certificate. When floodproofing is proposed, a certification by a registered professional engineer or architect that the floodproofing methods meet the requirements in CMC Section 16.57.040(G); and

3. Watercourse Alteration. When watercourse alteration is proposed, the critical area report shall include:

a. Extent of Watercourse Alteration. A description of and plan showing the extent to which a watercourse will be altered or relocated as a result of proposal, and

b. Maintenance Program Required for Watercourse Alterations. A maintenance program that provides maintenance practices for the altered or relocated portion of the watercourse to ensure that the flood carrying capacity is not diminished.

D. Information Regarding Other Critical Areas. Potential impacts to wetlands, fish and wildlife habitat, and other critical areas shall be addressed in accordance with the applicable sections of these provisions. (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.57.030 Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside frequently flooded areas, or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of city of Camas, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter, or any administrative decision lawfully made hereunder. (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.57.040 Performance standards--General requirements.

A. Development Permit Required. A development permit shall be obtained before land is altered or a new use is commenced within a frequently flooded area. For application of this chapter, development shall include any man-made alteration to land, including but not limited to buildings, structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials within the area of special flood hazard.

B. All Necessary Permits Shall be Obtained. The applicant shall provide verification to the city that all necessary permits have been obtained from those governmental agencies from which prior approval is required by federal, state or local law including Section 404 of the Federal Water Pollution Control Act Amendment of 1972, and the Endangered Species Act of 1973, as amended.

C. New construction shall not increase the base flood elevation more than one inch. When the base flood elevation is provided, new construction, substantial improvements, or other development, including fill, shall not be permitted within frequently flooded areas, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one inch at any point.

D. Areas Without Base Flood Elevation Data. Where base flood elevation data is not available (A and V zones), and there is insufficient data available from federal, state, or other sources, the director shall determine the base flood elevation using historical data, high water marks, photographs of past flooding, and other available information. If there is insufficient data available for the director to make a determination of the base flood elevation, and standards requiring a base flood elevation cannot be implemented, the director shall require measures that assure the proposed structures will be reasonably safe from flooding.

E. Construction Materials and Methods.

1. Methods that Minimize Flood Damage. All new construction and substantial improvements shall be constructed using flood resistant materials and utility equipment, and with methods and practices that minimize flood damage.

2. Structures shall be located outside the floodplain. All structures, utilities, and other improvements shall be located outside of the floodplain, except as provided by this chapter. For sites with no buildable area out of the floodplain, structures may be allowed provided they are placed on the highest land on the site, oriented parallel to flow rather than perpendicular, and sited as far from the watercourse and other critical areas as possible. If the director detects any evidence of active hyporheic exchange on a site, the development shall be located to minimize disruption of such exchange.

3. Utilities Shall be Protected. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

F. Elevation Certificate Required Following Construction. Following construction of a structure within the floodplain where the base flood elevation is provided, the applicant shall obtain an elevation certificate from a registered professional engineer or architect that records the elevation of the lowest floor.

G. Floodproofing.

1. When a structure is to be floodproofed, it shall be designed and constructed using methods that meet the following requirements:

a. Watertight Structure. The structure shall be watertight with walls substantially impermeable to the passage of water below one foot above the base flood level;

b. Hydrostatic Resistance. Structural components shall be capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

c. Certified by a Registered Professional Engineer or Architect. The structure shall be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications, and plans.

2. Floodproofing Certificate Required Following Construction. Following construction of the structure, the applicant shall obtain a floodproofing certificate from a registered professional engineer or architect that records the actual (as-built) elevation to which the structure was floodproofed.

H. Anchoring. All new construction and substantial improvements within the floodplain shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

I. Fill and Grading. Fill and grading within the floodplain shall only occur upon a determination from a qualified professional that the fill or grading will not block side channels, inhibit channel migration, increase flood hazards to others, or be placed within a channel migration zone, whether or not the city has delineated such zones as of the time of the application.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.57.050 Performance standards--Specific uses.

In all frequently flooded areas the following standards are required:

A. Residential Units.

1. Must be Above Base Flood Elevation. New construction or placement of residential units and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot* or more above the base flood elevation.

2. Areas Below the Lowest Floor. Fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or must meet or exceed the following minimum criteria:

a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;

b. The bottom of all openings shall be no higher than one foot above grade; and

c. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

B. Nonresidential Construction.

1. Must be Above Base Flood Elevation. Construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall either have the lowest floor, including basement, elevated one foot or more above the base flood elevation or, together with attendant utility and sanitary facilities, shall be floodproofed in accordance with floodproofing (Section 16.57.040(G)). Unavoidable impacts to flooded areas (from fill) need to be mitigated.

2. Areas Below the Lowest Floor. Fully enclosed areas below the lowest floor that are not floodproofed shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or must meet or exceed the following minimum criteria:

a. A minimum of three openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;

b. The bottom of all openings shall be no higher than one foot above grade; and

c. Openings may be equipped with screens, louvers, or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

C. Utilities.

1. Shall be Designed to Minimize Infiltration of Floodwaters. All new and replacement water supply systems shall be designed to preclude infiltration of floodwaters into the systems.

2. Sanitary Sewage Systems. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.

3. On-site Waste Disposal Systems. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. New on-site sewage disposal systems are prohibited pursuant to uses and activities prohibited from frequently flooded areas (Section 16.57.070(C)).

D. Subdivision/Land Division Proposals.

1. All land division proposals shall:

a. Minimize Flood Damage. Subdivisions, short subdivisions, planned developments, and binding site plans shall be designed to minimize or eliminate flood damage to proposed structures; and public utilities and facilities that are installed as part of such subdivisions, such as sewer, gas, electrical, and water systems, shall be located and constructed to minimize flood damage; subdivisions should be designed using natural features of the landscape, and should not incorporate "flood protection" changes.

b. Have Adequate Drainage. Subdivisions, short subdivisions, planned developments, and binding site plans shall have adequate natural surface water drainage in accordance with city requirements to reduce exposure to flood hazards; and

c. Show Flood Areas on Plat Maps. Subdivisions, short subdivisions, planned developments, and binding site plans shall show the one hundred year floodplain, floodway, and channel migration zone on the preliminary and final plat and short plat maps.

2. Lots. No lot or portion of lot after the effective date of the ordinance codified in this title shall be established within the boundaries of a frequently flooded area.

E. Alteration of Watercourses.

1. Shall be in Accordance with Habitat Regulations. Watercourse alterations shall only be allowed in accordance with the fish and wildlife habitat conservation areas (Chapter 16.61).

2. Shall Not Result in Blockage. Watercourse alteration projects shall not result in blockage of side channels.

3. Notification Required. The city shall notify adjacent communities, the state Department of Ecology, and the Federal Insurance Administration of a proposed watercourse alteration at least fifteen days prior to permit issuance.

4. Maintenance of Alterations. The applicant shall maintain the altered or relocated portion of the watercourse to ensure that the flood carrying capacity is not diminished. Maintenance shall be bonded for a period of five years, and be in accordance with an approved maintenance program.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

* NFIP requirement is to be elevated to the base flood elevation. To reduce insurance rates and to account for uncertainties inherent in flood hazard modeling and mapping, many jurisdictions use a standard of one foot or more above the BSE, as suggested here.

16.57.060 Performance standards--Areas of shallow flooding.

A. Residential Structures. New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement) elevated above the highest grade adjacent to the building, one foot or more above the depth number specified in feet on the flood insurance map, or at least two feet above, if no depth number is specified.

B. Nonresidential Structures. New construction and substantial improvements of nonresidential structures within AO zones shall either:

1. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above the depth number specified on the flood insurance map, or at least two feet if no depth number is specified; or

2. Together with attendant utility and sanitary facilities, be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water, and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as in floodproofing, Section 16.57.040(G).

C. Drainage Paths. All development shall include adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.57.070 Uses and activities prohibited from frequently flooded areas.

A. Critical Facilities. Construction of new critical facilities shall be permissible within frequently flooded areas if no feasible alternative site is available. Critical facilities constructed within frequently flooded areas shall have the lowest floor elevated three feet or more above the level of the base flood elevation (one hundred year flood). Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible. Certification by a registered professional engineer is required.

B. Wells.

C. On-site sewage or waste disposal systems.

D. There shall be no increase in residential lots within frequently flooded areas. No additional lots shall be created within a frequently flooded area. Divisions of land after the effective date of this code shall have the frequently flooded areas designated as separate tract(s) and not included within any additional lot.

E. Construction in Floodways.

1. New Construction Requires Certification by an Engineer. Encroachments, including new construction, substantial improvements, fill, and other development, are prohibited within designated floodways unless certified by a registered professional engineer. Such certification shall demonstrate through hydrologic and hydraulic analyses, performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels during the occurrence of the base flood discharge. Small projects that are solely to protect or create fish habitat, and designed by a qualified professional, may be allowed without certification if the director determines that the project will not obstruct flood flows. Fish protection projects shall be reviewed on behalf of the city by a qualified professional in the field of hydraulics.

2. Residential Construction and Reconstruction Prohibited. Construction and reconstruction of residential structures is prohibited within floodways, except for:

a. Maintenance or repairs to a structure that do not increase the ground floor area; and

b. Repairs, reconstruction, or improvements to a structure for which the cost does not exceed fifty percent of the market value of the structure either:

- i. Before the repair or reconstruction is started; or
- ii. If the structure has been damaged and is being restored, before the damage occurred.

Improvement to a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the city, and that are the minimum necessary to assure safe living conditions, or to structures identified as historic places shall not be included in the fifty percent.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.57.080 Variations--Additional considerations for frequently flooded areas.

A. Additional Variation Considerations. In review of variation requests for activities within frequently flooded areas, the city shall consider all technical evaluations, relevant factors, standards specified in this chapter, and:

1. The danger to life and property due to flooding, erosion damage, or materials swept onto other lands during flood events;
2. The susceptibility of the proposed facility and its contents to flood damage, and the effect of such damage on the proposed use;
3. The importance of the services provided by the proposed use to the community;
4. The necessity of a waterfront location and the availability of alternative locations for the proposed use that are not subject to flooding or erosion damage;
5. The safety of access to the property for ordinary and emergency vehicles;
6. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters, and the effects of wave action, if applicable, expected at the site; and
7. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

B. Variations shall only be issued upon a determination that the granting of a variation will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.

C. Variations shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

Chapter 16.59 GEOLOGICALLY HAZARDOUS AREAS

Sections:

- 16.59.010 Designation of geologically hazardous areas.
- 16.59.020 Designation of specific hazard areas.
- 16.59.030 Classification of geologically hazardous areas.
- 16.59.040 Mapping of geologically hazardous areas.
- 16.59.050 Activities allowed in geologically hazardous areas.
- 16.59.060 Critical area report requirements for geologically hazardous areas.
- 16.59.070 Critical area report requirements for specific hazards.
- 16.59.080 Performance standards--General requirements.
- 16.59.090 Performance standards--Specific hazards.

16.59.010 Designation of geologically hazardous areas.

Geologically hazardous areas include areas susceptible to erosion hazard, landslide hazard, seismic hazard, mine hazard and other geologic events. These areas pose a threat to the health and safety of citizens when incompatible development is sited in areas of significant hazard. Areas susceptible to one or more of the following types of hazards shall be designated as a geologically hazardous area:

- A. Erosion hazard;
 - B. Landslide hazard;
 - C. Seismic hazard; or
 - D. Other geological events including, mass wasting, debris flows, rock falls and differential settlement.
- (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.59.020 Designation of specific hazard areas.

A. Erosion Hazard Areas. Erosion hazard areas are areas where there is not a mapped or designated landslide hazard, but where there are steep slopes equal to or greater than forty percent slope. Steep slopes which are less than ten feet in vertical height and not part of a larger steep slope system, and steep slopes created through previous legal grading activity are not regulated steep slope hazard areas.

B. Landslide Hazard Areas. Landslide hazard areas are areas potentially subject to landslides based on a combination of geologic, topographic, and hydrologic factors. They include areas susceptible because of any combination of bedrock, soil, slope (gradient), slope aspect, structure, hydrology, or other factors. Examples of these may include, but are not limited to the following:

1. Areas of previous slope failures including areas of unstable old or recent landslides;
2. Areas with all three of the following characteristics:
 - a. Slopes steeper than fifteen percent,
 - b. Hillsides intersecting geologic contacts with permeable sediment overlying a low permeability sediment or bedrock, and
 - c. Any springs or ground water seepage;
3. Slopes that are parallel or sub-parallel to planes of weakness, such as bedding planes, joint systems and fault planes in subsurface materials;
4. Areas mapped by:
 - a. Washington Department of Natural Resources Open File Report: Slope Stability of Clark County, 1975, as having potential instability, historical or active landslides, or as older landslide debris, and
 - b. The Washington Department of Natural Resources Open File Report Geologic Map of the Vancouver Quadrangle, Washington and Oregon, 1987, as landslides;
5. Slopes greater than eighty percent, subject to rock fall during earthquake shaking;
6. Areas potentially unstable as a result of rapid stream incision, stream bank erosion, and stream undercutting the toe of a slope;
7. Areas located in a canyon or on an active alluvial fan, presently or potentially subject to inundation by debris flows, debris torrents or catastrophic flooding.

C. "Seismic hazard area" means an area subject to severe risk of damage as a result of earthquake-induced soil liquefaction, ground shaking amplification, slope failure, settlement, or surface faulting. Relative seismic hazard is mapped on the NEHRP site class map of Clark County, published by the Washington Department of Natural Resources.

D. Other Hazard Areas. Geologically hazardous areas shall also include areas determined by the city to be susceptible to other geological events, including mass wasting, debris flows, rock falls, and differential settlement.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.59.030 Classification of geologically hazardous areas.

All geologic hazard areas should be classified according to the following categories for each geologic hazard type:

A. Known or Suspected Risk. Documentation of projection of the hazard by a qualified professional exists.

B. Risk Unknown. Documentation, or projection of the lack of hazard, by a qualified professional exists, or data is not available to determine the presence or absence of a geologic hazard.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.59.040 Mapping of geologically hazardous areas.

A. The approximate location and extent of geologically hazardous areas are shown on the adopted critical area maps as revised or superseded. The adopted critical area maps may include:

1. U.S. Geological Survey landslide hazard and seismic hazard maps;
2. Department of Natural Resources seismic hazard maps for western Washington;
3. Department of Natural Resources slope stability maps;
4. Federal Emergency Management Administration flood insurance maps; and
5. Locally adopted maps.

B. These maps are to be used as a guide for the city, project applicants, and/or property owners, and may be continuously updated as new critical areas are identified. They are a reference and do not provide a final critical area designation.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.59.050 Activities allowed in geologically hazardous areas.

The following activities are allowed in geologically hazardous areas, provided that the activity will not increase the risk of the hazard, pursuant to allowed activities under general provisions (CMC Section 16.51.120), and do not require submission of a critical area report:

- A. Construction of new buildings with less than two thousand five hundred square feet of floor area or roof area, whichever is greater, and which are not residential structures or used as places of employment or public assembly;
- B. Additions to the ground floor of existing single-family residences that are two hundred fifty square feet or less; and
- C. Installation of fences.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.59.060 Critical area report requirements for geologically hazardous areas.

A. Prepared by a Qualified Professional. A critical areas report for a geologically hazardous area shall be prepared by a qualified professional who is either a civil engineer with a geotechnical background, or a geologist, licensed in the state of Washington, with experience analyzing geologic, and where applicable, hydrologic and ground water flow systems.

B. Area Addressed in Critical Area Report. The project area of the proposed activity shall be addressed in a critical area report for geologically hazardous areas.

C. Geotechnical Evaluation and Assessment. Except as provided for in subsections D and E of this section, a critical area report for geologically hazardous areas shall first contain a site evaluation and, if required, an assessment of geological hazards.

1. Site Evaluation. A site evaluation shall include:

a. Identification of the geologically hazardous area including the type and extent of the geological hazard, and the reason the area is or is not likely to be impacted by the proposed development plan.

b. A description of the project including, where applicable:

i. Proposed structures;

ii. Proposed grading;

iii. Areas proposed for storage of materials;

iv. Proposed storm drainage areas;

v. Related project impacts which have a potential to adversely affect the geological hazard; and

vi. If available for the proposed activity, a site development plan may be included to illustrate proposed project impacts. The development plan when provided will show the geological hazard area, proposed site improvements, two-foot contours, proposed storm water treatment facilities, proposed or known existing septic drain fields, proposed stockpile areas, or proposed areas of mass grading.

- c. Identification of proportionate and appropriate mitigation measures and a description of how they will adequately protect the proposed development, adjacent developments, and the subject geologically hazardous area.
- d. A recommendation based on the proposed site activities of the level of study, construction monitoring, or site design changes which may be needed during the final design process.
2. Geotechnical Assessment. If recommended by the site evaluation, or determined necessary by the city, a geotechnical assessment for geologically hazardous areas shall include the following site- and proposal-related information at a minimum:
 - a. Site Plans. The report shall include a copy of the site plans for the proposal showing:
 - i. The type and extent of geologic hazard areas, and any other critical areas, and management zones on, adjacent to, within three hundred feet of, or that are likely to impact the proposal;
 - ii. Proposed development, including the location of existing and proposed structures, fill, storage of materials, and storm drainage facilities, with dimensions indicating distances to hazard areas; and
 - iii. The topography, in two-foot contours, of the project area and all hazard areas addressed in the report.
 3. Assessment of Geological Characteristics. The report shall include an assessment of the geologic characteristics and engineering properties of the soils, sediments, and/or rock of the project area and potentially affected adjacent properties, and a review of the site history regarding landslides, erosion and prior grading. Soils analysis shall be accomplished in accordance with accepted taxonomic classification systems in use in the region.

The assessment shall include, but not be limited to:

- a. A description of the surface and subsurface geology, hydrology, soils, and vegetation found in the project area, and in generally all hazard areas addressed in the report;
- b. A detailed overview of the field investigations, published data, and references; data and conclusions from past assessments of the site; and site specific measurements, test, investigations, or studies that support the identification of geologically hazardous areas; and
- c. A description of the vulnerability of the site to seismic and other geologic events.
4. Analysis of Proposal. The report shall contain a geotechnical analysis, including a detailed description of the project, its relationship to the geologic hazard(s), and its potential impact upon the hazard area, the subject property, and affected adjacent properties.
5. Summary and Recommendation. The report shall make a recommendation for the minimum no disturbance management zone, or minimum building setback from any geologic hazard, or other appropriate mitigation measures based upon the geotechnical analysis.
- D. Incorporation or Acceptance of Previous Study. Where a valid geotechnical report has been prepared within the last five years for a specific site, and where the proposed land use activity and surrounding site conditions are unchanged, such report may be incorporated into or accepted as the required critical area report. The applicant shall submit a geotechnical assessment detailing any changed environmental conditions associated with the site.
- E. Where the applicant can demonstrate that the proposed project or activity has no direct impact on the identified geologically hazardous area, or that the site evaluation requirements above are not applicable to the proposed project or activity, the city may not require additional site assessment work or may limit the scoping of the site evaluation based on identified site specific geologic hazards.
- F. Mitigation of Long-Term Impacts. When hazard mitigation is required the mitigation plan shall specifically address how the activity maintains or reduces the pre-existing level of risk to the site and adjacent properties on a long-term basis (equal to or exceeding the projected lifespan of the activity or occupation). Proposed mitigation techniques shall be considered to provide long-term hazard reduction only if they do not require regular maintenance or other actions to maintain their function. Mitigation may also be required to avoid any increase in risk above the pre-existing conditions following abandonment of the activity.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.59.070 Critical area report requirements for specific hazards.

A. Erosion and Landslide Hazard Areas. In addition to the basic geological hazard area report requirements, a report for an erosion hazard or landslide hazard area shall include the following information at a minimum:

1. Site Plan. The report shall include a copy of the site plan for the proposal showing:
 - a. The height of slope, slope gradient, and cross section of the project area,
 - b. The location of springs, seeps, or other surface expressions of ground water on or within three hundred feet of the project area, or that have potential to be affected by the proposal, and
 - c. The location and description of surface water runoff;
2. Geotechnical Analysis. The geotechnical analysis shall specifically include:
 - a. A description of the extent and type of vegetative cover,
 - b. An estimate of load capacity, including surface and ground water conditions, public and private sewage disposal systems, fills and excavations, and all structural development,
 - c. An estimate of slope stability and the effect construction and placement of structures will have on the slope over the estimated life of the structure,
 - d. An estimate of the bluff retreat rate that recognizes and reflects potential catastrophic events such as seismic activity or a one hundred year storm event,
 - e. Consideration of the run-out hazard of landslide debris and/or the impacts of landslide run-out on down slope properties,
 - f. A study of slope stability, including an analysis of proposed angles of cut and fill, and site grading,
 - g. Recommendations for building limitations, structural foundations, and an estimate of foundation settlement, and
 - h. An analysis of proposed surface and subsurface drainage, and the vulnerability of the site to erosion;
3. Erosion and Sediment Control Plan. For any development proposal on a site containing an erosion hazard area, an erosion and sediment control plan shall be required. The erosion and sediment control plan shall be prepared in compliance with requirements set forth in CMC Chapter 15.32, CMC Chapter 17.21 and the city of Camas Design Standard Manual;
4. Drainage Plan. The report shall include a drainage plan for the collection, transport, treatment, discharge, and/or recycle of water prepared in accordance with CMC Chapter 17.21 and the city of Camas Design Standard Manual;
5. Mitigation Plans. Hazard and environmental mitigation plans for erosion and landslide hazard areas shall include the location and methods of drainage, surface water management, locations and methods of erosion control, a vegetation management and/or replanting plan, and/or other means for maintaining long-term soil stability;
6. Monitoring Surface Waters. If the city determines that there is a significant risk of damage to downstream waters due to potential erosion from the site, based on the size of the project, the proximity to the receiving waters, or the sensitivity of the receiving waters, the critical area report shall include a plan to monitor the surface water discharge from the site. The monitoring plan shall include a recommended schedule for submitting monitoring reports to the city.

B. Seismic Hazard Areas. In addition to the basic report requirements, a critical area report for a seismic hazard area shall also meet the following requirements:

1. The site map shall show all known and mapped faults within three hundred feet of the project area, or that have potential to be affected by the proposal.
2. The geotechnical analysis shall include a complete discussion of the potential impacts of seismic activity on the site (for example, forces generated and fault displacement).

C. Other Geologically Hazardous Areas. In addition to the basic report requirements, the city may require additional information to be included in the critical area report when determined to be necessary to review the proposed activity and the subject hazard. Additional information that may be required, includes, but is not limited to:

1. Site Plan. The site plan shall show all known hazard areas located within three hundred feet of the project area, or that have potential to be affected by the proposal; and

2. Geotechnical Analysis. The geotechnical analysis shall include a complete discussion of the potential impacts of the hazard on the project area and of the proposal on the hazard.
(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.59.080 Performance standards--General requirements.

Alterations of geologically hazardous areas or associated management zones may only occur for activities that will not adversely impact or pose a threat to adjacent properties or critical areas, and are designed so that the hazard to the project is eliminated or mitigated to a level equal to or less than pre-development conditions.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

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 16.51.130, or

- 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 erosion or landslide hazard area shall be prohibited except as follows:
 - a. Conveyed via continuous storm pipe down slope 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)

Chapter 16.61 FISH AND WILDLIFE HABITAT CONSERVATION AREAS

Sections:

- 16.61.010 Designation of fish and wildlife habitat conservation areas.
- 16.61.020 Critical area report--Requirements for habitat conservation areas.
- 16.61.030 Performance standards--General requirements.
- 16.61.040 Performance standards--Specific habitats.

16.61.010 Designation of fish and wildlife habitat conservation areas.

- A. Fish and wildlife habitat conservation areas include:
 - 1. Areas with Which State or Federally Designated Endangered, Threatened, and Sensitive Species Have a Primary Association. The presence or absence of such species shall be determined by the field studies required by this section. Lists, categories and definitions of species promulgated by National Marine Fisheries Service (NMFS) and Washington Department of Fish and Wildlife (WDFW) are provided to the city to be used for guidance only.
 - 2. State Priority Habitats and Areas Associated with State Priority Species. Priority habitats and species are considered to be priorities for conservation and management. Priority species require protective measures for their perpetuation due to their population status, sensitivity to habitat alteration, and/or recreational, commercial, or tribal importance. Priority habitats are those habitat types or elements with unique or significant value to a diverse assemblage of species. A priority habitat may consist of a unique vegetation type or dominant plant species, a described succession stage, or a specific structural element. Priority habitats and species are identified by the state Department of Fish and Wildlife.

3. Habitats of local importance as identified by the city's parks and open space plan as natural open space, or as listed below:
 - a. Oregon White Oaks.
 - i. Individual Oregon White Oak trees with a twenty-inch diameter at breast height (twenty inches dbh).
 - ii. Stands of Oregon White Oak trees greater than one acre, when they are found to be valuable to fish and wildlife (i.e., may include trees with cavities, large diameter breast height (twelve inches dbh), are used by priority species, or have a large canopy.
 - iii. All Oregon White Oak snags unless determined by an arborist to be a hazard.
 - b. Camas Lily. To the extent practicable, Camas lily fields of a significant concentration (one-fourth acre) shall be preserved. If impacts or removal of significant concentrations of Camas lily are proposed, the proposal must include evidence that the exploration of development options has included:
 - i. Maintaining Camas lily concentrations as they currently exist on site; and
 - ii. The option of transplanting Camas lily concentrations to other portions of the property. The proposal may be approved as proposed provided a finding is made based upon evidence that subsection (A)(3)(b)(i) and this subsection have been explored, that it is not possible to maintain significant concentrations of Camas lily on-site.
4. Naturally Occurring Ponds Under Twenty Acres. Naturally occurring ponds are those ponds under twenty acres and their submerged aquatic beds that provide fish or wildlife habitat, including those artificial ponds intentionally created from dry areas in order to mitigate impacts to ponds. Naturally occurring ponds do not include ponds deliberately designed and created from dry sites, such as canals, detention facilities, wastewater treatment facilities, farm ponds, temporary construction ponds, and landscape amenities, unless such artificial ponds were intentionally created for mitigation.
5. Waters of the State. Waters of the state includes lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington, as classified in WAC 222-16-031, or its successor. This does not include man-made ditches or bio-swales that have been created from areas not meeting the definition of waters of the state. Furthermore, wetlands designation and protection are regulated under CMC Chapter 16.53.
6. Bodies of water planted with game fish by a governmental or tribal entity.
7. State Natural Area Preserves and Natural Resource Conservation Areas. Natural area preserves and natural resource conservation areas are defined, established, and managed by the State Department of Natural Resources.

All areas within the city of Camas meeting one or more of these criteria, regardless of any formal identification, are hereby designated critical areas and are subject to the provisions of this title.

B. Mapping. The approximate location and extent of habitat conservation areas are shown on the critical area maps adopted by the city of Camas, as most recently updated. Existing and updated Washington Department of Fish and Wildlife (WDFW) and Department of Natural Resources (DNR) mapping of priority habitat, water types, shore zones, salmonoid distribution, and State Natural Resources Preserves is hereby adopted by reference. WDFW and DNR mapping is to be used for guidance purposes only. In addition, the mapping included within the Camas parks and open space plan identifies areas of potential natural open spaces.

These maps are to be used as a guide for the city of Camas, project applicants, and/or property owners, and should be continuously updated as new critical areas are identified. They are a reference and do not provide a final critical area designation.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.61.020 Critical area report--Requirements for habitat conservation areas.

A. Prepared by a Qualified Professional. A critical areas report for a habitat conservation area shall be prepared by a qualified professional who is a biologist with experience preparing reports for the relevant type of habitat.

B. Areas Addressed in Critical Area Report. The following areas shall be addressed in a critical area report for habitat conservation areas:

1. Within a subject parcel or parcels, the project area of the proposed activity;
 2. All wetlands and recommended buffer zones within three hundred feet of the project area within the subject parcel or parcels;
 3. All shoreline areas, water features, floodplains, and other critical areas, and related buffers within three hundred feet of the project area of the subject parcel or parcels; and
 4. The project design and the applicability of the buffers based on the proposed layout and the level of land use intensity.
- C. **Habitat Assessment.** A habitat assessment is an investigation of the project area to evaluate the presence or absence of a potential critical fish or wildlife species or habitat. A critical area report for a habitat conservation area shall contain an assessment of habitats, including the following site- and proposal-related information at a minimum:
1. Detailed description of vegetation on and adjacent to the project area;
 2. Identification of any species of local importance, priority species, or endangered, threatened, sensitive, or candidate species that have a primary association with habitat on or adjacent to the project area, and assessment of potential project impacts to the use of the site by the species;
 3. A discussion of any federal, state, or local special management recommendations, including Department of Fish and Wildlife habitat management recommendations, that have been developed for species or habitats located on or adjacent to the project area;
 4. A discussion of measures, including avoidance, minimization, and mitigation, proposed to preserve existing habitats and restore any habitat that was degraded prior to the current proposed land use activity, and to be conducted in accordance with mitigation sequencing (Section 16.51.170); and
 5. A discussion of ongoing management practices that will protect habitat after the project site has been developed, including proposed monitoring and maintenance programs.
- D. **Additional Information May be Required.** When appropriate due to the type of habitat or species present or the project area conditions, the city may also require the habitat management plan to include:
1. An evaluation by the Department of Fish and Wildlife or qualified expert regarding the applicant's analysis and the effectiveness of any proposed mitigating measures or programs, to include any recommendations as appropriate;
 2. An evaluation by the local Native American Indian Tribe; and
 3. Detailed surface and subsurface hydrologic features both on and adjacent to the site.
- (Ord. 2517 § 1 (Exh. A (part)), 2008)

16.61.030 Performance standards--General requirements.

A. Mitigation Standards.

1. Applicants proposing activities subject to this chapter shall demonstrate that the activity:
 - a. Substantially maintains the level of habitat functions and values as characterized and documented using best available science; and
 - b. Minimizes habitat disruption or alteration beyond the extent required to undertake the proposal.
2. If it is determined that habitat designated under this chapter will incur a net loss in functions and values, all losses shall be mitigated on-site as a first priority, and off-site thereafter.
 - a. Where on-site mitigation that could adequately address the loss is infeasible, the applicant shall consult with a qualified habitat restoration specialist, the city, and the Washington State Department of Fish and Wildlife regarding off-site mitigation. Mitigation shall prioritize the preservation and restoration of Lower Washougal River instream and riparian habitat, and should be guided by the Washougal River Subbasin chapter of the Lower Columbia Salmon Recovery Plan.
 - b. If on-site mitigation is infeasible, payment may be accepted in lieu of an off-site mitigation project. At a minimum, such payment shall be equivalent to the cost of implementing an acceptable off-site project, as estimated by a qualified professional approved by the city, in consultation with the Washington State Department of Fish and Wildlife. The city shall use these funds for habitat improvements it believes are in the best interest of the city and provide a greater ecological benefit than the alternative off-site project. Habitat improvements under this section are subject to the following criteria:

- i. Fees will be used to fund a clearly defined mitigation project;
 - ii. The project being funded will result in an increase in function that adequately compensates for the permitted impacts;
 - iii. Preference is given to projects within the same drainage basin as the impact, if they can provide similar functional improvements;
 - iv. There is a clear timeline for completing the mitigation project; and
 - v. There are provisions for long-term protection and management, including mechanisms such as conservation easements, and funding for long-term monitoring and maintenance of the site.
3. Alternate Mitigation.
- a. Habitat Mitigation Banking.
 - i. Construction, enhancement, or restoration of habitat to use as mitigation for future habitat development impacts is permitted subject to the following:
 - (A) A critical area permit shall be obtained prior to any mitigation banking. If a habitat permit is not obtained prior to mitigation bank construction, mitigation credit shall not be awarded. On projects proposing off-site habitat banking in addition to required habitat mitigation, a separate habitat permit shall be required for each activity;
 - (B) Federal and state habitat regulations, if applicable, may supersede city requirements.
 - ii. The mitigation credit allowed will be determined by the city, based on the habitat category, condition, and mitigation ratios as specified in this chapter. Prior to granting mitigation banking credit, all habitat mitigation banking areas must comply with the applicable sections of this chapter and Chapter 16.51.
 - iii. On projects proposing off-site habitat banking in addition to required habitat mitigation, a separate permit fee will be required for each activity.
 - iv. Purchase of banked habitat credits is permitted to mitigate for habitat impacts in the same watershed, provided the applicant has minimized habitat impacts, where reasonably possible, and the following requirements are met:
 - (A) Documentation, in a form approved by the city, adequate to verify the transfer of habitat credit shall be submitted; and
 - (B) A plat note, along with information on the title, shall be recorded in a form approved by the city as adequate to give notice of the requirements of this section being met by the purchase of banked habitat credits.
4. Subject to individual circumstances, potential mitigation measures may include, but are not limited to, the following:
 - a. Establishment of buffers;
 - b. Requirement of a performance bond, when necessary, to ensure completion and success of the proposed mitigation;
 - c. Avoiding the impact all together by not taking a certain action or parts of an action;
 - d. Exploring alternative on-site locations to avoid or reduce impacts of activities;
 - e. Preserving important vegetation and natural habitat features by establishing buffers, or by limiting clearing or alteration;
 - f. Replacing invasive exotic plants with native species (refer to the Clark County Native Plant Communities Guide or other relevant publications for guidance);
 - g. Prohibiting introduction of invasive plant species in habitat areas;
 - h. Enhancing, restoring, or replacing vegetation or other habitat features and functions;
 - i. Using native plants where appropriate when planting within habitat areas (refer to the Clark County Native Plant Communities Guide or other relevant publications for guidance);
 - j. Managing access to habitat areas, including exclusionary fencing for livestock, if needed;
 - k. Using existing stream crossings whenever a review of suitability, capacity, access and location, habitat impacts of alternatives, maintenance, liability, and economics indicate the existing crossing is feasible;
 - l. Constructing new stream crossings, when necessary, in conformance to the water crossing structure standards in WAC 220-110-070 (Hydraulic Code Rules), which are incorporated by reference;

- m. Seasonally restricting construction activities;
 - n. Implementing best management practices and integrated management practices;
 - o. Monitoring or review of impacts and assurance of stabilization of the area;
 - p. Establishing performance measures or bonding;
 - q. Establishing conservation covenants and other mechanisms to ensure long-term preservation or maintenance of mitigation actions;
 - r. Utilizing low-impact development techniques;
 - s. Promoting water quality by limiting the use of lawn and garden chemicals in habitat areas; and/or
 - t. Avoiding topsoil removal and minimizing topsoil compaction.
- B. Nonindigenous Species Shall not be Introduced Via Mitigation. No plant, wildlife, or fish species not indigenous to the region shall be introduced, via mitigation, into a habitat conservation area.
- C. Mitigation Should Result in Contiguous Corridors. In accordance with a mitigation plan, mitigation sites should preferably be located by the following and in priority order:
- 1. On-site and contiguous to wildlife habitat corridors; or
 - 2. Off-site that is adjacent to the subject site and contiguous to wildlife habitat corridors; or
 - 3. Mitigation within the natural open space network, as identified in the comprehensive parks and open space plan, may be allowed for off-site mitigation or in place of on-site mitigation, where development and mitigation will result in an isolating effect on the habitat.
- D. Approvals of Activities may be Conditioned. The city shall condition approvals of activities allowed within or adjacent to a habitat conservation area or its buffers, as necessary to minimize or mitigate any potential adverse impacts. Conditions may include, but are not limited to:
- 1. Establishment of buffers;
 - 2. Preservation of critically important vegetation;
 - 3. Limitation of access to the habitat area, including fencing to deter unauthorized access;
 - 4. Seasonal restriction of construction activities;
 - 5. Establishment of a duration and timetable for periodic review of mitigation activities; and
 - 6. Requirement of a performance bond, when necessary, to ensure completion and success of proposed mitigation.
- E. Buffers.
- 1. Establishment of Buffers. The director shall require the establishment of buffer areas for activities in, or adjacent to, habitat conservation areas when needed to protect habitat conservation areas. Buffers shall consist of an undisturbed area of native vegetation, or areas identified for restoration, established to protect the integrity, functions, and values of the affected habitat. Required buffer widths shall reflect the sensitivity of the habitat and the type and intensity of human activity proposed to be conducted nearby, and should be consistent with the management recommendations issued by the State Department of Fish and Wildlife.
 - 2. Seasonal Restrictions. When a species is more susceptible to adverse impacts during specific periods of the year, seasonal restrictions may apply. Larger buffers may be required and activities may be further restricted during the specified season.
 - 3. Habitat Buffer Averaging. The director may allow the recommended habitat area buffer width to be averaged in accordance with a critical area report, only if:
 - a. It will not reduce stream or habitat functions;
 - b. It will not adversely affect salmonid habitat;
 - c. It will provide additional natural resource protection, such as buffer enhancement;
 - d. The total area contained in the buffer area after averaging is no less than that which would be contained within the standard buffer;
 - e. The buffer area width is not reduced by more than fifty percent in any location; and
 - f. The buffer area width is not less than twenty-five feet.
- F. Mitigation Plan Requirements. When mitigation is required, the applicant shall submit a mitigation plan as part of the critical areas report. The mitigation plan shall include:

1. Detailed Construction Plans. The mitigation plan shall include descriptions of the mitigation proposed, such as:

- a. The proposed construction sequence, timing, and duration;
- b. Grading and excavation details;
- c. Erosion and sediment control features;
- d. A planting plan specifying plant species, quantities, locations, size, spacing, and density; and
- e. Measures to protect and maintain plants until established.

These written descriptions shall be accompanied by detailed site diagrams, scaled cross-sectional drawings, topographic maps showing slope percentage and final grade elevations, and any other drawings appropriate to show construction techniques or anticipated final outcome.

2. Monitoring Program. The mitigation plan shall include a program for monitoring construction of the mitigation project and for assessing a completed project. A protocol shall be included outlining the schedule for site monitoring, and how the monitoring data will be evaluated to determine if the performance standards are being met. A monitoring report shall be submitted as needed to document milestones, successes, problems, and contingency actions of the mitigation project. The mitigation project shall be monitored for a period necessary to establish that performance standards have been met, but not for a period less than five years.

The city shall notify the responsible party in writing once the conditions of the monitoring plan are met.

3. Adaptive Management. The mitigation plan shall include identification of potential courses of action, and any corrective measures to be taken if monitoring or evaluation indicates project performance standards are not being met.

(Ord. 2517 § 1 (Exh. A (part)), 2008)

16.61.040 Performance standards--Specific habitats.

A. Endangered, Threatened, and Sensitive Species.

1. No development shall be allowed within a habitat conservation area or buffer with which state or federally listed endangered, threatened, or sensitive species have a documented presence.
2. Activities proposed adjacent to a habitat conservation area with which state or federally listed endangered, threatened, or sensitive species have a documented presence shall be protected through the application of protection measures in accordance with a critical area report prepared by a qualified professional and approved by the city of Camas. Approval for alteration of land adjacent to the habitat conservation area or its buffer shall include consultation with the Department of Fish and Wildlife and the appropriate federal agency.

B. Anadromous Fish.

1. All activities, uses, and alterations proposed to be located in water bodies used by anadromous fish or in areas that affect such water bodies shall give special consideration to the preservation and enhancement of anadromous fish habitat, including, but not limited to, adhering to the following standards:
 - a. Activities shall be timed to occur only during the allowable work window as designated by the Department of Fish and Wildlife for the applicable species;
 - b. An alternative alignment or location for the activity is not feasible;
 - c. The activity is designed so that it will not degrade the functions or values of the fish habitat or other critical areas; and
 - d. Any impacts to the functions or values of the habitat conservation area are mitigated in accordance with an approved critical area report.
2. Structures that prevent the migration of salmonids shall not be allowed in the portion of water bodies used by anadromous fish. Fish bypass facilities shall be provided that allow the upstream migration of adult fish, and shall prevent fry and juveniles migrating downstream from being trapped or harmed.
3. Fills may only intrude into water bodies used by anadromous fish when consistent with the Camas shoreline master program, and the applicant demonstrates that the fill is for a water-dependent use that is in the public interest.

C. Wetland Habitats. All proposed activities within or adjacent to habitat conservation areas containing wetlands shall, at a minimum, conform to the wetland development performance standards set forth in Chapter 16.53, Wetlands.

D. Stream Buffer Widths. Stream buffers are established for habitats that include aquatic systems. Unless otherwise allowed in this title, all structures and activities shall be located outside of the stream buffer area.

The following base stream buffer widths are based upon the Washington Department of Natural Resources (DNR) Water Typing System and further classification based upon fish presence (Fish bearing v. Non-fish Bearing) for Type F streams existing in the city of Camas. Widths shall be measured outward, on the horizontal plane, from the ordinary high water mark, or from the top of bank if the ordinary high water mark cannot be identified. Buffer areas should be sufficiently wide to achieve the full range of riparian and aquatic ecosystem functions, which include but are not limited to protection of instream fish habitat through control of temperature and sedimentation in streams, preservation of fish and wildlife habitat, and connection of riparian wildlife habitat to other habitats.

Stream Buffer Widths

TABLE INSET:

Stream Type	Base Buffer Width
Type S	150 feet
Type F, anadromous fish-bearing stream flowing to reaches with anadromous fish-bearing access	100 feet
Type F, anadromous fish-bearing stream flowing to reaches without anadromous fish-bearing access	75 feet
Type F, non-anadromous fish-bearing stream	75 feet
Type Np	50 feet
Type Ns	25 feet

1. Increased Stream Buffer Area Widths. The base stream buffer width may be increased, as follows:
 - a. When the city determines that the base width is insufficient to prevent habitat degradation, and to protect the structure and functions of the habitat area; and
 - b. When the habitat area is within an erosion or landslide hazard area, or buffer, the stream buffer area shall be the base width, or the erosion or landslide hazard area or buffer, whichever is greater.
2. Stream Buffer Area Reduction and Averaging. The director may allow the base stream buffer area width to be reduced in accordance with a critical area report only if:
 - a. The width reduction will not reduce or degrade stream or habitat functions, including anadromous fish habitat and those of nonfish habitat;
 - b. The stream buffer area width is not reduced by more than fifty percent in any one location;
 - c. The stream buffer area width is not reduced to less than fifteen feet;
 - d. The width reduction will not be located within another critical area or associated buffer, and the reduced stream buffer area width is supported by best available science;
 - e. All undeveloped lands within the area will be left undeveloped in perpetuity by covenant, deed restriction, easement, or other legally binding mechanism;
 - f. The buffer averaging plan shall be conducted in consultation with a qualified biologist and the plan shall be submitted to the Washington Department of Fish and Wildlife for comment; and
 - g. The city will use the recommendations of the qualified experts in making a decision on a plan that uses buffer averaging.

3. Stream Buffer Mitigation. Mitigation of adverse impacts to stream buffer areas shall result in equivalent functions and values, on a per function basis, and be located in the same drainage basin as the habitat impacted.

4. Alternative Mitigation for Stream Buffer Areas. The requirements set forth in this section may be modified at the city of Camas's discretion if the applicant demonstrates that greater habitat functions, on a per function basis, can be obtained in the affected drainage basin as a result of alternative mitigation measures.

E. Stream Buffer Areas, Ponds, Lakes, and Waters of the State. The following specific activities may be permitted within a stream buffer area, pond, lake, and water of the state, or associated buffer when the activity complies with the provisions set forth in the city of Camas shoreline master program, and subject to the following standards:

1. Clearing and Grading. When clearing and grading is permitted as part of an authorized activity, or as otherwise allowed in these standards, the following shall apply:

a. Grading is allowed only during the dry season, which is typically regarded as beginning on May 1st and ending on October 1st of each year, provided that the city of Camas may extend or shorten the dry season on a case-by-case basis.

b. Filling or modification of a wetland or wetland buffer is permitted only if it is conducted as part of an approved wetland alteration.

c. Erosion and sediment control that meets or exceeds the standards set forth in the city of Camas Design Standards Manual shall be provided.

2. Streambank Stabilization. Streambank stabilization to protect new structures from future channel migration is not permitted except when such stabilization is achieved through bio-engineering or soft armoring techniques in accordance with an approved critical area report.

3. Launching Ramps--Public or Private. Launching ramps may be permitted in accordance with an approved critical area report that has demonstrated the following:

a. The project will not result in increased beach erosion or alterations to, or loss of, shoreline substrate within one-quarter mile of the site; and

b. The ramp will not adversely impact critical fish or wildlife habitat areas or associated wetlands.

4. Docks. Repair and maintenance of an existing dock or pier may be permitted subject to the following:

a. There is no increase in the use of materials creating shade for predator species;

b. There is no expansion in overwater coverage;

c. There is no increase in the size and number of pilings; and

d. There is no use of toxic materials (such as creosote) that come in contact with the water.

5. Roads, Trails, Bridges, and Rights-of-Way. Construction of trails, roadways, and minor road bridging, less than or equal to the city's street standards, may be permitted in accordance with an approved critical area report subject to the following standards:

a. The crossing minimizes interruption of downstream movement of wood and gravel;

b. Mitigation for impacts is provided pursuant to a mitigation plan of an approved critical area report;

c. If applicable, road bridges are designed according to the Department of Fish and Wildlife Fish Passage Design at Road Culverts, March 1999, as amended, and the National Marine Fisheries Service Guidelines for Salmonid Passage at Stream Crossings, 2000, as amended; and

d. Trails and associated viewing platforms shall not be made of continuous impervious materials.

6. Utility Facilities. New underground utility lines and facilities may be permitted to cross watercourses in accordance with an approved critical area report if they comply with the following standards:

a. Installation shall be accomplished by boring beneath the scour depth and hyporheic zone (sediments underlying the surface stream) of the water body;

b. The utilities shall cross at an angle greater than sixty degrees to the centerline of the channel in streams or perpendicular to the channel centerline whenever boring under the channel is not feasible, and shall be contained within the footprint of an existing road or utility crossing where possible; and

c. The utility route should avoid paralleling the stream or following a down-valley course near the channel; and

- d. Installation shall not increase or decrease the natural rate of shore migration or channel migration.
 - 7. Public Flood Protection Measures. New public flood protection measures and expansion of existing ones may be permitted, subject to the city of Camas's review and approval of a critical area report and the approval of a federal biological assessment by the federal agency responsible for reviewing actions related to a federally listed species.
 - 8. Instream Structures. Instream structures, such as high flow bypasses, sediment ponds, instream ponds, retention and detention facilities, tide gates, dams, and weirs, shall be allowed only as part of an approved watershed basin restoration project approved by the city of Camas, and upon acquisition of any required state or federal permits. The structure shall be designed to avoid modifying flows and water quality in ways that may adversely affect habitat conservation areas.
 - 9. Stormwater Conveyance Facilities. Conveyance structures may be permitted in accordance with an approved critical area report subject to the following standards:
 - a. Mitigation for impacts is provided;
 - b. Instream stormwater conveyance facilities shall incorporate fish habitat features; and
 - c. Vegetation shall be maintained and, if necessary, added adjacent to all open channels and ponds in order to retard erosion, filter out sediments, and shade the water.
 - 10. On-Site Sewage Systems and Wells. All developments subject to review under this section shall be connected to city water and sanitary facilities. Existing private water and sanitary facilities shall be abandoned in a manner consistent with state law.
- (Ord. 2517 § 1 (Exh. A (part)), 2008)

Title 17 LAND DEVELOPMENT*

Chapters:

- 17.01 General Provisions
- 17.05 Administration and Enforcement
- 17.07 Boundary Line Adjustments
- 17.09 Short Subdivisions
- 17.11 Subdivisions
- 17.15 Binding Site Plan (BSP)
- 17.19 Design and Improvement Standards
- 17.21 Procedures for Public Improvements
- 17.23 Exceptions, Penalties, Severability, Liability

* Prior ordinance history: Ords. 2329, 2337, 2345, 2375, 2409, 2411 and 2421.

Chapter 17.01 GENERAL PROVISIONS

Sections:

- 17.01.010 Title.
- 17.01.020 Purpose.
- 17.01.030 Scope and exemptions.
- 17.01.040 Dedications.
- 17.01.050 Survey content.

17.01.010 Title.

This code shall be known as the "City of Camas Land Development Code."
(Ord. 2483 § 1 (Exh. A (part)), 2007: Ord. 2443 § 2 (Exh. A (part)), 2006)

17.01.020 Purpose.

The purpose of this code is to provide rules, regulations, requirements, and standards for development of land in the city, insuring that the public health, safety, general welfare, and design standards of the city are promoted and protected; that planned growth, development, and the conservation, protection and proper use of land are ensured; that proper provisions for all public facilities including circulation, utilities, open space, and services comply with adopted manuals and standards; and that the goals and policies of the City of Camas comprehensive plans are furthered through the development of land.

(Ord. 2483 § 1 (Exh. A (part)), 2007: Ord. 2443 § 2 (Exh. A (part)), 2006)

17.01.030 Scope and exemptions.

A. Scope.

1. This title is applicable to any development, division of land or modification to an existing lot or parcel line except as exempted under this title.
2. Where this code imposes greater restrictions or higher standards upon the development of land than other laws, ordinances, manuals or restrictive covenants, the provisions of this code shall prevail.
3. Land divisions shall conform to the requirements of state laws and the standards established by this title.

B. Exemptions. The provisions of this chapter shall not apply to:

1. Cemeteries and other burial plots while used for that purpose (RCW 58.17.040(1));
2. Any division of land made by testamentary provision, or the laws of descent (RCW 58.17.040(3));
3. Any division of land resulting from a public dedication; or
4. Any division of land into lots or tracts each of which is twenty acres or larger (RCW 58.17.040(2)).

17.01.040 Dedications.

A. Act of Dedication. The intention to dedicate real property to the public shall be evidenced by showing the dedication on the plat prepared for approval. All dedications, including easements, rights-of-way and real property shall be clearly and precisely indicated on the face of the plat. Unless specifically noted otherwise on the plat, approval of the plat for recording shall constitute acceptance of the dedications.

B. Public Streets. All streets shown on the final plat and intended for public use shall be offered for dedication for public use.

C. Tracts. All parcels of land shown on the final plat and intended for public use shall be offered for dedication for public use, except the approving entity may allow the conveyance of certain public improvements to be conveyed to a homeowner's association or similar nonprofit corporation.

D. Public Trails. All regional, neighborhood and local trails as identified in the Camas parks and open space comprehensive plan, and intended for public use shall be offered for dedication for public use.

E. Certificate. If the land division includes a dedication, the final plat shall include a certificate of dedication or reference to a separate written instrument which dedicates all required streets and other areas to the public, or the homeowner's association. The certificate or instrument of dedication shall be signed and acknowledged before a notary public by every person having any ownership interest in the lands divided and recorded as part of the final plat.

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

17.01.050 Survey content.

A. Information. When a survey is required the following information shall be included:

1. The name of the plat, graphic scale and north arrow. The survey shall be done to a reasonable scale on a standard sheet of mylar.

2. Existing features such as streams, streets, railroads and structures, critical areas (wetlands, steep slopes, environmentally protected) existing wells, easements, potential lines of dispute.

3. The lines and names of all existing or platted streets or other public ways, trails, parks, playgrounds, and easements adjacent to the final plat, land division or dedication, including municipal boundaries, county lines, township lines and section lines.

4. Legal description of the boundaries, including the county tax serial number for each property described.

5. A complete survey of the section or sections in which the plat, tract, parcel, lot or replat is located, if necessary, including:

a. All stakes, monuments or other evidence found on the ground and used to determine the boundaries of the land division. Location and monuments found or reset with respect to any established centerline of streets adjacent to or within the proposed land division. All other monuments found or established in making the survey of this land division or required to be installed by provisions of this title.

b. City or county boundary lines when crossing or adjacent to the land division.

c. The location and width of streets and easements intersecting the boundary of lots and tracts.

d. Tract, block and lot boundary lines; street rights-of-way with centerlines, dimensions, bearings, radii, arcs and central angles, points of curvature and tangent bearings. Tract boundaries, lot boundaries and street bearings shall be shown to the nearest second with basis of bearings. All distances shall be shown to the nearest one-hundredth foot.

e. The width and location of existing and proposed easements and rights-of-way.

B. Residential surveys shall also include the following:

1. Lot and phase numbers beginning with the number one and numbered consecutively without omission or duplication.

2. Tracts to be dedicated to any public or private purpose shall be distinguished from lots intended for general development with notes stating their purpose and any limitations.

3. Building Envelopes. The plat shall identify the potentially buildable area, to include identification of required setbacks.

4. Land Inventory. The land inventory shall include the following:
 - a. Total acreage;
 - b. Total developed acreage;
 - c. Total lot area;
 - d. Total infrastructure acreage (includes storm pond);
 - e. Total tract area (if not included in subsection (B)(4)(d) or (f) of this section);
 - f. Total acreage of critical areas (i.e., wetlands, steep slopes, buffer zones, stream beds, conservation areas);
 - g. Total acreage of recreational open spaces (not included in subsection (B)(4)(e) or (f) of this section i.e., that portion of land set aside for trails).
- C. Statements. The plat shall include the following statements, and certificates of dedication when required:
 1. 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.
 2. Certification of examination and approval by the county assessor.
 3. Recording certificate for completion by the Clark County auditor.
 4. Signature lines for the City of Camas community development director or designee, and fire chief or designee.
 5. Certification by the public works director or designee that the developer has complied with the following:
 - a. All improvements have been installed in accordance with the requirements of this title and with the preliminary plat approval;
 - b. All improvements meet current public works drawing standards for road, utility and drainage construction plans;
 - c. 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 for city records.
 6. All subdivision plats shall also include certificates and statements for:
 - a. 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.
 - b. Signature line for the mayor of the City of Camas.
- D. 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.

(Ord. 2483 § 1 (Exh. A (part)), 2007: Ord. 2443 § 2 (Exh. A (part)), 2006)

Chapter 17.05 ADMINISTRATION AND ENFORCEMENT

Sections:

17.05.010 Planning control area.

17.05.020 Compliance required.

17.05.010 Planning control area.

There is created within the city a planning control area consisting of all area within the city shown on the official map known as the zoning map.

(Ord. 2483 (Exh. A (part)), 2007: Ord. 2443 § 2 (Exh. A (part)), 2006)

17.05.020 Compliance required.

Every partitioning or division of land within the planning control area must comply with the regulations of this title, and must be approved in accordance with the procedures set forth in this title.

(Ord. 2483 (Exh. A (part)), 2007: Ord. 2443 § 2 (Exh. A (part)), 2006)

Chapter 17.07 BOUNDARY LINE ADJUSTMENTS*

***Editor's note:** Ord. No. 2576, § I, adopted December 21, 2009, amended Ch. 17.07, in its entirety, to read as herein set out. Prior to inclusion of said ordinances, Ch. 17.07 pertained to similar subject matter. See also the Code Comparative Table and Disposition List.

Sections:

17.07.010 Purpose and intent.

17.07.020 Review procedures.

17.07.030 Application requirements.

17.07.040 Approval criteria.

17.07.050 Recording.

17.07.060 Expiration.

17.07.010 Purpose and intent.

It is the purpose and intent of this chapter to provide an efficient and timely process that allows consistent review of boundary line adjustments to ensure such actions do not create nonconformities with zoning and other city regulations, to provide a permanent record of boundary line adjustments, and to ensure provisions are made for necessary access and utility easements.

(Ord. No. 2576, § I, 12-21-2009)

17.07.020 Review procedures.

Boundary line adjustments shall be processed as set forth in CMC Chapter 18.55.

(Ord. No. 2576, § I, 12-21-2009)

17.07.030 Application requirements.

No application will be deemed complete nor a decision issued until a complete application is submitted to the city. A complete application consists of the following:

- A. A completed application on a form provided by the city. The application shall include the signatures of all owners of the lots involved in the boundary line adjustment, and submitted together with the application fee;
- B. A brief narrative that includes a statement of the purpose for the boundary line adjustment, demonstrating how the request can or will meet the approval criteria in Section 17.07.040;
- C. A neat and readable plan, drawn to a standard decimal (engineer) scale, that includes the following information:
 - 1. Property lines, with those that remain in their existing location shown as a solid line, those that are being moved or removed shown as a dashed line, and those that have been relocated shown as a solid line and clearly identified as a relocated line;
 - 2. Dimensions of all property lines and total square footage of the lots, before and after the adjustment;
 - 3. Location and footprint of all structures on the site and their setbacks from existing and newly created property lines;
 - 4. Location and purpose of all easements and utilities on the site;
 - 5. Location and purpose of any newly created or extended easements proposed;
 - 6. Location of adjacent public roads and points of access from public road(s). If a lot does not front on a public road, demonstrate how and where access is provided; and,
 - 7. The location of any known critical areas located within the lots.
- D. Copies of documents that verify current ownership and legal descriptions of all parcels involved in the boundary line adjustment, such as deeds or title reports; and,
- E. Other documentation necessary to demonstrate compliance with other applicable city permits or regulations.

(Ord. No. 2576, § I, 12-21-2009)

17.07.040 Approval criteria.

The approval authority shall approve, approve with conditions, or deny a request for a boundary line adjustment in writing based on findings addressing the following criteria:

- A. No additional lots, sites, parcels, tracts, or divisions are created.
- B. The adjustment will not create nonconforming lots, with respect to zoning dimension and area standards, zoning setbacks and lot area coverage standards identified in CMC Chapter 18.09 or to fire, building, other applicable codes.
- C. The degree of nonconformance on existing nonconforming lots with respect to zoning dimension and area standards, zoning setbacks, and floor area ratio are not increased, except that a one time exception may be allowed to create a lot that exceeds the maximum lot size permitted in the underlying zone. Any future partitioning/reduction of the oversized lot must comply with the lot size requirements of the underlying zone.
- D. All lots have legal access to a public road. Existing required private road improvements and easements are not diminished below city street standards for lots that are served by a private road, and shall not create unreasonably restrictive or hazardous access to a property;
- E. The boundary line adjustment will not result in a lot that contains area in two zone designations.
- F. Boundary lines adjustments that are used to circumvent subdivision or short subdivision procedures set forth in this title are not allowed. Factors which indicate that the boundary line adjustment process is being used in a manner inconsistent with statutory intent include: numerous and frequent adjustments to existing contiguous lot boundaries, and/or a large number of contiguous lots being proposed for boundary line adjustments at the same time.
- G. Approval of a boundary line adjustments shall not result in the need for a reasonable use exception as defined in CMC 16.51.

H. Existing easements for utilities conform to adopted standards for their intended function, or they are extended, moved or otherwise altered to an approved location. The applicant shall be responsible for the relocation of any installed utilities.
(Ord. No. 2576, § I, 12-21-2009)

17.07.050 Recording.

Upon approval, prior to recording the boundary adjustment, the following must be submitted to the community development department for review.

A. Survey of the Boundary Line Adjustment. If the approval authority finds, based upon an exhibit to the legal descriptions, that conformance with existing area and dimensional or use standards will clearly be satisfied without the need of a survey, the approval authority may waive the requirement for a survey, otherwise a survey shall be prepared by a Washington State licensed professional land surveyor.

B. Legal descriptions of the proposed property configuration.

C. The applicant will be responsible for recording the boundary line adjustment, including an exhibit that corresponds to the drawing approved by the city, with the Clark County auditor's office. A copy of the recorded documents must be returned to the planning division within one year.

(Ord. No. 2576, § I, 12-21-2009)

17.07.060 Expiration.

The boundary line adjustment application shall expire if it has not been recorded within one year from the date of approval unless a different time frame is specified in a decision for a consolidated review. Upon written request from the applicant prior to the expiration date, the community development director is authorized to grant one extension, not to exceed six months.

(Ord. No. 2576, § I, 12-21-2009)

Chapter 17.09 SHORT SUBDIVISIONS*

Sections:

17.09.010 Scope.

17.09.020 Decision process.

17.09.030 Preliminary short plat approval.

17.09.040 Expiration.

17.09.050 Limitations on further subdivision.

17.09.060 Contiguous short plats.

* Prior ordinance history: Ords. 2443 and 2455.

17.09.010 Scope.

A. Except as provided in CMC Section 17.01.030(B) or a binding site plan under Chapter 17.15 of this title, any land being divided into nine or fewer lots, sites or parcels for the purpose of conveyance, shall meet the requirements of this chapter.

B. Tracts may be in addition to the lot count provided that the tract is reserved as forested lands, part of the open space network, serving as stormwater detention or set aside as an unbuildable area due to critical lands.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.09.020 Decision process.

Applications for short plat approval shall be processed as a Type II decision, subject to the provisions of CMC Chapter 18.55.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

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;
 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,
 - 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)

17.09.040 Expiration.

If the short plat is not recorded within seven years of the date of preliminary short plat approval, the short plat shall become null and void. Upon written request by the developer prior to the expiration date, the community development director may grant one extension of not more than one year. Any preliminary plat approved by the city after February 6, 2006, shall expire seven years from the date of that preliminary plat approval.

17.09.050 Limitations on further subdivision.

Any land short platted shall not be further divided for a period of five years after the final short plat is recorded without following the provisions for subdivision. This provision applies to any lots, tracts or parcels recorded as part of the plat.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.09.060 Contiguous short plats.

No application for a short plat shall be approved if the land being divided is held in common ownership with a contiguous parcel that has been divided in a short plat within the preceding five years. (Ord. 2483 § 1 (Exh. A (part)), 2007)

Chapter 17.11 SUBDIVISIONS*

Sections:

- 17.11.010 Scope.
- 17.11.020 Decision process.
- 17.11.030 Preliminary subdivision plat approval.
- 17.11.040 Phasing.
- 17.11.050 Limitations on further subdivision.
- 17.11.060 Expiration.

* Prior ordinance history: Ords. 2443 and 2455.

17.11.010 Scope.

Any land: (a) being divided into ten or more parcels, lots or sites for the purpose of sale or gift, or (b) that has been divided under the short subdivision procedures within five years and is not eligible for further short platting pursuant to CMC Section 17.09.010, shall conform to the procedures and requirements of this chapter.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.11.020 Decision process.

Applications for preliminary plat approval shall be processed as Type III decision subject to the provisions of CMC Chapter 18.55.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

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;
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)

17.11.040 Phasing.

The subdivider may develop and record the subdivision in phases. Any phasing proposal shall be submitted for review at preliminary plat. In addition to meeting criteria in CMC Chapter 18.23, approval of the phasing plan shall be based upon making the following findings:

- A. The phasing plan includes all land contained within the approved preliminary plat, including areas where off-site improvements are being made.
- B. The sequence and timing of development is identified on a map.
- C. Each phase shall consist of a contiguous group of lots that meets all pertinent development standards on its own. The phase cannot rely on future phases for meeting any city codes with the exception of storm drainage facilities. Storm drainage must be adequate for each phase, and the stormwater plan must adequately meet the needs of the entire development. Storm drainage facility must be included in the first phase.
- D. Each phase provides adequate circulation and utilities. Public works has determined that all street and other public improvements, including but not limited to erosion control improvements, are assured. Deferment of some improvements may be allowed pursuant to CMC Chapter 17.21.
- E. Specific improvements necessary for the entire development may be required to be completed with the first phase, regardless of phase design or completion schedule of future phases, e.g., storm pond must be completed regardless of area where storm pond is located.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.11.050 Limitations on further subdivision.

Any land subdivided shall not be further divided for a period of five years after the final plat is recorded. This provision applies to any lots, tracts, or parcels recorded as part of the plat.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.11.060 Expiration.

- A. The subdivision approval shall expire within seven years from the date of preliminary plat approval by the approval authority. The applicant may request in writing prior to the expiration of the seven years, a request to city council for a one-year extension. Any preliminary plat approved by the city after February 6, 2006, shall expire seven years from the date of that preliminary plat approval.
- B. For an application timely submitted pursuant to terms of CMC Section 17.11.040, city council may, upon approval of the preliminary plat, extend the proposed timeline for phased development to seven years maximum from date of preliminary approval to the final plat of the last phase.
- C. Expired subdivisions, or expired phases of subdivisions must make a new land use application, and shall not be permitted to amend or revise the expired preliminary plats.
(Ord. 2483 § 1 (Exh. A (part)), 2007)

Chapter 17.15 BINDING SITE PLAN (BSP)

Sections:

- 17.15.010 Purpose.
- 17.15.020 Scope.
- 17.15.030 Preliminary binding site plan (BSP) approval.
- 17.15.040 Final approval of plan.
- 17.15.050 Improvements.
- 17.15.060 Revision of plan.

17.15.010 Purpose.

This chapter is established to accommodate the division of land for the purpose of sale or lease of property within an integrated commercial or industrial center. This land division allows certain zoning standards including, for example, minimum parking, setbacks, landscaping, lot area and lot dimension on the individual lots to be modified provided the standards for the entire center are met.

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

17.15.020 Scope.

A binding site plan application may be submitted for a project located on any land zoned commercial or industrial, which is being divided for the purpose of sale or lease consistent with the terms of this chapter.

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

17.15.030 Preliminary binding site plan (BSP) 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 must 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 Section 18.55.110, the following items are required, in quantities specified by community development department, for a complete binding site plan (BSP) application. Items may be waived if in the judgment of the community development director the items are not applicable to the particular proposal:

1. Completed binding site plan application form as prescribed by the community development director with the appropriate fee;
2. Complete applications for other required land use approvals applicable to the proposal;
3. Vicinity map showing location of the site;
4. A survey of existing trees as required under CMC Section 18.31.080;
5. A survey prepared to the standards specified in CMC Section 17.01.050;
6. Site and development plans that provide the following information.

- a. The owners of adjacent land and the names of any adjacent subdivisions,
 - b. Lines marking the boundaries of the existing lot(s) (any existing lot to be eliminated should be a dashed line and so noted),
 - c. 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,
 - d. Location of sidewalks, street lighting and street trees,
 - e. Location, footprint and setbacks of all existing structures on the site,
 - f. Lot area and dimensions for each lot,
 - g. Location of proposed new property lines and numbering of each lot,
 - h. Location of proposed dedications,
 - i. Existing and proposed topography at two-foot contour intervals extending to five feet beyond the project boundaries,
 - j. Location of critical areas and critical area buffers to indicate compliance with all applicable provisions of the critical areas legislation,
 - k. Description, location and size of existing and proposed utilities, fire hydrants, storm drainage facilities and roads to service the lots,
 - l. Expected location of new buildings and driveways, including finished floor elevations of the buildings,
 - m. Demonstrate that the parking calculations meet requirements of CMC Chapter 18.11,
 - n. Proposed cross easement and maintenance agreement for shared parking, circulation, utility and landscaping improvements,
 - o. Legal descriptions of all tracts located within the boundaries of the BSP, and
 - p. Other items as may be required by code;
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 contemplated on slopes of ten percent or greater a preliminary geotechnical report will be consistent with CMC Chapter 16.59.

C. Review Procedures. An application for binding site plan shall be reviewed and acted upon in the same manner prescribed in Chapter 17.09 for short subdivisions.

D. Approval Criteria.

1. Prior to approval of any binding site plan, the community development director shall insure that the following improvements are provided to sufficiently service the anticipated uses throughout the proposed plan and meet the following decision criteria:
- a. Provisions have been made for water, storm drainage, erosion control and sanitary sewer disposal that are consistent with the Camas Design Standard Manual and other state adopted standards and plans;
 - b. Provisions for road, utilities, street lighting, street trees, access to off-street parking and loading and other improvements consistent with the six-year street plan, the Camas Design Standard Manual and other state adopted standards and plans;
 - c. Street signs must be in place, fire apparatus access complete to most current adopted International Fire Code standards, and fire hydrants shall be flow tested by a Washington State licensed fire sprinkler contractor. Flow test results shall be submitted to the fire department. Fire hydrant locations shall be verified by the fire department;
 - d. Provisions have been made for all public dedications, and/or easements; and
 - e. Monumentation of all exterior site corners.

2. The site is zoned commercial or industrial and meets the definition of an integrated site.
3. Appropriate easements and maintenance agreements for shared facilities, including but not limited to, circulation, parking, utilities and landscaping, have been provided.
4. When taken as a whole, and not considering any interior lot lines, the integrated site meets all the zoning and subdivision requirements.
5. Modifications to the minimum zoning standards for individual lots located within the integrated site, including setbacks, parking, landscaping, lot area and lot dimension are not detrimental to the public health, safety and welfare, do not adversely affect the rest of the integrated site or other properties in the vicinity.
6. Common improvements necessary to serve any particular phase of development must be sufficient for meeting the zoning and subdivision requirements for that phase.
7. The circulation system incorporates appropriate provisions for safe pedestrian activity to the site from the street, and from building to building within the site.
8. The sign regulations shall be applied to the integrated site as a whole. For example, the number of freestanding signs allowed is based on one site within the binding site plan. Individual ownership within the integrated site are not considered to be separate sites in determining the number of freestanding signs allowed.
9. Comply with yard requirements of the most current adopted International Building Code.
(Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2443 § 2 (Exh. A (part)), 2006)

17.15.040 Final approval of plan.

- A. Prior to the plan being granted final approval a survey, prepared by a licensed surveyor to the standards contained in CMC Section 17.01.050, shall be submitted to the community development director with the final plan. The survey and plan shall be consistent with the preliminary approval.
- B. Once the community development director determines the survey, plan and other documents for recording are consistent with the preliminary approval, it will be certified for filing by the community development director.
- C. After being certified for filing by the community development director, binding site plans and survey shall be filed by the applicant with the Clark County department of records and elections. The applicant shall pay all costs associated with this filing.
- D. A copy of the recorded documents shall be returned to the city community development department prior to issuance of any building permits for construction within the site.
(Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2443 § 2 (Exh. A (part)), 2006)

17.15.050 Improvements.

Prior to the issuance of a building permit for construction within a binding site plan, all improvements required to adequately service that portion of the plan for which the building permit will be issued shall be installed or bonded in accordance with CMC Chapters 17.19 and 17.21.
(Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2443 § 2 (Exh. A (part)), 2006)

17.15.060 Revision of plan.

Alteration of an approved and recorded binding site plan shall be accomplished by application to the community development director as set forth in CMC Chapter 18.55.
(Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2443 § 2 (Exh. A (part)), 2006)

Chapter 17.19 DESIGN AND IMPROVEMENT STANDARDS

Sections:

- 17.19.010 Applicability.
- 17.19.020 Improvements, supervision, inspections and permits required.
- 17.19.030 Tract, block and lot standards.
- 17.19.040 Infrastructure standards.

17.19.010 Applicability.

The standards set forth within this chapter are minimum standards applicable to land development. Based on the complexity or circumstances of the project or site conditions location (e.g., critical areas), the decision maker may require a land development to be designed to exceed the minimum standards or impose conditions deemed in the public interest.

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

17.19.020 Improvements, supervision, inspections and permits required.

A. Required Improvements.

1. Every developer shall be required to grade and pave streets and alleys, install curbs and gutters, sidewalks, monuments, sanitary and storm sewers, water mains, fire hydrants, street lights and street name signs, underground transmission lines, provide and install centralized mail delivery boxes as determined by the U.S. Postal Service, together with all appurtenances in accordance with specifications and standards in the Camas Design Standard Manual, the six-year street plan, and other state and local adopted standards and plans as may be applicable.

2. Other improvements installed at the option of the developer shall conform to city requirements.

3. Existing wells, septic tanks and septic drain fields shall be abandoned, in accordance with state and county guidelines regardless of lots or properties served by such utility unless otherwise approved by public works director.

B. Supervision and Inspection. The city engineering department shall be responsible for the supervision and inspection of all improvements required as a condition of a land use. All improvements shall be certified in writing as completed in accordance with plans and specifications.

C. Permits. Prior to proceeding with any improvements, the applicant shall obtain those permits from the city as are necessary. The applicant is also responsible for complying with all applicable permit requirements of other federal, state and local agencies.

(Ord. 2517 § 2, 2008; Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2443 § 2 (Exh. A (part)), 2006)

(Ord. No. 2582, § II, 2-1-2010)

17.19.030 Tract, block and lot standards.

A. Environmental Considerations.

1. **Critical Areas.** Land that contains a critical area or its buffer as defined in Title 16 of this code, or is subject to the flood hazard regulations, shall be platted to show the standards and requirements of the critical areas.

2. **Vegetation.** In addition to meeting the requirements of CMC Chapter 18.31, Tree Regulations, every reasonable effort shall be made to preserve existing significant trees and vegetation, and integrate them into the land use design.

3. **Density transfers** may be applicable if developer preserves critical areas. See Chapter 18.09 of this code.

B. Blocks. Blocks shall be wide enough to allow two tiers of lots, except where abutting a major street or prevented by topographical conditions or size of the property, in which case the approval authority may approve a single tier.

C. Compatibility with Existing Land Use and Plans.

1. **Buffer Between Uses.** Where single-family residential lots are to be adjacent to multiple-family, commercial or industrial land use districts, and where natural separation does not exist, adequate landscape buffer strips and/or solid fences for purposes of buffering sound, restricting access, pedestrian safety and privacy shall be provided.

2. **Conformity with Existing Plans.** The location of all streets shall conform to any adopted plans for streets in the city. The proposed land use shall respond to and complement city ordinances, resolutions and comprehensive plans.

3. Other City Regulations. All land use shall comply with all adopted city regulations. In the event of a conflict, the more restrictive regulation shall apply.
4. Accessory Structures. If land development would result in an accessory structure remaining alone on a lot, the structure must be demolished before final plat approval.
- D. Lots. The lot size, width, shape and orientation shall conform to zoning provisions and the following:
 1. Each lot must have frontage and access onto a public street, except as may otherwise be provided (e.g., approved private roads);
 2. Side Lot Lines. The side lines of lots shall run at right angles to the street upon which the lots face as far as practical, or on curved streets they shall be radial to the curve;
 3. Building Envelopes. No lot shall be created without a building envelope of a size and configuration suitable for the type of development anticipated:
 - a. For single-family detached housing, a suitable size and configuration generally includes a building envelope capable of siting a forty-foot by forty-foot square dwelling within the building envelope,
 - b. Other factors in considering the suitability of the size and configuration of any residential lot include the presence of, or proximity to critical areas, adjoining uses or zones, egress and ingress, and necessary cuts and fills;
 4. Where property is zoned and planned for commercial or industrial use, in conformance to the intent of the comprehensive plan, other lot dimensions and areas may be permitted at the discretion of the approval authority;
 5. Flag lots and private roads may be permitted only when the community development director or designee finds the applicant meets the criteria listed hereinafter:
 - a. The pole of a flag lot must be a minimum of twenty feet wide with a minimum of twelve feet of pavement and shall serve no more than one lot,
 - b. The structure(s) accessed by a flag lot or private road will be required to furnish a minimum of two off-street parking spaces per residential unit. Under no circumstances will required parking be allowed along the flag pole lot,
 - c. Primary structure accessed by flag lots or private roads are required to have automatic fire sprinklers,
 - d. An approved address sign, in accordance with the Camas Municipal Code must be posted for each residence where the flag lot leaves the public road, and
 - e. To protect the character of the immediate neighborhood, the city may impose special conditions, where feasible, including access configuration and separation, setbacks, fencing and landscaping;
 6. Double Frontage Lots. Residential lots which have street frontage along two opposite lot lines shall be avoided, except for lots which provide separation of a residential development from a traffic arterial, in which case additional lot depth of at least twenty feet will be provided to act as a buffer strip between the lot and the traffic arterial;
 7. Corner Lots. Corner lots may be required to be platted with additional width to allow for the additional side yard requirements;
 8. Restricted Corner Lots. Corner lots restricted from access on side yard flanking street shall be treated as interior lots and conform to front, side and rear yard interior setbacks of CMC Chapter 18.09; and
 9. Redivision. In dividing tracts into large lots which at some future time are likely to be redivided, the location of lot lines and other details of the layout shall be such that redivision may readily take place without violating the requirements of these regulations and without interfering with the orderly development of streets. Restriction of building locations in relationship to future street right-of-way shall be made a matter of record if the approval authority considers it necessary.
- E. Tracts and Trails.
 1. If land division is located in the area of an officially designated trail, in accordance with the parks and recreation comprehensive plan, provisions shall be made for reservation of the right-of-way or for easements to the city for trail purposes.
 2. Trails shall be shown as a separate layer on computer disk submitted with "as-builts" prior to final acceptance.

3. Trails, which are dedicated to the city and part of the regional trail system, shall be surveyed and dedicated by the developer prior to final acceptance.

4. Tracts and trails that are not dedicated to the city and are located within the subdivision, short plat or planned development are the responsibility of the homeowners to maintain. Provisions must be in writing informing the homeowners of the responsibility and outlining the maintenance procedures in accordance with city standards.

F. Landscaping.

1. With the exception of flag lots, each dwelling unit within a new development shall be landscaped with at least one tree in the planting strip of the right-of-way, or similar location in the front yard of each dwelling unit. Required trees shall be a minimum two-inch diameter at breast height (dbh) to create a uniform streetscape (dbh is four and one-half feet above the ground as measured from upside of tree).

2. The city council finds that the existing mature landscaping of trees, and shrubs provide oxygen, filter the air, contribute to soil conservation and control erosion, as well as provide the residents with aesthetic and historic benefits. For these reasons, the city encourages the retention of existing trees that are not already protected as significant trees under the Camas Municipal Code. Generally, the city may allow the tree requirements under subsection (F)(1) of this section to be reduced at the request of the developer, by a ratio of two new trees in favor of one existing tree, provided such trees have been identified on approved construction plans.

3. Tree planting when required as a vegetative buffer, shall be according to city requirements and of a species approved in the Camas Design Standard Manual.

4. The tree planting shall be the responsibility of the land developer and shall be installed or bonded for prior to final plat approval.

5. Landscaping shall conform to plant criteria in the Camas Design Standard Manual. Any planting of trees or shrubs within the right-of-way or vision clearance area must be shown on the construction drawings for approval.

6. Storm drainage facilities, pump stations and other visible facilities shall be setback a minimum of thirty feet from any street or accessory structure and be landscaped in accordance with criteria in the Camas Design Standard Manual.

G. Non-City Utility Easements. Easements for electric lines or other public utilities may be required. Easements for utilities shall be a minimum of six feet in width and centered on front or side lot lines.

H. Watercourse Easements. Where a development is traversed by a watercourse, drainageway, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for the purpose. Streets parallel to major watercourses may be required.

I. Street Signs. The developer shall be responsible for the initial cost of any street name or number signs, or street markings, including installation thereof, that public works finds necessary for the development.

J. Lighting. Street lighting shall conform to the Clark public utility standards and approved by the city. The developer shall bear the cost of the design and installation of the lighting system.

K. All residential streets shall conform to the guidelines and standards of the city neighborhood traffic management plan.

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

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. Homes constructed to access from private roads shall have automatic fire sprinklers installed per NFPA 13D or 13R;
 8. Access requirements for recycle service, garbage service, and emergency vehicles are provided;
 9. 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, 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. Where appropriate, streets shall be extended to the boundaries of the plat to ensure access to neighboring properties. The city's goal is to have an integrated system of local streets whenever practical. Where platted streets touch, they shall connect and show extension to adjoining streets.
 - 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.

Table 17.19.040-1 Minimum 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	42'	28'	Five foot detached sidewalk

greater than 100' and not over 300' in length ³			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.
E. Alley	18'	16'	None required.
F. Commercial/Industrial ²	40'	24'	Five foot detached sidewalk on one side, with planter strip, no parking both sides.
Public Street	Right-of-Way	Pavement Width	Sidewalk
G. Street (by approval of City Engineer) ¹	52'	28'	Five foot detached sidewalk on both sides, with planter strip, no parking on one side.
H. Street (two lane)	60'	36'	Five foot detached sidewalks required on both sides of the street, with planter strip.
I. Street (three lane)	74'	48' to include 14' median	Six foot detached sidewalks required on both sides of the street, with planer strip.
J. Street (five lane)/Arterial	100'	74' to include 14' median	Six foot detached sidewalks required on both sides of the street, with planer strip.
Notes: ¹ All buildings abutting a street designed and constructed with less than 36 feet of pavement 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 services may be restricted. 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 (15) 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 (12) 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. 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.

- b. Where critical areas are impacted, the standards and procedures for rights-of-way in the critical areas overlay zone shall be followed.
- c. When the proposed development's average lot size is 7,400 square feet or less one additional off-street parking space may 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.
- d. 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.
- e. 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.
- f. 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. The restrictions imposed shall be in accordance with the design policies and standards set forth in the Institute of Transportation Engineers Transportation and Land Development Manual, the Institute of Engineers Residential Street Design and Traffic Control Manual, and the Washington State Department of Transportation Design Manual.
- b. The city engineer may grant exceptions to the access restriction policies and standards when no other feasible access alternative exists.
- c. In addition to restricting access, where a residential development abuts or contains an existing or proposed marginal street, the city may also require reverse frontage lots with suitable depth, appropriate fencing with landscaping or masonry walls contained in a non-access reservation along the real property line, or such other treatment as may be necessary for adequate protection of residential properties and for the separation of through and local traffic.

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, and control of storm water 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 (300) feet on primary arterials, two hundred (200) feet on secondary arterials, or seventy (70) 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 (35) feet on arterial and collector streets, and no less than twenty-five (25) 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 for dimensions.

a. Prior to final acceptance of any land development, the developer shall install sidewalks, when required under Table 17.19.040-1, 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 (400) 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 (400) 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 council 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 planning commission 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.

Chapter 17.21 PROCEDURES FOR PUBLIC IMPROVEMENTS*

Sections:

17.21.010 Plans and permits required for public improvements.

17.21.020 Process for installing public improvements.

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

17.21.040 Improvement agreements.

17.21.050 Bonds and other financial agreements.

17.21.060 Final plat or short plat procedures for land divisions.

17.21.070 Final acceptance.

* Prior ordinance history: Ord. 2443.

17.21.010 Plans and permits required for public improvements.

A. Approval of a land division, binding site improvement plan, boundary line adjustment, or site plan shall constitute approval for the applicant to develop construction plans and specifications, for all facilities and improvements, in substantial conformance to the preliminary approval, design standards, and any special conditions required by the city; to obtain permits and complete installation for such

improvements; and to prepare a final plat, plans, surveys and other documents for recording, or final acceptance as applicable.

B. Prior to installing improvements, the developer shall apply for all required permits for those improvements. The applications shall include development plans as specified on the application form. (Ord. 2483 § 1 (Exh. A (part)), 2007)

17.21.020 Process for installing public improvements.

Improvements installed by the developer, either as a requirement or of the developer's own option, shall conform to the requirements of this title and improvement standards, specifications, inspections and procedures as set forth by the Camas Design Standard Manual and shall be installed in accordance with the following procedures:

A. Work shall not be commenced until fees are paid and plans have been checked for adequacy and approved by public works to the extent necessary for the evaluation of the development proposal. The plans may be required before approval of the final plat, if improvements are to be deferred. Plans shall be prepared in accordance with the requirements of the city.

B. Work shall not commence until public works has been notified in advance and if work has been discontinued for any reason, it shall not be resumed until public works has been notified.

C. Public improvements shall be constructed under the inspection and to the satisfaction of the director of public works. The city may require changes in typical sections and details if unusual conditions arise during construction to warrant the change.

D. All underground utilities, sanitary sewers, water, and storm drainage systems improvements installed in the streets by the developer shall be constructed prior to the surfacing of streets. Stubs for service connections and underground utilities, sanitary sewers, and water system improvements shall be placed to a length obviating the necessity for disturbing the street improvements when surface connections are made.

E. All regional, neighborhood and local trails shall be shown on a trail plan as constructed.

F. Plans showing all improvements as built shall be filed with the city upon completion of the improvements.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

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.

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)

17.21.040 Improvement agreements.

A. Required Improvements. Before any development receives final approval, the developer shall install required improvements and replace or repair any such improvements, which are damaged during the development. In lieu of installation of all required improvements, the developer may execute and file with the city an agreement guaranteeing completion of such improvements together with any needed replacement or repair. The agreement shall:

1. Specify the period of time within which all work required would be completed. The time for completion shall not exceed two years from the date of final approval of the plat. The agreement may provide for reasonable extensions of time for completion of work. Extensions must be requested, approved by the city council, and properly secured in advance of the required initial completion date;
 2. Require notice by the developer to the public works director promptly upon completion of all required improvements;
 3. Provide for notice of approval or disapproval by the public works director of the improvement within a reasonable time after receiving notice of completion;
 4. Require bond or other financial security to be provided by the subdivider pursuant to CMC Section 17.21.050;
 5. Provide that if the developer fails to complete all required work within the period specified, the city may take steps to demand performance of the developer's obligation within a reasonable time not to exceed ninety days from the date of demand;
 6. Provide that if the required improvements are not completed within that time, the city may take action to require the subdivider to forfeit the financial security;
 7. Provide that the city shall be entitled to recover all costs of such action including reasonable attorney's fees;
 8. Provide that following recovery of the proceeds of the financial security, those proceeds shall be used to complete the required improvements and pay the costs incurred; and
 9. Provide that should the proceeds of the financial security be insufficient for completion of the work and payment of the costs, the city shall be entitled to recover the deficiency from the developer.
- B. Maintenance Agreement. Regardless of whether all required improvements are completed prior to final approval, as a condition of such approval the developer shall execute an agreement to assure successful operation of all improvements. The agreement shall:

1. Require the developer to post a bond or other financial security in an amount equal to at least ten percent of the total cost of all required improvements to secure successful operation of all required improvements and full performance of the developer's maintenance obligation. Such financial security shall be effective for a two-year period following final acceptance of installation of all required improvements;
2. Require the developer to perform maintenance functions on drainage improvements for a period of time not to exceed two years from approval of their completion or final acceptance, whichever is later. It shall be the developer's responsibility to assure there is a functioning storm drainage system at the end of the two-year warranty period; and
3. Not relieve the developer of liability for the defective condition of any required improvements discovered following the effective term of the security given;
4. Provide a waiver by the developer of all claims for damages against any governmental authority that may occur to the adjacent land as a result of construction, drainage and maintenance of the streets and other improvements.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.21.050 Bonds and other financial agreements.

A. Bond Requirements. To assure full performance of the agreements required herein, the developer shall provide one or more of the following in a form approved by the city attorney:

1. A surety bond executed by a surety company authorized to transact business in the state of Washington. Surety bonds may be performance, maintenance/warranty bonds, erosion control/wetland, or subdivision improvement bonds;
2. An assignment of account with a financial institution, which holds the money in an account until such time the city signs a written release. The assignment of account will allow the city to withdraw the funds in the event the provisions of the agreement are not met; and
3. A cash deposit made with the City of Camas.

B. Amount of Financial Security.

1. For site plan or subdivision improvement bonds, the financial security provided shall be at least one hundred five percent of the estimated cost of the improvements to be completed, all related engineering and incidental expenses, final survey monumentation and preparation of reproducible mylar or electronic records in a format approved by public works and meeting current public works drawing standards of the "as-built" improvements. The subdivider shall provide an estimate of these costs for acceptance by the public works director.
2. For warranty or maintenance bonds, the financial security provided shall be at least ten percent of the cost estimate provided in subsection (B)(1) of this section.
3. Erosion prevention and wetland bonds shall equal two hundred percent of the erosion prevention and sediment control items or wetland management items from the estimate provided in subsection (B)(1) of this section.

C. Defective Work. The acceptance of improvements by the city shall not prevent the city from making a claim against the developer for any defective work if such is discovered within two years after the date of completion of the work.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

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, 17.09.020 and 17.11.020, 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 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.

B. 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.

C. 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 17.01.050(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;

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.

D. 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.

E. 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.

F. 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 for any other residential or commercial buildings will not be issued until after final acceptance.

17.21.070 Final acceptance.

A. Upon final acceptance of the development improvements a two-year warranty bond commences.

B. The city shall accept all improvements within all land divisions, and applicable site plan developments, provided:

1. All improvements have been installed in accordance with the requirements of this title and with the preliminary plat approval. (RCW 58.17.130, reference the last sentence);

2. Approved plat and "as-constructed" engineering drawings have been submitted to the city in an electronic format approved by public works;

3. Copies of any dedicated tracts, easements, or lots as set forth in CMC Section 17.01.040 have been submitted to the city;

4. Upon approval of the engineering department that the improvements are complete, a warranty bond equal to ten percent of the cost of the improvement for a period not to exceed two years shall be submitted

to the city to warranty all improvements in accordance with CMC Section 17.21.050(B)(2). Upon conferring with the engineering department, the community development department may grant an exception to this bonding requirement for certain outstanding items; and

5. Binding maintenance agreements have been recorded to provide for the maintenance of commonly owned private facilities.

C. A development may receive final acceptance, exclusive of wetlands where three-year, five-year and ten-year monitoring plans require replacement vegetation and maintenance as part of the SEPA or wetland mitigation. However, a wetland bond may be required in the amount of the monitoring and maintenance.

D. Within sixty days of expiration of the two-year period following acceptance of the improvements by the city, the engineering department shall reinspect the required improvements. If there are no faults, the warranty bond will lapse at the end of the warranty period and the city accepts the improvements.

E. The community development department will issue a letter of final acceptance once all items listed in this chapter have been completed, submitted, reviewed, and approved by the city.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

Chapter 17.23 EXCEPTIONS, PENALTIES, SEVERABILITY, LIABILITY

Sections:

17.23.010 Exceptions.

17.23.020 Enforcement.

17.23.030 City not liable.

17.23.040 Severability.

17.23.010 Exceptions.

A. Exception Criteria.

1. Land Division. Except as provided in subsection (A)(2) or (A)(3) of this section, exceptions from the requirements of this title may be granted when undue hardship may be created as a result of strict compliance with the provisions of this title. Any authorization for exception may prescribe conditions deemed necessary or desirable for the public interest. An exception shall not be granted unless:

a. There are special physical circumstances or conditions affecting the property, such that the strict application of the provisions of this code would deprive the applicant of the reasonable use or development of his land;

b. The exception is necessary to insure such property rights and privileges as are enjoyed by other properties in the vicinity and under similar circumstances; and

c. The granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity.

2. Easements. The approval authority may approve an easement of way to be established by deed without full compliance with these regulations provided such an easement is the only reasonable method by which a portion of a lot large enough to warrant partitioning into two parcels may be provided with access. If the existing lot is large enough so that two or more parcels not having frontage on an existing street may be created, an easement of way will not be acceptable and a street must be dedicated.

3. Streets. The approval authority may approve the creation of a street to be established by deed without full compliance with these regulations provided such conditions as are necessary to preserve to objectives of the standards of this title are accepted, and provided either of the following conditions exists;

a. The establishment of such street is initiated by the hearings examiner and is declared essential for the purpose of general traffic circulation and the partitioning of land is an incidental effect rather than the primary objective of the creation; and

b. The tract in which the street is to be dedicated is an isolated ownership of one acre or less.

B. Procedures. An application for any exception from this code shall be submitted in writing by the subdivider, as part of the application for land division or, binding site plan, and substantiating facts and evidence pertinent to the request.

1. Short Subdivision. A short subdivision or binding site plan exception shall be reviewed by the community development director or designee and/or the fire chief or designee in conjunction with review of the short subdivision or binding site plan application. The decision of the community development director or designee and/or the fire chief or designee shall be final and conclusive unless appealed in accordance with the appeal procedure for Type II decisions set forth in CMC Chapter 18.55.
2. Preliminary Plat. A preliminary plat exception shall be considered by the hearings examiner at the same time the public hearing is conducted for the preliminary plat.

17.23.020 Enforcement.

Any violation of any provision or failure to comply with any of the requirements of this title, or a violation of or failure to comply with any of the terms and conditions of any approval issued under the provisions of this title, shall be subject to the enforcement provisions of CMC Sections 18.55.400 through 18.55.460.

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

17.23.030 City not liable.

This code shall not be construed to relieve from or lessen the responsibility of any person owning any land or building, constructing or modifying any land use in the city for damages to anyone injured or damaged either in person or property by any defect therein; nor shall the city or any agent thereof be held as assuming such liability by reason of any preliminary or final approval or by issuance of any permits or certificates authorized in this chapter.

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

17.23.040 Severability.

If any section, subsection, clause or phrase of this code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

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

Title 18 ZONING*

Chapters:

- 18.01 General Provisions
- 18.03 Definitions
- 18.05 Zoning Map and Districts
- 18.07 Use Authorization
- 18.09 Density and Dimensions
- 18.11 Parking
- 18.13 Landscaping
- 18.15 Signs
- 18.17 Supplemental Development Standards
- 18.18 Site Plan Review
- 18.19 Design Review
- 18.20 North Dwyer Creek Residential Overlay and Planned Industrial Development Overlays
- 18.21 Light Industrial/Business Park
- 18.22 Mixed Use Planned Developments (MXPDP)
- 18.23 Planned Residential Development (PRD)
- 18.24 Mixed Use (MX)
- 18.25 Rowhouses
- 18.27 Accessory Dwelling Units
- 18.29 Manufactured Home Parks
- 18.31 Sensitive Areas and Open Space
- 18.35 Telecommunication Ordinance
- 18.37 Reserved
- 18.39 Home Occupations
- 18.41 Nonconforming Lots, Structures and Uses
- 18.43 Conditional Use Permits
- 18.45 Variances
- 18.47 Temporary Use Permits
- 18.49 Unclassified Use Permits
- 18.51 Comprehensive Plan Amendments
- 18.55 Administration and Procedures
- 18.88 Shoreline Management

* Prior history: Prior code §§ 11.76.010--11.76.180 as amended by Ords. 1621, 1976, 2022, 2121, 2290, 2291, 2295, 2298, 2299, 2306, 2312, 2313, 2315, 2320, 2322, 2332, 2338, 2362, 2363, 2364, 2365, 2368, 2369, 2370, 2378, 2383, 2389 and 2408.

Chapter 18.01 GENERAL PROVISIONS

Sections:

- 18.01.010 Title.
- 18.01.020 Purpose.
- 18.01.030 Standards designated.
- 18.01.040 Interpretation.
- 18.01.050 Severability.

18.01.010 Title.

The ordinance codified in this title shall be known and cited as the "zoning code of the city of Camas." (Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.01.020 Purpose.

A. The purposes of this title are: to implement the comprehensive plan for the city; to encourage the most appropriate use of land; to conserve and stabilize the value of property; to aid in rendering of fire and police protection; to provide adequate open space for light and air; to lessen the congestion on streets; to give an orderly growth to the city; to prevent undue concentration of population; to improve the city's appearance; to facilitate adequate provisions for community utilities and facilities such as water, sewerage, and electrical distribution system, transportation, schools, parks, and other public requirements; and in general to promote public health, safety and general welfare.

B. Since the public health, safety and general welfare is superior to the interests and pecuniary gains of the individual, this title may limit the use of property and prevent its most profitable gain. If some reasonable use of property is allowed by this title and the effect is not confiscatory, the city is exercising a proper use of police power.

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

18.01.030 Standards designated.

The standards established by this title are determined to be the minimum requirements in the interest of public health, safety and general welfare.

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

18.01.040 Interpretation.

Where the conditions imposed by any provision of this title upon the use of land or building or upon the size, location, coverage or height of buildings are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this title or of any ordinance, resolution or regulation, the provisions which are more restrictive shall govern.

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

18.01.050 Severability.

The provisions of this title are declared to be severable. If any section, sentence, clause or phrase of this title is adjudged by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this code.

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

Chapter 18.03 DEFINITIONS*

Sections:

18.03.010 Purpose.

18.03.020 Interpretation of terms.

18.03.030 Definitions for land uses.

18.03.040 Definitions for development terms.

18.03.050 Environmental definitions.

* Prior ordinance history: Ords. 2443, 2455 and 2481.

18.03.010 Purpose.

The purpose of the definitions chapter is to carry out the intent of the city's zoning regulations. The terms defined in this chapter are the minimum necessary to resolve questions of interpretation. Terms not defined shall hold their common and generally accepted meaning, unless specifically defined otherwise in this code.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.03.020 Interpretation of terms.

A. Terms in this title that are not defined in this chapter hold their common and accepted meaning.

B. The following terms shall be interpreted as follows:

1. Words used in the present tense include the future;
2. The plural includes the singular and vice-versa;
3. The words "will" and "shall" are mandatory;
4. The word "may" indicates that discretion is allowed;
5. The word "used" includes designed, intended, or arranged to be used;
6. The masculine gender includes the feminine and vice-versa;
7. The word "person" may be taken for persons;
8. The word "building" includes a portion of a building or a portion of the lot on which it stands;
9. Distances shall be measured horizontally unless otherwise specified;
10. The word "occupied" includes designed or intended to be used.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.03.030 Definitions for land uses.

For the purposes of this title, the following definitions shall apply:

"Adult entertainment facility" see CMC Chapter 5.36 Sexually Oriented Business.

"Adult family home" means the regular family abode of a person or persons who are providing personal care, room and board to more than one but not more than four adults who are not related by blood or marriage to the person or persons providing the services; except that a maximum of six adults may be permitted if the Washington State Department of Social and Health Services determines that the home and the provider are capable of meeting standards and qualifications provided for by law. Adult family homes are a permitted use in all areas zoned for residential use.

Animal Kennel. See "Kennel."

"Antique shop" means an establishment engaged in the sale of collectibles, relics or objects of an earlier period than the present.

"Appliance sales and incidental service" means an establishment engaged in the sale and repair of household or office tools or devices operated by gas or electric current. Such tools or devices may include stoves, fans, refrigerators, etc.

"Assisted living" means any group residential program that provides personal care and support services to people who need help with daily living activities as a result of physical or cognitive disability. Assisted living communities usually offer help with bathing, dressing, meals and housekeeping. The amount of help provided depends on individual needs, however, full-time (twenty-four hours a day) care is not needed. Assisted living communities go by a variety of names: adult homes, personal care homes, retirement residences, etc.

"Automobile repair garage" means a building designed and used for the storage, care repair, or refinishing of motor vehicles including both minor and major mechanical overhauling, paint and body work.

"Automobile sales, new or used" means an establishment that provides for the sale of motorized vehicles as its primary use.

"Automobile service station" means any premises used primarily for supplying motor fuel, oil, minor servicing, excluding body and fender repair, and for sale of accessories as a secondary service for automobiles at retail direct to the customer.

"Automobile wrecking" means the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts when screened from view from a public roadway and adjoining properties.

Bakery (Retail). "Retail bakery" means an establishment where the majority of retail sale is of products such as breads, cakes, pies, pastries, etc., which are baked or produced and for sale to the general public.

Bakery (Wholesale). "Wholesale bakery" means an establishment where breads, cakes, pies, pastries, etc. are baked or produced primarily for wholesale rather than retail sale.

Bar. See "Tavern."

"Bed and breakfast inn" means a dwelling or portion thereof, where short-term lodging rooms and meals are provided. The operator of the inn shall live on the premises or in adjacent premises. A bed and breakfast which includes six or more guest rooms shall be classified and defined as a hotel.

"Boat sales, and repair" means a business primarily engaged in sales and repair of new and used motorboats, sailboats, and other watercraft. Also includes businesses primarily engaged in the sale of supplies for boating.

"Book, stationery and art supply store" means an establishment engaged in the retail sale of books and magazines, stationery, record and tapes, video and art supplies, including uses.

Brew Pub. See "Tavern."

"Building and hardware and garden supply store" means an establishment engaged in selling lumber and other building materials such as paint, glass, wallpaper, tools, seeds and fertilizer.

"Bus station" means an establishment for the storage, dispatching, repair and maintenance of coaches and vehicles of a transit system.

Child Care. See "Day care."

"Church" means a permanently located building commonly used for religious worship, fully enclosed with walls and roof. A memorial chapel is similar to a church, with the exception that no funeral home activities, such as embalming or casket display are permitted.

"Clinic" means a building or portion of a building containing offices and facilities for providing medical, dental and psychiatric services for outpatients only.

"Community center" means a facility owned and operated by a public agency or nonprofit corporation; provided, that the principal use of the facility is for public assistance, recreation, community improvement, or public assembly.

Convenience Store. See "Grocery, neighborhood."

"Convention center" means an establishment developed primarily as a meeting facility; including facilities for recreation and related activities provided for convention participants, excluding overnight lodging.

"Day care center" means a state licensed entity regularly providing care for thirteen or more children for periods of less than twenty-four hours. A day care center is not located in a private family residence unless the portion of the residence to which the children have access is used exclusively for the children during the hours the center is open or is separate from the usual quarters of the family.

Day Care, Family Home. "Family home day care" means an entity regularly providing care during part of the twenty-four hour day to six or fewer children in the family abode of the person(s) under whose direction the children are placed; or, a state licensed entity regularly providing care during part of the twenty-four hour day to between six and twelve children in the family abode of the person(s) under whose direction the children are placed.

Day Care, Mini-Center. "Mini-center day care" means a state licensed entity providing care during part of the twenty-four hour day period for twelve or fewer children in a facility other than the family abode of the person or persons under whose direct care the children are placed, or for the care of seven through twelve children in the family abode of such person or persons.

"Delicatessen (deli)" means retail food stores selling ready-to-eat food products such as cooked meats, prepared salads or other specialty food items. This definition includes seafood, health food and other specialty foods.

"Drug store" means an establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics and related supplies.

"Fitness center/sports club" means an establishment engaged in operating physical fitness facilities, sports and recreation clubs.

"Florist shop" means establishments engaged in the retail sale of flowers and plants.

"Food delivery business" means a business in which food is primarily prepared and sold from a vehicle rather than a site specific building. Restaurants or fast food restaurants with a fixed authorized location are not included in this definition.

"Funeral home" means a building where services and/or ceremonies are held in conjunction with human burial or cremation. Crematories may be an accessory use to a funeral home.

"Furniture store" means establishments engaged in the retail sale of household furniture and furnishings for the home.

"Gas/fuel station" means establishments engaged primarily in the sale of automobile gasoline or other auto fuel to the general public.

"Gas/fuel station with mini market" means establishments engaged in the sale of gasoline or other auto fuel together with a minor incidental building in which incidental items including snack foods and beverages are sold.

"Golf course" means a recreational facility, under public or private ownership, designed and developed for uses including, but not limited to a golf course, driving range, putt-putt golf, and other auxiliary facilities such as a pro shop, caddy shack building, restaurant, meeting rooms, and storage facilities.

Grocery, Large Scale. "Large scale grocery" means a retail business enclosed within a structure greater than thirty thousand square feet with the majority of sales relating to food for the consumption off-premises.

Grocery, Neighborhood. "Neighborhood grocery" means a retail business enclosed within a structure less than six thousand square feet with the majority of sales relating to food and associated items. Limited outdoor storage may be permitted; provided it complies with screening requirements. Where outdoor storage occurs, the use shall be defined as a small scale grocery.

Grocery, Small Scale. "Small scale grocery" means a retail business enclosed within a structure between six thousand square feet and thirty thousand square feet with the majority of sales relating to food for the consumption off-premises.

Hardware Store. See "Building, hardware and garden supply store."

"Hazardous waste" means all dangerous and extremely hazardous, as defined in RCW 70.105.010, except for moderate-risk waste.

"Hazardous waste storage" means the holding of dangerous waste for a temporary period, as regulated by state dangerous waste regulations, Chapter 173-303, Washington Administrative Code.

"Hazardous waste treatment" means the physical, chemical or biological processing of dangerous waste to make waste nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

Hazardous Waste Treatment and Storage Facility, Off-site. "Off-site hazardous waste treatment and storage facility" means treatment and storage facilities of hazardous wastes generated on properties other than those on which the off-site facility is located.

Hazardous Waste Treatment and Storage Facility, On-site. "On-site hazardous waste treatment and storage facility" means treatment and storage of hazardous wastes generated on-site.

"Home occupation" See CMC Chapter 18.39 Home Occupations.

"Hospital" means an establishment that provides sleeping and eating facilities to persons receiving medical, obstetrical or surgical care and nursing service on a continuous basis.

"Hotel" means a building in which lodging is provided for a fee to guests for up to thirty consecutive nights and may provide such things as restaurants, meeting rooms, and/or other auxiliary facilities and services.

Junkyard. See "Wrecking yard."

"Kennel commercial/boarding" means any premises or building in which four or more dogs or cats at least four months of age kept commercially for board, propagation or sale.

Laundry, Self-service. "Self-service laundry" means a business providing home type-washing, drying, and/or ironing is performed primarily by customers.

Laundry/Dry Cleaning (Commercial). "Commercial laundry/dry cleaning" means a business providing commercial laundry or dry cleaning services.

Laundry/Dry Cleaning (Retail). "Retail laundry/dry cleaning" means a business providing drop-off and pick-up services of laundry and dry cleaning. On-site laundry services is limited to spot cleaning.

"Meeting facility" means a primary or secondary use in which a room or series of rooms are available for businesses purposes on an hourly or daily rate.

"Ministorage facility" means a building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractor's supplies.

"Motel" means a building or group of buildings in which lodging is provided for a fee to guests for up to thirty consecutive nights and typically do not provide such things as restaurants, meeting rooms, and/or other auxiliary facilities and services.

"Newspaper printing plant" means a building housing a business to include the writing, layout, editing, and publishing of a newspaper.

Nursery, Plant. "Plant nursery" means an enterprise, establishment, or portion thereof that conducts the retailing or wholesaling of plants grown on the site, as well as accessory items (but not farm implements). The accessory items normally sold include items such as clay pots, potting soil, fertilizers, insecticides, hanging baskets, rakes and shovels.

"Nursing, rest or convalescent home" means an establishment which provides full-time care for three or more chronically ill or infirm persons. Such care shall not include surgical, obstetrical or acute illness services.

"Office supply store" means stores selling office products such as stationery, legal forms, writing implements, typewriters, computers, copiers, office furniture, and the like.

"Pawnshop" means establishments who lend money on goods deposited until redeemed.

"Pet shop" means establishments engaged in the retail sale of pets, pet food, supplies and the grooming of pets and other small animals.

Pharmacy. See "Drug store."

"Photographic" and "electronic stores" mean establishments engaged in the retail sale of camera and photographic supplies and a variety of household electronic equipment.

"Print shop" means a retail establishment that provides duplicating services using photocopy, blueprint, and offset printing equipment, including collating of booklets and reports.

"Professional offices" means an office containing activities such as those offered by a physician, surgeon, dentist, lawyer, architect, engineer, accountant, artist or teacher, real estate or insurance sales.

"Public agency" means any agency office for the administration of any governmental activity or program.

"Recreational vehicle (RV) park" means any lot of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

"Recycling center" means a building in which used material is separated and processed prior to shipment to others who will use those materials to manufacture new products.

"Recycling collection point" means a collection point for recoverable resources, such as newspapers, glassware, and metal cans, with processing of items occurring off-site. See Figure 18.03-1.

GRAPHIC LINK: [Click here](#)

"Recycling plant" means a facility that is not a junkyard and in which recoverable resources, such as newspapers, glass, metal cans and other products are reprocessed and treated to return such products to a condition in which they may again be used for production.

"Residential care facility" means a facility, licensed by the state of Washington, that cares for at least five but not more than fifteen people with functional disabilities, and that has not been licensed as an adult family home pursuant to RCW 70.128.175.

"Restaurant" means an establishment that serves food and beverages primarily to persons seated within the building. This includes cafes, coffee shops, tearooms, and outdoor cafes.

Restaurant, Fast Food. "Fast food restaurant" means an establishment that offers quick food service, which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried, or grilled quickly, or heated in a device such as a microwave oven. Orders are not generally taken at the customer's table, and food is generally served in disposable wrapping of containers. The establishment may also offer drive-up or drive-through service.

"Roadside produce stand" means an establishment engaged in the retail sale of local fresh fruits and vegetables and having permanent or semi-permanent structures associated with such use.

"Second-hand/consignment store" means an establishment engaged in the retail sale of used clothing, sports equipment, appliances and other merchandise.

"Social gathering hall" means a building used primarily by community groups and organizations for meetings, celebrations, bingo and other events.

"Stock broker, brokerage firm" means a qualified and regulated professional or company that oversees financial assets, buys and sells (trades) shares or stocks, and other securities through market makers on behalf of investors.

"Tavern" means an establishment primarily serving alcoholic beverages for consumption on-site. Secondary activities may include dining, music, bottling, and sale of bottled beverages prepared on-site.

"Use" means an activity or a purpose for which land or a structure is designed, arranged or intended, or for which it is occupied or maintained.

"Veterinarian clinic" means a facility established to provide examination, diagnostic, and health maintenance services for medical and services for medical and surgical treatment of companion animals on an outpatient basis. A veterinarian clinic operates during regular business hours and discharges all patients prior to closing time.

"Veterinarian hospital" means a facility established to provide examination, diagnostic and health maintenance services for medical and surgical treatment of companion animals and equipped to provide housing and nursing care for them during illness or convalescence.

"Video rental store" means an establishment engaged primarily in the business of renting video cassettes, DVD's and games.

Warehouse, Bulk Retail. "Bulk retail warehouse" means a building primarily used for the storage and retail sale of large quantities of goods and materials.

Warehouse, Wholesale and Distribution. "Wholesale and distribution warehouse" means a use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

(Ord. 2515 § 1 (Exh. A (part)), 2008) (Ord. 2545 § 3(Exh. C (part)), 2009)

18.03.040 Definitions for development terms.

As used in this title:

"Abutting" means adjoining.

Access Easement. See "Street."

Access Panhandle. See "Flag lot."

"Accessory structure or accessory use" means a structure or use incidental and subordinate to the principal use or structure and located on the same lot or tract.

"Alley" means a narrow street primarily for vehicular service access to the rear or side of properties otherwise abutting on another street.

"Annexation" means the legal process in which a parcel or contiguous group of parcels in an unincorporated area become part of the city taking the action of incorporation.

"Apartment house" means a building containing three or more dwelling units on a lot or parcel. See Figure 18.03-2.

GRAPHIC LINK: [Click here](#)

Arterial. See "Street."

"Assessment project" means the assessment may be a local improvement district (LID) or equitable reimbursement method.

"Basement" means any floor level below the first story in a building except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein.

"Binding site plan" means a drawing to scale which: (1) identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulations; (2) contains inscriptions or attachments setting forth limitations and conditions for the use of the land; and (3) contains provisions making any development be in conformity with the site plan.

"Boundary line adjustment" means an adjustment of boundary lines between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site or division.

"Breezeway" means a structure for the principal purpose of connecting the main building or buildings on a property with other main buildings or accessory buildings.

"Building" means any structure used or intended for supporting or sheltering any use or occupancy.

"Building envelope" means a delineated area identifying where a primary building may be established. See Figure 18.03-3.

GRAPHIC LINK: [Click here](#)

"Building height" means the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater building height: (a) the elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance or the exterior wall of the building when such sidewalk or ground surface is not more than ten feet above the lowest grade; (b) an elevation ten feet higher than the lowest grade when the sidewalk or ground surface described in subsection (a) of this definition is more than ten feet above the lowest grade. The height of a stepped or terraced building is the maximum height of segment of the building. See Figure 18.03-4.

GRAPHIC LINK: [Click here](#)

"Building line" means a line on a plat indicating the limit beyond which primary buildings or structures may not be erected.

"City" means the city of Camas.

Collector. See "Street."

"Commission" means the planning commission of the city of Camas.

"Comprehensive plan" means the comprehensive plan for the city of Camas, comprising plans, maps or reports, or any combination thereof relating to the future economic and physical growth and development of the city.

"Contractor" means the person/firm hired by the applicant to perform work.

"Council" means the council of the city of Camas.

"Court" means a space open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls of a building.

Cul-de-sac. See "Street."

"Dedication" means the deliberate appropriation of land by an owner for any general and public uses, reserving to the owner no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

"Density transfer" means a transfer of dwelling units located on a site identified as sensitive lands or open space to the developable portion of land on the site. (Refer to Section 18.09.060 Density Transfers)

"Developed acreage" means the total acreage of a land use development exclusive of open space and critical areas. Developed acreage includes infrastructure, storm drainage facilities and lots and access easements.

"Developer" means the applicant for the proposed land use or development proposal.

"Director" means community development director or designee.

"Driveway" means the required traveled path to or through a parking lot for three or more vehicles. A "driveway" also refers to the vehicular access for single-family dwelling.

"Dwelling unit" means an independent living unit within a dwelling structure designed and intended for occupancy by not more than one family and having its own housekeeping and kitchen facilities. Hotel, motel, and bed and breakfast that are primarily for transient tenancy are not considered dwelling units.

Dwelling Unit, Accessory. "Accessory dwelling unit" means an additional, smaller, subordinate dwelling unit on a lot or attached to an existing or new house.

Dwelling, Condominium. "Condominium dwelling" means two or more units where the interior space of which are individually owned; but the balance of the property (both land and/or building) is owned in common by the collective owners of the building.

Dwelling, Duplex or Two-Family. "Duplex or two-family dwelling" means a structure containing two dwelling units on one lot. See Figure 18.03-5.

GRAPHIC LINK: [Click here](#)

Dwelling, Single-Family. "Single-family dwelling" means a detached building containing one dwelling unit.

Dwelling, Single-Family Attached (Row House). "Single-family attached dwelling" means a single household dwelling attached to another single household dwelling by a common vertical wall, and each dwelling is owned individually and located on a separate lot. These are more commonly referred to as townhouses or rowhouses.

"Easement" means a grant of the right to use land for specific purposes.

"Erosion control bond" insures the satisfactory installation, maintenance, and operation of erosion control measures within an approved development. The developer/owner is the principle and the city is the obligee. The bond shall remain in full force and effect until released by the city.

"Established grade" means the curb line grade established by the city.

Facility, Essential Public. "Essential public facility" means and includes those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, state and local correctional facilities including substance abuse facilities, mental health facilities, and group homes.

Facility, Public. "Public facility" means streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, water towers, storm and sanitary sewer systems, parks and recreation facilities, and schools that are open to the general public and owned by or in trust for a government entity.

"Family" means an individual, or two or more persons related by blood or marriage, or two persons with functional disabilities as defined in this chapter, or a group of not more than five unrelated persons (excluding servants), living together in the same dwelling unit.

"Fence" means a structure, other than a building, designed, constructed and intended to serve as a barrier or as a means of enclosing a yard or other structure; or to serve as a boundary feature separating two or more properties. Landscaping plantings do not fall within this definition.

Fence, Sight-Obstructing. "Sight-obstructing fence" means a fence so arranged as to obstruct vision.

"Final acceptance" means city council approval of the complete public improvements and acceptance of the warranty for the public improvements. The end of the warranty period signifies the city responsibility for maintenance and repair of any public improvements.

"Final plat" means the final drawing of the subdivision or short subdivision and dedication, prepared for filing for record with the county auditor and containing all elements and requirements set forth in this chapter and in state law.

"Flag lot" means a lot that does not have full frontage on a public street and the "pole" of the flag lot is less than half the width of the average lot width. Flag poles shall be a minimum of twenty feet wide, provide a minimum of twelve feet wide pavement and extend no longer than three hundred feet.

"Floor area" means the area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.

"Grade (adjacent ground elevation)" means the lowest point of elevation of the finished surface of the ground paving or sidewalk within the area between the building and the property line or, when the property line is more than five feet from the building, between the building and a line five feet from the building.

"Gross area" means the total usable area including accessory and common space dedication to such things as streets, easements and uses out of character with the principal use but within a unit of area being measured.

"Guest house" means an accessory, detached dwelling without kitchen facilities, designed for and used to house transient visitors or guests of the occupants of the main building without compensation.

Half Street. See "Street."

"Hammerhead" means a term used to describe a particular style of turnaround for emergency vehicles designed in accordance with guidelines in the Camas Design Standard Manual.

"Hearings examiner" conducts quasi-judicial public hearings for land development applications and renders decisions based on regulations and policies as provided in Camas Municipal Code and other ordinances. See CMC Chapter 2.15 Hearing Examiner System.

Height of Building. See "Building height."

"Home, designated manufactured" means a manufactured home which:

(a) is comprised of at least two fully enclosed parallel sections each not less than twelve (12) feet wide by thirty-six (36) feet long;

(b) was originally constructed with and now has composition or wood shake or shingle, coated metal, or similar roof, or not less than 3:12 pitch;

(c) has exterior siding similar in appearance to siding materials commonly used on conventional site-built IBC single family residences; and

(d) is placed upon a permanent foundation.

"Home, Manufactured" means a single-family residence constructed after June 15, 1976, in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements for manufactured housing, and bearing the appropriate insignia indicating such compliance.

"Home, Mobile" means a single-family residence transportable in one or more sections that are eight feet or more in width and thirty-two feet or more in length, built on a permanent chassis, designed to be used as a permanent dwelling and constructed before June 15, 1976. Such home shall be installed in accordance with applicable WAC rules and regulations.

"Home, Modular" means a structure constructed in a factory in accordance with the International Building Code and bearing the appropriate insignia indicating such compliance. This definition includes "prefabricated," "panelized," and "factory built" units. Such home shall be installed in accordance with applicable WAC rules and regulations.

"Homeowner's association" means an incorporated, nonprofit organization operating under recorded land agreements through which: (a) each lot owner is automatically a member; and (b) each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property.

"IBC" means the International Building Code as adopted by city council.

"IFC" means the International Fire Code as adopted by the city council.

"Infrastructure acreage" means the total area of public improvements including any utility or private road outside of the lot area, street right-of-way, and storm drainage facilities.

"IRC" means the International Residential Code as adopted by the city council.

"Land development" means any project subject to review under Title 16, 17 or 18.

"Lot" means a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include parcels.

"Lot area" means the total square footage of a lot.

"Lot coverage" means the portion of a lot that is occupied by the principal and accessory buildings, including all projections except eaves, expressed as a percentage of the total lot area.

"Lot depth" means the horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line.

"Lot line" means the property line bounding a lot.

Lot Line, Front. "Front lot line" means, in the case of an interior lot, the lot line separating the lot from a street other than an alley, and in the case of a corner lot, the shortest lot line separating the lot from a street other than an alley. See Figure 18.03-8.

Lot Line, Rear. "Rear lot line" means a lot line which is opposite and most distant from the front lot line. In the case of a triangular or irregular shaped lot a line ten feet in length within the lot parallel to and at the maximum distance from the front lot line. See Figures 18.03-6 and 18.03-8.

GRAPHIC LINK:[Click here](#)

Lot Line, Side. "Side lot line" means any lot line not a front or rear lot line. See Figure 18.03-8.

"Lot width" means the horizontal distance between the side lot lines at the front of the building envelope.

Lot, Corner. "Corner lot" means a lot abutting on two intersecting streets other than an alley provided that the streets do not intersect at an angle greater than one hundred thirty-five degrees. See Figure 18.03-7.

GRAPHIC LINK:[Click here](#)

GRAPHIC LINK:[Click here](#)

GRAPHIC LINK:[Click here](#)

Lot, Interior. "Interior lot" means a lot other than a corner lot. See Figure 18.03-7.

Lot, Through. "Through lot" means a lot having frontage on two parallel or approximately parallel streets. See Figure 18.03-7.

"Manufactured home park" means any property meeting the minimum standards established in CMC Chapter 18.29 "Manufactured home parks," which would be divided into individual spaces for sale, lease or rent for the accommodation of occupied manufactured/mobile homes.

Marginal Access Street. See "Street."

Minor Street. See "Street."

"Nonconforming building or use" See CMC Chapter 18.41 Nonconforming Uses.

"Owner" means the persons/organization who hold legal right to the property. The owner may also serve as applicant, developer and contractor.

"Pawnshop" means establishments who lend money on goods deposited until redeemed.

"Pedestrian way" means a right-of-way for pedestrian traffic connecting two streets other than at an intersection.

"People with functional disabilities" means a person who, because of a recognized chronic physical or mental condition or disease, is functionally disabled to the extent of:

1. Needing care, supervision or monitoring to perform activities of daily or instrumental activities of daily living;
2. Needing supports to ameliorate or compensate for the effects of the functional disability so as to lead as independent a life as possible;
3. Having a physical or mental impairment which substantially limits one or more of such person's major life activities; or
4. Having a record of having such an impairment, but such term does not include current, illegal use of or active addiction to a controlled substance.

"Performance bond" means a pledge, guarantee or bond, usually to back the performance of an individual or company. The bond guarantees the contractor's performance. A performance bond is generally used to ensure that a particular obligation will be completed at a certain date or that a contract will be performed as stated. It has no end date, but terminates upon successful completion of obligation.

"Person" means an individual, firm, partnership, corporation, company, association, syndicate or any legal entity, including any trustee, receiver, assignee or other similar representative thereof.

"Phase" means a group of lots, tracts or parcels within well identified and fixed boundaries. The term shall include blocks. Phases shall be consecutively numbered.

"Planned residential development" see CMC Chapter 18.23 Planned Residential Development.

"Planning commission" means the planning commission of the city of Camas.

"Planning control area" means an area in a state of incomplete development within which special control is to be exercised over land partitioning.

"Plat" means a map or representation of a subdivision, showing thereon the division for a tract or parcel of land into lots, blocks, streets and alleys, or other divisions and dedications.

"Preliminary plat" means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, tracts and other elements of a land division consistent with the requirements of this chapter. The preliminary plat shall be the basis of the approval or disapproval of the general layout of the land division.

"Punch list" means a term used by the engineering department to designate items still to be completed per conditions of approval and city standards for the land use to reach final acceptance phase of the approval process.

"Right-of-way" (hereinafter referred to as ROW) means the area between boundary lines of a street or other easement.

"Roadway" means the portion of a street right-of-way developed for vehicular traffic.

"Rowhouse". See "Dwelling, Single-Family Attached."

"Sensitive Areas and Open Space". For related definitions see CMC Section 18.03.050 Environmental definitions.

"Setback." See "Yard"

"Shorelines." For related definitions see CMC Section 18.88.030 Definitions in Chapter 18.88 Shoreline Management.

"Short plat" means a map or representation of a short subdivision.

"Short subdivision" means the division of land into nine or fewer lots, sites or divisions for the purpose of sale or lease.

"Sidewalk" means a pedestrian walkway with permanent surfacing to city standards.

"Sidewalk area" means the portion of a street right-of-way between proposed curb line and adjacent lot line.

"Signs". For related definitions see Chapter 18.15 Signs.

"Story" means the space between two successive floors in a building. The top floor shall be the space between the floor surface and the underside of the roof framing. A basement shall be counted as a story if over fifty percent of its ceiling is over six feet above the average finished grade of the adjoining ground surface.

"Story, First". "First story" means the lowest story in a building which qualifies as a story, as defined in this chapter, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than eight feet below grade, as defined in this chapter, at any point.

"Story, Half". "Half-story" means a space under a roof which has the line of intersection of roof decking and exterior wall face not more than four feet above the top floor level. A half-story containing one or more dwellings shall be counted as a full story.

"Street" means the entire width between the boundary of property or lot lines, for the purpose of vehicular and pedestrian traffic. See Table 17.19-1.

1. "Access easement" refers to "private road."
2. "Alley" means a narrow street primarily for vehicular service access to the back or side of properties otherwise abutting on another street.
3. "Arterial" means a street of considerable continuity that is primarily a traffic artery for intercommunication among large areas. There are usually three to five lanes of traffic.
4. "Collector" means a street supplementary to the arterial street system and a means of intercommunication between this system and smaller areas; used to some extent for through traffic and to some extent for access to abutting properties. There are usually two to three lanes of traffic.
5. "Cul-de-sac (dead-end street)" means a short street having one end open to traffic and being terminated by a vehicle turnaround. See Design Standards Manual for required right-of-way, pavement, curb and gutters.
6. "Driveway" see "Private road."

7. "Half street" means a portion of the width of a street usually along the edge of a subdivision where the remaining portion of the street could be provided in another subdivision.
8. "Marginal access street" means those streets whose primary function is the circulation of through traffic and shall include all major and secondary arterials and all collector streets identified in the city comprehensive plan.
9. "Minor street" means a street intended exclusively for access to abutting properties. Also referred to as a neighborhood street. This type of street has only two lanes of traffic.
10. "Private road" means a strip of land that provides access to a lot, tract or parcel. This road is privately maintained but is designed and installed per Table 17.19-1 and with approval of the engineering manager.

"Structural alteration" means any change to the supporting members of a building including foundations, bearing walls or partitions, columns, beams or gliders, or any structural change in the roof.

"Structure" means that which is built or constructed. An edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner.

"Subdivision" means a division or redivision of land into ten or more lots, tracts, sites or divisions for the purpose of sales, lease or transfer of ownership.

"Subdivision improvement bond" means a guarantee that improvements to an approved residential development will be completed in accordance with city standards, and code as stated in conditions of approval. The owner is the principle and the city is the obligee. There is no expiration date on this type of bond but it terminates upon acceptance of improvements by the city. The bond is issued in the amount equal to one hundred five percent of the cost of all public improvements and any improvements required as part of the conditions of approval per CMC Section 17.21.050 Bonds and other financial agreements.

"Supported living arrangement" means a living unit owned or rented by one or more persons with functional disabilities who receive assistance with activities of daily living, instrumental activities of daily living, and/or medical care from an individual or agency licensed and/or reimbursed by a public agency to provide such assistance.

"Telecommunications." For related definitions see Section 18.35.030 Definitions in Chapter 18.35 Telecommunications Ordinance.

"Tract" means an area dedicated to such things as streets, easements and uses out of character with the principal use, but within a unit of area being measured. Tracts may include critical areas, storm ponds, and forestlands, parkland and other open space. Tracts shall not be considered lots for the purpose of determining short plat or subdivision status. Tracts shall not be considered buildable lots of record.

"Turn-arounds" are any location identified by the city engineering manager as necessary to be improved for emergency and other vehicles to turn around.

"UBC." See "IBC" or "IRC."

Utility Facilities, Minor. "Minor utility facilities" means those facilities which have a local impact on surrounding properties and are necessary to provide essential services such as:

1. Substations (transmission and distribution);
2. Pump stations;
3. Outfalls;
4. Water towers and reservoirs;
5. Public wells;
6. Cable television receiver and transmission facilities, excluding wireless communications facilities as defined in CMC Section 18.35.030 Definitions;
7. Catch basins, retention ponds, etc.;
8. Water treatment facilities.

"Vision clearance area" means a triangular area on a lot at the intersection of two streets, or a street and an alley, or a street and a railroad, two sides of which are lot lines measured from their corner intersection for a distance specified in the code. The third side of the triangle is a line across the corner of the lot adjoining the ends of the other two sides. Where the lot lines at intersections have rounded corners, the lot

lines will be extended in a straight line to a point of intersection. See Section 18.17.030 Vision clearance areas, along with Figures 18.17-030-1 and 18.17-030-2.

"Warranty bond" means and is referred to as a function and maintenance bond, it is generally used to insure the satisfactory operation to public improvements within an approved development. The developer is the principal and the city is the obligee. The warranty bond has a beginning and ending date in amount specified per CMC Section 17.21.040(B)(1). At the end of the warranty period, the city will assume responsibility for the maintenance and repair of the public improvement.

"Wireless." For related definitions see Chapter 18.35 Telecommunication Ordinance.

"Yard" means an open space, other than a court or accessory structure, unobstructed from the ground to the sky, except where specifically provided by this code, on the lot on which a building is situated. See Figure 18.03-8.

"Yard, Front". "Front yard" means an open space between the side lot lines and measured horizontally, from the front lot line at right angles to the front lot line, to the nearest point of the building. See Figures 18.03-8 and 18.03-6.

"Yard, Rear". "Rear yard" means an open space between side lot lines and measured horizontally, at right angles from the rear lot line, to the nearest point of the main building. See Figures 18.03-8 and 18.03-6.

"Yard, Side". "Side yard" means an open space between a building and the side lot line measured horizontally, at right angles from the side lot line, to the nearest point of the main building. See Figure 18.03-8.

(Ord. 2515 § 1 (Exh. A (part)), 2008) (Ord. 2545 § 3(Exh. C (part)), 2009)

18.03.050 Environmental definitions.

In addition to the definitions found in Title 16, the following definitions shall also apply to this title:

"Adverse environmental impact" means an impact caused by vegetation removal which creates a risk of landslide or erosion, or which alters or damages wetlands, wetland buffers, wildlife habitat, streams, or watercourses.

"Buffer" means either: (1) an area adjacent to hillsides which provides the margin of safety through protection of slope stability, attenuation of surface water flows, and landslide, seismic, and erosion hazards reasonably, necessary to minimize risk to the public from loss of life, well-being, or property damage resulting from natural disasters; or (2) an area adjacent to a stream or wetland which is an integral part of the stream or wetland ecosystem, providing shade; input of organic debris and coarse sediments; room for variation in stream or wetland boundaries; habitat for wildlife; impeding the volume and rate of runoff; reducing the amount of sediment, nutrients, and toxic materials entering the stream or wetland; and protection from harmful intrusion to protect the public from losses suffered when the functions and values of stream and wetland resources are degraded.

"dbh" (diameter at breast height) means a tree's diameter measured four and one-half (4.5) feet above the ground measured from the uphill side.

"Drainage facility" means the system of collecting and storing surface and stormwater runoff. Drainage facilities shall include but not be limited to all surface and stormwater runoff conveyance and containment facilities including streams, pipelines, channels, ditches, wetlands, closed depressions, infiltration facilities, retention/detention facilities, and other drainage structures and appurtenances, both natural and man-made.

"Environmentally sensitive area(s)" or "sensitive lands" means areas within the city that are characterized by, or support unique, fragile or valuable natural resources, or that are subject to natural hazards.

Sensitive areas include wetlands and wetland buffers, streams and watercourses, steep slopes, and areas with potentially unstable soils, as those areas are defined and identified pursuant to this title and Title 16.

"Hillsides" means geological features of the landscape having slopes of fifteen percent or greater. To differentiate between levels of hillside protection and the application of development standards, the city categorizes hillsides into four groups: hillsides of at least fifteen percent but less than forty percent;

hillsides with unstable slopes; hillsides of forty percent slope and greater; hillsides which are ravine sidewalls or bluffs.

"Mitigation" means the use of any combination of, or all of the following actions:

1. Avoid impacts to environmentally sensitive areas by not taking a certain action, or parts of an action;
2. Minimize impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environmentally sensitive area;
4. Reducing or eliminating the impact over time by reservation and maintenance operations during the life of the development proposal;
5. Compensating for the impact by replacing or enhancing environmentally sensitive areas, or providing substitute resources.

"Open space" means land set aside and maintained in a natural state, providing air, light, and habitat for wildlife, and/or containing significant trees and vegetation. Open space may contain environmentally sensitive lands, which include but are not limited to steep slopes and areas with unstable soils, wetlands, and streams and watercourses. Open space may also provide for active and passive recreation use. There are two general categories of open space, which are as follows:

1. "Natural open space" means land devoted to protecting environmentally sensitive lands as defined in this title and CMC Title 16. Natural open space generally has no developed areas, with the exception of trails as identified in the comprehensive parks, recreation, open space plan, or by a condition of development approval.
2. "Recreational open space" means land set aside for recreational opportunities, which may contain trails, sports fields, playgrounds, swimming pools, tennis courts, and picnic areas. Recreational open space is generally limited in size and intensity, proportionate to the development, and is intended for the enjoyment of the residents of the development.

"Open space connectors" means tracts of land with typically no sensitive lands that connect parcels of land to form the open space network.

"Open space network" means a network of open space composed of mostly wooded areas, steep slopes, ravines, streams and waterways, as areas identified in the comprehensive parks, recreation, and open space plan.

"Protective mechanism" means a method of providing permanent protection to open space, and shall include conservation easements, dedication to the city, conveyance to a public or private land trust, conveyance to a homeowner's association, restrictive covenants, or any combination of such mechanisms.

"Ravine sidewall" means a steep slope which abuts and rises from the valley floor of a stream, and which was created by the wearing action of the stream. Ravine sidewalls contain slopes predominantly in excess of forty percent, although portions may be less than forty percent. The toe of a ravine sidewall is the stream valley floor. The top of a ravine sidewall is typically a distinct line where the slope abruptly levels out. Where there is no distinct break in slope, the top is where the slope diminishes to less than fifteen percent. Minor natural or man-made breaks in the slope of ravine sidewalls shall not be considered as the top. Benches with slopes less than fifteen percent, and containing developable areas, shall be considered as the top.

Sensitive Areas. See "Environmentally sensitive areas."

"Sensitive area(s) map(s)" means those maps adopted, and/or incorporated by reference, by the city to identify the general location of environmentally sensitive or valuable areas. In case of questions as to map boundaries or mapping errors, the presence or absence of a sensitive area shall be determined in the field by a qualified professional, experienced in a discipline appropriate to evaluation of the appropriate feature, and shall determine the applicability of this chapter.

"Significant trees" means evergreen trees eight inches dbh, and deciduous trees, other than red alder or cottonwood, twelve inches dbh.

"Steep slopes" or "area with potential unstable soils" means any land potentially subject to landslides, severe erosion, or seismic activity (earthquake faults). Steep slopes are generally characterized by slopes of fifteen percent or greater, impermeable subsurface material (sometimes interbedded with permeable subsurface material), and/or springs or seeping groundwater during the wet season. Seismic areas are those lying along or adjacent to identified earthquake faults.

"Stream" or "watercourse" means those areas where surface waters produce a defined channel or bed. The channel or bed need not contain water year-round. This definition does not include irrigation ditches, canals, storm or surface water conveyance devices, or other entirely artificial watercourses. Streams are further categorized as Class 1 through 5 in accordance with the classifications used by WAC 222-16-030.

"Wetland bond" insures the satisfactory installation, maintenance, and monitoring of wetland creation or enhancement as may be required as part of the SEPA or wetland mitigation plans. The bond has a beginning and ending date, and shall be in the amount as specified in CMC Section 17.21.050(B)(3).

"Wetland buffer" means a naturally vegetated and undisturbed, enhanced or revegetated area surrounding wetland that is part of a wetland ecosystem and protect a wetland from adverse impacts to its function, integrity, and value. Wetland buffers serve to moderate runoff volume and flow rates; reduce sediment, chemical nutrient and toxic pollutants; provide shading to maintain desirable water temperatures; provide habitat for wildlife; and protect wetland resources from human activities.

"Wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities.

However, wetlands include those artificial wetlands intentionally created to mitigate conversions of wetlands.

"Wildlife habitat" means areas that provide food, protective cover, nesting, breeding, or movement for threatened, endangered, sensitive, monitor, or priority species of wildlife, or other wildlife species of special concern. "Wildlife habitat" shall also mean areas that are the location of threatened, endangered, sensitive, monitor, or priority species of plants, or other plant species of special concern.

(Ord. 2515 § 1 (Exh. A (part)), 2008) (Ord. 2545 § 3(Exh. C (part)), 2009)

Chapter 18.05 ZONING MAP AND DISTRICTS

Sections:

18.05.010 Zoning maps administration.

18.05.020 Districts designated.

18.05.030 Boundary determination.

18.05.040 Residential, multifamily zones and "Area E" overlay district.

18.05.050 Commercial, industrial, and high technology zones.

18.05.060 Overlay zones/special planning areas.

18.05.010 Zoning maps administration.

A. This title shall consist of the text titled the "City of Camas Zoning Code," and that certain map or books of maps identified by the approving signatures of the mayor and the city clerk, and marked and designated as "The Zoning Map of the City of Camas," which map or book of maps shall be placed on file in the offices of the city clerk, county auditor, and other city departments. This title, and each and all of its terms and map details, is to be interpreted in light of the context of the book of maps in relationship to the comprehensive plan. In any conflict between the maps and the text of this code the text shall prevail.

B. Amendments. Amendments may be proposed by city council on its own motion, or may be proposed by the planning commission on its own motion, or such an amendment may be proposed by an applicant or city staff pursuant to CMC Chapter 18.55 Administration and Procedures.

C. Administration and Procedures. A correct copy of each amendment to the text or to the map established by this title shall be maintained on file in the offices of the city clerk and the planning official.

D. Site Specific Rezones. Site specific rezone involves an application of an owner of a specific parcel or set of contiguous parcels that does not require modification of the comprehensive plan. Site specific rezones are decided by the hearing officer after a public hearing. The criteria for reviewing and approving a site specific rezone are as follows:

1. The use or change in zoning requested shall be in conformity with the adopted comprehensive plan, the provisions of this title, and the public interest.
2. The proposed zone change shall be compatible with the existing established development pattern of the surrounding area in terms of lot sizes, densities and uses.

E. Timing and Responsibility for Updating Official Zoning Map. All amendments hereafter made to the zoning map by ordinance shall be shown on such map(s), and it shall be the responsibility of the planning official to keep the maps up to date at all times. Any amendments to the zoning map shall be made in accordance with the comprehensive plan map, as amended.

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

18.05.020 Districts designated.

For the purpose of the Code, the city is divided into zoning districts designated as follows:

TABLE INSET:

District	Symbol	Comprehensive Plan Designation
Residential -- 20,000	R-20	Single-family Low
Residential -- 15,000	R-15	Single-family Low
Residential -- 12,000	R-12	Single-family Medium
Residential -- 10,000	R-10	Single-family Medium
Residential -- 7,500	R-7.5	Single-family Medium
Residential -- 6,000	R-6	Single-family High
Residential -- 5,000	R-5	Single-family High
Multifamily -- 10	MF-10	Multifamily Low
Multifamily -- 18	MF-18	Multifamily High
Multifamily -- 24	MF-24	Multifamily High
Neighborhood Commercial	NC	Commercial
Community Commercial	CC	Commercial
Regional Commercial	RC	Commercial
Mixed Use	MX	Commercial
Downtown Commercial	DC	Commercial
Light Industrial	LI	Industrial
Light Industrial/Business Park	LI/BP	Light Industrial/Business Park
Heavy Industrial	HI	Industrial

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

(Ord. No. 2547, § II(Exh. B), 5-18-2009)

18.05.030 Boundary determination.

Unless otherwise specified or shown on the zoning map, district boundaries are lot lines or the centerlines of streets, alleys, railroad, and other rights-of-way:

- A. Where boundaries are other than lot lines or centerlines of streets, alleys, railroad, and other rights-of-way, they shall be determined by dimensions shown on the zoning map;
 - B. Where actual streets or other features on the ground vary from those shown on the zoning map, interpretations or adjustments shall be made by the planning commission;
 - C. Where a district boundary line, as shown on the zoning map, divides a lot in single ownership at the time of passage of the code, the zoning district classification that has been applied to greater than fifty percent of such lot shall apply.
- (Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.05.040 Residential, multifamily zones and "Area E" overlay district.

A. All residential development within Area E (as identified on the city's zoning map) shall, in addition to meeting other applicable development regulations, be master planned; such master plan shall specifically address utilities, transportation, landscaping, lighting, signage, setbacks, critical areas, and other factors materially affecting the development and the surrounding area.

B. R-20 Residential-20,000. This zone is intended to ensure that the rural character of certain portions of the city is maintained. Residential development is expected to consist of large custom single-family dwellings on uniquely configured lots which are designed to be sensitive to topographic and environmental considerations. The average lot size is twenty thousand square feet at densities of one to two dwellings per acre.

C. R-15 Residential-15,000. This zone is intended for single-family dwellings with a minimum density of two to three dwellings per acre. This zone will permit the rural character of a number of existing neighborhoods to be maintained. The average lot size is fifteen thousand square feet.

D. R-12 Residential-12,000. This zone is intended for single-family dwellings with densities of three to four dwelling units per acre. This zone is designated for areas with steep topography for greater flexibility in site layout, and where potential hazards do not exist. The average lot size is twelve thousand square feet.

E. R-10 Residential-10,000. This zone is intended for single-family dwellings with densities of four to five dwellings per acre. This zone is intended to be zoned near low density residential districts, and where potential natural hazards do not exist. The average lot size is ten thousand square feet.

F. R-7.5 Residential-7,500. This zone is intended for single-family dwellings with densities of five to six dwellings per acre. This zone should have less slope than lower density zones, and be adjacent to existing high density residential districts. The average lot size is seven thousand five hundred square feet.

G. R-6 Residential-6,000. This zone is intended for single-family dwellings with densities of six to seven dwellings per acre. The slope of property is less than other lower density residential zones. This zone serves a transition to multifamily or commercial zones. The average lot size is six thousand square feet.

H. R-5 Residential-5,000. This zone is intended for single-family dwellings, either attached or detached, with densities of up to eight and one-half dwellings per acre. The slope of property is less than other medium density residential zones. Like the R-6 district, this zone serves as a transition to multifamily or commercial zones. The average lot size is five thousand square feet.

I. MF-10 Multifamily Residential-10. This zone provides for a diversity of attached dwellings such as duplexes, triplexes, fourplexes, rowhouses, and apartment complexes, with a density of up to ten units per acre.

It is desirable for this zone to be adjacent to parks and multi-modal transportation systems. This zone can also serve as a transition between commercial and residential zones.

J. MF-18 Multifamily Residential-18. This zone is intended to provide for attached dwellings such as duplexes, triplexes, fourplexes, rowhouses and apartment complexes with a density of eighteen units per acre. It is desirable for this zone to be adjacent to parks and multi-modal transportation systems. This zone also serves as a transition between commercial and residential zones.

K. MF-24 Multifamily Residential-24. This zone is intended to provide for attached dwellings such as duplexes, triplexes, fourplexes, rowhouses and apartment complexes with a density of twenty-four units per acre. It is desirable for this zone to be adjacent to parks and multi-modal transportation systems. This zone also serves as a transition between commercial and residential zones.
(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.05.050 Commercial, industrial, and high technology 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. 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.

G. 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.

H. 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)

18.05.060 Overlay zones/special planning areas.

Overlay zones implement the goals and values expressed in the comprehensive plan, or special planning areas such as the North Dwyer Creek master plan. Uses within this area may be subject to standards which deviate from those in the primary zone.

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

Chapter 18.07 USE AUTHORIZATION

Animal kennel, commercial/boarding ⁶	X	X	X	C	X	X	X	X
Animal shelter ⁶	X	X	X	C	X	X	C	P
Antique shop ⁶	P	P	P	P	P	X	X	P
Appliance sales and service ⁶	X	P	P	P	P	X	C	P
Automatic teller machines (ATM) ⁶	P	P	P	P	P	P ⁵	P	P
Automobile repair (garage) ⁶	X	C	C	P	X	X	P	P
Automobile sales, new or used ⁶	X	C	X	P	X	X	P	P
Automobile service station ⁶	X	C	C	P	X	X	P	P
Automobile wrecking ⁶	X	X	X	X	X	X	X	C
Bakery (wholesale) ⁶	X	X	X	P	X	P ⁵	P	P
Bakery (retail) ⁶	P	P	P	P	P	P ⁵	P	P
Banks, savings and loan	X	P	P	P	P	P ⁵	P	P
Barber and beauty shops ⁶	P	P	P	P	P	P ⁵	P	P
Boat building ⁶	X	X	X	C	X	X	C	P
Boat repair and sales ⁶	X	C	X	P	X	X	P	P
Book store ⁶	C	P	P	P	P	P ⁵	P	P
Bowling alley/billiards ⁶	X	P	X	P	P	X	P	P
Building, hardware and garden supply store ⁶	X	C	C	P	P	X	P	P
Bus station ⁶	X	P	C	P	C	X	P	P
Cabinet and carpentry shop ⁶	X	C	C	P	C	P ⁵	P	P
Candy & confectionery store ⁶	P	P	P	P	P	P ⁵	P	P
Cart vendors ⁶	C	P	C	P	C	P ⁵	P	P
Cemetery ⁶	X	X	X	C	X	X	C	P
Clothing store ⁶	C	P	P	P	P	X	P	P
Coffee shop or cafe ⁶	P	P	P	P	P	P ⁵	P	P
Convention center ⁶	X	C	X	C	C	P	C	X
Day care center ⁶	C	P	P	C	P	P ⁵	C	C
Day care, adult	P	P	P	P	P	P	P	P
Day care, family home ⁶	P	P	P	P	P	P ⁵	P	X
Day care, mini-center ⁶	P	P	P	P	P	P ⁵	P	X
Delicatessen (deli) ⁶	P	P	P	P	P	P ⁵	P	P
Department store ⁶	X	P	C	P	P	X	P	X
Equipment rental ⁶	C	C	C	C	C	P ⁵	P	P
Feed store ⁶	X	X	X	P	X	X	P	P
Fitness center/sports club ⁶	X	P	P	P	P	P ⁵	P	P
Funeral home ⁶	X	P	C	P	P	X	X	X

Florist shop ⁶	P	P	P	P	P	P ⁵	P	X
Food delivery business ⁶	X	P	C	P	C	X	P	X
Furniture repair & upholstery ⁶	X	P	C	P	P	X	P	P
Furniture store ⁶	X	P	C	P	P	X	P	X
Gas/fuel station ⁶	X	C	C	P	X	X	P	P
Gas/fuel station with mini market ⁶	X	C	C	P	X	X	P	P
Grocery, large scale ⁶	X	P	C	P	P	X	P	P
Grocery, small scale ⁶	X	P	C	P	P	X	P	P
Grocery, neighborhood scale ⁶	P	P	P	P	P	P ⁵	P	X
Hospital, emergency care ⁶	X	C	P	P	P	X	P	X
Hotel, motel ⁶	X	C	C	P	P	X	P	X
Household appliance repair ⁶	X	C	C	P	P	X	P	P
Industrial supplies store ⁶	X	C	X	C	C	X	C	P
Laundry/dry cleaning (commercial)	X	X	X	P	X	X	P	P
Laundry/dry cleaning (retail) ⁶	P	P	P	P	P	P ⁵	P	P
Laundry (self-serve)	P	P	P	P	P	X	P	P
Liquor store ⁶	X	C	C	P	C	X	C	C
Machine shop ⁶	X	X	X	C	C	P ⁵	C	P
Medical or dental clinics (outpatient) ⁶	C	P	P	P	P	P ⁵	P	P
Mini-storage/vehicular storage ⁶	X	X	C	C	X	X	P	P
Manufactured home sales lot ⁶	X	X	X	P	X	X	P	P
Newspaper printing plant ⁶	X	P	C	C	X	X	P	P
Nursery, plant ⁶	X	C	C	C	C	X	C	P
Nursing, rest, convalescent, retirement home ⁶	C	P	P	P	P	X	X	X
Office supply store ⁶	X	P	P	P	P	P ⁵	P	P
Pawnshop ⁶	X	X	X	X	X	X	C	C
Parcel freight depots ⁶	X	C	X	P	X	P ⁵	P	P
Pet shops ⁶	X	P	P	P	P	X	P	C
Pharmacy ⁶	X	P	P	P	P	P ⁵	P	P
Photographic/electronics store ⁶	X	P	P	P	P	P ⁵	P	P
Plumbing, or mechanical service ⁶	X	X	X	P	C	X	P	P
Printing, binding, blue printing ⁶	C	P	P	P	P	P ⁵	P	P
Professional office(s) ⁶	C	P	P	P	P	P	P	P
Public agency ⁶	C	P	P	P	P	P	P	P
Real estate office ⁶	C	P	P	P	P	T	P	P

Recycling center ⁶	X	X	X	X	X	X	P	P
Recycling collection point ⁶	T or C	T or C	T or C	T or C	C	P ⁵	P	P
Recycling plant ⁶	X	X	X	X	X	X	C	P
Research facility ⁶	X	C	C	C	X	P	P	P
Restaurant ⁶	C	P	P	P	C	P ⁵	P	P
Restaurant, fast food ⁶	X	P	C	P	C	P ⁵	P	P
Roadside produce stand ⁶	T	T	T	T	C	T	T	T
Sand, soil, gravel sales and storage ⁶	X	X	X	X	X	X	C	P
Second-hand/consignment store ⁶	C	P	P	P	P	X	P	P
Sexually Oriented Business ^{1,5}	X	X	X	X	X	P	X	X
Shoe repair and sales ⁶	P	P	P	P	P	X	P	P
Stock broker, brokerage firm	P	P	P	P	P	P	P	P
Taverns ⁶	X	C	C	P	C	X	P	P
Theater, except drive-in ⁶	X	P	C	P	P	X	P	P
Truck terminals ⁶	X	C	X	C	X	X	C	P
Veterinary clinic ⁶	X	C	C	P	P	X	P	P
Video rental store ⁶	P	P	P	P	P	X	P	X
Warehousing, wholesale and trade ⁶	X	X	X	C	C	P ⁵	P	P
Warehousing, bulk retail ⁶	X	X	X	C	C	X	P	P
Manufacturing and/or processing of the following:								
Cotton, wool, other fibrous material	X	X	X	X	X	X	P	P
Food production or treatment	X	X	X	C	C	X	P	C
Foundry	X	X	X	X	X	X	C	C
Furniture manufacturing	X	X	X	X	C	X	P	P
Gas, all kinds (natural, liquefied,...)	X	X	X	X	X	X	X	C
Gravel pits/rock quarries	X	X	X	X	X	X	C	P
Hazardous waste treatment--off-site	X	X	X	X	X	X	X	P
Hazardous waste treatment--on-site	X	X	X	X	X	X	X	P
Junkyard/wrecking yard	X	X	X	X	X	X	X	C
Metal fabrication and assembly	X	X	X	X	X	X	X	P
Hazardous waste treatment--on-site	X	X	X	X	X	X	X	P
Paper, pulp or related products	X	X	X	X	X	X	X	P

Signs or other advertising structures	X	X	X	C	C	P	C	P
Electronic equipment	X	X	X	X	X	P	P	P
Paper, pulp or related products	X	X	X	X	X	X	X	P
Heavy Industry								
High-tech industry	X	X	X	X	P	P ²	X	X
Musical instruments, toys, novelties	X	X	X	X	C	X	C	P
Optical goods	X	C	C	C	C	P ⁵	P	P
Packaging of prepared materials	X	X	C	P	C	P ⁵	C	P
Scientific and precision instruments	X	X	X	X	X	P	P	P
Recreational, Religious, Cultural								
Auditorium ⁶	C	P	P	P	P	X	P	P
Community club ⁶	C	P	P	P	P	X	P	P
Church ⁶	P	P	P	P	P	X	P	P
Golf course/driving range ⁶	P	X	P	P	X	P ⁵	P	P
Library ⁶	C	P	P	P	P	X	P	P
Museum ⁶	C	P	P	P	P	X	P	P
Recreational vehicle park ⁶	X	X	X	C	X	X	P	P
Open space ⁶	P	P	P	P	P	P	P	P
Park or playground	P	P	P	P	P	P	P	P
Sports fields ⁶	C	X	P	P	P	X	P	P
Trails	P	P	P	P	P	P	P	P
Educational								
College/university ⁶	P	P	P	P	P	X	P	P
Elementary school ⁶	P	P	P	P	P	X	P	P
Junior or senior high school ⁶	P	P	P	P	P	X	P	P
Private, public or parochial school ⁶	P	P	P	P	P	X	P	P
Trade, technical or business college ⁶	P	P	P	P	P	P	P	P
Residential Uses								
Adult family home	C	P	P	X	P	X	P	X
Assisted living	C	P	P	X	P	X	X	X
Bed and breakfast	P	P	P	X	P	X	P	X
Boarding house	C	P	P	X	P	X	P	X
Designated manufactured home	X	X	X	X	P	X	X	X
Duplex or two-family dwelling	X	C	X	X	P	X	P	X

Group home	C	P	P	X	P	X	P	X
Home occupation	P	P	P	X	P	X	P	X
Housing for the disabled	P	P	P	X	P	X	X	X
Apartment	X	P	X	X	P	X	P	X
Residence accessory to and connected with a business	P	P	P	X	P	X	P	X
Single-family attached (e.g. rowhouses)	X	C	X	X	P	X	X	X
Single-family dwelling	X	X	X	X	P	X	X	X
Communication, Utilities and Facilities								
Major telecommunication facility ⁶	X	X	X	X	X	X	X	C
Minor telecommunication facility	P	P	P	P	P	P	C	P
Wireless communications facility ^{3, 6}								
Facilities, minor public	P	P	P	P	C	P	C	P
Facility, essential ⁶	X	X	C	C	C	P	C	C
Railroad tracks and facilities ⁶	C	C	C	C	C	X	C	C
Temporary Uses								
Temporary sales office for a development ⁴	T	T	T	T	T	T	T	T

Notes:

¹. See CMC Chapter 5.36 Sexually Oriented Businesses for additional regulations for siting sexually oriented business facilities.

². Similar uses are permitted in the zone district only at the discretion of the community development director or designee.

³. See CMC Chapter 18.35 "Telecommunication Ordinance" for wireless communication uses permitted according to the zone district.

⁴. See CMC Chapter 18.47 "Temporary Uses" for additional regulations.

⁵. See secondary use provisions of LI/BP zone.

⁶. See CMC Chapter 18.19 "Design Review" for additional regulations. CMC Chapter 18.19 is not applicable to development in the LI/BP zone.

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

(Ord. No. 2545, § III, 5-4-2009; Ord. No. 2547, § IV(Exh. D), 5-18-2009; Ord. No. 2584, § II, 5-3-2010)

18.07.040 Table 2--Residential and multifamily land uses.

KEY: P = Permitted Use

C = Conditional Use

X = Prohibited Use

T = Temporary Use

Authorized Uses in Residential and Multifamily Zones

TABLE INSET:

	R	MF
Residential Uses		
Adult family homes	P	P
Boarding house	X	C
Designated manufactured homes	P	P
Duplex or two-family dwelling	C	P
Manufactured home	X	X
Manufactured home park	X	C
Apartments	P ²	P
Assisted living ¹	C	P
Nursing, rest, convalescent, retirement home ¹	C	P
Single-family attached (e.g., rowhouses)	P ²	P
Single-family dwelling (detached)	P	P
Adult family home, residential care facility, supported living arrangement, or housing for the disabled ¹	P	P
Incidental Uses		
Accessory dwelling unit	P	P
Day care center ¹	C	P
Day care, family home	P	P
Day care, minicenter ¹	C	P
Gardening and horticulture activities	P	P
Home occupation	P	P
Bed and breakfast ¹	C	C
Recreation/Religious/Cultural		
Church ¹	C	C
Community clubs, private or public ¹	C	C
Library ¹	C	C
Museum ¹	C	C
Open space ¹	P	P
Public or semi-public building ¹	C	C
Park or playground	P	P
Recreation/Religious/Cultural - continued		
Sports fields ¹	C	C
Trails	P	P
Educational Uses		
Private, public or parochial school ¹	C	C
Trade, technical, business college ¹	X	X
College/university ¹	X	X

Communication and Utilities		
Major communication facility ¹	X	X
Minor communication facility	C	C
Wireless communication facility ¹	C	C
Facilities, minor public	C	C
Public utilities, minor	C	C
Pumping station ¹	C	C
Railroad tracks and facilities ¹	C	C
Temporary Uses		
Sales office for a development in a dwelling ^{1, 4}	T	T
Sales office for a development in a trailer ^{3, 4}	T	T
Notes: ¹ . See Chapter 18.19 "Design Review" for additional regulations. ² . Permitted in the R zones as part of a planned development only. ³ . Site plan review required per CMC Section 18.18.020(A)(1). ⁴ . Notwithstanding the time limitations of a temporary use, a sales office proposed and approved through a Type III application may be approved with a longer time frame than one hundred eighty days.		

(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2481 § 1 (Exh. A (part)), 2007; Ord. 2443 § 3 (Exh. A (part)), 2006)

Chapter 18.09 DENSITY AND DIMENSIONS

Sections:

18.09.010 Purpose.

18.09.020 Interpretation of tables.

18.09.030 Table 1--Density and dimensions for commercial and industrial zones.

18.09.040 Table 2--Density and dimensions--Single-family residential zones.

18.09.050 Table 3--Density and dimensions for multifamily residential zones.

18.09.060 Density transfers.

18.09.080 Lot sizes.

18.09.090 Reduction prohibited.

18.09.100 Lot exception.

18.09.110 Height--Exception.

18.09.120 Roof overhang permitted.

18.09.130 Setback--Exception.

18.09.140 Front yard--Exception.

18.09.150 Side yard--Exception.

18.09.160 Side yard--Flanking street.

18.09.170 Rear yard--Exception.

18.09.180 Elevated decks.

18.09.010 Purpose.

The purpose of this chapter is to establish requirements for development relative to basic dimensional standards, as well as specific rules for general application. The standards and rules are established to provide flexibility in project design, maintain privacy between adjacent land uses, and promote public

safety. Supplementary provisions are included to govern density calculations for residential districts and specific deviations from general rules.

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

18.09.020 Interpretation of tables.

A. The Camas Municipal Code Sections 18.09.030 through 18.09.050 (Tables) contain general density and dimension standards of the particular zone districts. Additional rules and exceptions are stated in Sections 18.09.060 through 18.09.180.

B. The density and dimension tables are arranged in a matrix format on three separate tables, and are delineated into three general land use categories:

1. Commercial and industrial;
2. Single-family residential; and
3. Multifamily residential.

C. Development standards are listed down the left side of the tables, and the zones are listed across the top. Each cell contains the minimum or maximum requirement of the zone. Footnote numbers identify specific requirements found in the notes immediately following the table. Additional dimensional and density exceptions are included in Sections 18.09.060 through 18.09.180 of this chapter following the tables.

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

18.09.030 Table 1--Density and dimensions for commercial and industrial zones.

TABLE INSET:

	NC	DC	CC	RC	LI/BP ^{Note 4}	LI	HI	MX
Bulk regulations								
Minimum lot area (square feet)	5,000	Note 1	Note 1	Note 1	10 acres	10,000	Note 1	1,800
Minimum lot width (feet)	40	Note 1	Note 1	Note 1	Not specified	100	Note 1	Note 1
Maximum lot depth (feet)	40	Note 1	Note 1	Note 1	Not specified	Note 1	Note 1	Note 1
Setbacks								
Minimum front yard (feet) ^{Note 3}	15	Note 5	Note 5	Note 5	5' per 1 foot of building height (200' minimum)	Not specified	Note 1	Note 6
Minimum side yard (feet)	Note 1 10' Note 2	Note 1	Note 1	Note 1	100' for building; 25' for parking	15' or 25' if abutting a residential area	Note 1	Note 1
Minimum rear yard (feet)	Note 1	Note 1	Note 1	Note 1	100' for building; 25' for parking area	25'	Note 1	Note 1

Lot coverage								
Lot coverage (percentage)	85%	Note 1	Note 1	Note 1	1 story (30%) 2 stories (40%) 3 stories (45%)	70%	Note 1	Note 1
Building height								
Maximum building height (feet)	2.5 stories ; or 35	Note 1	Note 1	Note 1	60'	acre or less: 35' 1 to 2 acres: 45' 2 acres or more: 60'	Note 1	Note 1

Notes:

1. No limitation.
2. If along a flanking street of corner lot.
3. On corner parcels, (parcels bordered by two or more streets), the setback requirements shall be the same for all street frontages. Front setback restrictions shall apply.
4. The densities and dimensions in the LI/BP zone may be reduced under a planned industrial development. See Chapters 18.20 North Dwyer Creek Residential Overlay and 18.21 Light Industrial/Business Park.
5. Residential dwelling units shall satisfy the setbacks of CMC Section 18.09.040 Table 2, based on comparable lot size.
6. Maximum setback at front building line is ten feet.

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

(Ord. No. 2545, § III, 5-4-2009; Ord. No. 2547, § V(Exh. E), 5-18-2009)

18.09.040 Table 2--Density and dimensions--Single-family residential zones.

Density and Dimensions for Single-family Residential Zones - 1

TABLE INSET:

	R-5	R-6	R-7.5	R-10	R-12	R-15	R-20
A. Standard New Lots							
Maximum density (dwelling units/gross acre)	8.7	7.2	5.8	4.3	3.6	2.9	2.1
Average lot area (square feet) ⁵	5,000	6,000	7,500	10,000	12,000	15,000	20,000
Minimum lot size (square feet)	4,000	4,800	6,000	8,000	9,600	12,000	16,000
Maximum lot	6,000	7,200	9,000	12,000	14,400	18,000	24,000

size (square feet) ⁴							
Minimum lot width (feet)	50	60	70	80	90	100	100
Minimum lot depth (feet)	80	90	90	100	100	100	100
Maximum building lot coverage	45%	40%	40%	35%	30%	30%	30%
Maximum building height (feet) ³	35	35	35	35	35	35	35
B. Density Transfer Lots ¹							
Maximum density (dwelling units/gross acre)	8.7	7.2	5.8	4.3	3.6	2.9	2.1
Minimum lot size (square feet)	3,500	4,200	5,250	7,000	8,400	10,500	14,000
Maximum lot size (square feet) ⁴	6,000	7,200	9,000	12,000	14,400	18,000	24,000
Minimum lot width (feet) ¹	40	50	60	60	70	80	90
Minimum lot depth (feet) ¹	80	80	80	90	90	100	100
Maximum building lot coverage	45%	40%	40%	40%	35%	35%	30%
Maximum building height (feet) ³	35	35	35	35	35	35	35
C. Setbacks based on average lot sizes (not zone specific) ²	Up to 4,999 sq. ft.	5,000 to 7,499 sq. ft.	7,500 to 9,999 sq. ft.	10,000 to 11,999 sq. ft.	12,000 to 14,999 sq. ft.	15,000 to 19,999 sq. ft.	20,000 or more sq. ft.
Minimum front yard (feet)	15	20	20	20	25	30	30
Minimum side yard and corner lot rear yard (feet)	5	5	5	5	10	15	15

Minimum side yard flanking a street (feet)	15	20	20	20	25	30	30
Minimum rear yard (feet)	20	25	25	25	30	35	35
Minimum lot frontage on a cul-de-sac or curve (feet)	25	30	30	30	35	40	40

Notes:

- ¹. For additional density provisions, see CMC Sections 18.09.060 through 18.09.180.
- ². Setbacks may be reduced to be consistent with average lot sizes of the development in which it is located. Notwithstanding the setbacks requirements of this chapter, setbacks and/or building envelopes clearly established on an approved plat or development shall be applicable.
- ³. Maximum building height: three stories and a basement, not to exceed height listed.
- ⁴. For parcels with an existing dwelling, a one time exception may be allowed to partition from the parent parcel a lot that exceeds the maximum lot size permitted in the underlying zone. Any further partitioning of the parent parcel or the oversized lot must comply with the lot size requirements of the underlying zone.
- ⁵. Average lot area is based on the square footage of all lots within the development or plat. The average lot size may vary from the stated standard by no more than five hundred square feet.

18.09.050 Table 3--Density and dimensions for multifamily residential zones. ¹

TABLE INSET:

	MF-10	MF-10 Attached	MF-18	MF-18 Attached	MF-24	MF-24 Attached
Density						
Maximum density (dwelling units per gross acre)	10	14	18	20	24	24
Standard lots						
Minimum lot area (square feet)	5,000	3,000	5,000	2,100	5,000	1,800
Minimum lot area per dwelling unit (square feet)	4,350	3,000	2,420	2,100	1,815	1,800
Minimum lot width (feet)	50	20	50	20	50	20
Minimum lot depth (feet)	90	75	90	70	90	65
Setbacks						
Minimum front yard (feet)	15	15	15	10	15	10

Minimum side yard (feet) ¹	10	5	10	5	10	5
Minimum side yard, flanking a street (feet)	15	15	15	15	15	15
Minimum rear yard ²	10	10	10	10	10	10
Lot coverage						
Maximum building lot coverage	45%	55%	55%	65%	65%	75%
Building height						
Maximum building height (feet) ³	35	35	45	45	45	45
Notes:						
¹ . For single-family attached housing, the setback for the nonattached side of a dwelling unit shall be five feet. ² . For single-family attached housing, the R zone property setback for the nonattached rear of a dwelling unit shall be ten feet, except abutting MF, where the rear yard may be no less than ninety percent of the adjacent zone. ³ . Maximum building height: three stories and a basement but not to exceed height listed above.						

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

18.09.060 Density transfers.

A. Purpose. To achieve the density goals of the comprehensive plan with respect to the urban area, while preserving environmentally sensitive lands and the livability of the single-family residential neighborhoods, while also maintaining compatibility with existing residences.

B. Scope. This section shall apply to new development in all residential (R) zoning districts.

C. Where a land division proposes to set aside a tract for the protection of a critical area, natural open space network, or network connector (identified in the city of Camas parks plan), or approved as a recreational area, lots proposed within the development may utilize the density transfer standards under CMC Section 18.09.040 Table-2.

D. Where a tract under "C" above, includes one-half acre or more of contiguous acreage, the city may provide additional or negotiated flexibility in lot sizes, lot width, depth, or setback standards. In no case shall the maximum gross density of the overall site be exceeded.

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

18.09.080 Lot sizes.

A. In planned residential developments with sensitive lands and the required recreational open space set aside, a twenty percent density bonus on a unit count basis is permitted. Density may be transferred for sensitive areas but the total lot count shall never exceed the number of lots established in the density standards established in CMC Section 18.23.040 "Density Standards."

B. When creating new lots via short plats or subdivisions that are adjacent to a different residential zone designation, the new lots along that common boundary shall be the maximum lot size allowed for the zone designation of the new development (if a lower density adjacent zone), or the minimum lot size allowed for the zone designation of the new development (if a greater density adjacent zone), as based on CMC 18.09.040 Table 2, Section A. In applying this section, where a land division is required to increase the size of lots, the land division may utilize the density transfer provisions provided for in CMC Section 18.09.060.

18.09.090 Reduction prohibited.

No lot area, yard, open space, off-street parking area, or loading area existing after the effective date of the ordinance codified in this chapter shall be reduced below the minimum standards required by the ordinance codified in this chapter, nor used as another use, except as provided in Chapter 18.41

"Nonconforming Lots, Structures, Uses."

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

18.09.100 Lot exception.

If at the time of passage of the code, a lot has an area or dimension which does not conform with the density provisions of the zoning district in which it is located, the lot may be occupied by any use permitted outright in the district, subject to the other requirements of the district. The person claiming benefits under this section shall submit documentary proof of the fact that the lot existed by title at the time of passage of the code. See Section 18.41.040 "Buildable lot of record."

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

18.09.110 Height--Exception.

The following type of structures or structural parts are not subject to the building height limitations of the code: tanks, church spires, belfries, domes, monuments, fire and hose towers, observation towers, transmission towers, chimneys, flag poles, radio and television towers, masts, aerials, cooling towers, and other similar structures or facilities. The heights of telecommunication facilities are addressed in CMC Chapter 18.35 Telecommunication Ordinance.

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

18.09.120 Roof overhang permitted.

The maximum a roof overhang may intrude into yard setbacks shall be as follows:

TABLE INSET:

Yard Setback	Maximum Roof Overhang
5 feet	2 feet
10 feet	3.5 feet
15 feet	5 feet
15 feet or greater	5 feet

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

18.09.130 Setback--Exception.

A. Cornices, eaves, chimneys, belt courses, leaders, sills, pilasters, or other similar architectural or ornamental features (not including bay windows or vertical projections) may extend or project into a required yard not more than two feet.

B. Open balconies, unenclosed fire escapes, or stairways, not covered by a roof or canopy, may extend or project into a required front yard, or a required rear yard along a flanking street of a corner lot, or into a required side yard not more than three feet.

C. Open, unenclosed patios, terraces, roadways, courtyards, or similar surfaced areas, not covered by a roof or canopy, and not more than thirty inches from the finished ground surface, may occupy, extend, or project into a required yard.

D. Cantilevered floors, bay windows, or similar architectural projections, not wider than twelve feet, may extend or project into the required side yard along a flanking street of a corner lot not more than two feet. The total of all projections for each building elevation shall not exceed fifty percent of each building elevation.

E. Detached accessory buildings or structures may be established in a side or rear yard, provided such structure maintains a minimum setback of five feet from side and rear lot lines, and a minimum six feet setback from any building. In no event shall an accessory building(s) occupy more than thirty percent of a rear yard requirement.

F. On sloping lots greater than fifty percent, only uncovered stairways and wheelchair ramps that lead to the front door of a building may extend or project into the required front yard setback no more than five feet in any R or MF zone.

G. Flag poles may be placed within any required yard but shall maintain a five-foot setback from any lot line.

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

18.09.140 Front yard--Exception.

A. Commercial and Industrial Districts. For a lot in a NC, CC, RC, LI or HI district proposed for commercial or industrial development, which is across a street from a residential (R) zone, the yard setback from the street shall be fifteen feet.

B. Sloping Lot in any Zone. If the natural gradient of a lot from front to rear along the lot depth line exceeds an average of twenty percent, the front yard may be reduced by one foot for each two percent gradient over twenty percent. In no case under the provisions of this subsection shall the setback be less than ten feet.

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

18.09.150 Side yard--Exception.

For a lot in a NC, CC or RC district containing a use other than a dwelling structure, and adjoining a residential zoning district, minimum side yard along a side lot line adjoining a lot in a residential zoning district shall be fifteen feet. In the case of a lot in a LI or HI district the side yard setbacks shall be twenty feet. If the adjoining residential district is within an area shown in the comprehensive plan for future commercial or industrial use or expansion, no minimum side yard shall be required.

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

18.09.160 Side yard--Flanking street.

For a corner lot in a NC, CC, RC, LI or HI district proposed for commercial or industrial development, which is across a street from a residential (R) zone, the yard setback from the street shall be fifteen feet.

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

18.09.170 Rear yard--Exception.

For a lot in a NC, CC or RC district containing a use other than a dwelling structure and adjoining a residential zoning district, minimum rear yard along a rear lot line adjoining a side or rear yard of a lot in a residential zoning district shall be fifteen feet. In the case of a lot in a LI or HI district, the rear yard setback shall be twenty feet. If the adjoining residential district is within an area shown in the comprehensive plan for future commercial or industrial use or expansion, no minimum rear yard shall be required.

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

18.09.180 Elevated decks.

Rear Yard Setback. The rear yard setback for an elevated deck shall be fifteen feet. As used herein, an elevated deck shall mean a deck thirty inches or more above ground level that is physically attached to a residential structure. The areas covered by an elevated deck shall be counted when calculating the maximum lot coverage permitted under the applicable density provisions.

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

Chapter 18.11 PARKING

Sections:

18.11.010 Parking policy designated.

18.11.020 Design.

18.11.030 Location.

18.11.040 Units of measurement.

18.11.050 Change or expansion.

18.11.060 Unspecified use.

18.11.070 Joint use.

18.11.080 Plan submittal.

18.11.090 Landscaping.

18.11.100 Residential parking.

18.11.110 Parking for the handicapped.

18.11.120 Additional requirements.

18.11.130 Standards.

18.11.140 Loading standards.

18.11.010 Parking policy designated.

Except as hereafter provided for the MX District and DC District, in all Districts there shall be provided minimum off street parking spaces in accordance with the requirements of Section 18.11.020. Such off street parking spaces shall be provided at the time of erecting new structures, or at the time of enlarging, moving, or increasing the capacity of existing structures by creating or adding dwelling units, commercial or industrial floor space, or seating facilities. Under no circumstances shall off street parking be permitted in the vision clearance area of any intersection. Off street parking will only qualify if located entirely on the parcel in question, and not on City owned right-of-way or privately owned streets less than twenty feet in width. Covered parking structures shall not be permitted within the front yard set back or side yard set back along a flanking street.

For projects one-half block or less in size in the DC District and MX District, the Community Development Director may waive the off street parking requirements if the City Engineer finds that the anticipated parking needs of the project can be adequately met by existing off street parking on site, if any, and on street parking adjacent to the project. The Community Development Director may, as a condition of waiving the off street parking requirements of Section 18.11.020, require that on street parking be converted at the expense of the applicant to angle parking or another parking configuration approved by the City Engineer.

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

(Ord. No. 2545, § III, 5-4-2009; Ord. No. 2547, § VI, 5-18-2009)

18.11.020 Design.

The design of off-street parking shall be as follows:

A. Ingress and Egress. The location of all points of ingress and egress to parking areas shall be subject to the review and approval of the city.

B. Backout Prohibited. In all commercial and industrial developments and in all residential buildings containing five or more dwelling units, parking areas shall be so arranged as to make it unnecessary for a vehicle to back out into any street or public right-of-way.

C. Parking Spaces--Access and Dimensions. Adequate provisions shall be made for individual ingress and egress by vehicles to all parking stalls at all times by means of unobstructed maneuvering aisles. The city is directed to promulgate and enforce standards for maneuvering aisles and parking stall dimensions, and to make such standards available to the public.

D. Small Car Parking Spaces. A maximum of thirty percent of the total required parking spaces may be reduced in size for the use of small cars, provided these spaces shall be clearly identified with a sign

permanently affixed immediately in front of each space containing the notation "compacts only." Spaces designed for small cars may be reduced in size to a minimum of eight feet in width and fifteen feet in length. Where feasible, all small car spaces shall be located in one or more contiguous areas and/or adjacent to ingress/egress points within parking facilities. Location of compact car parking spaces shall not create traffic congestion or impede traffic flows.

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

18.11.030 Location.

Off-street facilities shall be located as hereafter specified. Such distance shall be the maximum walking distance measured from the nearest point of the parking facility to the nearest point of the building that such facility is required to serve:

- A. For single-family or two-family dwelling and motels: on the same lot with the structure they are required to serve.
- B. For multiple dwelling, rooming or lodging house: two hundred feet.
- C. For hospital, sanitarium, home for the aged, or building containing a club: three hundred feet.
- D. For uses other than those specified above: four hundred feet.

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

18.11.040 Units of measurement.

A. In a stadium, sports arena, church, or other place of assembly, each twenty inches of bench seating shall be counted as one seat for the purpose of determining requirements for off-street parking facilities.

B. For purposes of determining off-street parking as related to floor space of multilevel structures and building, the following formula shall be used to compute gross floor area for parking determination:

TABLE INSET:

Main floor	100%
Basement and second floor	50%
Additional stories	25%

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

18.11.050 Change or expansion.

Except in a DC District or MX District, whenever a building is enlarged or altered, or whenever the use of a building or property is changed, off street parking shall be provided for such expansion or change of use. The number of off street parking spaces required shall be determined for only the square footage of expansion and not the total square footage of the building or use; however, no additional off street parking space need be provided where the number of parking spaces required for such expansion, enlargement, or change in use since the effective date of this Code is less than ten percent of the parking spaces specified in the Code. Nothing in this provision shall be construed to require off street parking spaces for the portion and/or use of such building existing at the time of passage of the Code.

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

(Ord. No. 2545, § III, 5-4-2009; Ord. No. 2547, § VII, 5-18-2009)

18.11.060 Unspecified use.

In case of a use not specifically mentioned in Section 18.11.130 of this chapter, the requirements for off-street parking facilities shall be determined by the city in accordance with a conditional use permit. Such determination shall be based upon the requirements for the most comparable use listed.

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

18.11.070 Joint use.

The city may authorize the joint use of parking facilities for the following uses or activities under conditions specified:

A. Up to fifty percent of the parking facilities required by the code for a theater, bowling alley, tavern, or restaurant may be supplied by the off-street parking facilities provided by certain types of buildings or uses herein referred to as "daytime" uses in subsection D of this section.

B. Up to fifty percent of the off-street parking facilities required for any building or use specified in subsection D of this section, "daytime" uses, may be supplied by the parking facilities provided by uses herein referred to as "nighttime or Sunday" uses in subsection E of this section.

C. Up to one hundred percent of the parking facilities required for a church or for an auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities provided by uses herein referred to as "daytime" uses in subsection D of this section.

D. For the purpose of this section, the following and similar uses are considered as primary daytime uses: banks, offices, retail, personal service shops, household equipment or furniture stores, clothing or shoe repair shops, manufacturing or wholesale buildings, and similar uses.

E. For the purpose of this section, the following and similar uses are considered as primary nighttime or Sunday uses: auditorium incidental to a public or parochial school, churches, bowling alleys, theaters, taverns or restaurants.

F. Owners of two or more buildings or lots may agree to utilize jointly the same parking space, subject to such conditions as may be imposed by the city. Satisfactory legal evidence shall be presented to the city in the form of deeds, leases, or contracts to establish the joint use. Evidence shall be required that there is no substantial conflict in the principal operating hours of the buildings or uses for which joint off-street parking is proposed.

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

18.11.080 Plan submittal.

Every tract or lot hereafter used as public or private parking area, having a capacity of five or more vehicles, shall be developed and maintained in accordance with the requirements and standards of this chapter.

The plan of the proposed parking area shall be submitted to the city at the time of the application for the building for which the parking area is required. The plan shall clearly indicate the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping, and other features and appurtenances required. The parking facility shall be developed and completed to the required standards before an occupancy permit for the building may be issued.

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

18.11.090 Landscaping.

Landscaping requirements for parking areas shall be provided under Chapter 18.13 "Landscaping."

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

18.11.100 Residential parking.

Residential off-street parking space shall consist of a parking strip, driveway, garage, or a combination thereof, and shall be located on the lot they are intended to serve.

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

18.11.110 Parking for the handicapped.

Off-street parking and access for the physically handicapped persons shall be provided in accordance with the international building code.

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

18.11.120 Additional requirements.

In addition to the basic standards and requirements established by other sections of this chapter, the city may make such other requirements or restrictions as shall be deemed necessary in the interests of safety, health and general welfare of the city, including, but not limited to, lighting, jointly development of parking facilities, entrances and exits, accessory uses, and conditional exceptions. Further, performance bonds may be required in such cases where the city determines that such shall be necessary to guarantee proper completion of improvements within time periods specified.

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

18.11.130 Standards.

The minimum number of off-street parking spaces for the listed uses shall be shown in Table 18.11-1, Off-Street Parking Standards. The city shall have the authority to request a parking study when deemed necessary.

TABLE INSET:

Use	Required Number of Off-Street Parking Spaces
Residential	
Single-family dwelling, duplex, rowhouse	2 per unit
Studio apartment	1
Apartment 1 bedroom/ 2+ bedrooms	1.5/2
Housing for elderly (apartment/unassisted)	.33 per unit
Retirement dwellings	2 per unit
Residential care facility/assisted living	1 per 2 beds + 1 per day shift employee
Lodging	
Hotel or motel	1 space per unit plus additional for bars, restaurants, assembly rooms
Bed and breakfast	1 space per room
Recreation	
Marina	1 space per 2 slips
Miniature golf	1 per hole
Golf course	6 spaces per hole and 1 per employee
Golf driving range	1 space per 15 feet of driving line
Theater, auditorium	1 space per 4 seats maximum occupancy
Stadium, sports arena	1 space per 4 seats, or 1 for each 8 feet of benches, plus 1 space per 2 employees
Tennis, racquetball, handball, courts/club	3 spaces per court or lane, 1 space per 260 square feet of gross floor area (GFA) of related uses, and 1 space per employee
Basketball, volleyball court	9 spaces per court
Bowling, bocce ball center, billiard hall	5 spaces per alley/lane, and/or table
Dance hall, bingo hall, electronic game rooms, and assembly halls without fixed seats	1 space per 75 square feet of gross floor area (GFA)

Sports club, health, spa, karate club	1 space per 260 square feet of gross floor area, plus 1 space per employee
Roller rink, ice-skating rink	1 space per 100 square feet of gross floor area
Swimming club	1 space per 40 square feet of gross floor area
Private club, lodge hall	1 space per 75 square feet of gross floor area
Institutional	
Church/chapel/ synagogue/temple	1 space per 3 seats or 6 feet of pews
Elementary/middle/ junior high school	1 space per employee, teacher, staff, and 1 space per 15 students
Senior high school	1 space per employee, teacher, staff, and 1 space per 10 students
Technical college, trade school, business school	1 space per every 2 employees, staff, and 1 space per every full-time student, or 3 part-time students
University, college, seminary	1 per every 2 employees and staff members, and either 1 per every 3 full-time students not on campus, or 1 for every 3 part-time students, whichever is greater
Multi-use community centers	1 per 4 seats maximum occupancy
Museum, art gallery	1 space per 500 square feet of gross floor area
Library	1 per employee and 1 per 500 square feet of gross floor area
Post office	1 per 500 square feet of gross floor area, plus 1 space per each 2 employees
Medical care facilities	
Hospitals	1 per 2 beds
Veterinary clinic/hospital	1 space per 250 square feet of gross floor area
Medical/dental clinic/office	1 per employee plus 1 per 300 square feet of gross floor area
Office	
General offices	1 per employee, plus 1 per 400 square feet of gross floor area
General office (no customer service)	1 per 250 square feet of gross floor area
Office park	1 space per 400 square feet of gross floor area
Meeting rooms	1 per 4 person occupancy load, and 1 per 2 employees
Commercial/service	
Automobile sales new/used	1 per 400 square feet of gross floor area
Auto repair accessory to auto sales	2 spaces per auto service stall
Automobile repair shop, automobile service station, automobile specialty store, automobile body shop	4 per bay
Gas station	1 per 2 fuel pumps
Gas station with mini-market	1 per nozzle plus 1 per 250 square feet of gross floor

	area
Car wash or quick service lubrication facilities	2 spaces per stall, and 1 space per 2 employees
Beauty parlor, barber shop	1 per 300 square feet of gross floor area
Massage parlor	1 per 300 square feet of gross floor area
Exhibition halls, showrooms, contractor's shop	1 space per 900 square feet of gross floor area
Photographic studio	1 space per 800 square feet of gross floor area
Convenience market, supermarket	1 space per 250 square feet of gross floor area
Multi-use retail center	1 per 250 square feet of gross floor area
Finance, insurance, real estate office	1 per employee plus 1 per 400 square feet of gross floor area
Bank	1 per employee, plus 1 per 400 square feet of gross floor area
Drug store	First 5,000 square feet = 17 spaces plus 1 per additional 1,500 square feet
Furniture/appliance store	1 per 500 square feet of gross floor area
Clothing store	1 per 400 square feet of gross floor area
Lumber yard, building material center	1 space per 275 square feet of indoor sales area, plus 1 space per 5,000 square feet of warehouse/storage
Hardware/paint store	1 per 400 square feet of gross floor area
Restaurant	1 per 100 square feet of gross floor area
Restaurant, carry-out	1 space per 225 square feet of gross floor area
Fast food restaurant	1 space per 110 square feet of gross floor area, plus 6 stacking spaces for drive-through lane
Repair shop	1 per 400 square feet of gross floor area
Laundromats, coin-operated dry cleaners	1 space per every 3 washing or cleaning machines
Mortuary	1 space per 150 square feet of gross floor area
Express delivery service	1 space per 500 square feet of gross floor area, plus 1 space per employee
Retail stores in general	Less than 5,000 square feet: 1 per 300 square feet. Greater than 5,000 square feet: 17 plus 1 per 1,500 square feet
Industrial	
Industrial, manufacturing	1 per 500 square feet of gross floor area
Warehousing, storage	1 per 1,000 square feet of gross floor area
Public or private utility building	1 per 1,000 square feet of gross floor area
Wholesaling	2 plus 1 per 1,000 square feet of gross floor area
Research and development	1 per 500 square feet of gross floor area
LI/BP general office	1 per employee peak plus 15%
LI/BP research	1 per employee peak + 10%

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

18.11.140 Loading standards.

In all districts except the DC districts, buildings or structures to be built or substantially altered which receive and distribute material and merchandise by trucks shall provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular case.

The following standards in Tables 18.11-2 and 18.11-3, shall be used in establishing the minimum number of berths required:

Table 18.11-2 Berth Standards for Commercial and Industrial Buildings

TABLE INSET:

Number of Berths	Gross Floor Area of the Building in Square Feet
1	Up to 20,000
2	20,000--50,000
3	50,000--100,000
* One additional berth is required for each 50,000 in excess of 100,000	

Table 18.11-3 Berth Standards for Office Buildings, Hotels, Hospitals and Other Institutions

TABLE INSET:

Number of Berths	Gross Floor Area of the Building in Square Feet
1	Up to 100,000
2	100,000 to 300,000
3	300,000 to 600,000
* One additional berth is required for each 300,000 in excess of 600,000	

No loading berth shall be located closer than fifty feet to a lot in any residential zoning district unless wholly within a completely enclosed building, or unless screened from such lot in the residential district by a wall, fence, or sight-obscuring evergreen hedge not less than six feet in height.

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

Chapter 18.13 LANDSCAPING

Sections:

18.13.010 Purpose.

18.13.020 Scope.

18.13.030 Expansion.

18.13.040 Procedure.

18.13.050 Landscaping standards.

18.13.060 Parking areas.

18.13.070 Assurance device.

18.13.010 Purpose.

The purpose of this chapter is to establish minimum standards for landscaping in order to provide screening between incompatible land uses, minimize the visual impact of parking areas, provide for shade, minimize erosion, and to implement the comprehensive plan goal of preserving natural beauty in the city.

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

18.13.020 Scope.

Landscaping standards shall apply to all new multifamily, commercial, industrial and governmental uses, including change of use, and parking lots of four spaces or more. For conditional uses permitted in residential and multifamily districts, such as churches, schools, civic organizations, etc., the standards for landscaping will be the same as the landscaping standards in community commercial zones.

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

18.13.030 Expansion.

In a case where a site expands, landscaping shall be provided only for the percentage of expansion.

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

18.13.040 Procedure.

Detailed plans for landscaping shall be submitted with plans for building and site improvements. Included in the plans shall be type and location of plants and materials.

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

18.13.050 Landscaping standards.

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

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

C. Plants that minimize upkeep and maintenance shall be selected.

D. Plants shall complement or supplement surrounding natural vegetation.

E. Plants chosen shall be in scale with building development.

F. Minimum landscaping as a percent of gross site area shall be as follows:

TABLE INSET:

Zone	Percent of Landscaping Required
HI	20%
RC, LI	15%
CC	10%
MX	10%
NC, MF	5% on lots less than 10,000 square feet; 10% on lots greater than 10,000 square feet
LI/BP	(see Section 18.21.070 "Landscaping standards")
Parking lots	(see Section 18.13.060 of this chapter)

G. Deciduous trees shall have straight trunks, be fully branched, have a minimum caliper of one and one-half inches, be equivalent to a fifteen-gallon container size, and be adequately staked for planting.

H. Evergreen trees shall be a minimum of five feet in height, fully branched, and adequately staked for planting.

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

J. Ground cover, defined as living material and not including bark chips or other mulch, shall at planting, have a maximum spacing of twelve inches on center for flats, and a maximum twenty-four inches on center between mature plants from containers of one gallon or larger.

- K. Appropriate measures shall be taken, e.g., installations of watering systems, to assure landscaping success. If plantings fail to survive, it is the responsibility of the property owner to replace them.
- L. Trees shall not be planted closer than twenty-five feet from the curb line of the intersections of streets or alleys, and not closer than ten feet from private driveways (measured at the back edge of the sidewalk), fire hydrants, or utility poles.
- M. Street trees shall not be planted closer than twenty feet to light standards. Except for public safety, no new light standard location should be positioned closer than ten feet to any existing street tree, and preferably such locations will be at least twenty feet distant.
- N. Trees shall not be planted closer than two and one-half feet from the face of the curb except at intersections, where it should be five feet from the curb in a curb return area.
- O. Where there are overhead power lines, tree species that will not interfere with those lines shall be chosen.
- P. Trees shall not be planted within two feet of any permanent hard surface paving or walkway. Sidewalk cuts in concrete for trees shall be at least four feet by four feet; however, larger cuts are encouraged because they allow additional area and water into the root system and add to the health of the tree. Space between the tree and such hard surface may be covered by permeable nonpermanent hard surfaces such as grates, bricks on sand, paved blocks, cobblestones, or ground cover.
- Q. Trees, as they grow, shall be pruned to their natural form to provide at least eight feet of clearance above sidewalks and twelve feet above street roadway surfaces.
- R. Existing trees may be used as street trees if there will be no damage from the development which will kill or weaken the tree. Sidewalks of variable width and elevation may be utilized to save existing street trees, subject to approval by the city.
- S. Vision clearance hazards shall be avoided.
(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.13.060 Parking areas.

- A. Parking areas are to be landscaped at all perimeters.
- B. All parking areas shall provide interior landscaping for shade and visual relief.
- C. Parking lots shall have a minimum ratio of one tree per six double-loaded stalls or one tree per three single-loaded stalls (See Figure 18.13-1).
- GRAPHIC LINK: [Click here](#)**
- D. Planter strips (medians) and tree wells shall be used within parking areas and around the perimeter to accommodate trees, shrubs and groundcover.
- E. Planter areas shall provide a five-foot minimum width of clear planting space.
- F. Wheel stops should be used adjacent to tree wells and planter areas to protect landscaping from car overhangs.
- G. Curbed planting areas shall be provided at the end of each parking aisle to protect parked vehicles.
- H. No more than fifteen parking spaces shall be located in a row without a landscaped divider strip (See Figure 18.13-2).

GRAPHIC LINK: [Click here](#)

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

18.13.070 Assurance device.

In appropriate circumstances, the city may require a reasonable performance of maintenance assurance device, in a form acceptable to the finance department, to assure compliance with the provisions of this chapter and the approved landscaping plan.
(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

Chapter 18.15 SIGNS

Sections:

- 18.15.010 Purpose**
- 18.15.020 Scope**
- 18.15.030 Maintenance and repair of signs**
- 18.15.040 General definitions and regulations**
- 18.15.050 Signs controlled by zoning district**
- 18.15.060 General sign permit requirements**
- 18.15.070 Master sign permit requirements**
- 18.15.080 Signs prohibited**
- 18.15.090 Exemptions**
- 18.15.100 Temporary signs**
- 18.15.110 Sign illumination**
- 18.15.120 Nonconforming signs**

18.15.010 Purpose

The city council finds that the manner of the construction, location, and maintenance of signs affects the public health, safety, and welfare of the people; the safety of motorists, and other users of the public streets are affected by the number, size, location, lighting, and movement of signs that divert attention of such users. Uncontrolled and unlimited signs may degrade the aesthetic attractiveness of the natural and man-made attributes of the community that could undermine economic value of tourism, visitation, and economic growth. The regulations in this chapter are found to be the minimum necessary to achieve these purposes.

18.15.020 Scope

The primary intent of this chapter shall be to regulate signs of a commercial nature intending to be viewed from any vehicular or pedestrian right-of-way. This chapter shall not apply to building design, to official traffic or government signs, or to any sign authorized or permitted by any other ordinance or resolution of the city. This section shall further not apply to the display of street numbers or to any display or construction not defined herein as a sign.

18.15.030 Maintenance and repair of signs

- A. All signs and all components thereof, including supports, braces and anchors, shall be kept in a state of good repair. With respect to freestanding signs, components not bearing a message shall be constructed of materials that blend with the surrounding environment.
- B. Abandoned signs and all supporting structural components shall be removed by the sign owner, owner of the property where the sign is located, or other party having control over the sign. Each is individually and severally responsible for removing such sign within thirty days after abandonment, unless such sign is replaced with a conforming sign.
- C. If a sign suffers more than fifty percent damage or deterioration as determined or is dangerous because of insecure construction or fastening with resultant danger of falling by the building official, or because it is an extreme fire hazard as determined by the fire marshal then such sign shall be brought into conformance with this code or removed.

18.15.040 General definitions and regulations

- A. Regulated. In the event that a definition is not listed in this section and is necessary in the interpretation of this chapter, the director shall primarily rely upon the general definitions established for this title, and secondarily on the definition found in a standard English dictionary. For the purpose of this chapter the following definitions and regulations shall apply:
 - 1. "Abandoned" means a sign which no longer identifies or advertises a bona fide business, service, owner, product, or activity, and/or for which no legal owner can be found.

2. "Awning" is a structure that may support a sign. An awning is a shelter projecting from, and supported by, the exterior wall of a building, constructed of non-rigid materials on a supporting framework. [Refer to "awning signs"]
3. "Commercial" means the purpose of the sign is to engage in commerce, or to advertise for one's work that is intended for sale.
4. "Date of adoption" means the date the ordinance codified in this chapter was originally adopted or the effective date of an amendment to it, if the amendment makes a sign nonconforming.
5. "Height" is defined at "Dimensions of Signs" within this chapter.
6. "Internally illuminated" means signs where the source of the illumination is inside the sign and light emanates through the message of the sign, rather than being reflected off the surface of the sign from an external source. Neon signs are considered internally illuminated signs.
7. "Multiple building complex" means a group of structures housing at least one retail business, office, commercial venture, or independent or separate part of a business which shares the same lot.
8. "Off-premise sign" means a sign that advertises products, services, or facilities, or directs person to premises different than where the sign is placed.
9. "On -premise sign" means a sign that advertises products or services related to the building or structure where it is located.
10. "Permanent" sign means a sign that is intended to remain for the life of the project or business without fundamental or marked changes and is attached to a building or structure by means of a rigid wall, frame, or structure.
11. "Public Right-of-Way". There are two distinctions of right-of way. "Privately maintained right-of-way" means that portion of the public right-of-way maintained by the abutting property owner. "Publicly maintained right-of-way" means that portion of the public right-of-way maintained by the City of Camas or other public agency. Signs placed in the public right-of-way must be located outside vision clearance areas and may not pose a traffic hazard or other threat to human safety.
12. "Sign" means any device, structure, or placard using graphics, logos, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any establishment, product, goods, or services.
13. "Sign area" is defined at "Dimensions of Signs" within this chapter.
14. "Sign schedule" means a listing of multiple signs proposed within an application or development project, which consists of dimensions and descriptions, normally this is in a tabular format (e.g. spreadsheet).
15. "Site plan" means a drawing of the location of a sign or multiple signs within the city limits.

B. Sign Types - Regulations and Limitations.

In the event that a sign type as provided in this section is in conflict with provisions elsewhere in this chapter, the more restrictive criteria shall apply.

1. "Animated sign" [Refer to "electronic message board" sign].
2. "Awning signs". Signage on awnings shall not exceed thirty percent of the awning and shall be included in the combined sign calculation for particular business or storefront.
3. "Banner" is a sign constructed of fabric, vinyl or other non-rigid, durable material that can withstand the typical weather in this area, and do not exceed sixty (60) square-feet in size. Banners primarily announce a special occasion, such as a grand opening or special event. National, state or municipal flags are not considered banners.
4. "Bulletin board" is often installed to provide a central location for people to gather information about events or classes that are happening within the building or community in which it is installed. Bulletin boards are included in the overall signage calculation for the site. They are not electronic, LED or otherwise programmable for messaging.
5. "Cabinet sign" is generally a wall sign. This type of sign is usually internally illuminated with a removable face and is enclosed on all edges with a metal cabinet, and does not extend more than ten inches from the wall face that it is mounted.

6. "Construction sign" means a temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction on the property on which the sign is located.

7. "Directory sign" identifies two or more establishments and/or the complex as a whole. If a tenant in a multi-building complex has a sign on the freestanding directory sign, then the tenant shall not have an individual freestanding sign. Directory sign area may not exceed one-hundred square feet.

8. "Electronic message board sign", animated sign, and LED sign are considered to be similar sign types for purposes of this chapter. These signs use changing lights to form a message, or messages in sequence, uses movement or change of lighting to depict action or create a special effect or scene. This element of a sign may not exceed 30% of total sign area or 100 square feet, whichever is greater. This calculation does not including post or mounting framework. The electronic board must avoid using flashing, rotating or blinking lights.

9. "Entrance structure" Refer to "monument sign".

10. "Free-standing sign" is attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of or attached to a building or other structure whose principal function is something other than the support of a sign.

a. Height limit. Freestanding sign height shall not exceed twenty-five feet from the ground to the top of sign in any zone.

b. Construction. Rigid, fire-proof material that can withstand wind pressure of 30 mph per square foot.

c. Combination. A free-standing sign is permitted in combination with wall signs; however the size of all permitted signs cannot exceed the overall size permitted per building face per zone. A freestanding sign is not permitted in combination with a projecting or monument sign.

11. "Incidental sign" means a small sign, two square feet or less in surface area. Included are decals informing the public of goods, facilities, or services available on the premises, e.g., designating restrooms, a credit card sign, hours of operation, or "help wanted". May also contain the name or logo of an establishment, e.g., parking, or exit and entrance signs. Incidental signs if placed in windows may not cover more than twenty-five percent of window area in combination with any other permitted signs.

12. "Monument sign" is a sign not attached to a building, not more than five feet in height or twenty feet in length, which is attached to the ground by means of a wide base of solid appearance. Monument signs must be designed so as to be compatible with adjacent architecture and landscaping, and must be constructed with materials conducive to abutting structures and the surrounding area. They may not be constructed from fabric or banner material.

13. "Pennant" is a small, double-faced sign that is intended to be viewed by pedestrians and is hung above the sidewalk or street, with the bottom edge conforming to sign height regulations. Pennants may not exceed four square feet, may not be placed closer than twenty feet apart, and are constructed of fabric or other durable materials with a message, logo or artistic rendering on the sign face.

14. "Portable sign" means any sign designed to be moved easily, and not permanently affixed to the ground, or other permanent structure, to include such other descriptive names such as "A-frame", "sandwich board", and "poster panels".

a. Size. The sign shall not exceed forty-two (42) inches above ground, and six (6) square feet in sign area per side.

b. Construction. Portable signs shall be firmly and solidly constructed so as to be able to bear a wind pressure of at least thirty pounds per square foot of area.

c. Location. It is unlawful to erect or maintain any portable sign in such a position as to obstruct any fire escape or any window or door leading thereto, or within vision clearance at intersections; and must allow for a pedestrian clearance of five (5) feet on sidewalks.

d. Portable signs may only be displayed during business hours. If business hours continue past daylight hours, precautions should be taken to place the sign in a location that is visible after dark.

e. One sign per business entity and located on same lot as business entity.

15. "Poster" is a piece of sales literature that presents information through words and graphic images. It has text and symbols or pictures to convey an idea or concept. Usually, it is designed vertically and displayed on a wall or window. Posters where allowed may not exceed six (6) square feet.

16. "Projecting sign" is a sign affixed to a building or wall in such a manner that its leading edge extends more than ten inches beyond the surface of such building or wall.

17. "Real estate sign" means a temporary sign advertising that real estate is for rent, lease, or sale.

18. "Roof sign" means any sign erected over or on the roof of a building. The roof sign may not exceed the maximum building height allowed in the zoning district in which it is located. If the zoning district has no limitation to building height, then the height from base of sign shall not exceed that of a free-standing sign, which is limited to 25-feet tall.

19. "Sandwich board sign" [Refer to definition of "Portable Sign"]

20. "Temporary sign" means a sign that is used in connection with a circumstance, situation, or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after erection of such sign; or is intended to remain on the location where it is erected or placed for a short period of time [Refer to additional requirements in Section 18.15.090]. "Temporary signs" include, but are not limited to the following examples:

a. Political signs advocating political candidates or political issues;

b. Real estate signs advertising property for sale or lease;

c. Construction signs identifying the builder of a structure or the developer of a residential, commercial or industrial development;

d. Special event signs or banners advertising grand openings, fairs, carnivals, circuses, festivals; or

e. Community events, garage and yard sale signs, and any other sign of a similar purpose.

21. "Vehicular sign" means a sign adhered to or mounted to the vehicle body that is parked along a vehicular right away for the principle purpose of displaying advertising.

22. "Wall sign" is any permanent sign that is attached parallel to and extending not more than ten inches from the wall of a building. This includes painted, individual letter, cabinet signs and signs attached to a mansard roof (if constructed at an angle of seventy-five degrees or more from horizontal). No more than two wall signs are permitted per building face, and in combination with all other permitted signs shall not exceed ten percent of wall area.

C. Determination of number of signs.

1. For the purpose of determining the number of signs permitted, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, each element shall be considered a single sign. A two-sided or multi-sided sign shall be regarded as one sign if the sign faces are identical.

2. Only one (1) projecting or monument sign is permitted per street frontage (either one or the other) and neither is permitted in combination with a freestanding sign, per lot.

3. Only one (1) permanent sign per lot in residential zones.

4. Combination. Only one (1) free-standing sign may be allowed per street frontage for each commercial and industrial zoned lot on which the business is located in combination with a maximum of two (2) wall signs (if the lot does not contain a monument or projecting sign). The combined square footage of signs may not exceed size allowance per building face per zone. If lot contains a multi-building complex a directory sign is permitted in combination with a free-standing sign and wall signs. For a multi-building complex with property frontage that exceeds three-hundred feet, an additional freestanding sign may be allowed for each three hundred feet and set apart no less than one-hundred feet.

5. Refer to "Temporary Sign" section of this chapter for limitation on number of temporary signs.

D. Dimensions of signs

1. Sign Area. The sign area is defined as the area of the surface, or surfaces, which displays letters or symbols identifying the business or businesses occupying the parcel, together with any allowable electronic message board. In calculating the sign area, the following apply:

a. The sign area shall not include the base or pedestal to which the sign is mounted.

b. The sign surface area of a double-faced (back-to-back) sign shall be calculated by using the area of only one side of such sign and shall be considered one sign structure.

c. The sign surface area of double-faced signs constructed in a "V" shall be calculated by using the area of only one side of such sign and shall be considered one sign structure.

d. The sign surface area of three dimensional signs shall be computed by including the total of all sides designed to attract attention or communicate information that can be seen at any one time by a person from one vantage point.

2. Sign Height. Height is measured from the finished grade at the point of support to the topmost point of a sign. Height limitations are determined by type of sign as defined in this chapter.

3. Placement. All signs, unless attached to a building must be set back from the property line by a minimum of five feet, unless otherwise stated in this chapter. Setbacks may be increased or decreased during plan review if there are concerns for vision clearance or other public safety concerns. Signs must provide a minimum clearance of fourteen feet over any vehicular use area, and ten feet over any pedestrian area.

18.15.050 Signs controlled by zoning district

The following table identifies signs by zoning district as permitted (P), prohibited (X), or only allowed with a Conditional Use Permit (C). All permitted signs are subject to the requirements of this chapter, and any other applicable sections of CMC. If dimensions of a sign vary by zone, then it is noted in this table.

Table 1 - Signs controlled by Zoning District

Sign Types as defined in this chapter	Residential and Multi-family Zones	Commercial and Industrial Zones	LI/BP
Animated/Electronic message board signs	C	P	P
Awning signs	X	P	P
Bulletin board	P ^{Note 4}	P ^{Note 2}	P ^{Note 2}
Cabinet	X	P ^{Note 2}	P ^{Note 2}
Directory sign	X	P	P
Free-standing sign	X	P ^{Note 2}	P ^{Note 2, 3}
Incidental sign	P	P	P
Monument sign	P ^{Note 4}	P	P
Portable sign	X	P ^{Note 2}	P ^{Note 2}
Projecting sign	X	P ^{Note 2}	P ^{Note 2}
Roof sign	X	P ^{Note 2}	P
Temporary sign (e.g. construction signs, real estate, banners, and other sign types as defined in this chapter)	P ^{Note 1}	P ^{Note 2, 3}	P ^{Note 2, 3}
Vehicular signs	P	P	P
Wall signs	P ^{Note 1}	P ^{Note 2}	P ^{Note 2}
Notes: ^{1.} Sign may not exceed six square feet in area per lot unless approved with a Master Sign Permit. ^{2.} Sign may not exceed ten percent of the size of the wall area in combination with all other permitted signs on the same plane and visible from public view unless approved with a Master Sign Permit. ^{3.} If lot is vacant, then sign is limited to ninety-six square feet. ^{4.} Only allowed if approved in combination with a Type III development permit.			

18.15.060 General sign permit requirements

A. Sign permit required.

1. Except as otherwise provided in this chapter, no sign may be erected, placed, or substantially altered in the city except in accordance with the provisions of this chapter and the requirements of the International Building Code, current adopted edition.
 2. If plans submitted for a Conditional Use Permit (Type III permit) or Design Review include sign construction plans in sufficient detail to determine compliance with the provisions of this chapter, then issuance of such conditional use or design review may constitute approval of the proposed placement of sign or signs (other structural/mechanical permits may be required).
- B. Application Requirements. Applications for a General Sign Permit shall contain the following information when submitted to the Community Development Department at a minimum:
1. Application form and payment of current fee.
 2. Site Plan. Drawn to scale showing the subject property, streets, all existing buildings, and the location of any existing freestanding signs, utility poles and other structures within fifty feet of the proposed new sign's location;
 3. Construction Drawings. Includes the structural details of the proposed sign, including its dimensions, heights, materials, type of illumination, landscaping (if required) and structural support;
 4. Photographs. Provide photographs of all existing signs on the subject property and building(s), and marked to indicate the proposed location of the new sign(s). Staff will accept original photos, color copies or compatible electronic format (e.g. compact disc).
 5. When required by the building official, the construction of the sign may require submittal of structural and/or mechanical drawings prepared by a licensed Washington State professional.

18.15.070 Master sign permit requirements

- A. Purpose. The purpose of this section is to establish a binding Master Sign Permit that will allow for placement of both permanent and temporary signs on a group of lots or within a business complex, in order to encourage comprehensive sign design, and reward proper placement and prompt removal of temporary signs, which combined will benefit the city by reducing municipal costs for code enforcement. This section allows the size of signs on a lot or within a zoning district to be exceeded and other bonuses as set forth. Individual signs may be permitted by the building department without additional General Sign Permits after a Master Sign Permit has been approved.
- B. Application Requirements. Applications for a Master Sign Permit shall contain the following materials in addition to the requirements for a General Sign Permit:
1. Application form and payment of current fee as determined by resolution.
 2. Site Plan. Site plan shall include the proposed placement of all signs, both on-premises and off-premises.
 3. Consent of property owner for placement of signs within privately-maintained right-of-way or on private lots.
 4. Sign Schedule – existing conditions. The schedule will include a calculation of the combined maximum sign area permitted and the number of signs allowed on the proposed lot(s).
 5. Sign Schedule – proposed. The schedule will include a calculation of the combined total proposed sign area included in the plan, sign types, number, and short description.
 6. Construction Plans. Detailed construction plans shall be provided at a reasonable scale to include type of material and method of installation.
 7. Time frame for installation of each sign indicated on plan.
 8. Narrative that supports how this application meets or exceeds the criteria for approval for a Master Sign Permit and other regulations in this chapter.
- C. Maximum total area of all signs. The combined sign area of all proposed signs on a lot or lots under consideration for a Master Sign Permit shall not exceed ten (10) percent of the total ground floor area (GFA) of the building(s) or in the case of a vacant lot then ten (10) percent of the area of building lot coverage.
- D. Bonus. If the owners of two or more contiguous (disregarding intervening streets and alleys) lots or the owner of a single lot with more than one building (not including any accessory building) file with the

Director for such lots a Master Signage Plan conforming with the provisions of this section, a thirty percent (30%) increase in the maximum total sign area of that zone shall be allowed for each included lot. This bonus shall be allocated within each lot as the owner(s) elects. Or if a subdivision, then the applicant may combine potential sign area from multiple lots for a single sign to be no greater than thirty-two (32) square feet in lieu of the residential zone size limitation of six square feet.

E. Criteria of Approval for Master Sign Permit

1. Provisions have been made to have a consistent design with regard to: color scheme; lettering or graphic style; lighting; location of each sign on the buildings or on the lots or elsewhere; material; and sign proportions.
2. Provisions have been made to install signs that will not detract from the natural beauty of the city or contribute to urban blight.
3. The locations of off-premises signs do not exceed one sign per radius of 300-feet.
4. The application and plans shall be consistent with the applicable regulations of the adopted development codes, comprehensive plans, shoreline master plan, state and local environmental acts and ordinances in accordance with RCW 36.70B.030.

F. Approval and Modification. The designated official shall approve a master sign permit and subsequent modifications. Any deviation from the approved master sign permit such as additional signs, relocating signs, and any other changes (excluding tenant name changes and maintenance) shall require a modification to the master sign permit on file with the city.

G. Expiration. Master Sign Permits expire in two years from date of issuance unless installation of at least one sign of the Master Sign Permit has been installed prior to that date.

18.15.080 Signs prohibited

The following signs are specifically prohibited in the city:

- A. Signs attached to any telephone or utility pole;
- B. Signs located in such a manner so that by location, color, size, shape, nature would tend to obstruct the view or be confused with official traffic signage.
- C. Signs advertising activities that are illegal under state or federal laws, or regulations in effect at the location of such signs, or at the location of such activities.
- D. Signs emitting pollutants (e.g. smoke, or sound).
- E. Posters. The tacking or pasting of posters to exterior walls, which are visible from the public right-of-way, is prohibited unless otherwise permitted as a sign in this chapter.
(Ord. 2600 (Exh. A), 2010)

Chapter 18.17 SUPPLEMENTAL DEVELOPMENT STANDARDS

Sections:

18.17.010 Purpose.

18.17.020 Scope.

18.17.030 Vision clearance area.

18.17.040 Accessory structures.

18.17.050 Fences.

18.17.060 Retaining walls.

18.17.010 Purpose.

It is the purpose of this chapter to establish development standards that supplement those established within various zone districts. These supplemental standards are intended to address certain unique situations that may cross district boundaries, and to implement related policies of the Camas comprehensive plan.

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

18.17.020 Scope.

The provisions contained in the following sections are of both general application to the zoning districts and supplemental to specific districts established by the Camas Municipal Code. (Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.17.030 Vision clearance area.

Vision clearance area shall be maintained in all zoning districts except in the DC, CC, RC, HI, and MX zoning districts. Within these zoning districts, vision clearance areas shall be maintained on the corners of all property adjacent to the intersection of two streets, a street and a railroad, or a private street entering a public street. Driveways and alleys are excluded from the provisions of this section.

A. On all corner lots no vehicle, fence, wall, hedge, or other obstructive structure or planting shall impede visibility between a height of forty-two inches and ten feet above the existing grade. See Figure 18.17.030-2.

GRAPHIC LINK:[Click here](#)

B. The triangular area shall be formed by measuring fifteen feet along both street property lines beginning at their point of intersection. The third side of the triangle shall be a line connecting the end points of the first two sides of the triangle. See Figures 18.17.030-1 and 18.17.030-2.

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

(Ord. No. 2545, § III, 5-4-2009; Ord. No. 2547, § VIII, 5-18-2009)

18.17.040 Accessory structures.

In an R or MF zone, accessory structures on each lot shall conform to the following requirements:

A. Definition. An "accessory structure" is a subordinate structure detached from, but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure. All in-ground swimming pools and spas, and above ground pools and spas with a capacity of five thousand gallons or greater, are considered accessory structures;

B. Height. Not to exceed one story or fourteen feet in height, except on a lot having a minimum area of one acre;

C. Placement. Not project beyond the front building line. See Figure 18.17.040-1;

GRAPHIC LINK:[Click here](#)

D. Coverage. Not occupy altogether more than thirty percent of the required rear yard, provided that total lot coverage shall not be exceeded;

E. Placement. Not be located closer than five feet to a side or rear lot line within a rear yard, or not closer than twenty feet to a side lot line within a rear yard along a flanking street of a corner lot; provided, that in the case of a manufactured home park, accessory structures shall not be located closer than twenty-five feet to a side lot line within a rear yard along a flanking street of a corner lot. See Figure 18.17.040-1;

F. Placement. Not be located closer than five feet to a rear lot line where such rear lot line coincides with the side lot line of an adjoining lot. See Figure 18.17.040-1;

G. Fire Protection. Accessory structures placed less than six feet away from an existing building require fire protection of exterior walls according to the International Building Code.

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

18.17.050 Fences.

A. Purpose. The purpose of this section is to provide minimum regulations for fences, with the desired objectives of privacy and security for residents, and safety for motorists and pedestrians using the streets and sidewalks.

B. Heights. Fences not more than six feet in height may be maintained along the side yard or rear lot lines; provided, that such wall or fence does not extend into the front yard area. The front yard area is the distance between the front property line and the nearest point of the building specified in the zone districts under this title. See Figure 18.17.050-1.

GRAPHIC LINK:[Click here](#)

C. A fence shall not exceed three and one-half feet (forty-two inches) in height in the front yard.

D. Access. No fence shall be constructed so as to: (1) block or restrict vehicular access to a dedicated alley, access or way, or (2) create a traffic hazard by impairing or obstructing vision clearance from any driveway, alley, or access. Fences over three and one-half feet shall not be placed in the vision clearance area on corner lots.

E. Prohibited Materials. Fiberglass sheeting, barbed wire, razor ribbon or other similar temporary material shall not be permitted as a fencing material.

F. Temporary Fences. Vacant property and property under construction may be fenced with a maximum six-foot high, non-view obscuring fence.

G. Measurement of Fence and Wall Height. The height of a fence or wall shall be measured at the highest average ground level within three feet of either side of such wall or fence. In order to allow for variation in topography, the height of a required fence or wall may vary an amount not to exceed six inches; provided, however, that in no event shall the average height of such wall or fence exceed the maximum height permitted for that location.

H. Agriculture/Ranching (A/R) Exception. Barbed wire and electric fences shall be permitted on land classified A/R. All electric fences in such instances shall be clearly identified. Maintenance, repair and replacement of existing fences shall be governed by state law.

I. Security fencing may be permitted with the following limitations:

1. The security fencing shall consist of not more than four strands of barbed wire located on the top of a six-foot high fence; and
2. The security fencing shall be associated with a commercial or industrial development.

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

18.17.060 Retaining walls.

A. Where a retaining wall protects a cut below the natural grade and is located within a required yard, such retaining wall may be topped by a fence or wall of the same height that would otherwise be permitted at that location if no retaining wall existed. See Figure 18.17.060-1(A) Retaining Walls.

GRAPHIC LINK: [Click here](#)

B. Where a retaining wall contains a fill above the natural grade, and is located within a required yard, the height of the retaining wall shall be considered as contributing to the permissible height of a fence or wall at that location. A nonsight obscuring fence up to three and one-half feet in height may be erected at the top of the retaining wall for safety. See Figure 18.17.060-1(B) Retaining Walls.

C. Where a wall or fence is located in a required yard adjacent to a retaining wall containing a fill, such wall shall be setback a distance of one foot for each one foot in height of such wall or fence. The area between the wall or fence and the retaining wall shall be landscaped and continuously maintained. See Figure 18.17.060-1(C) Retaining Walls.

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

Chapter 18.18 SITE PLAN REVIEW

Sections:

18.18.010 Intent.

18.18.020 Applicability.

18.18.030 Site plans and review procedures.

18.18.040 Submittal and contents of a complete application.

18.18.060 Criteria for approval.

18.18.070 Improvements for residential development.

18.18.080 Duration of approval.

18.18.090 Amendments to a site plan.

18.18.010 Intent.

This chapter is intended to provide procedures for the review of site plan applications. Site plan review is intended to ensure that development projects carried out in given zoning districts are executed in a manner consistent with existing ordinances concerning public utilities, traffic, facilities, and services, and provide unified site design, access, landscaping, screening, building placement and parking lot layout. The site plan review process is not intended to review and determine the appropriateness of a given use on a given site. It is intended to insure that development of a site will provide the features necessary to protect the health, safety, and general welfare of the citizens of the city.
(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.18.020 Applicability.

A. Site plan review and approval shall be required for the following development activities prior to issuance of a building permit:

1. All new nonresidential uses for the location of any building(s);
2. Any multifamily development in which more than two dwelling units would be contained;
3. The expansion of any building or development as defined in CMC Section 18.18.020(A) exceeding twenty percent of the existing floor or site area, or any one thousand square foot addition, or increase in impervious coverage thereto, whichever is lesser.

B. Exemptions. The following developments and land use categories shall be exempt from site plan review:

1. Planned unit developments, land divisions, binding site plans and boundary line adjustments pursuant to CMC Titles 17 and 18;
2. Light industrial/business park development applications pursuant to CMC Chapters 18.20 North Dwyer Creek Residential Overlay and 18.21 Light Industrial/Business Park;
3. Normal or emergency repair or maintenance of public or private buildings, structures, landscaping, or utilities;
4. Interior remodeling and tenant improvements to buildings previously reviewed and approved; and
5. Unless otherwise required, proposals that are subject to Type I procedures under CMC Chapter 18.55 Administration and Procedures.

(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2481 § 1 (Exh. A (part)), 2007; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.18.030 Site plans and review procedures.

A. Any use that is subject to the requirements for a site plan review shall be processed in accordance with the procedures established under CMC Chapter 18.55 Administration and Procedures for Type II project permit applications.

B. Site plan review and approval shall be required prior to issuance of grading or other building permits.
(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2481 § 1 (Exh. A (part)), 2007; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.18.040 Submittal and contents of a complete application.

In addition to the submittal requirements under CMC Chapter 18.55 Administration and Procedures, each application for site plan review shall contain the following information. Items may be waived if, in the judgment of the community development department, the items are not applicable to the particular proposal.

- A. A written description addressing the scope of the project, the nature and size in gross floor area of each use, and the total amount of square feet to be covered by impervious surfaces;
- B. A vicinity map showing site boundaries, and existing roads and accesses within and bounding the site;
- C. A topographic map based upon a site survey delineating contours, existing and proposed, at no less than five-foot intervals, and which locates existing streams, marshes, and other natural features;

- D. Site plans drawn to a scale no smaller than one inch equals fifty feet showing location and size of uses, buffer areas, proposed areas of disturbance or construction outside of the building footprint, yards, open spaces and landscaped areas, and any existing structures, easements and utilities;
 - E. A circulation plan drawn to a scale acceptable to the community development director illustrating all access points for the site, the size and location of all driveways, streets, and roads, with proposed width and outside turning radius, the location, size, and design of parking and loading areas, and existing and proposed pedestrian circulation system. If a project would generate more than one hundred average daily trips either based on the latest edition of the International Transportation Engineer's (ITE) Trip Generation Manual or evidence substantiated by a professional engineer licensed in the state of Washington with expertise in traffic engineering, a traffic impact study shall be submitted;
 - F. A preliminary drainage and stormwater runoff plan;
 - G. A utility plan;
 - H. A plot plan of all proposed landscaping including the treatment and materials used for open spaces, and the types of plants and screening to be used;
 - I. Typical building elevation and architectural style; and
 - J. An engineer estimate of costs for site improvements, both public and private.
- (Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2481 § 1 (Exh. A (part)), 2007: Ord. 2443 § 3 (Exh. A (part)), 2006)

18.18.060 Criteria for approval.

The city shall consider approval of the site plans with specific attention to the following:

- A. Compatibility with the city's comprehensive plan;
 - B. Compliance with all applicable design and development standards contained in this title and other applicable regulations;
 - C. Availability and accessibility of adequate public services such as roads, sanitary and storm sewer, and water to serve the site at the time development is to occur, unless otherwise provided for by the applicable regulations;
 - D. Adequate provisions are made for other public and private services and utilities, parks and trails (e.g., provide copies of private covenant documents);
 - E. Adequate provisions are made for maintenance of public utilities; and
 - F. All relevant statutory codes, regulations, ordinances and compliance with the same. The review and decision of the city shall be in accordance with the provisions of CMC Chapter 18.55 Administration and Procedures.
- (Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2481 (Exh. A (part)), 2007: Ord. 2443 § 3 (Exh. A (part)), 2006)

18.18.070 Improvements for residential development.

- A. Public. Prior to the issuance of a building permit for residential construction, all public improvements required to adequately service that portion of the plat for which the building permit will be issued shall be installed, or the developer shall provide financial surety acceptable to the city pursuant to CMC Section 17.21.050 Bonds and other financial agreements.
 - B. Private. Prior to issuance of final occupancy permits all public and private improvements shall be completed in accordance with CMC Section 17.21.070 Final acceptance.
- (Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2481 § 2 (Exh. A (part)), 2007)

18.18.080 Duration of approval.

Construction on the project must commence within twenty-four months from the date of final action by the city; otherwise, the approval of the project becomes null and void.

(Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2481 (Exh. A (part)), 2007: Ord. 2443 § 3 (Exh. A (part)), 2006)

18.18.090 Amendments to a site plan.

A. Minor site plan adjustments may be made and approved when a building permit is issued. Any such alteration must be approved by the community development director. Minor adjustments are those which may affect the precise dimensions or siting of building (i.e., lot coverage, height, setbacks) but which do not affect the basic character or arrangement and number of buildings approved in the plan, nor the density of the development or the amount and quality of open space and landscaping. Such dimensional adjustments shall not vary more than ten percent from the original, but shall not exceed the standards of the applicable district.

B. Major amendments are Type II permit applications and are processed in accordance with CMC Chapter 18.55 Administration and Procedures. Major amendments are those that substantially change the character, basic design, density, open space or other requirements and conditions of the site plan. When a change constitutes a major amendment, no building or other permit shall be issued without prior review and approval by the city.

(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2481 (Exh. A (part)), 2007; Ord. 2443 § 3 (Exh. A (part)), 2006)

Chapter 18.19 DESIGN REVIEW*

Sections:

18.19.010 Purpose.

18.19.020 Scope.

18.19.025 Scope of the downtown design manual (DDM).

18.19.030 Design review manual adopted.

18.19.035 Downtown design manual adopted.

18.19.040 Design review committee.

18.19.050 Design principles.

18.19.060 Guidelines.

18.19.070 Application requirements.

18.19.090 Deviations to design review guidelines.

18.19.100 Enforcement.

* Prior ordinance history: Ords. 2443 and 2515.

18.19.010 Purpose.

This chapter is intended to provide for orderly and quality development consistent with the design principles of the "Camas Design Review Manual: Gateways, Commercial, Mixed-Use and Multifamily Uses," hereafter referred to as design review manual (DRM) and the "Downtown design manual." The design review process is not intended to determine the appropriateness of a given use on a given parcel. The design review process is intended to produce a meaningful integration of building, landscaping and natural environment. This will protect the general health, safety, and welfare of the community by making efficient use of the land, which is consistent with the visual character and heritage of the community.

(Ord. 2518 § 1 (Exh. A (part)), 2008)

18.19.020 Scope.

Design review is required for all new commercial, mixed-use, or multifamily developments, redevelopment (including change in use, e.g., residential to commercial), or major rehabilitation (exterior changes requiring a building permit or other development permit). Commercial uses in the context of design review include both traditional uses listed as commercial under the zoning code as well as recreational, religious, cultural, educational, and governmental buildings and associated properties. Additionally, design review is applicable to all new developments or redevelopments within a gateway area as defined in the design review manual.

(Ord. 2518 § 1 (Exh. A (part)), 2008)

18.19.025 Scope of the downtown design manual (DDM).

The provisions of this manual shall be applied to public and private parcels located within the downtown commercial zone. The standards within the DDM supersede the general requirements of the DRM for parcels located within the downtown commercial zone.

(Ord. 2518 § 1 (Exh. A (part)), 2008)

18.19.030 Design review manual adopted.

The city's design standards are primarily contained in the design review manual, which was adopted by the city.

(Ord. 2518 § 1 (Exh. A (part)), 2008)

18.19.035 Downtown design manual adopted.

The city's design standards for the downtown commercial zone are contained in the manual, which is adopted by the city.

(Ord. 2518 § 1 (Exh. A (part)), 2008)

18.19.040 Design review committee.

A. The city council shall establish a seven-person design review committee (DRC) for the purposes of reviewing specific proposals, and recommending conditions and/or other actions necessary for consistency with the principles of the DRM. The DRC members serve at the pleasure of the city council. The DRC shall consist of six members appointed by the city council, including two from the development community, one council member, one planning commissioner, and two citizens at large. A seventh member shall be a neighborhood representative of the surrounding neighborhood to a specific proposal, or a United Camas Association of Neighborhoods member.

B. The DRC will hold a public meeting to consider a design review application when:

1. The city planner determines that the issues related to a specific proposal are complex enough to warrant a review by the DRC;
2. The proposal varies from the guidelines of the DRM; or
3. When an administrative decision on a design review application is appealed with no prior review by the DRC.

C. The DRC shall not issue a decision, but shall prepare a written recommendation, together with findings to support the recommendation, to the approval authority within ten days of a public meeting held for that purpose (RCW 36.70.020(5)).

(Ord. 2518 § 1 (Exh. A (part)), 2008)

18.19.050 Design principles.

The principles are mandatory and must be demonstrated to have been satisfied in overall intent in order for approval of a design review application to be granted. Standard principles are applied to all commercial, mixed use, or multifamily uses. Where applicable, the specific principles are used in addition to the standard principles.

A. Standard Principles.

1. Landscaping shall be done with a purpose. It shall be used as a tool to integrate the proposed development into the surrounding environment.
2. All attempts shall be made at minimizing the removal of significant natural features. Significant natural features shall be integrated into the overall site plan.
3. Buildings shall have a "finished" look. Any use of panelized materials shall be integrated into the development in a manner that achieves a seamless appearance.
4. A proposed development shall attempt to incorporate or enhance historic/heritage elements related to the specific site or surrounding area.

B. Specific Principles.

1. Gateways.

- a. Gateways shall be devoid of freestanding signs. Preexisting freestanding signs will be subject to removal at the time of any new development, redevelopment, or major rehabilitation on the site. Exemptions include approved directional or community information signage as approved by the city.
- b. Business signage not placed on buildings shall be integrated into the landscaping/streetscaping of the subject property.
- c. Permanent signage within a gateway shall be standardized in a manner that creates a consistent look within the gateway in question.
- d. The surface of pedestrian walkways within intersections shall be accentuated with a unique character.
- e. A consistent streetscape lighting scheme shall be used.

2. Commercial and Mixed Uses.

- a. On-site parking areas shall be placed to the interior of the development unless site development proves prohibitive. All on-site parking areas along adjacent roadways shall be screened with landscaping. Downtown commercial and mixed-use areas shall not be required to provide on-site parking.
- b. Buildings shall be used to define the streetscape unless site conditions prove prohibitive.
- c. Structures abutting, located in, or located near less intensive uses or zoned areas (such as commercial developments next to residential areas) shall be designed to mitigate size and scale differences.
- d. Developments containing a multiple of uses/activities shall integrate each use/activity in a manner that achieves a seamless appearance, or creates a cohesive development.
- e. Mixed-use developments that place uses throughout the site (horizontal development) shall organize elements in a manner that minimizes their impact on adjacent lower intensity uses.
- f. Walls shall be broken up to avoid a blank look and to provide a sense of scale.
- g. Outdoor lighting shall not be directed off-site.

3. Multifamily.

a. Stacked Housing.

- i. All on-site parking areas shall be screened with landscaping. Parking spaces shall be clustered in small groups of no more than six to ten spaces.
- ii. Stacked houses abutting or located in single-family residentially zoned areas shall be designed to mitigate size and scale differences.
- iii. Walls shall be articulated in order to avoid a blank look and to provide a sense of scale.
- iv. Detached garages shall be located to the rear of stacked unit(s) so as not to be directly viewable from a public street.
- v. Attached garages shall account for less than fifty percent of the front face of the structure. Garages visible from the street shall be articulated by architectural features, such as windows, to avoid a blank look.

b. Townhomes and Rowhouses.

- i. All on-site parking areas (excluding driveways and garages) shall be screened with landscaping.
- ii. Buildings shall be used to define the streetscape unless site conditions prove prohibitive.
- iii. When appropriate, structures abutting or located in single-family residentially zoned areas shall be designed to mitigate size and scale differences.
- iv. Walls shall be articulated in order to avoid a blank look and to provide a sense of scale.
- v. Detached garages shall be located to the rear of the townhouse or rowhouse unit(s) so as not to be directly viewable from a public street.
- vi. Attached garages shall account for less than fifty percent of the front face of the structure. Garages visible from the street shall be articulated by architectural features, such as windows, to avoid a blank look.

c. Duplex, Triplex and Four-Plex.

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

(Ord. 2518 § 1 (Exh. A (part)), 2008)

18.19.060 Guidelines.

A. The guidelines include five major categories:

1. Landscaping and screening;
2. Architecture;
3. Massing and setbacks;
4. Historic and heritage preservation; and
5. Circulation and connections.

B. Each of the major guidelines include subcategories. Compliance with the guideline categories and subcategories demonstrate compliance with the principles. However, not every guideline may be deemed applicable, and therefore required, by the approval authority. Additionally, the approval authority may approve a variance from one or more guidelines, provided the overall intent of the principles is satisfied.

C. A copy of the design manual is on file with the department of planning.
(Ord. 2518 § 1 (Exh. A (part)), 2008)

18.19.070 Application requirements.

Application for design review shall be submitted on the most current forms provided by, and in a manner set forth by the community development director or designee. The application shall include such drawings, sketches, and narrative as to allow the approval authority review of the specific project on the merits of the city's design review manual and other applicable city codes. An application shall not be deemed complete unless all information requested is provided.

(Ord. 2518 § 1 (Exh. A (part)), 2008)

18.19.090 Deviations to design review guidelines.

A design review application that includes a deviation from any of the five major guidelines of the DRM shall be subject to review and recommendations from the design review committee. The DRC shall base its recommendation upon findings setting forth and showing that all of the following circumstances exist:

- A. Special conditions or circumstances exist which render a specific requirement of the DRM unreasonable, given the location and intended use of the proposed development;
- B. The special conditions and circumstances are characteristic of the proposed general use of the site, and not of a specific tenant;
- C. The specific conditions and circumstances are not representative of typical development which may be allowed within the zoning district;
- D. The requested deviation is based upon functional consideration rather than economic hardship, personal convenience or personal design preferences;
- E. Variation from a guideline(s) has sufficiently been compensated by other site amenities; and
- F. The requested deviation will not result in a project that is inconsistent with the intent and general scope of the DRM principles.

(Ord. 2518 § 1 (Exh. A (part)), 2008)

18.19.100 Enforcement.

Failure to comply with the requirements of this chapter, or a decision resulting from this chapter are enforceable under Article VIII of CMC Chapter 18.55 Administration and Procedures.

(Ord. 2518 § 1 (Exh. A (part)), 2008)

Chapter 18.20 NORTH DWYER CREEK RESIDENTIAL OVERLAY AND PLANNED INDUSTRIAL DEVELOPMENT OVERLAYS

Sections:

18.20.010 North Dwyer Creek residential overlay--Purpose.

18.20.020 North Dwyer Creek residential overlay--Applicability.

18.20.030 North Dwyer Creek residential overlay--Standards.

18.20.035 Supplemental use and performance standards for specific areas of the North Dwyer Creek subarea.

18.20.040 Establishing a planned industrial development.

18.20.050 PID--Application requirements.

18.20.060 PID--Establishment of a design team.

18.20.070 Review of PID by design committee.

18.20.080 PID--Use authorization.

18.20.090 PID--Use limitations.

18.20.100 Lot area and dimensional requirements.

18.20.110 Development plan--General requirements.

18.20.120 Criteria for preliminary development plan approval.

18.20.010 North Dwyer Creek residential overlay--Purpose.

The purpose of the North Dwyer Creek residential overlay is to encourage appropriate development of the residential portion of the North Dwyer Creek master plan area. The North Dwyer Creek master plan, a subarea plan of the city of Camas 1994 comprehensive plan, designates the residential portion of the planning area for single-family residential medium, and the zoning as R-10 (one dwelling unit per ten thousand square feet). Without a special overlay, the existing small-lot configuration and critical areas constrain development at the targeted density of R-10. The overlay allows more flexible residential development through "clustering" smaller lots on constrained sites, leaving the constrained areas as open space.

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

18.20.020 North Dwyer Creek residential overlay--Applicability.

The residential overlay zone applies to the area zoned R-10 within the North Dwyer Creek subarea as shown on "The Map of the Zoning Ordinance of the City of Camas 2001."

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

18.20.030 North Dwyer Creek residential overlay--Standards.

A. Residential subdivisions in the master plan area can only be approved in accordance with the following criteria:

1. Subdivisions in the overlay area that contain new lots under ten thousand square feet shall provide evidence of the existence of sensitive lands such as steep slopes, unstable land, historical or archaeological sites, wetlands, and wetland buffers on the parent parcel.
2. Permissible uses within the R-10 zone shall include single-family detached dwellings.
3. The maximum density will be determined by the following formula: gross square footage of the site divided by ten thousand square feet.
4. The minimum lot size for new lots shall be five thousand square feet.
5. Where lots are ten thousand square feet or larger, lot dimensions are the same as for the R-10 district. For lots smaller than ten thousand square feet, the minimum width is fifty feet, and the minimum depth is eighty feet.

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

18.20.035 Supplemental use and performance standards for specific areas of the North Dwyer Creek subarea.

It is the intent of the following use and performance standards to identify and encourage broader market opportunities and diverse community needs in specific areas of the North Dwyer Creek subarea. It is further the intent to provide a balance of housing and employment opportunities in these specific areas, and to limit the nonresidential uses, thereby providing for smaller scale commercial, retail, service, and office developments.

A. Specific Areas Designated. There are designated two specific mixed-use overlays of the North Dwyer Creek subarea. These areas shall be shown on the zoning plan map, and will be known as North Dwyer Creek residential mixed use (NDC RMXD), and North Dwyer Creek employment mixed use (NDC EMXD). The uses identified herein are in addition to the use regulations currently provided for in the LI/BP zone and the subarea plan.

B. Use Standards.

1. North Dwyer Creek Residential Mixed Use (NDC RMXD). Due to limited access and the surrounding natural environment, this area shall develop primarily with attached residential units, with no less than ninety-five and no more than two hundred dwelling units. Between ten and twenty-five percent of secondary LI/BP uses are allowed, provided that the use(s) are supportive of the residential uses.

Secondary uses such as recreational uses, home business occupational uses, and day care facilities shall be allowed so long as they are compatible with the surrounding residential uses and natural environment.

2. North Dwyer Creek Employment Mixed Use (NDC EMXD). This area is intended to meet both the community's employment and housing needs consistent with the city's comprehensive plan goals and policies. No more than fifty percent of the area shall be developed for housing, at a minimum density of ten units per net acre and at a maximum of twenty-four units per net acre. No residential development will be allowed in stand-alone buildings or on the ground floor of mixed-use buildings along Camas Meadows Drive. Ground floor residential development in mixed-use buildings is permitted in areas not fronting Camas Meadows Drive. The residential component of a development shall occur concurrent with or after the employment component of the development. The balance may be either primary LI/BP uses, or a combination of primary and secondary LI/BP uses, provided that the cumulative of all secondary commercial development on-site has a maximum floor area equal to twenty-five percent of the gross floor area of all the uses. The employment portion of the development shall provide a comparable number of employment opportunities per developable acre of employment area as would have occurred under the LI/BP base zone.

C. Performance Standards for North Dwyer Creek Mixed Use Overlays. Except as otherwise provided above, a development proposal in these areas shall comply with the following standards:

1. All development must be master planned; and such master plan shall specifically address utilities, transportation, landscaping, lighting, signage, setbacks, critical areas, and other factors materially affecting the development and the surrounding area provided, however, that nothing in this provision shall be construed as allowing greater impact to critical areas than would otherwise be allowed under this code.

2. All residential shall be multifamily or single-family attached.

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

18.20.040 Establishing a planned industrial development.

As provided in CMC Chapter 18.21 Light Industrial/Business Park, a planned industrial development (PID) may be established in the LI/BP zone, subject to the establishment of a final development plan approved pursuant to the procedures for a binding site plan found in CMC Chapter 17.15 Binding Site Plan, processed in accordance with the procedures under CMC Chapter 18.55 Administration and Procedures, for a Type III project permit application, and consistent with the provisions of this chapter and other applicable sections of the Camas Municipal Code. The intent of the PID is to establish a development plan for the specific area that establishes:

A. The specific type of uses that may occur consistent with this chapter;

B. An overall landscape design for common areas and open spaces;

C. An architectural style for consistency of development within the PID, and compatible with the surrounding uses;

D. Road, vehicular, and pedestrian access improvements for the PID addressing connectivity, and consistent with the comprehensive plan or other transportation plans;

E. Establishes minimum lot sizes for new lots with the PID, consistent with this chapter;

F. Establishes setbacks and site development limitations regarding bulk, lot area requirements, and other standards.

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

18.20.050 PID--Application requirements.

Application for a planned industrial development shall be submitted on forms provided and in a manner set forth by the planning manager. The application shall include such drawings, sketches and narrative as to allow the planning commission and city council review of the proposal on the merits of the applicable city code.

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

18.20.060 PID--Establishment of a design team.

Because of the special nature of a PID, the expertise of qualified and licensed professionals, working as a team, is required for the planning, development, and construction of any PID to ensure fulfillment of the purposes and objectives of CMC Chapter 18.21 Light Industrial/Business Park and this chapter.

A. The design team shall include, at a minimum, an architect, and/or a landscape architect, and/or a civil engineer. The architect and civil engineer shall be registered to practice in the state of Washington.

B. One of the above professionals shall be designated by the applicant to be responsible for submitting materials to, and communicating with the planning department with respect to the concept and details of the development plan. This designated professional shall act as a liaison between the planning department, the design team, and the applicant. The selection of this liaison shall not prevent the applicant or any member of the design team from conferring with the planning staff or presenting material to the planning commission and/or city council. The planning commission or city council may require that the expertise of other professionals be used in the planning and development of the PID, if it is determined that the site merits special consideration due to particularly unusual or adverse features or conditions.

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

18.20.070 Review of PID by design committee.

A complete application for a preliminary PID and plan shall be submitted to a design committee, prior to the planning commission, for review. Such committee shall include, at a minimum, one member from the planning commission, one member from the city council, planning staff, and any other qualified professional(s) the committee deems necessary for each individual application. The committee shall review each application for compliance with the objectives and standards contained in this chapter and applicable sections of the Camas Municipal Code, and shall make recommendations to the planning commission for its consideration.

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

18.20.080 PID--Use authorization.

Based upon a development plan approved by the city, the following uses may be permitted in the PID overlay:

A. Primary and secondary permitted uses in the LI/BP zone, as listed in CMC Section 18.07.030 Table 1, subject to the conditions and performance standards as required. As part of the PID approval, the city council may further specify what uses listed under CMC Section 18.07.030 Table 1 (LI/BP) may be allowed outright, subject to additional review, or prohibited.

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

18.20.090 PID--Use limitations.

Under no conditions shall the amount of the land designated for commercial use within the PID exceed twenty-five percent of the gross developed area within the PID, nor shall secondary uses be allowed to solely be established on parcels greater than five acres in size.

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

18.20.100 Lot area and dimensional requirements.

A. Minimum Area. The minimum area for a development within the PID overlay shall be two acres of contiguous land. The city council may allow development in the PID overlay on a site smaller than two acres, if findings can be made to satisfy the following criteria:

1. The size, configuration, and physical characteristics of the site are suitable for the innovative, high quality design called for in a PID;
2. There is evidence that specific limitations or constraints of the site could hinder or prevent its development for industrial purposes in accordance with the LI/BP zone.

B. Minimum Setback and Access Requirements.

1. Required setback restrictions contained in CMC Section 18.09.030 Table 1 may be reduced for a development in the PID overlay, provided that the intent and objectives of CMC Section 18.21.010 of this chapter are complied within the total development plan as determined by the city council. Building separation shall be maintained in accordance with requirements of the International Fire Code and other safety codes of the city, and in accordance with good design principles.

2. Every industrial or commercial building shall have access to a public and/or private street and/or walkway in compliance with ADA requirements.

3. Perimeter Requirements. If topographical or other barriers within the development do not provide reasonable privacy for existing nonindustrial uses adjacent to the development, the city shall impose either of the following requirements, or both:

a. Structures located on the perimeter of the development must be set back in accordance with the provisions of the LI/BP zone;

b. Structures located on the perimeter of the development must be screened in a manner approved by the city.

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

18.20.110 Development plan--General requirements.

In addition to any requirements identified by the community development director, a proposed development plan shall include the following:

A. Circulation Plan. A comprehensive and detailed vehicular and pedestrian plan, including public transit services, shall be provided as part of the PID application, and shall be approved by the city council. The circulation plan shall include the following:

1. Public and private vehicular access to and from adjacent streets;
2. Methods of adequately separating vehicular and pedestrian circulation patterns;
3. Pedestrian access patterns to various pedestrian-oriented areas of the development overlay from parking areas and public transit stops or terminals, if any; and
4. Separation of service and delivery areas for customer and employee parking areas, as well as from other vehicular and pedestrian circulation patterns.

B. Common Landscaped Areas. For purposes of creating common areas, landscaped areas shall be configured, where possible, to be contiguous to adjacent landscaped areas. Such landscaped areas shall be clearly shown on the preliminary plan, shall be physically situated so as to be readily accessible, available to, and usable by all occupants of the development; and such landscaped areas shall be maintained by the occupants of the development in accordance with CMC Chapter 18.13 Landscaping, and Section 18.21.070 of this title.

C. Recycling and Trash Receptacle Areas. All industries and businesses established within the city shall provide an adequately sized recycling and trash storage area designed to accommodate all recycling and trash generated by the same industry or business. All recycling and trash storage areas shall be screened from public view, using either a six-foot nontransparent wooden fence, masonry wall, or other appropriate means approved by the community development director or designee, and shall be accessible to recycling and trash collection vehicles.

D. Architectural Design. Within a PID overlay, all buildings, structures, and other architectural features shall be of compatible architectural design, materials, and appearance, including signage, throughout, so as to give a unified appearance to the development therein. An application for a PID shall specify the

general architectural design, materials, and appearance, and signage design which will be binding on future development within the PID.

E. Utilities. A development within a PID overlay shall provide for underground installation of utilities, including electrical distribution lines, in public ways, private easements, and extensions thereof. Utility installation and maintenance of facilities shall be in accordance with requirements and regulations of the appropriate public and/or private utility, and shown on the development plan.

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

18.20.120 Criteria for preliminary development plan approval.

A preliminary development plan for a PID may be authorized if findings are made that each of the following criteria is satisfied:

A. Public facilities serving the proposed development, including but not limited to, sanitary sewers, water, streets, storm sewers, electrical power facilities, parks, public safety, and schools shall be adequate and meet current city standards; or it is guaranteed that inadequate or nonexistent public facilities will be upgraded or constructed to meet current city standards by the applicant prior to occupancy of the project.

B. The impact of the proposed development on public facilities shall not exceed the impact anticipated for the site in the formulation of the public facilities master plans contained in the comprehensive plan.

C. The proposal shall provide adequate open space, landscaping, and design features to minimize significant adverse effects on adjacent properties and uses.

D. The location, shape, size, and character of common open space areas shall be suitable and appropriate to the scale and character of the project, considering its size, density, expected population, topography, and the number, type, and location of buildings to be provided.

E. The proposed development shall not result in creation of any nuisance, including but not limited to air, land, or water degradation, noise, glare, heat, vibration, or other conditions which may be injurious to public health, safety, and welfare.

F. The proposal shall meet the intent and objectives for a PID as expressed in Section 18.21.110 Planned industrial development overlay, of this title.

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

Chapter 18.21 LIGHT INDUSTRIAL/ BUSINESS PARK

Sections:

18.21.010 Purpose.

18.21.020 Primary uses.

18.21.030 Secondary uses.

18.21.040 Development application.

18.21.050 Development standards.

18.21.060 Site development criteria.

18.21.070 Landscaping standards.

18.21.080 Building design.

18.21.090 Deviations.

18.21.100 Amendments and minor adjustments.

18.21.110 Planned industrial development overlay--Creation, purpose.

18.21.010 Purpose.

The Light Industrial/Business Park (LI/BP) district is intended to provide for employment growth in the city by protecting industrial areas for future light industrial development. Design of light industrial facilities in this district will be "campus-style," with ample landscaping, effective buffers, and architectural features compatible with, and not offensive to, surrounding uses. Commercial development in the LI/BP district is limited to those uses necessary to primarily serve the needs of the surrounding industrial area, and is restricted in size to discourage conversion of developable industrial land to commercial uses.

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

18.21.020 Primary uses.

Primary uses in the LI/BP district are those listed as permitted under Section 18.07.030 Table 1 of this title, and not identified as a secondary permitted use. Primary uses under this chapter are processed as a Type III decision pursuant to CMC Chapter 18.55 Administration and Procedures of this title.

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

18.21.030 Secondary uses.

Commercial development listed as a secondary permitted use under Section 18.07.030 Table 1 of this title may be allowed, subject upon findings that the applicable provisions of this chapter are met. Secondary uses under this chapter are processed as a Type III decision pursuant to CMC Chapter 18.55

Administration and Procedures of this title.

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

18.21.040 Development application.

Any person desiring to establish or significantly modify a primary or secondary use on land zoned LI/BP shall submit an application in the manner and form required by the community development director, and shall address the applicable provisions of this chapter.

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

18.21.050 Development standards.

A. Definitions.

"Maximum building height" means the midpoint of the exterior wall having the greatest change in elevation, to the highest point of the roof or mechanical screen.

"Maximum floor area ratio" means the maximum permitted ratio of the gross square footage of a building or buildings on a parcel, to the total parcel area. The gross square footage of a building or buildings shall be the sum of the area of each floor measured horizontally to the outside faces of the exterior walls.

Parcels containing more than one building shall have a maximum floor area ratio based upon the average of all buildings.

"Minimum parking ratio" means the minimum permitted ratio of the number of parking spaces on a parcel, to the gross square footage of a building or buildings on a parcel.

B. Maximum floor area ratios are applicable to the lot coverage requirement set forth in Table 18.09.030 Table 1.

C. Setbacks. Setbacks shall be as set forth in Section 18.09.030 Table 1.

1. Setbacks may be reduced by the approval authority based on-site or development constraints such as wetlands, topography, or the amount of cut and fill required.

2. On corner parcels (parcels bordered by two or more streets), there shall be one front yard established, and the remaining sides shall be side yards. The minimum setbacks shall follow the front and side requirements.

D. Parking. Parking shall be provided as per CMC Chapter 18.11 Parking of this title.

E. Signs. Signage shall be as provided in CMC Chapter 18.15 Signs of this title, or as provided in a development specific signage program proposed by an applicant and approved as part of the conditional use permit for the use.

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

18.21.060 Site development criteria.

A. Site improvements are to be designed to result in a natural appearance that will blend with surroundings and be compatible with neighboring developments.

B. Grading and Drainage. Site grading and drainage are to be designed by a Washington licensed civil engineer. Grading and slopes are to be compatible with landscaping materials, shall not permit erosion,

and shall minimize use of retaining walls to control slopes. Plans submitted for building permits shall include a construction phase mitigating procedure to control temporary situation runoff, erosion, sedimentation, or other objectionable effects.

C. Traffic and Parking.

1. All traffic and parking areas shall be paved with asphaltic concrete or portland cement concrete in conformance with approved design standards. The perimeter of all paving areas or landscaped areas shall have portland cement concrete curbs throughout.

2. No public parking is to be allowed on public streets within this zone.

3. All loading areas within parking areas shall be located to minimize viewing from adjacent properties and roadways. They shall be screened from horizontal view with the use of dense landscaping, mounds, view screen fencing, or other approved means.

4. Truck docks and loading areas are not permitted on the front elevation of the property, and are to be screened from the front view if located within the side yards.

D. Refuse/Storage. Refuse areas and service/storage areas are to be located under cover.

E. Utilities. All utility service lines are to be located underground. All pad-mounted equipment and other visible utility and service equipment are to be carefully located to minimize appearance, and shall be appropriately screened consistent with required access and safety requirements.

F. Fencing. Perimeter fencing shall be so constructed as to minimize visual impact. Walls or fences separating adjoining parcels may be located at the property line. No wall or fence taller than three feet shall be placed within the landscape setbacks along side or rear lot lines, and no wall or fence exceeding three feet in height shall be located on the property, except for security fencing. Security fencing shall blend into, and be compatible with landscaping. Fencing shall have earth tone colors of brown, tan, gray, or green. Walls shall be constructed of materials compatible with the building architecture.

G. Lighting. Site and building lighting shall be designed to minimize glare or objectionable effects to the adjacent properties. Residential neighborhoods are of particular concern. Site-lighting poles shall not exceed twenty feet in height and shall direct the light downward. Lighting sources viewed from above or below on adjacent property shall be shielded. Building lighting is to be concealed and indirect. Lighting in service areas is to be contained to conceal visibility of light sources from street and adjacent property. Site lighting is to be designed to provide uniform distribution, and the light levels shall be adequate for reasonable security and safety on the premises.

H. Primary Uses. All primary uses permitted in the LI/BP district shall have no negative or undesirable atmospheric or environmental impacts. All such primary uses shall be developed in a campus-type setting featuring landscaping, off-street parking, architectural designs tending to minimize the industrial nature of the development, buffers between other uses, and such other amenities as are consistent with a campus setting.

I. Secondary Uses. All secondary commercial uses are subject to the following:

1. The commercial use is demonstrated to be clearly subordinate to industrial uses in the vicinity, and will primarily serve the daily retail and service needs of the surrounding industrial area.

2. On parcels over ten acres, secondary commercial uses shall be subordinate to primary uses on the parcel, and the cumulative gross floor area of all secondary commercial development on-site has a maximum floor area equal to twenty-five percent of the gross floor area of the primary uses.

3. Proof demonstrating the need for such use to serve other existing uses within the LI/BP district.

4. The development satisfies the parking, design and other development standards identified in this chapter.

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

18.21.070 Landscaping standards.

In addition to the landscaping requirements of CMC Chapter 18.13 Landscaping of this title, all proposed development in this zone shall generally comply with the following standards. Variations may be authorized by the approval authority where reasonable factors such as topography, other site constraints, or proposed improvements offset the need for strict compliance.

- A. The entire street frontage will receive street trees/landscaping that will create a unifying effect throughout the area. Tree groupings shall be located for interest and variety. Plantings shall conform to the approved selection list available from the city, if available.
- B. Entry areas and driveways shall be landscaped to create a feeling of identification and continuity of plant materials related to the foundation plantings around the buildings and parking areas. The entry areas shall be landscaped for a minimum distance of fifty feet on either side of the curb breaks, and landscaped a minimum of twenty-five feet in width on either side of drives for their full length. Long drives would benefit from landscaped divider islands ten to fifteen feet wide.
- C. Temporary parking areas shall have twenty-five feet of landscaping at all perimeters. Permanent parking areas are to have horizontal sight screening from streets and adjacent properties, and shall have fifty feet of landscaping on street sides, and twenty-five feet of landscape otherwise.
- D. A fifty-foot minimum landscaped planting strip shall be required adjacent to building facades facing any street, and a twenty-five foot minimum planting strip shall be required elsewhere. Curvilinear design is encouraged to create interest and variety.
- E. Areas used for storage, loading, etc., which would make landscaping inappropriate or superfluous will not require landscaping. Those areas have their own requirements for screening. Walls and fences that extend out from the main structure for purposes of screening shall also have a minimum of twenty-five feet of landscape strip adjacent to the exterior facing side of the wall.
- F. Site development plans shall be submitted showing the final intended, maximum development. Areas reserved for future expansion beyond the foundation planting described above may be allowed to remain natural growth native to the area, but shall be maintained in conformance with local requirements for fire control. Areas between any wall of a building and any street may be landscaped or maintained to create an appearance of a controlled natural state. Native species of plants should be maintained where possible.
- G. Large site areas that are intended to remain undeveloped shall be improved with landscape materials that relate to the natural environment and the particular site. Tree clusters, mounding and native undergrowth, combined with employee recreational uses should result in an esthetically pleasing effect.
- H. Large, more mature plant materials are encouraged to ensure that some immediate effect on the project's appearance will be attained within two years of planting. The following minimum sizes and spacing are recommended for plant materials at time of installation. Exceptions can be made to these standards when areas are not visible to the general public, and installation and maintenance specifications insure successful establishment of introduced plantings.
- I. Notwithstanding Section 18.13.050(G) and (H), street trees shall have a minimum caliper size of two inches. Trees located along drives and in the street side of planting areas adjacent to parking areas or buildings shall have a minimum caliper size of one and one-half inches. Trees located elsewhere are to have a minimum caliper size of one inch and equivalent to a fifteen-gallon container size.
- J. Shrubs should be a minimum of five-gallon pot size, and upright shrubs should have a minimum height of eighteen inches, with a minimum spread of eighteen inches. Spreading shrubs should have a minimum of eighteen to twenty-four inches. Smaller shrub sizes may be approved where it is more appropriate within the particular landscape plan.
- K. Ground covers planted from flats should have a maximum spacing of twelve inches on center or, when planted from one gallon cans, a maximum spacing of twenty-four inches on center.
- L. Preservation of existing stands of mature, native, and naturalized vegetation should be a primary goal in site plan development and site preparation. Special techniques, such as fencing, should be used to protect trees from grading and other construction period activities. A tree protection program should be submitted for projects in areas with substantial amounts of existing tree growth.
- M. Earth berms are convenient devices for providing variation in the ground plane, and for screening interior portions of the site. Care must be taken in their construction to avoid creating an artificial appearing landscape. The bermed areas should be as long, as gradual, and as graceful as space will allow, and should have a minimum height above surrounding grade of three feet. Maximum slopes for bermed areas should be three is to one for turf areas, and two is to one for groundcover areas. Earth berms shall

comply with vision clearance standards in CMC Chapter 18.17 Supplemental Development Standards of this title.

N. All landscaped areas shall have an automated irrigation system to insure that plantings are adequately watered. Irrigation systems shall be designed to minimize water runoff onto sidewalks or streets.

O. Large land parcels may be developed in phases over time, resulting in large areas that will not justify final landscaping installation of portion(s) of the parcel, commensurate with the proposed development in the early phase(s).

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

18.21.080 Building design.

A. All structures should be designed to be harmonious with the local setting and with neighboring developments, while contributing to the overall architectural character of the area. The building design should appear as an integrated part of the design concept. All facilities should be designed by a Washington licensed architect, and reflect a high standard of architectural design. Buildings should be either reinforced concrete and steel, masonry, or wood frame construction. Prefabricated metal buildings or sheet metal-sided structures are not permitted, unless an exception is made by the staff review, based upon meritorious design.

B. Building design should consider existing views and vistas from the site and from adjacent roadways; solar orientation; orientation toward major streets and thoroughfares; vehicular and pedestrian flow patterns; the character of neighboring development; expression of the facilities functional organization and individual character; and the satisfaction of the physical, psychological, social, and functional needs of facility users.

C. Design features that can contribute to the design character of a project include entrance drives, enhanced visitor parking areas, highlighted visitor entrances and entry plazas, decorative pedestrian plazas and walkways, focal landscape treatments and site sculptures, employee lunch areas (with amenities such as outdoor seating, garden areas, etc.), atriums and interior courts, dynamic building and roof forms, distinctive window patterns, shade and shadow patterns, surface treatments, and accent lighting and landscaping.

D. Long, straight building facades are generally uninviting and visually uninteresting. Building setbacks shall be varied, and all facades articulated to add visual variety, distinctiveness, and human scale. Space created by the varied setbacks of the building facades can accommodate landscaping and pedestrian/employee areas that contribute visual interest.

E. Exterior building colors shall be compatible with the surrounding man-made and natural environments, and not in competition with surrounding elements for attention (i.e., building color should not, in any way, become signing for the site). Generally, building colors should be subdued. Primary colors or other bright colors should generally be used only as accents to enliven the architecture. Repetition and overuse of a single approach to the use of color, such as horizontal stripes/bands, can result in the treatment losing its effectiveness. Brighter, more distinctive color palettes may be approved by the city design review, based upon meritorious design.

F. Reflective glass is not permitted for windows.

G. Roof-mounted equipment that is visible from adjacent, elevated property should be painted a compatible color with the roof screen.

H. All rooftop or outdoor mechanical equipment shall be fully screened from public view in a manner which is architecturally integrated with the structure. Screening shall be constructed to a finished standard using materials and finishes consistent with the rest of the building. Building designs should consider potential visibility of equipment from elevated rights-of-way or adjoining property.

I. All vents, flues, or other protrusions through the roof, less than sixteen inches in diameter need not be screened from view, but must be painted or treated to blend with the color of the background. All such vents, flues, or other protrusions through the roof, more than sixteen inches in diameter shall be considered mechanical equipment and shall be screened from view.

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

18.21.090 Deviations.

Whenever there are practical difficulties that result from peculiarities of specific property which make it difficult to implement the standards and requirements of the LI/BP zone, the approval authority shall have the authority, as part of the review process, to grant a deviation from strict compliance with specific standards or requirements. Such deviation may alter the literal enforcement of any standard, requirement, or regulation of the LI/BP zone, so long as such deviation is not inconsistent with the purpose of the LI/BP zone, and does not adversely impact the public health, safety, and welfare. Any such deviation so granted shall be specifically identified in the approval authority decision of a development application. (Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.21.100 Amendments and minor adjustments.

Approval of the application for a development within the LI/BP district shall be binding on the applicant, his heirs, successors and assigns, and any changes in the approved application are subject to the following provisions relating to minor adjustments and amendment of the approved application:

- A. Minor Adjustments. Inherent in flexible zones is the need to provide for minor adjustment in the size, shape, location, and elevation of structures, the patterns for traffic ingress and egress, the parking lot configurations, the landscaping and buffers, and the other matters approved in the developer's application. The community development director has discretion to approve those minor adjustments that do not significantly or materially alter the application as approved by the approval authority.
- B. Amendment of Approved Application. Any change in the approved application that would materially or significantly impact traffic patterns, water requirements, production of waste products, volumes and kinds of stored chemicals and gases, atmospheric emissions, solid waste volumes, expected employment levels, or other matters approved in the application must be reviewed by the approval authority and recorded in the minutes of the hearing. Upon approval of such changes by the approval authority, the approved application shall be considered amended to that extent.
- C. Unauthorized Changes. Unauthorized changes or substantial deviations from the approved application may be subject to a stop work order by the city. If not corrected, this will result in the refusal to issue any occupancy permits until the development is brought into conformance with the approved application. (Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.21.110 Planned industrial development overlay--Creation, purpose.

There is created under this chapter the planned industrial development (PID) overlay. The PID overlay is intended to accommodate creative and imaginative small industrial development based on an approved comprehensive development plan for the site, which is designed to insure compatibility between the industrial operations therein, and the existing conditions of the surrounding area.

In order to accomplish this purpose, it is the intent of these overlay regulations to:

- A. Permit a PID to be established within the LI/BP zone after approval of final plans as set forth in CMC Chapter 18.20 North Dwyer Creek Residential Overlay of this title;
- B. To allow the use of those innovations in the technology of land development which are in the best interest of the city; and
- C. To encourage industrial development on existing smaller industrial lots in areas B and C in the North Dwyer Creek area as identified in the North Dwyer Creek master plan.

A plan approved pursuant to the provisions of the PID overlay zone shall constitute a binding site plan, and shall allow for the division of land as an alternative to subdivision and short subdivision approval. (Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

Chapter 18.22 MIXED USE PLANNED DEVELOPMENTS (MXPDP)*

***Editor's note:** Ord. No. 2545, § III, adopted May 4, 2009, amended the title of Ch. 18.22 to read as herein set out. Subsequently, Ord. No. 2547, § IX(Exh. F), adopted May 18, 2009, amended Ch. 18.22, in its entirety, to read as herein set out. See also the Code Comparative Table and Disposition List.

Sections:

18.22.010 Purpose.

18.22.020 Applicability.

18.22.030 Definitions.

18.22.040 Allowed uses.

18.22.050 Required mix of uses.

18.22.060 Process.

18.22.070 Criteria for master plan approval.

18.22.080 Landscape requirements and buffering standards.

18.22.090 Transition design criteria.

18.22.100 Incentives.

18.22.010 Purpose.

The city recognizes that opportunities for employment may be increased through the development of master-planned, mixed-use areas. Consistent with this, the city has created the mixed-use planned development zone (MXPDP) to provide for a mix of compatible light industrial, service, office, retail, and residential uses. Standards for development in the mixed-use planned development zone are intended to achieve a pedestrian friendly, active, and interconnected environment with a diversity of uses.

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

(Ord. No. 2547, § IX(Exh. F), 5-18-2009)

18.22.020 Applicability.

The provisions of this chapter shall apply to parcels designated with MXPDP zoning.

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

(Ord. No. 2547, § IX(Exh. F), 5-18-2009)

18.22.030 Definitions.

In addition to those definitions listed in CMC Chapter 18.03, the following definitions shall also apply to this chapter:

"Development agreement" means a binding agreement between the city and a developer relative to a specific project and piece of property. The agreement may specify and further delineate, and may include, but is not limited to, development standards; vesting; development timelines; uses and use restrictions; integration within or outside of the subject development; construction of transportation, sewer and water facilities; and allocation of capacity for transportation, sewer and water facilities. The agreement shall clearly indicate the mix of uses and shall provide a general phasing schedule, as reviewed and approved by city council, so as to ensure that the commencement of construction of the commercial, industrial, and/or office uses occur within a reasonable time frame of the construction of the overall project.

Amendments to an approved development agreement may only occur with the approval of the city council and the developer or its successor(s).

"Master plan" as used in this chapter a master plan means a proposal for development that describes and illustrates the proposed project's physical layout; its uses; the conceptual location, size and capacity of the urban service infrastructure necessary to serve it; its provision for open spaces, landscaping, trails or other public or common amenities; its proposed building orientation; its internal transportation and pedestrian circulation plan; and the integration of utility, transportation, and pedestrian aspects of the project with surrounding properties.

"Site plan" means a detailed drawing to scale, accurately depicting all proposed buildings, parking, landscaping, streets, sidewalks, utility easement, stormwater facilities, wetlands or streams and their buffers, and open space areas.

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

(Ord. No. 2547, § IX(Exh. F), 5-18-2009)

18.22.040 Allowed uses.

A. The mix of uses may include residential, commercial, retail, office, light industrial, public facilities, open space, wetland banks, parks, and schools, in stand alone or in multi-use buildings.

B. Residential uses are allowed either:

1. In buildings with ground floor retail shops or offices below the residential units; or

2. As single-family attached units, as provided for in Section 18.22.070(A) of this chapter.

C. Commercial and retail uses are permitted, but not required, on the ground floor of multi-use buildings throughout this district.

D. Uses as authorized under CMC Section 18.07.030 Table 1 for Community Commercial.

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

(Ord. No. 2547, § IX(Exh. F), 5-18-2009)

18.22.050 Required mix of uses.

The master plan must provide a mix of uses. No single use shall comprise less than twenty-five percent of the development area (i.e., residential, commercial, industrial), and no more than fifty percent of the net acreage of the master plan shall be residential that is not otherwise contained within a mixed-use building.

The remaining master plan may be a mix of employment uses as allowed in Section 18.22.040 of this chapter. The minimum use percentage shall not apply to public facilities, schools, parks, wetland banks, or open space.

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

(Ord. No. 2547, § IX(Exh. F), 5-18-2009)

18.22.060 Process.

A. General. The applicant for a development in the MXP zone shall be required to submit a proposed master plan, as defined in Section 18.22.030 of this chapter, and a proposed development agreement as authorized under RCW Chapter 36.70B.

B. Contents. The proposed master plan shall include the following information:

1. Boundaries. A legal description of the total site proposed for development is required.

2. Uses and Functions. The master plan must include a description of present uses, affiliated uses, and proposed uses. The description must include information about the general amount and type of functions of the use, the hours of operation, and the approximate number of member employees, visitors, and special events. For projects that include residential units, densities, number of units, and building heights must be indicated.

3. Critical Areas. All critical areas shall be identified on the master plan (that is available per Clark County GIS mapping and any other known sources, i.e. professional studies performed on the site, prior applications, etc.). Critical areas shall include, but are not limited to, wetlands, floodplains, fish and wildlife habitat areas, geologically hazardous areas, and aquifer recharge areas.

4. Transportation. The master plan shall include information on projected transportation impacts for each phase of the development. This includes the expected number of trips (peak and daily), an analysis of the impact of those trips on the adjacent street system, and the proposed mitigation measures to limit any projected negative impacts. Mitigation measures may include improvements to the street system, or specific programs to reduce traffic impacts, such as encouraging the use of public transit, carpool. A transportation impact study may be substituted for these requirements.

5. Circulation. The master plan shall address on-site and integration with off-site circulation of pedestrians, bicycles, and vehicles. All types of circulation on and off the site shall be depicted in their various connections throughout the project, and their linkages to the project and adjacent properties.
 6. Phases. The master plan shall identify proposed development phases, probable sequence of future phases, estimated dates, and interim uses of the property awaiting development. In addition, the plan shall identify any proposed temporary uses, or locations of uses during construction periods.
 7. Density. The master plan shall calculate the proposed residential density for the development, which shall include the number and types of dwelling units.
 8. Conceptual Utility Plans. Utility plans should generally address stormwater treatment and detention areas on the site, existing utilities, proposed utilities, and where connections are being made to existing utilities.
- C. Approval. The master plan and development agreement must be approved by the city council after a public hearing. Once approved, the applicant may submit individual site plans for various portions or phases of the master plan which will provide engineering and design detail, and which will demonstrate consistency with the originally approved master plan and other applicable engineering standards. Site plans shall comply with design review requirements in CMC Chapter 18.19 Design Review of this code. It is the intent of this section that site plans shall not be required to reanalyze the environmental and other impacts of the site plan, which were previously analyzed in the master plan and development agreement processes.
- D. Building Permits Required. Approval of a master plan and development agreement does not constitute approval to obtain building permits or begin construction of the project. Building permits shall be issued only after a site plan has been submitted demonstrating compliance with the master plan, development agreement and other applicable city standards, and has been approved by the city. (Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006) (Ord. No. 2547, § IX(Exh. F), 5-18-2009)

18.22.070 Criteria for master plan approval.

The following criteria shall be utilized in reviewing a proposed master plan:

- A. Residential Densities and Employment Targets. Unless otherwise provided for in a transition area to mitigate impacts of increasing density, the minimum average density of eight dwelling units per net acre of residentially developed area is required. The maximum average density shall be twenty-four dwelling units per net acre. For employment generating uses, the master plan shall provide an analysis of how many jobs will be produced, the timing of those jobs, and the phasing of the employment and non-employment portions of the proposal. For estimate purposes, the target employment figures shall generally be consistent to the number of jobs produced that would otherwise occur in commercial and industrial zoning districts. The minimum number of jobs should be no less than six jobs per developable acre for the nonresidential portion of the project. The city may authorize a development with less than six jobs per developable acre based upon a finding that appropriate measures have been taken to achieve six jobs per developable acre to the extent practicable. "Appropriate measures" may be demonstrated based upon the following:
1. The six jobs per developable acre cannot be achieved due to special circumstances relating to the size, shape, topography, location, or surroundings of the subject property;
 2. The likely resultant jobs per developed acres ratio would not adversely affect the implementation of the comprehensive plan;
 3. The proposed development would not commit or clearly trend the zoning district away from job creation.
- B. Setback and Height Requirements. Building setbacks shall be established as part of the master planning process. Setbacks in all future site plans shall be consistent with those established in the master plan. Landscape and setback standards for areas adjacent to residentially zoned property shall meet or exceed those provided for in Table 18.22.080A. The applicant may propose standards that will control development of the future uses that are in addition to or substitute for the requirements of this chapter.

These may be such things as height limits, setbacks, landscaping requirements, parking requirements, or signage.

C. Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with CMC Chapter 18.11 Parking, Table 18.11-1, Table 18.11-2 and Table 18.11-3 of this Code.

D. Utilities. Utilities and other public services sufficient to serve the needs of the proposed development shall be made available, including open spaces, drainage ways, streets, alleys, other public ways, potable water, transit facilities, sanitary sewers, parks, playgrounds, sidewalks and other improvements that assure safe walking conditions for students who walk to and from school.

E. Environmental Impacts. The probable adverse environmental impacts of the proposed development, together with any practical means of mitigating adverse impacts, have been considered such that the proposal shall not have a probable significant adverse environmental impact upon the quality of the environment, in accordance with CMC Title 16 Environment and RCW Chapter 43.21C.

F. Access. The proposed development shall provide at least two access points (where a mixed-use planned development does not have access to a primary or secondary arterial) that distribute the traffic impacts to adjacent streets in an acceptable manner.

G. Professional Preparation. All plans and specifications required for the development shall be prepared and designed by engineers and/or architects licensed in the State of Washington.

H. Engineering Standards. The proposed development satisfies the standards and criteria as set forth in this chapter and all engineering design standards that are not proposed for modification.

I. Design Review. The proposed development satisfies the standards and criteria as set forth in the Building Design from Camas Design Review Manual: Gateways, Commercial, Mixed Use and Multi-Family Uses, unless otherwise proposed for modification.

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

(Ord. No. 2547, § IX(Exh. F), 5-18-2009)

18.22.080 Landscape requirements and buffering standards.

A. Minimum landscaping or open space, as a percent of gross site area, shall be fifteen percent. All landscaping shall comply with the applicable landscape provisions in CMC Chapter 18.13 Landscaping of this code. The entire street frontage will receive street trees/landscaping that will create a unifying effect throughout the area. Tree groupings shall be located for interest and variety. Plantings shall conform to the approved selection list available from the city, if available.

B. Landscape buffers shall be in compliance with the below referenced table:

Table 1 - Landscaping Buffering Standards Zoning of Land Abutting Development Site
TABLE INSET:

Proposed Mix of Uses on Development Site	Single-Family		Multifamily		Commercial		Office/Campus		Industrial	
	Not Separated by a Street	Separated by a Street	Not Separated by a Street	Separated by a Street	Not Separated by a Street	Separated by a Street	Not Separated by a Street	Separated by a Street	Not Separated by a Street	Separated by a Street
Residential Single-Family	5' L1	5' L1	5' L2	10' L1	10' L3	10' L2	10' L2	10' L2	10' L2 w/F2 Fence	10' L3
Residential Multi-Family	5' L2	5' L1	10' L1	5' L1	10' L3	5' L2	5' L2	10' L2	10' L2 w/F2 Fence	10' L3
Commercial	10' L3	5' L2	10' L3	5' L1	5' L1	5' L2	5' L2	5' L2	10' L3	10' L2

Industrial	10' L2 w/F2 Fence	L2	10' L2 w/F2 Fence	L2	L3	L2	10' L3	L2	5' L2	5' L1
------------	-------------------------	----	-------------------------	----	----	----	-----------	----	-------	----------

C. Landscaping and Screening Design Standards.

1. L1, General Landscaping.

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

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

2. L2, Low Screen.

a. The standard is applied where a low level of screening sufficiently reduces the impact of a use or development, or where visibility between areas is more important than a greater visual screen.

b. Required Materials. The L2 standard requires enough low shrubs to form a continuous screen three feet high and ninety-five percent opaque year-round. In addition, one tree is required per thirty lineal feet of landscaped area, or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area. A three-foot high masonry wall or fence at an F2 standard may be substituted for shrubs, but the trees and groundcover plants are still required.

3. L3, High Screen.

a. The L3 standard provides physical and visual separation between uses or development principally using screening. It is used where such separation is warranted by a proposed development, notwithstanding loss of direct views.

b. Required Materials. The L3 standard requires enough high shrubs to form a screen six feet high and ninety-five percent opaque year-round. In addition, one tree is required per thirty lineal feet of landscaped area, or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area. A six-foot high wall or fence that complies with an F1 or F2 standard may be substituted for shrubs, but the trees and groundcover plants are still required. When applied along street lot lines, the screen or wall is to be placed along the interior side of the landscaped area.

4. Fences.

a. F1, Partially Sight-Obscuring Fence.

i. Intent. The F1 fence standard provides partial visual separation. The standard is applied where a proposed use or development has little impact, or where visibility between areas is more important than a total visual screen.

ii. Required Materials. A fence or wall that complies with the F1 standard shall be six feet high, and at least fifty percent sight-obscuring. Fences may be made of wood, metal, bricks, masonry, or other permanent materials.

b. F2, Fully Sight-Obscuring Fence.

i. Intent. The F2 fence standard provides visual separation where complete screening is needed to protect abutting uses, and landscaping alone cannot provide that separation.

ii. Required Materials. A fence or wall that complies with the F2 standard shall be six feet high, and one hundred percent sight obscuring. Fences may be made of wood, metal, bricks, masonry or other permanent materials.

5. The applicant may provide landscaping and screening that exceeds the standards in this chapter provided:

a. A fence or wall (or a combination of a berm and fence or wall), may not exceed a height of six feet above the finished grade at the base of the fence or wall (or at the base of a berm, if combined with one), unless the approval authority finds additional height is necessary to mitigate potential adverse effects of

the proposed use, or other uses in the vicinity; and landscaping and screening shall not create vision clearance hazards as provided in CMC Chapter 18.13 Landscaping of this code.

b. The Community Development Director may approve use of existing vegetation to fulfill landscaping and screening requirements of this chapter, if that existing landscaping provides at least an equivalent level of screening as the standard required for the development in question.

c. Landscaped areas required for stormwater management purposes may be used to satisfy the landscaping area requirements of this chapter, even though those areas may be inundated by surface water.

d. Required landscaping and screening shall be located on the perimeter of a lot or parcel. Required landscaping and screening shall not be located on a public right-of-way or private street easement. (Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006) (Ord. No. 2547, § IX(Exh. F), 5-18-2009)

18.22.090 Transition design criteria.

In addition to the design standards in this chapter, all developments and uses shall comply with the following transitional design standards:

A. Vehicular accesses should be designed and located so that traffic is not exclusively directed through a nearby neighborhood area;

B. Loading and refuse collection areas should be located away from bordering protected zones. Loading and refuse collection areas shall not be located within a front yard setback;

C. Landscape buffers on proposed projects should comply with those identified in Section 18.22.080 of this chapter.

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

(Ord. No. 2547, § IX(Exh. F), 5-18-2009)

18.22.100 Incentives.

A. Traffic Impact Fee (TIF) Reduction. A reduction of the TIF may be granted pursuant to this section with the implementation and maintenance of the corresponding action in 18.22.100 Table 2 upon approval of the director.

Table 2

Incentives

TABLE INSET:

Action	TIF Reduction
Construction of direct walkway connection to the nearest arterial	1%
Installation of on-site sheltered bus-stop (with current or planned service), or bus stop within 1/4 mile of site with adequate walkways, if approved by C-TRAN	1%
Installation of bike lockers	1%
Connection to existing or future regional bike trail	1%
Direct walk/bikeway connection to destination activity (such as a commercial/retail facility, park, school, etc.) if residential development, or to origin activity (such as a residential area) if commercial/retail facility	1% if existing, 2% if constructed
Installation of parking spaces which will become paid parking (by resident or employee) ^{Note 1}	3%
Installation of preferential carpool/vanpool parking facilities ¹	1%

Total, if all strategies were implemented	10%
Note: ¹ . Automatic reduction for developing within the mixed-use planned development overlay or mixed use zone.	

(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)
 (Ord. No. 2547, § IX(Exh. F), 5-18-2009)

Chapter 18.23 PLANNED RESIDENTIAL DEVELOPMENT (PRD)

Sections:

18.23.010 Purpose.

18.23.020 Definitions.

18.23.030 Scope.

18.23.040 Density standards.

18.23.050 Density bonus.

18.23.060 Permitted uses.

18.23.070 Preliminary master plan--Requirements.

18.23.080 Professional preparation.

18.23.100 Approval standards.

18.23.110 Relationship to adjacent areas.

18.23.120 Amendments.

18.23.130 Procedure.

18.23.010 Purpose.

The purpose of this chapter is to promote the public health, safety and general welfare of the citizens of the city of Camas in accordance with state law and the city's comprehensive plan; to facilitate the innovative development of land; and to provide for greater flexibility in the development of residential lots in medium and high density districts.

A further purpose of this chapter is to allow for the modification of certain regulations when it can be demonstrated that such modification would result in a development which would not increase the density and intensity of land use (except as provided for in Section 18.23.040 of this chapter); would preserve or create features or facilities of benefit to the community such as, but not limited to, open space or active recreational facilities; would be compatible with surrounding development; and would conform to the goals and policies of the city of Camas' comprehensive plan.

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

18.23.020 Definitions.

In addition to those definitions listed in CMC Chapter 18.03, the following definitions shall also apply:

"Density bonus" means a percentage of units allowed in a PRD over and above the number of units provided for in the zoning district absent a PRD proposal.

"Density transfer" means a transfer of dwelling units located on a site identified as sensitive lands or open space to the developable portion of land on the site. (Refer to Section 18.09.060 Density transfers)

"Development agreement" means a legal contract between the city and the developer relative to a specific project and piece of property. The agreement may specify and further delineate, and may include but is not limited to, findings of council, actions, requirements of the developer and city, benefits to the parties involved, conditions of approval, time frames, etc. A development agreement shall become binding upon the land.

"Master plan" means a planned proposal for development that includes and illustrates the division of land into lots, the location and sizes of streets, roads and accessways, pedestrian circulation, landscaping,

parking areas and the location of and types and densities of uses. A master plan further identifies the dimensions, height, location, and setbacks of all such buildings to the extent necessary to comply with the purpose and intent set forth in this chapter.

"Open space" means land that is set aside and maintained in a natural state, providing air, light, and habitat for wildlife, and/or containing significant trees and vegetation. Open space may also contain environmentally sensitive lands, which include but are not limited to steep slopes and areas with unstable soils, wetlands, and streams and watercourses. Open space may also provide for active and passive recreation use. There are two general categories of open space:

1. Natural open space is land that is devoted to protecting environmentally sensitive lands as defined in this code. Natural open space generally has no developed areas, with the exception of trails as identified in the comprehensive parks, recreation, and open space plan, or by a condition of development approval.
2. Recreational open space is land that is set aside and shall include development for recreational opportunities such as trails, sports fields, playgrounds, swimming pools, tennis courts, and picnic areas. Recreational open space is generally limited in size and intensity, proportionate to the development, and is intended for the enjoyment of the residents of the development.

"Peripheral yard" means those areas which form the boundary between a planned unit or planned residential development district and any other zoning district, planned unit, or planned residential development.

"Planned residential development" (hereinafter referred to as a PRD) means a development constructed on land of at least ten acres in size, designed and consistent with an approved master plan. A PRD is comprised of two components: single-family and multifamily units. The single-family component shall contain only single-family detached residences on lots equal to or greater than four thousand square feet. The multifamily component may contain either attached or detached single-family residences on lots smaller than four thousand square feet, or it may contain, but may not be limited to, duplexes, rowhouses, apartments, and designated manufactured homes, all developed in accordance with Section 18.23.030(A) of this chapter.

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

18.23.030 Scope.

Planned residential developments (PRD's) are optional. If proposed, it shall be established under the following criteria:

- A. A PRD may be allowed in all R and MF zoning districts.
- B. The minimum land area necessary to apply for a PRD shall be ten acres of contiguous land.
- C. All land in which a PRD is to be developed shall be held and maintained in a single ownership, including but not limited to an individual, partnership, corporation, or homeowner's association. Evidence of such ownership shall be provided to the planning commission and city council before PRD approval.
- D. Permissible uses within a PRD include any use listed as a permitted use or conditional use in the applicable zone, as per CMC Section 18.07.040 Table 2, when approved as part of a master plan. Notwithstanding an approved master plan, incidental accessory buildings, incidental accessory structures, and home occupations may be authorized on a case by case basis.
- E. A minimum of fifty percent to a maximum of seventy percent of the overall permitted density of the PRD must be single-family homes.
- F. The multifamily component (two or more attached dwelling units) of a PRD shall ideally be developed toward the interior of the tract, rather than the periphery, to ensure compatibility with existing single-family residences that border the surrounding properties. Deviation from this requirement shall be requested during the preliminary master plan review, and specifically approved by the planning commission and city council.
- G. Density standards and bonuses for a PRD shall be in accordance with CMC Sections 18.23.040 and 18.23.050.
- H. An equivalent amount of up to twenty percent of the developable area shall be set aside and developed as recreational open space in a PRD, and shall include the following:

1. Passive or active recreation concentrated in large usable areas;
2. Provide trails and open space for connection and extension with the city's open space and trail plan, if feasible; and
3. Be held under one ownership, and maintained by the ownership; or be held in common ownership by means of homeowners' association, and maintained by the homeowners' association. The open space and recreation areas shall be dedicated for public use and be maintained by the ownership or homeowners' association.

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

18.23.040 Density standards.

A. Density standards for a PRD shall be based on the gross area of the parcel being considered. Open space, greenways, sensitive areas, parks, and recreation areas set aside within the tract shall be used in the computation of the gross development area. The maximum number of dwelling units in the PRD shall be determined as follows:

Divide the gross land area (in square feet) by the minimum lot size (in square feet) of the underlying zoning district.

B. The minimum lot size for a single-family dwelling within the single-family component of the PRD shall be four thousand square feet. The minimum lot width, depth and setback requirements, and maximum lot coverage requirement shall be established for each PRD as part of the approval process. The minimum lot size for the dwellings within the multifamily component of the PRD shall be established as part of the master plan approval.

C. If more than one zoning district is included within the PRD area, the number of dwelling units allowed in each zoning district shall be computed, and then combined to determine the total number of dwelling units within the entire development.

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

18.23.050 Density bonus.

A density bonus of no more than twenty percent may be granted by the city council for a PRD, as demonstrated by site design and layout. For example: ten acres in an R1-10 zone yields four hundred thirty-five thousand six hundred square feet. This is then divided by ten thousand square feet. Using this example, the maximum number of units equals forty-three and one-half units, and with a twenty percent density bonus the maximum number of units allowed would be fifty-two.

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

18.23.060 Permitted uses.

Permitted or conditional uses currently listed in the applicable zoning classification shall be considered permitted within a PRD. All proposed uses shall be reviewed in conjunction with the preliminary master plan review.

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

18.23.070 Preliminary master plan--Requirements.

A. Initial Conference. Schedule a pre-application conference to discuss and resolve conceptual problems prior to submission of the preliminary master plan related to such application.

B. Contents. The preliminary master plan shall include the following information:

1. The legal description of the total site proposed for development;
2. The existing and proposed land uses within the development, and the existing and proposed location of all structures;
3. The proposed residential density for the development, which shall include the number and types of dwelling units;
4. The proposed lot sizes and building envelopes. Approved building envelopes will establish the setbacks for each lot or parcel in which development may occur;

5. A site plan drawn to scale and depicting the following:
 - a. The location of all areas to be conveyed, dedicated, or maintained as public or private streets; access and egress to the development showing proposed traffic circulation, parking areas, and pedestrian walks,
 - b. The proposed location of any residential buildings, and any other structures, including identification of all buildings as single-family, duplex, townhouse, apartment, condominium, designated manufactured home, or otherwise,
 - c. The location of areas to be maintained as common open space, and a description of the proposed use of those areas,
 - d. The location of areas to be maintained as open space network, if applicable,
 - e. Proposed lot or boundary lines for residential, open space, parks, and recreational areas, management or allocation purposes;
6. An accurate survey of the property showing the topography in five-foot contours, identifying slopes above fifteen percent, all existing, isolated trees six inches or more in diameter, all wooded areas, all existing streets, utility easements, drainage patterns, structures, and other improvements, the location of all easements and rights-of-way for utilities, including, but not limited to water, sanitary sewers, storm sewer, electricity, gas, telephone, and cable TV lines;
7. A document containing agreements, provisions, and covenants regarding the establishment of a homeowner's association, which provides for the permanent ownership, maintenance, protection, and use of the planned development, including streets (if privately owned), storm drain facilities, utilities, common areas (e.g., storage areas, parking areas, and landscaping) open spaces, greenways, parks, and recreational areas;
8. A landscaping plan drawn to scale and demonstrating compliance with CMC Chapter 18.13 Landscaping of this title. Additionally, the landscape plan shall indicate the landscaping features such as screening, fences, lighting, and signage;
9. A development schedule outlining the expected schedule and phases of development;
10. The calculation of all applicable impact fees. This shall be coordinated with the city prior to submission of the preliminary master plan.

C. Effect of Approval. Approval by the city council of a preliminary master plan shall constitute provisional approval of the PRD. This approval is contingent upon the applicant submitting a final development plan and development agreement, if required, that complies with the provisions of this chapter.

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

18.23.080 Professional preparation.

A. The applicant for a proposed PRD shall certify that one or more of the following have been involved with the preparation of the preliminary master plan:

1. An architect licensed in the state of Washington;
2. A landscape architect licensed in the state of Washington;
3. A registered civil engineer or a registered land surveyor licensed in the state of Washington; and/or
4. A certified landscape architect, certified arborist, or a qualified biologist, if a vegetation management plan is required.

B. All plans and specifications required for the development shall be prepared and designed by engineers and/or architects licensed in the state of Washington.

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

18.23.100 Approval standards.

Approval for a PRD shall be based on the following standards:

A. The proposed PRD conforms to:

1. The city of Camas' comprehensive plan;
2. All provisions of the Camas zoning code which are not proposed for modification;
3. All engineering design standards; and

4. Any other applicable city, state, federal regulations, policies, or plans, except those standards proposed for modification.
 - B. Utilities and other public services necessary to serve the needs of the proposed development shall be made available, including open spaces, drainageways, streets, alleys, other public ways, potable water, transit facilities, sanitary sewers, parks, playgrounds, schools, sidewalks, and other improvements that assure safe walking conditions for students who walk to and from school.
 - C. The probable adverse environmental impacts of the proposed development, together with any practical means of mitigating adverse impacts, have been considered such that the proposal shall not have an unacceptable adverse effect upon the quality of the environment, in accordance with CMC Title 16 and 43.21C RCW.
 - D. Approving the proposed development shall serve the public use and interest, and adequate provision has been made for the public health, safety, and general welfare.
 - E. The proposed development satisfies the standards and criteria as set forth in this chapter.
 - F. The proposed development shall be superior to, or more innovative than conventional development, and shall provide greater public benefit without additional probable adverse impacts to public health, safety, or the environment, than available through the use of conventional zoning and/or development standards.
 - G. The proposed development shall provide at least two access points (where a PRD does not have access to a primary or secondary arterial) that distribute the traffic impacts to adjacent streets in an acceptable manner.
 - H. Preliminary approval does not constitute approval to obtain any building permits or begin construction of the project.
- (Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.23.110 Relationship to adjacent areas.

The design and layout of a planned development shall take into account the integration and compatibility of the site to the surrounding areas. The perimeter of the planned development shall be so designed as to minimize any undesirable impact on adjacent properties. Setbacks from the property lines of the planned development shall be comparable to, or compatible with, those of any existing development on adjacent properties. Or, if adjacent properties are undeveloped, then setbacks shall conform to the type of development that may be permitted on adjacent properties.

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

18.23.120 Amendments.

A. Minor Amendments. In issuing building permits for construction of a PRD, the city engineer may approve minor adjustments provided that such adjustments shall not:

1. Increase the number of dwelling units;
2. Decrease the amount of parking spaces, loading spaces, or open space;
3. Permit structures to be located closer to any property line;
4. Change any points of ingress or egress to the development as set forth in the final development plan;
5. Conflict with any conditions or statements within a development agreement;
6. Increase the height of buildings beyond the limits of the underlying zone.

B. Amendment of Final Development Plan. Any change in the final development plan, other than those minor adjustments specifically authorized in writing by the city engineer at the time building permits are issued, must be reviewed by the planning commission and recorded in the minutes thereof. The recommendation of the planning commission regarding any change in the final development plan, together with its reasons therefore, shall be submitted to the city council for its approval. Upon approval of such changes by the city council, the final development plan shall be considered amended to that extent.

C. Unauthorized Changes. Unauthorized changes or substantial deviations from the final development plan shall be subject to a stop work order by the city engineer. If not corrected, no occupancy permits

shall be issued until the development is brought into compliance with the approved final development plan.

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

18.23.130 Procedure.

An application for a PRD shall be processed as a Type III procedure pursuant to CMC Chapter 18.55 Administration and Procedures of this title. A public hearing before the planning commission and review by the city council is required for preliminary master plan approval. Final master plan approval is subject to review and acceptance by the city council at a public meeting. Final approval shall be in accordance with the provisions of this chapter.

(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2451 § 3, 2006; Ord. 2443 § 3 (Exh. A (part)), 2006)

Chapter 18.24 MIXED USE*

***Editor's note:** Ord. No. 2547, § I, adopted May 18, 2009, amended Ch. 18.24, in its entirety, to read as herein set out. See also the Code Comparative Table and Disposition List.

Sections:

18.24.010 Purpose.

18.24.020 Applicability.

18.24.030 Incentives.

18.24.040 Exemptions.

18.24.010 Purpose.

- A. To encourage new development and business opportunities;
- B. To foster the development of mixed use areas that are arranged, scaled, and designed to be compatible with surrounding land uses;
- C. To promote a compact growth pattern to efficiently use the remaining developable land and to help sustain neighborhood businesses; and
- D. To promote new construction of multi-story structures with commercial uses on the ground floor and residential uses on the upper stories.

(Ord. No. 2545, § III, 5-4-2009; Ord. No. 2547, § I(Exh. A), 5-18-2009)

18.24.020 Applicability.

- A. All new development within the Mixed Use (MX) zone shall submit a site plan review application in accordance with CMC Chapter 18.18 Site Plan Review of this title unless otherwise exempt per this title.
- B. All new developments and uses shall be required to submit a design review application in accordance with CMC Chapter 18.19 Design Review of this title prior to applying for a building permit.
- C. Landscaping requirements shall be the same as landscaping standards in community commercial zones.

(Ord. No. 2545, § III, 5-4-2009; Ord. No. 2547, § I(Exh. A), 5-18-2009)

18.24.030 Incentives.

- A. Traffic Impact Fee (TIF) Reduction. A reduction of the TIF may be granted pursuant to § 18.22.100 CMC.
- B. Public Art. A five percent increase in lot coverage area may be granted upon design review committee approval for providing public art within proposed project.
- C. Sustainability. Up to a ten percent reduction in building and/or engineering review fees may be authorized at the discretion of the director in proportion to a proposed low-impact development method.

(Ord. No. 2545, § III, 5-4-2009; Ord. No. 2547, § I(Exh. A), 5-18-2009)

18.24.040 Exemptions.

Newly created lots, via short plats or subdivisions or combined lots, that are adjacent to existing single-family lots shall not be required to bevel to existing platted lots (Refer to §18.09.080-B).

(Ord. No. 2545, § III, 5-4-2009; Ord. No. 2547, § I(Exh. A), 5-18-2009)

Chapter 18.25 ROWHOUSES

Sections:

18.25.010 Purpose.

18.25.020 Application.

18.25.040 Procedures.

18.25.050 Design standards.

18.25.060 Dimensional standards.

18.25.010 Purpose.

To provide opportunities for individual home ownership in the multifamily zoning districts, and/or to provide for variety in housing opportunities within a PRD, by allowing rowhouse developments consistent with density requirements of the base zones. This chapter provides alternative dimensional standards, and additional requirements which allows for the division of land into small lots in conjunction with the construction of attached single-family units commonly referred to as rowhouses or townhouses.

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

18.25.020 Application.

An application is required for rowhouse developments and shall be reviewed in accordance with Title 17 "Subdivisions," of the Camas Municipal Code. If land is subdivided, development proposals must receive approval of a site plan demonstrating how the proposal complies with this chapter and all other requirements identified on the application.

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

18.25.040 Procedures.

A. Preliminary plats may not be approved without approval of the submitted site plan. Both the site plan and preliminary plat must be fully consistent with standards of this and all other applicable ordinances.

B. Preliminary plats may be approved only where conditions of approval are established to ensure that subsequent or existing development on the resultant parcels shall occur consistent with the approved site plan.

C. Building permits may only be approved where fully consistent with the approved site plan and land division, or all units with common walls.

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

18.25.050 Design standards.

A. No more than forty percent of the total square footage of the front facade of each unit may be garage door area.

B. One parking space is required per unit, and shall be provided either on the same lot as the dwelling, or in shared parking areas located primarily to the rear of, or beneath the units. Parking is encouraged to be located behind the dwelling unit with access to an alley. If an alley is utilized, pedestrian access from the alley to the dwelling shall be provided for each lot. On-site and shared parking shall be the primary parking location, off-site parking may be used if approved by the city.

C. Detached garages are allowed, provided they are accessed from an alley or driveway, and do not exceed eighteen feet in height.

- D. Impact fees for rowhouses on individual lots shall be assessed at the multifamily rate.
- E. Only one dwelling unit may occupy an individual lot. Each attached dwelling may occupy no more than one lot.
- F. No more than eight attached dwellings are permitted in a row or single group of structures.
(Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2443 § 3 (Exh. A (part)), 2006)

18.25.060 Dimensional standards.

Dimensional standards shall be determined by Table 3 of Section 18.09.030.
(Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2443 § 3 (Exh. A (part)), 2006)

Chapter 18.27 ACCESSORY DWELLING UNITS

Sections:

18.27.010 Purpose.

18.27.020 Scope.

18.27.030 Definition.

18.27.040 Establishing an accessory dwelling unit.

18.27.050 Development standards.

18.27.060 Design guidelines.

18.27.010 Purpose.

Accessory dwelling units are intended to:

- A. Provide for a range of choices of housing in the city;
- B. Provide additional dwelling units, thereby increasing densities with minimal cost and disruption to existing neighborhoods;
- C. Allow individuals and smaller households to retain large houses as residences; and
- D. Enhance options for families by providing opportunities for older or younger relatives to live in close proximity while maintaining a degree of privacy.
(Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2443 § 3 (Exh. A (part)), 2006)

18.27.020 Scope.

Accessory dwelling units shall meet the requirement of this chapter, and may be allowed in the residential (R) and multifamily (MF) zones.
(Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2443 § 3 (Exh. A (part)), 2006)

18.27.030 Definition.

An "accessory dwelling unit (ADU)" means an additional smaller, subordinate dwelling unit on a lot with, or in an existing or new house. These units are intended to provide for a greater range of choices of housing types in single-family and multifamily residential districts. An ADU is not a duplex because the intensity of use is less due to the limitations of size and number of bedrooms. See Figure 18.27-1.

GRAPHIC LINK: [Click here](#)

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

18.27.040 Establishing an accessory dwelling unit.

An accessory dwelling unit may be created through:

- A. Internal conversion within an existing dwelling;
- B. The addition of new square footage to the existing house, or to a garage, and any addition thereto is located at least forty feet back from the front property line;
- C. Conversion of an existing garage if the garage is setback at least forty feet back from the front property line;

D. Inclusion in the development plans for, or as part of, the construction of a new single-family detached dwelling unit; or

E. A separate detached dwelling unit on the same lot as the primary dwelling unit, when the accessory unit is located at least ten feet behind the most distant back or side wall, or other structural element of the primary dwelling unit structure.

Manufactured homes or recreational vehicles are not considered an accessory structure for the purposes of this chapter.

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

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. Compliance. 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. Height. 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 do apply to the ADU for internal conversion, or structural addition to the existing primary dwelling.

E. Conformance to Zoning. The addition of an accessory dwelling unit shall not make any lot, structure or use nonconforming within the development site. All setbacks, including height limitations for the zone shall be met, except as allowed in Chapter 18.45 "Variances."

F. 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.

G. 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.

H. Number of Bedrooms. An accessory dwelling unit shall not contain more than one bedroom.

I. 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.

J. 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.

K. 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.

L. 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.

M. 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."

N. 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.

O. 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)

18.27.060 Design guidelines.

A. Exterior Finish Materials. Exterior finish materials must duplicate or reflect the exterior finish material on the primary dwelling unit.

B. Roof Slopes. For buildings over fifteen feet in height, the slope of the accessory dwelling unit roof must be the same as that of the predominate slope of the primary dwelling structure.

C. Historic Structures. If an accessory dwelling unit is on the same lot as, or within an historic structure which has been designated on the national, state, or local historic register, the following design guidelines are applicable:

1. Exterior materials shall be of the same type, size, and placement as those of the primary dwelling structure.
2. Trim on edges of elements of an ADU shall be the same as those of the primary structure in type, size, and placement.
3. Windows in any elevation which faces a street shall match those in the primary structure in proportion, i.e., same height, width, and orientation (horizontal or vertical).
4. Pediment and Dormers. Each accessory dwelling unit over twenty feet in height shall have either a roof pediment or dormer, if one or the other of these architectural features are present on the primary dwelling.

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

Chapter 18.29 MANUFACTURED HOME PARKS

Sections:

18.29.010 Purpose.

18.29.020 Procedures.

18.29.040 Application requirements.

18.29.050 Dimensional standards.

18.29.060 Park development standards.

18.29.070 Manufactured home space standards.

18.29.080 Operation and maintenance.

18.29.010 Purpose.

The purpose of this chapter is to establish a procedure to accommodate manufactured home park developments where individual spaces are leased, or rented and not sold to the occupants; to provide performance standards for such a park; to provide standards for diverse and affordable housing as a goal expressed in the comprehensive plan.

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

18.29.020 Procedures.

Where manufactured home parks are required to receive conditional use approval, the hearings examiner shall be guided by the following criteria, in addition to the criteria in Section 18.43.050 "Criteria" of the conditional use permits chapter in making a decision:

- A. The park design, including site layout, street configuration, landscaping, and community space, are compatible with the surroundings and the community character goals of the comprehensive plan;
- B. The park is consistent with the comprehensive plan; and
- C. The park makes adequate provision for sanitary sewers, drainage, water, streets, parks, and open space.

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

18.29.040 Application requirements.

All applications submitted for approval of a manufactured home park shall consist of a development plan, including:

- A. Name of the person who prepared the plan;
- B. Names of all persons owning and managing the land proposed for the development;
- C. Name and address of the proposed manufactured home park;
- D. Scale of the plan and north arrow;
- E. Boundaries and dimensions of the manufactured home park, and number of acres included;
- F. Vicinity map showing uses on adjacent properties and the relationship of the development to such uses;
- G. Location and dimensions of each space, with each space designated by number or other designation;
- H. Location and dimensions of each existing or proposed building;
- I. Location, width, and design standards of streets and pedestrian ways;
- J. Location, size, and design details of all utilities serving the site, if the manufactured home park is permitted outright in the underlying zoning designation;
- K. Location of lighting fixtures for exterior lighting;
- L. Location of recreational and other common areas;
- M. Location and type of landscaping, fences, walls, and other screening structures;
- N. Location, arrangement, and design of all parking facilities;
- O. Location of fire hydrants;
- P. Enlarged plot plan of a typical space, showing location of foundation base, storage space, parking, setbacks to property lines, utility connections, and other improvements;
- Q. Topography of the park site with contour intervals of not more than two feet, and a drainage plan;
- R. A survey plat of the property, plans of structures to be constructed, public water systems, and sewage disposal systems approved by appropriate governmental agencies, and garbage disposal provisions;
- S. Any additional information relevant to determining if the proposal meets the application approval criteria.

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

18.29.050 Dimensional standards.

Minimum density provisions for manufactured home parks and park spaces are shown in Table 18.29-1. Table 18.29-1

TABLE INSET:

Manufactured Home Park	Standards
Minimum lot area	5 acres
Minimum lot width	200 feet

Minimum lot depth	200 feet
Minimum landscape buffer	20 feet (along a public street or residential (R) zone) or 10 feet (along any other boundary)
Manufacture Home Space Within Park	
Minimum individual space size	4,800 square feet
Maximum building height	1 story
Maximum lot coverage	50%
Minimum Internal Setbacks	
from another home or accessory building	10 feet
from another home space line	5 feet
from a roadway lot line	10 feet
from the exterior site boundary	10 feet
from any exterior landscaping	5 feet
from the exterior site boundary abutting a public street	20 feet

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

18.29.060 Park development standards.

The following standards apply to all manufactured home parks:

- A. Size. The minimum lot size for a manufactured home park shall be five acres.
 - B. Minimum Right-of-Way. A manufactured home park shall front an improved collector or arterial street.
 - C. Density. Spaces within manufactured home parks shall be a minimum of four thousand eight hundred square feet.
 - D. Buffers. A manufactured home park shall provide and maintain a minimum landscaped buffer of twenty feet along any property line abutting upon a public street, or residential (R) zone, and at least a ten-foot landscaped buffer from any other boundary line defining the outside limits of the park. In addition, manufactured home parks shall submit a landscaping plan in compliance with the provisions in the Chapter 18.13 "Landscaping." For buffer widths, see Figure 18.29-1 "Landscape Buffer Widths."
- GRAPHIC LINK:**[Click here](#)
- E. Street Lighting. Street lighting shall be provided according to city standards.
 - F. Underground Utilities. All utilities shall be installed underground.
 - G. Swimming Pools. Community swimming pools shall meet the standards of the Clark County health district and International Building Code.
 - H. Signs. Signs identifying the manufactured home park shall comply with regulations in CMC Chapter 18.15 Signs.
 - I. Streets. Within manufactured home parks all streets shall be constructed to city of Camas standards for private streets (or public streets as determined by the city engineer), including width, sidewalks, paving depth and base, curve radii, and curbs; except sidewalks may be a minimum of four feet wide. The width of right-of-way required of public streets and planting strips are not required. The responsibility of maintenance for private roads shall be with the park management.
 - J. Recreational Vehicle Storage. Common storage areas for recreational vehicles, boats, or trailers shall be provided as part of the manufactured home park design, at the rate of fifty square feet for each site in the park. Such storage shall be interior to the park and shall be screened by a six foot-high sight-obscuring

fence with a lockable gate. Parking of recreational vehicles shall not be allowed other than in approved storage areas.

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

18.29.070 Manufactured home space standards.

The following standard shall be satisfied for manufactured home sites within manufactured home parks:

A. One Home Per Space. Notwithstanding Chapter 18.07 "Use Authorization," one manufactured home, or one designated manufactured home shall be allowed on a manufactured home space within a manufactured home park.

B. Internal Setback. A manufactured home or attached accessory building shall not be located closer than ten feet from any other manufactured home or attached accessory building; closer than ten feet from any road way lot line, or five feet from any other manufactured home space line; ten feet from any exterior boundary of the site; and twenty feet, if abutting a public street. Manufactured home accessory structures, when not attached to the manufactured home, shall not be closer than six feet from such home, and shall not be closer than five feet to a manufactured home space line, and ten feet to a roadway lot line. Detached accessory structures, when less than one hundred twenty square feet, may disregard setbacks from manufactured home space lines, provided the structure is separated from the manufactured home and all other structures by six feet. No structures are allowed in park buffers.

C. Lot Coverage. A manufactured home and all accessory structures shall not cover more than fifty percent of the area of a manufactured home space.

D. Parking. Two off-street parking spaces shall be provided for each manufactured home space. In addition, guest parking shall be provided in every manufactured home park, based on a ratio of one parking space for each four manufactured home spaces.

E. Trailers and Recreational Vehicles. No travel trailer or recreational vehicle shall be utilized, except as temporary living quarters, and accessory to an existing manufactured home, which use shall not exceed a maximum of ten days per year.

F. Height. Structures within manufactured home parks shall be no greater than one story in height. (Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.29.080 Operation and maintenance.

The owner, or a designated agent shall be available and responsible for the direct management of the manufactured home park, and responsible for any penalties for the violations in this chapter and other applicable sections of the Camas Municipal Code.

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

Chapter 18.31 SENSITIVE AREAS AND OPEN SPACE*

Sections:

18.31.010 Purpose.

18.31.020 Scope.

18.31.030 Administration.

18.31.080 Tree retention.

18.31.090 Vegetation removal in environmentally sensitive areas.

18.31.110 Mandatory preservation.

18.31.120 Negotiated preservation.

* Prior ordinance history: Ord. 2443.

18.31.010 Purpose.

The guidelines, criteria, standards, special studies, and open space requirements in this chapter are intended to identify, protect, and preserve lands and areas within the city which are characterized by the presence of environmentally sensitive or valuable features and resources. These areas may include: steep

slopes and areas of unstable soils, wetlands, streams, and watercourses. Certain activities, such as vegetation removal and the addition of impervious surfaces within these areas, unless regulated by the city, pose a potential threat to life, property, public health, and welfare. Unregulated activities also pose a significant threat to important environmental features and communities, and to the functions and values they perform. This chapter is also intended to implement the goals and policies of the comprehensive plan; to protect critical areas within the city as required by state policies, guidelines, and rules; to provide property owners and members of the public with notice as to the location and distribution of sensitive areas within the city; and to require special studies to help identify environmentally sensitive and valuable areas within the city. Such plans and studies shall be prepared by qualified professionals.
(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.31.020 Scope.

Land proposals below are subject to the criteria, guidelines, conditions, performance standards, and procedural requirements contained in this chapter:

- A. Rezone;
- B. Conditional use permit;
- C. Variance;
- D. Shoreline substantial development permit;
- E. Planned development;
- F. Subdivision;
- G. Short subdivision;
- H. Commercial development;
- I. Business park development;
- J. Any grading, filling, or clearing of land, or logging or removal of timber on land characterized by, or adjacent to (within three hundred feet of) an environmentally sensitive area; or
- K. Open space designation standards and requirements shall apply to any application proposals involving a subdivision or planned development.
- L. The standards and requirements of this chapter shall apply in addition to any other regulations of the city applicable to the underlying zone. In case of any conflict between these and any other regulation(s), the stricter regulation(s) shall apply.
(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.31.030 Administration.

The community development director shall determine, based on the city's sensitive area overlay maps, environmental information provided by the applicant, and field reconnaissance as necessary, whether a property for which development approval is requested contains the types of lands or areas subject to this chapter. If property for which development approval is requested does contain sensitive lands, a development application must be accompanied by wetland studies, detailed geotechnical studies, tree retention, vegetation removal plans, and wildlife habitat assessments. The community development director may waive or modify the study and reporting requirements of this section if it is determined that the subject property does not contain substantial amounts of such lands or areas.
(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.31.080 Tree retention.

- A. A tree survey, conducted by a qualified biologist, landscape architect, or arborist, shall be conducted for all lands proposed to be developed and listed under Section 18.31.020. A survey shall not be required for lands proposed to be retained as undeveloped open space.
- B. To the extent practical, existing healthy significant trees shall be retained. Preservation of groups of significant trees, rather than individual trees shall be preferred. All grading shall take place outside the drip line of those significant trees to be retained, except that the city engineer may approve grading within the drip line if it can be demonstrated that such grading can occur without damaging the tree or trees.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.31.090 Vegetation removal in environmentally sensitive areas.

A. Exceptions. This section shall not apply to:

1. Removal of vegetation outside of environmentally sensitive areas, in conservation areas, protected open space areas as shown on plats, or areas otherwise required to be protected;
2. Removal of trees four inches or less in diameter, as measured at the base;
3. Annual removal of vegetation from an area under one thousand square feet;
4. Removal of three or fewer trees over four inches in diameter, as measured at the base;
5. Removal of dead, diseased, or dying vegetation and trees;
6. Normal maintenance associated with residential properties, including mowing, rototilling, and pruning;
7. Removal of nonnative invasive plant species, such as Himalayan blackberries and ivy;
8. Removal of vegetation associated with land surveys and environmental surveys;
9. Removal of vegetation related to the construction, installation, and maintenance of public utilities.

B. Vegetation Removal Permit Required. All persons seeking to remove vegetation from an environmentally sensitive area shall first obtain a permit from the city. An application for such permit shall be filed with the planning department and shall contain information relating to the proposed removal of vegetation, including but not limited to the location and species of plants and vegetation proposed to be removed, the contours of the subject property, soils information, the proposed schedule of removal, and any other information required by the public works director.

C. Preliminary Review.

1. Upon receipt of an application for a vegetation removal permit, the community development director or designee shall conduct a preliminary review. If the community development director finds that the proposed vegetation removal is exempt, or will have no adverse environmental impact, then the community development director shall issue a letter stating that the provisions of this section do not apply and that no permit is required.
2. If the community development director finds that the proposed vegetation removal is not exempt, and there is potential for an adverse environmental impact, then a vegetation removal permit shall be required. Any uncertainty regarding the degree of environmental impact shall be resolved in favor of finding an adverse impact.

D. Vegetation Management Plan as Part of Vegetation Removal Permit.

1. Not Required. For those applications that the community development director determines a permit is necessary, the community development director shall make a further determination of whether a vegetation management plan shall be required. If the proposed vegetation removal is minor in nature, and, if in the opinion of the community development director, adverse environmental impacts can be mitigated without requiring a vegetation management plan, then the community development director may issue a permit with mitigating conditions as may be appropriate.
2. Required. For those applications that the community development director determines a permit is necessary, and which are determined not to be minor in nature, a vegetation management plan shall be required prior to issuance of the permit.

E. Vegetation Management Plan--Standards. Vegetation management plans shall meet the following standards:

1. Vegetation management plans shall be prepared by a qualified arborist or biologist;
2. If the proposed vegetation removal impacts a steep slope or area with potentially unstable soils, the vegetation management plan shall contain a certification by a qualified geotechnical engineer that the removal of vegetation in accordance with the vegetation management plan will not cause erosion or increase the likelihood of a landslide;
3. Where possible, proposed vegetation removal activities adjacent to environmentally sensitive areas should be configured in a manner which avoids impacts;
4. Where possible, limbing, pruning, or thinning should be utilized in lieu of removal of vegetation;

5. Vegetation removal should normally be mitigated through vegetation enhancement in the form of additional plantings;
 6. Vegetation management should be done in the manner that takes into consideration stormwater runoff, slope stability, view enhancement, and wildlife habitat;
 7. The schedule for removal and planting should be done in such a manner as to optimize the survival of the modified vegetation and new plantings;
 8. Monitoring of vegetation survival may be required, and should normally include reports and photographs to the community development director or designee;
 9. Vegetation removal for purposes of view enhancement shall be limited to view corridors, as opposed to removal of vegetation over a larger area;
 10. Vegetation management plans shall bear the certification of the qualified arborist and any other registered professional involved in its preparation or implementation;
 11. Vegetation management plans should contain a provision requiring thirty days written notice to the city prior to any removal or replanting of vegetation.
- F. Bonding. A bond may be required to insure proper maintenance, replacement, or repair of areas altered under a vegetation removal permit. The bond amount shall be not less than 1.25 times the value of the plantings to be planted following removal of vegetation.
- G. Incorporation. The provisions of an approved vegetation management plan shall be incorporated into the covenants, conditions, and restrictions of any approved development, the conditions of approval, and referenced on the plat of an approved subdivision or planned development, or conditions of any other type of development permit.
- H. Process. Vegetation removal permits shall be processed as a Type I administrative review subject to notice pursuant to CMC Chapter 18.55 Administration and Procedures of this title.
(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.31.110 Mandatory preservation.

- A. As a condition of development approval for any development application set forth in Section 18.31.020(A) of this chapter, the applicant shall set aside and preserve all sensitive areas, except as otherwise permitted by this chapter. To insure that such areas are adequately protected, the applicant shall cause a protective mechanism acceptable to the city to be put in place.
- B. For property zoned single-family residential or multifamily residential, the applicant shall receive a density transfer to the remainder parcel that is equal to the density lost due to the property set aside, except that the density transfer shall not exceed thirty percent of the allowable density for the entire development if it were not encumbered with sensitive lands.
(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.31.120 Negotiated preservation.

- A. The city and a landowner may negotiate an agreement whereby property is set aside and preserved with a protective mechanism. A negotiated preservation may be done incidental to a development proposal, or may be done independently of any development proposal.
- B. To be eligible for a negotiated preservation, the property to be set aside must be:
 1. Part of the open space network;
 2. An open space connector identified in the parks, recreation, and open space comprehensive plan;
 3. Land satisfying the open space criteria of Section 5.4 of the parks, recreation, and open space comprehensive plan; or
 4. A park site identified in the parks, recreation, and open space comprehensive plan.
- C. The city may, as part of any negotiated preservation, provide the landowner with:
 1. Density transfer;
 2. A density bonus;
 3. A credit against park and open space impact fees;
 4. Cash from the parks and open space impact fee fund or the general fund; or

5. Any combination of the above.
(Ord. 2515 § 1 (Exh. A (part)), 2008)

Chapter 18.35 TELECOMMUNICATION ORDINANCE

Sections:

- 18.35.010 Purpose.
- 18.35.030 Definitions.
- 18.35.040 Abbreviations.
- 18.35.050 Scope.
- 18.35.060 Use authorization.
- 18.35.070 Exemptions/nonconforming uses.
- 18.35.080 Height limitations.
- 18.35.090 General provisions.
- 18.35.100 Antennas and add-on antennas.
- 18.35.110 Wireless communications--Conditional use permits.
- 18.35.120 Landscaping and screening standards.
- 18.35.130 Federal requirements.
- 18.35.140 Application requirements.
- 18.35.150 Permitting process--Waiver of fees for collocation.
- 18.35.160 Removal of antennas and support structures.
- 18.35.170 Periodic review.
- 18.35.180 Best available technology (BAT) employment.

18.35.010 Purpose.

The purpose of this chapter is to minimize the exposure to potential adverse impacts of radio frequency radiation, to preserve the aesthetics of residential, commercial, and light industrial areas, and to minimize interference by telecommunication transmissions and radio frequency signals with manufacturing and industrial processes, and with emergency and residential communication equipment.

The purpose of this chapter is to set forth the regulations for the placement, development, permitting, and removal of wireless communication facilities, support structures, and antennas. The goals of this chapter are to:

- A. Establish clear and objective standards for the placement, design, and maintenance of wireless communication facilities in order to minimize adverse visual, aesthetic, and safety impacts.
- B. Ensure that such standards do not unreasonably discriminate among providers of functionally equivalent services.
- C. Encourage the design of such facilities to be aesthetically and architecturally compatible with the surrounding built and natural environment.
- D. Encourage the location of wireless communication support structures in nonresidential areas.
- E. Encourage the collocation and clustering of wireless communication support structures and antennas to help minimize the total number of such facilities throughout the community.
- F. Encourage competition in the provision of wireless communication services for the benefit of the entire community.

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

18.35.030 Definitions.

As used in this chapter, the following terms shall have the following meaning:

"Accessory equipment structure" means an unstaffed structure used to house and protect the electronic equipment necessary for processing wireless communications signals. Associated equipment may include air conditioning and emergency generators.

"Add-on antenna" means an additional antenna(s) placed on an existing wireless communication support structure, or other existing building or structure, and does not include the originally approved antenna(s). "Antenna(s)" means the specific device used to capture an incoming, and/or transmitting an outgoing radio-frequency signal. This definition shall include directional (panel) antennas, omni-directional (whip) antennas, parabolic (microwave dish) antennas, and ancillary antennas. All other transmitting or receiving equipment not specifically described herein shall be regulated in conformity with the type of antenna described herein which most closely resembles such equipment.

1. "Directional antenna" (also known as a "panel antenna") is an antenna array designed to transmit and receive signals in a directional pattern.
2. "Omni-directional antenna" (also known as a "whip antenna") is an antenna that transmits signals in a three hundred sixty-degree pattern.
3. "Dish antennas" (also known as a "parabolic antenna") is a bowl shaped device that receives and transmits signals in a point to point pattern.

"City" means the city of Camas.

"Clustering" means the placement of more than one wireless communication support structure on a single site.

"Collocation" means the use of a single wireless communication support structure by more than one wireless communication provider, or the use of a site by more than one wireless communication provider.

"Earth station" means a facility that transmits signals to and/or receives signals from orbiting satellite. Satellite dish antennas less than twenty-five feet in diameter shall not be considered earth stations.

"Lattice support structure" means a support structure which consists of a network of crossed metal braces, forming a tower which is usually triangular or square in cross-section, and is anchored at the base by a concrete foundation.

"Leased area" means the specified area of the parent parcel upon which a wireless communication facility is located and is subject to specific lease provisions.

"Major telecommunication facility" means a utility use in which the means for transfer of information is provided. These facilities, because of their size, typically have impacts beyond their immediate site. Major telecommunication facilities shall include, but not be limited to, FM and AM radio transmission towers, UHF and VHF television transmission towers, and earth stations. Major telecommunication facilities do not include communication equipment accessory to residential uses, nor the studios of broadcasting companies such as radio or television stations.

"Minor telecommunication facility" means a telecommunication facility in which the transfer of information is provided but which generally does not have significant impacts beyond the immediate location of the facility. These facilities are smaller in size than a major telecommunication facility.

"Monopole support structure" means a support structure or tower consisting of a single pole which is either sunk into the ground and/or attached to a foundation.

"Satellite dish antenna" means an instrument or device designed or used for the reception and transmission of television or other electronic communication signals broadcast or relayed from an earth satellite. It may be a solid, open-mesh, or a bar-configured structure. Satellite dish antennas shall be considered major telecommunication facilities.

"Transmission tower" means a broadcasting facility that is constructed aboveground or water, or is attached to or on top of another structure, and is intended to support an antenna and accessory equipment, or which is itself an antenna, and whose principal use is to transmit telecommunication signals.

"Wireless communication facilities" means the site, structures, equipment, and appurtenances used to transmit, receive, distribute, provide, or offer wireless telecommunications services. This includes, but is not limited to antennas, poles, towers, cables, wires, conduits, ducts, pedestals, vaults, buildings, electronics, and switching equipment.

"Wireless communication support structure" means a structure erected to support wireless communications antennas and connecting appurtenances. The primary purpose is to elevate an antenna above the surrounding terrain or structures and may be attached to an existing building or other permanent

structures or as a freestanding structure which may include, but are not limited to monopole support structures and lattice support structures, and may have supporting guyed wires and ground anchors. "Wireless communication systems" means the sending and receiving of radio frequency transmissions, and the connection and/or relaying of these signals to land lines and other sending and receiving stations (cell sites), and including, but not limited to cellular radiotelephone, personal communications services (PCS), enhanced/specialized mobile radio, and commercial paging services, and any other technology which provides similar services.

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

18.35.040 Abbreviations.

As used in this chapter, the following abbreviations shall stand for the following terms or entities:

A. FAA. "FAA" means the Federal Aviation Administration established pursuant to the "Federal Aviation Act of 1958," as amended.

B. FCC. "FCC" means the Federal Communications Commission established pursuant to the "Communications Act of 1954," as amended.

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

18.35.050 Scope.

The following facilities shall be subject to the regulations set forth in this chapter:

A. All wireless communication support structures, antennas, equipment structures, and uses accessory to an antenna.

B. Any modification to a wireless communication support structure, antenna, equipment structure, or uses accessory to an antenna.

C. Major and minor telecommunication facilities, earth stations, and transmission towers.

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

18.35.060 Use authorization.

Major and minor telecommunication facilities may be authorized as provided under CMC Chapter 18.07 Use Authorization. Wireless communications structures and antennas shall be permitted, prohibited or conditionally allowed as indicated in Table 18.35-1.

Table 18.35-1

TABLE INSET:

KEY:	P = Permitted Use	C = Conditional Use
	X = Prohibited Use	T = Temporary Use

TABLE INSET:

Use	NC	DC	CC	RC	LI/BP	LI	HI	R	MF
Wireless communication-support structures (no lattice)	C	C	C	C	P	P	P	C	C
Lattice support structures	X	X	X	X	X	X	C	X	X
Antenna and add-on antennas	P	P	P	P	P	P	P	P	P

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

18.35.070 Exemptions/nonconforming uses.

The following shall be exempt from requirements in this chapter:

A. Wireless telecommunication support structures, antennas and equipment structures for which a permit has been issued prior to the effective date of the ordinance codified in this chapter shall be allowed to

continue their previously permitted use under the development standards in effect at the time of permitting.

B. The following shall be permitted outright for existing wireless communication support structures, antenna, equipment, or uses which are nonconforming, provided that there is no increase in excess of twenty-five percent of the cross-sectional diameter of any wireless communication support structure, and there is compliance with FCC radio frequency radiation standards:

1. Structural alterations to meet safety requirements;
 2. Replacement on-site;
 3. Routine or emergency maintenance, renovation, or repair;
 4. Addition of new antennas to an existing wireless communication support structure to permit collocation, provided that no more than a total of three antennas over six feet in any dimension may be located on any existing wireless communication support structure.
- C. The operation of industrial, scientific and medical equipment at frequencies designed for that purpose by the Federal Communications Commission.
- D. Machines and equipment that are designed and marketed as consumer products, such as computers, telephones, microwave ovens, and remote-control toys.
- E. Hand held, mobile and marine radio transmitters and/or receivers, and portable radio frequency sources.
- F. Two-way communication transmitters utilized on a temporary basis for experimental or emergency service communications.
- G. Licensed amateur radio frequency facilities including, but not limited to, amateur (ham) radio stations and citizen band stations.
- H. Satellite dish antenna systems normally used for television reception and internet connections at home or place of business.
- I. Emergency or routine repair, reconstruction, or routine maintenance of previously approved telecommunication facilities, or replacement of transmitters, antennas, or other components, or previously approved facilities, replacement of transmitters, antennas, or other components of previously approved facilities which does not increase the power output of the facility by more than ten percent.
(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.35.080 Height limitations.

A. The height of a wireless communications facility shall mean to include the support structure and any antennas proposed at the time of application. A lightning rod, not to exceed ten feet, or FAA required lighting shall not be included within the height limitations.

B. The maximum height of wireless communications support structures and their antennas may vary from the standards of the underlying zone.

C. The allowable overall height of a structure associated with a wireless communication facility or major telecommunication facility shall be no greater than the distance from any point at the base of the support structure to any point of a residential building, located on- or off-site and existing on the date of application, unless the owner of such residential building(s) consent in writing to such tower location.

D. A variance to the height standard shall be subject to CMC Chapter 18.45 Variances of this title. In addition to the criteria of Chapter 18.45, the application must demonstrate the variance is necessary for wireless coverage to exist in a specific identifiable area that could not feasibly be covered by locating at a different location in the vicinity.

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

18.35.090 General provisions.

The following general provisions shall apply to all wireless communications facilities:

A. All wireless communications support structures and required fencing shall be equipped with appropriate anti-climbing devices.

B. All wireless communication support structures and antennas which are located at a wireless communication facility shall be identified with a sign not exceeding four square feet. The sign shall list the wireless service provider's name and emergency telephone number, and shall be posted in a place visible to the general public.

C. Wireless communication support structures and antennas locating on any site or existing building that is on a historic register or in a historic district shall require a conditional use permit. If the proposed site or existing building is on the local historic register, the wireless communication support structure and antenna design shall be subject to the applicable design standards prescribed by the Clark County historic preservation commission. If the site is on the national historic register, the wireless communication support structure and antenna shall be subject to the applicable design standards prescribed by the Secretary of the Interior.

D. Wireless communication support structures not regulated by the FAA shall have a finished surface that minimizes the visibility of the structure.

E. Wireless communication support structures shall not be illuminated, except when required by the FAA.

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

18.35.100 Antennas and add-on antennas.

Antennas and add-on antennas shall be permitted as a Type I review in any zone, and further subject to the applicable provisions of the international building code and the following conditions and exceptions:

A. Shall add no more than twenty feet to the height of an existing structure as measured at the point of attachment to the existing structure.

B. Shall be painted or finished in a manner that blends with dominant color of the background, unless required to be marked by the FAA.

C. Shall be affixed to structures with mounting apparatus which produces the least visual impact and blends with the dominant background color.

D. Individual add-on antennas shall be limited to the following size restrictions:

1. A whip antenna shall not be more than three inches in diameter and fifteen feet in length.

2. A panel, dish, or microwave antenna shall have not more than fifteen square feet.

3. Multiple add-on antennas proposed for a single wireless communication support structure or existing building which increase the existing cumulative cross-sectional diameter of antennas by more than twenty-five percent shall require a conditional use permit.

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

18.35.110 Wireless communications--Conditional use permits.

Wireless communications support structures shall be subject to the conditional use permit provisions of CMC Chapter 18.43 Conditional Use Permits, as a Type III procedure, except within an industrial or light industrial zone where they shall be subject to a Type I decision subject to notice, be submitted on application forms and in the manner set forth by the city, with the following additional requirements:

A. Collocation feasibility evaluation as prescribed by CMC Section 18.35.140, "Application Requirements" conditions. In addition to the conditions of approval of Chapter 18.43, the permit may include requirements which:

1. Require the use of concealment technology, including, but not limited to fencing, landscaping, strategic placement adjacent to existing buildings or vegetation, and "stealth" designs to minimize adverse aesthetic and visual impacts;

2. Require compatibility with key design elements in the surrounding area; for example, in single-family residential zones, use of peaked roof lines, painted surfaces, and wooden fences;

3. Minimize the cumulative aesthetic, visual, or safety impacts of additional wireless communication facilities in the surrounding area.

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

18.35.120 Landscaping and screening standards.

The following landscaping and screening standards shall apply to all wireless communication support structures, major or minor telecommunication facilities, accessory equipment structures, and any other accessory facilities located on the ground:

- A. The perimeter of the wireless communication support structure, and any guyed wires and anchors shall be enclosed by a fence or wall subject to CMC Chapter 18.18 Site Plan Review of this title. The outside perimeter of the fence or wall shall have a five-foot buffer, and be landscaped with six-foot high evergreen shrubs that provide a screen that is seventy-five percent opaque year around.
- B. Landscaping shall be installed in compliance with CMC Chapter 18.13 Landscaping.
- C. Add-on antennas to existing structures that require the ground installation of equipment structures and accessory equipment shall be landscaped with a five-foot buffer around the perimeter of the facility. (Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.35.130 Federal requirements.

All wireless communications support structures must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate wireless communications support structures and antennas. If such standards and regulations are changed, owners of the wireless communication support structure, antennas, and electronic equipment governed by this chapter shall bring such wireless communication support structure, antennas, and electronic equipment into compliance with such revised standards and regulations within the compliance schedule of the regulatory agency. Failure to bring wireless communications support structures and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the wireless communication support structure, antenna, or electronic equipment at the owner's expense. The owners of such wireless communications support structures, antennas, and electronic equipment shall provide the city with copies of all environmental assessments (EA's) required to be submitted to the FCC or FAA regarding locations within the city simultaneously with any filing with the federal agencies pursuant to 47 CFR Part I.

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

18.35.140 Application requirements.

In addition to other the requirements in this code, the applicant shall provide the following where applicable as deemed by the director:

- A. A copy of the applicant's collocation evaluation study consisting of the following:
 - 1. Certification that the following notice was mailed to all other wireless providers licensed to provide service within the city of Camas:

Pursuant to the requirements of CMC Chapter 18.35 Telecommunications Ordinance, (insert wireless provider) is hereby providing you with notice of our intent to apply to the City of Camas to construct a wireless communication support structure that would be located at (insert address). In general, we plan to construct a support structure of _____ feet in height for the purpose of providing (cellular, PCS, etc.) service.

Please inform us whether you have any wireless facilities located within _____ feet of the proposed facility, that may be available for possible collocation opportunities. Please provide us with this information within _____ days after the date of this letter. If no response is received within that time, we shall assume you do not wish to pursue collocation at such site. Sincerely, (pre-application applicant, wireless provider).

- 2. Certification from a licensed radio engineer indicating whether the necessary service is technically feasible if provided by collocation at the identified site(s) by the other provider(s).
- 3. If applicable, evidence that the lessor of the site(s) identified by the other provider(s) agrees to collocation on their property.

4. Certification by a licensed radio engineer that adequate site area exists or does not exist at the site(s) identified by the other provider(s) to accommodate needed equipment and meet all of the site development standards.
5. If applicable, evidence that adequate access does exist at the possible collocation site(s) identified by the other provider(s).
6. A copy of the applicant's license issued by the FCC.
7. A copy of the findings from the FAA's "Aeronautical Study Determination" regarding the proposed wireless communication support structure.
8. A report from a licensed professional engineer indicating the anticipated capacity of the wireless communication support structure, including the number and types of antennas which can be accommodated.
9. Proof of liability insurance coverage for the proposed wireless communication support structure or antenna. Liability insurance shall be maintained until the wireless communication support structure or antenna is dismantled. Failure to maintain insurance coverage shall constitute a violation of this chapter and grounds for revocation of a permit.
10. In the case of a leased site, a lease agreement which shows on its face that it does not preclude the site owner from entering into leases of the site with other providers.
(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.35.150 Permitting process--Waiver of fees for collocation.

If the wireless communication support structure and originally approved antennas required a conditional use permit, and attaching add-on antenna(s) does not require any additional wireless communication support structure expansion, except for normal mounting hardware, the add-on antennas shall only be subject to fees for being permitted outright. The site plan and SEPA fee shall be waived.

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

18.35.160 Removal of antennas and support structures.

Any antenna or wireless communication support structure that is not operated for a continuous period of twelve months shall be removed by the owner of the property on which the wireless communication support structure or antenna is situated, or by the owner or lessee of the wireless communication support structure or antenna, within ninety days of receipt of notice to remove from the city. If the antenna and/or wireless communication support structure is not removed within such ninety days, the city may remove the antenna or wireless communication support structure at the owner's expense. If there are two or more wireless communications providers on a single wireless communication support structure, this provision shall not become effective until all providers cease using the wireless communication support structure for a continuous period of twelve months. The provider shall submit a notice to the city informing the city that the antenna or wireless communication support structure is no longer in use or in operation. Such notice shall be submitted within thirty days that the facility becomes unused or inoperable.

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

18.35.170 Periodic review.

The city recognizes that communication technologies are subject to rapid change. Future innovations may result in reducing the impacts of individual facilities and render specific portions of this chapter obsolete. Additionally, this chapter may not address new technologies as they develop. Therefore, periodic review and revision of this chapter shall occur at least every two years, or at the request of the planning commission or city council.

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

18.35.180 Best available technology (BAT) employment.

At the time of application for a new or revised permit subject to the provisions of this chapter, best available technology (BAT) shall be employed. Further, the city strongly encourages the communication industry to review and replace outdated facilities with BAT.
(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

Chapter 18.37 RESERVED*

***Editor's note:** Ord. No. 2584, § III, adopted May 3, 2010, repealed Ch. 18.37, which pertained to adult entertainment. See also the Code Comparative Table and Disposition List.

Chapter 18.39 HOME OCCUPATIONS*

***Editor's note:** Ord. No. 2561, § 1, adopted October 19, 2009, amended Ch. 18.39, in its entirety, to read as herein set out. Prior to inclusion of said ordinance, Ch. 18.39 pertained to similar subject matter. See also the Code Comparative Table and Disposition List.

Sections:

18.39.010 Purpose.

18.39.020 Definitions.

18.39.030 Minor home occupations.

18.39.040 Major home occupation.

18.39.050 Appeals.

18.39.060 Exemptions.

18.39.070 Prohibited.

18.39.080 Termination, revocation, suspension.

18.39.090 Complaints, enforcement.

18.39.010 Purpose.

A. The purpose of the home occupation chapter is to address the need for small scale home based businesses, and to ensure they are suitable to the characteristic of the surrounding neighborhood or the area. The regulations are designed to:

Protect the individual characteristics of neighborhoods in the City of Camas, and maintain the quality of life for all residents of the city.

B. The intent of this chapter is to ensure that business activities that are allowed in residential neighborhoods are regulated as home occupations, and that activities not able to meet the requirements of this chapter are directed to appropriate mixed use, commercial, or manufacturing zoning districts.

C. This chapter is not intended to regulate typical family or personal activities, or occasional visits by business associates and outside service providers, except as otherwise provided.

D. It is not the intent of this chapter to involve the city in the enforcement of private restrictive covenants.

E. Join in an effort to reduce vehicle miles traveled, traffic congestion, and air pollution in the State of Washington.

(Ord. No. 2561, § I(Exh. A), 10-19-2009)

18.39.020 Definitions.

As used in this chapter:

- A. "Commercial vehicle" means a semi-truck and/or trailer used in any commercial enterprise.
 - B. "Employee" means a full or part time non-resident participant.
 - C. "Normal delivery services" means deliveries by parcel post, United Parcel Service, or similar in-town delivery service trucks.
 - D. "Customer, client" means any person visiting the site for business purposes that is not an employee of the home occupation or a resident of the home.
 - E. "Home occupation" means any accessory activity customarily conducted in a dwelling, or in a building or structure accessory to a dwelling, for gainful employment involving the manufacture, provision or sale of goods and/or services, and where the residential character of the dwelling and neighborhood is maintained.
 - F. "Outdoor storage" means the outdoor holding of any materials or merchandise used or associated with a home business, whether covered or uncovered.
 - G. "Vehicles or motors" mean vehicles or equipment with internal combustion engines (such as autos, motorcycles, scooters, snowmobiles, outboard marine engines, lawn mowers, chain saws, and other engines).
- (Ord. No. 2561, § I(Exh. A), 10-19-2009)

18.39.030 Minor home occupations.

- A. A minor home occupation permit is required for any business operated in a dwelling unit or accessory building which has no external indication of commercial activity, including no non-resident employees, no client visits, no business-related deliveries, and no vehicle signage.
 - B. No production, generation, or storage of any hazardous substances or materials beyond an amount that is commonly used for a single-family dwelling shall be permitted.
 - C. Minor home occupation permits shall be subject to a Type I review in accordance with the administrative approval procedures of CMC Chapter 18.55 Administration and Procedures.
 - D. Applicant shall submit a completed minor home occupation permit to the city for review and approval.
- (Ord. No. 2561, § I(Exh. A), 10-19-2009)

18.39.040 Major home occupation.

Major home occupation permits shall be subject to a Type II review in accordance with the administrative approval procedures of CMC Chapter 18.55 Administration and Procedures.

- A. Owner/operator, employees.
 - 1. Only members of the family residing on the premises, and no more than two non-residents may be continuously employed at any one time on the site.
 - 2. A home occupation permit issued to one person shall not be transferable to any other person, entity, or business, and is valid only for the property address set forth in the permit.
- B. Alterations, residential character.
 - 1. No dwelling or accessory structure shall be constructed, modified, or altered to accommodate a home occupation which alters the residential character of the property in such a way so as to render its appearance incompatible with neighboring properties.
 - 2. Home occupations shall be allowed to be conducted in accessory buildings detached from the principal dwelling unit, provided that if the home occupation use occurs in an accessory building, it shall be subject to the same rules and regulations for home occupation uses within the principal dwelling unit.
 - 3. The home occupation shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes, and the appearance of the structure shall not be altered, or the occupation within the residence be conducted in a manner that would cause the premises to differ from its residential character.
- C. Location of use, size.
 - 1. Where an accessory dwelling unit exists, a home occupation must be conducted either in the primary dwelling unit, the accessory dwelling unit, or an accessory structure on the property, but not in more than one.

2. The business shall utilize no more than twenty-five percent of the gross floor area or five hundred square feet, whichever is less, of the structure, including storage of any inventory or incidental supplies which are necessary to the home occupation.

D. Signs. Signs shall be in conformance with CMC Chapter 18.15 Signs.

E. Hours of operation. Business visits and non-resident employee arrivals or departures shall occur between 7:00 a.m. and 10:00 p.m.

F. Traffic.

1. Traffic generated by the home occupation shall not noticeably affect the residential character of the neighborhood.

2. Deliveries or pick-ups by normal delivery services shall not exceed two trips per day, and occur only between 7:00 a.m. and 10:00 p.m.

3. Traffic which exceeds eight clients, customers, normal deliveries, or combination thereof per day, shall be a prima facie evidence that the activity is a primary business and not a home occupation.

G. Parking.

1. The site shall have adequate on-site parking to accommodate any additional traffic resulting from the use.

2. Adequate on-site parking shall be provided for all non-resident employees, and shall be used by those employees at all times.

3. Under no circumstances shall parking for the home occupation cause traffic hazards.

4. With the exception of existing driveways, no parking shall be allowed in setbacks or buffers.

H. Sales. Except for the purchase of merchandise crafted on-site or items clearly accessory to a service (e.g., crafts or artwork, or hair care products incidental to a beauty salon for example) no retail customers shall visit the home premises at any time.

I. Outdoor storage. There shall be no outdoor storage or display of any items pertaining to the home occupation allowed.

J. Equipment. No mechanical equipment shall be used except as is commonly or customarily used for domestic household or personal purposes for a dwelling (or as deemed similar in terms of power, quantity, noise, emissions, and type) shall be allowed.

K. Disturbing influences.

1. No excessive mechanical equipment which produces vibration, smoke, dust, odors, heat, glare, or noxious fumes resulting from a home occupation shall exceed that which is normally produced in a single-family dwelling.

2. Any noise generated by the home occupation shall be consistent with the requirements in CMC Section 9.32.050 Public disturbance noises.

3. No production, generation, or storage of any hazardous substances or materials beyond an amount that is commonly used for a single-family dwelling shall be permitted.

(Ord. No. 2561, § I(Exh. A), 10-19-2009)

18.39.050 Appeals.

Any person aggrieved by a denial of an application for a home occupation, or seeking relief from the strict application of the requirements in Section 18.39.040, above, may appeal such decision to the board of adjustment. The home occupation may be approved by the board of adjustment if the board finds that the home occupation:

A. Will not be materially detrimental to the public welfare;

B. Will not have adverse impact on adjacent properties in the zone or vicinity in which the subject property is located;

C. Will be consistent with the spirit and purpose of this chapter and code.

D. Will not include storage, display of goods, building materials, and/or the operation of building machinery, commercial vehicles, or other tools, unless it meets the following criteria:

1. Is wholly enclosed within a structure or building;

2. Does not emit noise, odor, or heat;

3. Does not create glare or emit light from the site; and
4. Does not create a condition which injures or endangers the comfort, or pose health or safety threats of persons on abutting properties or streets.

In addition, the board of adjustment may impose such requirements and conditions with respect to location, installation, construction, maintenance, operation and extent of open spaces in addition to those expressly set forth in this chapter and code, as may be deemed necessary for the protection of other properties in the zone or vicinity and the public interest.

(Ord. No. 2561, § I(Exh. A), 10-19-2009)

18.39.060 Exemptions.

A. Any of those uses allowed in residential and multi-family zones consistent with CMC Section 18.07.040 Table 2.

B. Garage sales, yard sales, bake sales, and other like uses do not need to comply with the requirements of this chapter as long as the use does not operate for more than twenty days in any one calendar year, or would be in violation of any other provisions of the Camas Municipal Code. To qualify for this exemption, garage and yard sales must involve only the sale of household goods, none of which were purchased for the purpose of resale. Garage and yard sales are also subject to CMC Chapter 8.48 Garage and Yard Sales.

(Ord. No. 2561, § I(Exh. A), 10-19-2009)

18.39.070 Prohibited.

The following uses shall not be permitted as home occupations:

- A. Motor vehicle, trailer, boat, and heavy equipment repair, body work, or painting;
- B. Vehicle services, including stereo and car alarm installation, and detailing;
- C. Medical or professional clinics;
- D. Retail activities of any type, except as allowed in 18.39.040(H), above;
- E. Commercial kennel or stable;
- F. Veterinary clinic or hospital;
- G. Any activities involving more than eight customer or business visits per day;
- H. Production of any type of fuels for use, storage, dispensing, or sales.

(Ord. No. 2561, § I(Exh. A), 10-19-2009)

18.39.080 Termination, revocation, suspension.

A. A home occupation may be terminated, revoked, or suspended for a violation of any requirements as listed in CMC 18.39.040.

B. Notwithstanding any other provisions of this chapter of the city code, a home occupation may be immediately terminated if the city finds that the home occupation is being conducted in a manner which is detrimental to the public health or safety. In the event of such immediate termination, the operator of the home occupation shall be advised that he or she shall have the right to appeal on the propriety of such immediate termination as provided in CMC 18.55.200.

(Ord. No. 2561, § I(Exh. A), 10-19-2009)

18.39.090 Complaints, enforcement.

Any complaint made that a home occupation is being conducted in violation of this chapter shall be enforced pursuant to Article VIII of CMC Chapter 18.55 Administration and Procedures.

(Ord. No. 2561, § I(Exh. A), 10-19-2009)

Chapter 18.41 NONCONFORMING LOTS, STRUCTURES AND USES

Sections:

18.41.010 Purpose.

18.41.020 Scope.
18.41.030 Definitions.
18.41.040 Buildable lot of record.
18.41.050 Continuance.
18.41.060 Discontinuance.
18.41.070 Nonconforming structures.
18.41.080 Nonconforming land uses.
18.41.085 Nonconforming dwelling units.
18.41.090 Nonconforming landscaping.
18.41.100 Nonconforming parking lots.
18.41.110 Mobile homes--Replacement--Manufactured homes.
18.41.120 Signs.
18.41.130 Conversion--Removal.
18.41.140 Agriculture/ranching (A/R)--Nonconforming permitted use.

18.41.010 Purpose.

The purpose of this chapter is to establish limitations on the expansion of nonconforming uses and structures.

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

18.41.020 Scope.

The provisions in this chapter shall apply to structures, land, or uses which become nonconforming as a result of a change of the zoning map, annexation, or changes made in the zoning ordinance.

Special provisions address the agriculture/ranching (A/R) designation in this chapter. In the case of a conflict between the general provisions of this chapter regulating nonconforming uses and the provisions of this section governing land classified as A/R, the provisions of A/R sections shall prevail.

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

18.41.030 Definitions.

In addition to those definitions in Chapter 18.03, the following definitions shall also apply to this chapter:

"Lot of record" means a parcel which was in compliance with both the platting, if applicable, and zoning laws in existence when the parcel was originally created.

"Nonconforming building or structure" means any building or structure which does not comply with one or more of the regulations in the zoning code by reason of a change in the zoning map, annexation, or a change in the zoning ordinance.

"Nonconforming use" means a lawful use of land prior to the adoption, amendment, or revision of this code, but fails by reason of such adoption, revision, or amendment to conform to the zoning district in which it is located

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

18.41.040 Buildable lot of record.

An authorized use or structure may be erected on a vacant lot of record containing less area than required by the zone district in which it is located; provided, setback requirements, as well as other applicable dimensional standards of this title are met. For example, a fifty feet by one hundred feet (five thousand square feet) lot of record which is nonconforming by current zoning regulations may be built upon as long as the setbacks, building height, and lot coverage provisions are met.

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

18.41.050 Continuance.

A. A nonconforming use or building may be continued, provided it complies with the following Sections 18.41.070 and 18.41.080 of this chapter.

B. In order for a nonconforming use or building to continue it must have been lawfully established prior to the change in the zoning map, annexation, or change in the zoning code that caused it to be a nonconforming use or building.

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

18.41.060 Discontinuance.

A. A nonconforming use shall be discontinued if it ceases to be used continuously for that particular use for twelve consecutive months.

B. A nonconforming building or structure shall be discontinued if it ceases to be used continuously for the purpose for which it was built for twelve consecutive months.

C. A nonconforming building or structure shall be discontinued if it is destroyed by fire or other cause, and rebuilding does not commence within twelve months.

D. The community development director shall have the discretion to extend the time limitations of subsections A, B, and C of this section due to special circumstances beyond the control of the owner or occupant of the nonconforming use or nonconforming structure. Examples of special circumstances include, but are not limited to disputes over insurance settlements in the case of fire or other casualty, delay in transferring title due to probate proceedings, litigation that impacts continuation of a nonconforming use or nonconforming structure, labor strikes, war, and acts of God. Requests for an extension must be submitted thirty days prior to the expiration date. The decision of the community development director denying any request for an extension may be appealed to the city council pursuant to CMC Chapter 18.55 Administration and Procedures of this title.

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

18.41.070 Nonconforming structures.

A nonconforming structure or building may be continued so long as the structure conforms to the following provisions:

A. A building conforming as to use but nonconforming as to the density provisions of the district in which such building is located may be altered, repaired, or extended, providing that the alteration, repair, or extension does not further exceed or violate the appropriate density provisions. (For example, a building encroaching in a setback area shall not further encroach into the setback area as a result of an alteration).

B. A building designed and built for, or devoted to, a nonconforming use at the time of the adoption of the code, may not be enlarged or structurally altered unless the use of such building is changed to a conforming use, or to a more appropriate use in accordance with Section 18.41.080(E) of this chapter.

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

18.41.080 Nonconforming land uses.

A nonconforming use of land may be continued so long as it conforms to the following provisions:

A. No such nonconforming use shall be enlarged, increased, nor extended to occupy a greater use than was occupied at the effective date of adoption of this title;

B. No nonconforming use shall be moved in whole or in part to any other portion of the lot occupied by such use at the effective date of adoption or amendment of this title;

C. If any such nonconforming use ceases for any reason for a period of more than six months, any subsequent use shall conform to the regulations specified by this title for the district in which such use is located;

D. No existing structure devoted to a use not permitted in the underlying zone in which it is located shall be structurally altered, except in changing the use of the structure to a use permitted in the zone in which it is located;

E. If nonstructural alterations are made, any nonconforming use of a structure, or structure and premises, may be changed to another nonconforming use, provided that the board of adjustment, by making a finding in the specific case, shall find that the proposed use is more appropriate to the zone than the

existing nonconforming use. In permitting such change, the board of adjustment may require appropriate conditions and safeguards in accordance with the provisions of this title;

F. Any structure, or structure and land in combination, in or on which a nonconforming use becomes a permitted use, shall thereafter conform to the regulations for the zone in which such structure is located. (Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.41.085 Nonconforming dwelling units.

A. Structural alterations of a dwelling unit necessary to comply with public health or safety issues, as determined by the community development director or building official may be permitted without review.

B. Notwithstanding other provisions of this chapter, nonconforming dwelling units may be enlarged, replaced, or structurally altered when, at the discretion of the community development director, the following are satisfied:

1. The proposed enlargement or structural alteration will not result in additional dwelling units on the site;
2. The proposed enlargement or structural alterations will generally result in improvements to the subject property and character of the surrounding area;
3. In the case of enlargement, the enlarged portion of the dwelling unit conforms to the dimensional requirements of the zone.

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

18.41.090 Nonconforming landscaping.

Adoption of the landscaping regulations contained in this title shall not be construed to require a change in the landscape improvements for any legal landscape area which existed on the date of adoption of this title, unless and until a change of use or alteration of the structure is proposed. At such time as a change is proposed for a use, or structure, and associated premises which does not comply with the landscape requirements of this title, a landscape plan which substantially conforms to the requirements of this title shall be submitted to the city prior to the issuance of building permits. The city may modify the standards imposed by this title when, in its judgment, the existing and proposed additional landscaping and screening materials together will adequately screen or buffer possible use incompatibilities, soften the barren appearance of parking or storage areas, and/or adequately enhance the premises appropriate to the use district and location of the site.

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

18.41.100 Nonconforming parking lots.

Nothing in CMC Chapter 18.11 Parking of this title shall be construed to require change in any aspect of a structure or facility, including but not limited to, parking lot layout, loading space requirements, and curb-cuts, for any structure or facility which existed on the date of adoption of this title. If a change of use takes place, or an addition is proposed which requires an increase in the parking area the requirements of Chapter 18.11 shall be complied with for the additional parking area.

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

18.41.110 Mobile homes--Replacement--Manufactured homes.

Legally preexisting mobile homes may continue to exist and be used, but if replaced the replacement shall not be a mobile home. The mobile home may be replaced with a HUD-approved manufactured home and must also meet the following standards:

A. Shall have roofing material that is residential in appearance including, but not limited to approved wood, asphalt composition shingles, or fiberglass, but excluding corrugated aluminum, corrugated fiberglass, or metal roof;

B. Shall have a minimum roof pitch of three inch rise for each twelve inches of run, or about twenty-five percent;

- C. Shall be installed in accordance with manufacturer's instructions, which shall include design specifications for earthquake and wind load factors;
- D. Shall have exterior siding that is residential in appearance including, but not limited to, clapboards, simulated clapboards such as conventional vinyl or metal siding, wood shingles, shakes, or similar material, but excluding smooth, ribbed, or corrugated metal or plastic panels;
- E. Shall have the hitch, axles and wheels removed;
- F. Shall be set on a perimeter foundation or pier blocks, and thereafter, properly backfilled or skirted.
(Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2443 § 3 (Exh. A (part)), 2006)

18.41.120 Signs.

For nonconforming signs, see the applicable regulations in CMC Chapter 18.15 Signs of this title.
(Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2443 § 3 (Exh. A (part)), 2006)

18.41.130 Conversion--Removal.

- A. Conversion or removal of a nonconforming structure or use shall be commenced not later than sixty days after the date of abandonment and shall be completed within six months thereafter.
- B. In the event of a failure of the owner of record to complete, or cause to be completed, removal or conversion, the community development director may, within ninety days after notice to the owner of record, cause or undertake removal of all nonconforming structures or uses, and charge the cost thereof against the property.
(Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2443 § 3 (Exh. A (part)), 2006)

18.41.140 Agriculture/ranching (A/R)--Nonconforming permitted use.

There is created a special category for nonconforming uses of land used either commercially or noncommercially for the raising of crops or livestock, or any similarly related farming, ranching, or agricultural use. Such land shall be classified A/R. In the case of a conflict between the general provisions of this chapter regulating nonconforming uses and the provisions of this section governing land classified as A/R, the provisions of this section shall prevail:

- A. Annexation. Any land annexed to the city that is used either commercially or noncommercially for the raising of crops or livestock, or any similarly related farming, ranching, or agricultural purpose shall be classified as A/R. Subject to the provisions of this section regarding sale, partition, conveyance, or other transfer of such land, and subject to the provisions of Section 18.41.060 of this chapter regarding discontinuance of use, the A/R classification shall be perpetual.
- B. Sale Restrictions. Property that is classified as A/R and that is sold, conveyed, or transferred as an entire unit shall continue to be classified as A/R so long as the new owner or transferee continues to use the land for agricultural purposes. An entire unit of land for agricultural purposes of this section shall include all land that is owned by the same person or persons, and that is contiguous, exclusive of public roads.
- C. Partial Sale. Upon sale, conveyance, transfer, or partition of less than an entire unit of land, only one parcel of the entire unit of land so divided shall be allowed to retain the A/R classification. The parcel retaining the A/R classification shall be designated by the seller, must consist of a minimum of ten acres, and must then constitute an entire unit of land that will continue to be used for agricultural purposes. The parcel or parcels not retaining the A/R classification shall be no longer classified as nonconforming, and shall be zoned in accordance with the zoning classification then in effect, pursuant to the zoning ordinance of the city.
- D. Residential Structures. A second residential structure may be constructed on land classified A/R without requiring a partition or sale of the land, and without causing a change in the A/R classification of the land, provided however, that ownership of the entire unit of land shall remain within the same family. For purposes of this section, family shall include lineal descendants, lineal ascendants, and siblings of the record owner of such land.

E. Construction of any new residential structures or garages used for nonagricultural purposes, and any alterations, modifications, or additions to existing residences or garages used for nonagricultural purposes shall be done in conformity with the city building code, and shall be subject to standard permit fees and inspection procedures.

F. Accessory Structures. Accessory or secondary structures used for agricultural purposes, and alteration, modification, and additions to existing accessory or secondary structures used for agricultural purposes, shall be exempt from city building code requirements including permit fees and inspections. Nothing contained in this section shall be deemed to exempt such accessory structures from applicable state safety, health, and construction regulations.

G. Such accessory or secondary structures used for agricultural purposes shall not be subject to density or setback requirements of the city, except that any new accessory structures shall be set back at least fifty feet from the property line when land classified A/R abuts property which is not classified A/R.

H. Fences. Barbed wire and electric fences shall be permitted on land classified A/R. All electric fences in such instances shall be clearly identified. Maintenance, repair, and replacement of existing fences shall be governed by state law.

I. Water Systems. Land classified A/R shall be permitted to have its own domestic and agricultural water supply systems so long as the water used for domestic purposes meets state health and safety standards. Periodic inspections of domestic water systems may be required to insure compliance with state health standards, or in the alternative, proof of compliance with state health standards may be required.

J. Sanitary Systems. Land classified A/R shall be permitted to have its own self-contained sanitary system so long as the entire unit of land consists of one acre or more. State health standards shall apply to such sanitary systems and the operations thereof, and periodic inspections or proof of compliance may be required to insure that such health standards are not being violated.

K. Lot Clearing. City ordinances governing the clearing of vacant land lots shall not be applicable to land classified as A/R; provided, however, that the vacant land lot clearing regulations will apply to a fifteen-foot strip adjacent both to any public road, and to any contiguous property not classified A/R. Nothing in this section shall be construed to relieve the owner of such land from state and county regulations for weed control, such as: tansy ragwort, Canadian thistles, and other noxious weeds.

L. Product Sale. Sales of products derived from farming, ranching, and similar agricultural activities on land designated A/R may be conducted on such property, and shall be subject to state regulations governing the same.

M. Signs. The regulations governing signs in CMC Chapter 18.15 Signs of this title for the respective zones shall be applicable.

N. Variance--Conditional Use. The provisions of CMC Chapters 18.43 Conditional Use Permits and 18.45 Variances of this title pertaining to conditional uses and variances shall be applicable to property classified A/R.

O. Nuisances. Sounds, odors, activities, and conditions that are incidental to and a normal part of agricultural uses shall not be a cause for complaint, and shall not constitute a nuisance on land classified A/R under the relevant ordinances of the city.

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

Chapter 18.43 CONDITIONAL USE PERMITS

Sections:

18.43.010 Purpose.

18.43.020 Scope.

18.43.030 Application.

18.43.050 Criteria.

18.43.070 Expiration and renewal.

18.43.090 Performance bond or security.

18.43.100 Resubmittal of application.

18.43.115 Special conditions and criteria for licensed liquor establishments in the downtown commercial zone.

18.43.010 Purpose.

It is the purpose of this chapter to establish review and permit approval procedures for unusual or unique types of land uses which, due to their nature, require special consideration of the impact on the neighborhood and land uses in the vicinity.

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

18.43.020 Scope.

This chapter shall apply for each application for a conditional use permit (CUP). Only those uses indicated by a "C" in the use tables contained in CMC Chapter 18.07 Use Authorization of this title will be considered for a conditional use permit.

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

18.43.030 Application.

Application for a conditional use permit shall be filed with the community development department on forms provided by the city. The application shall be accompanied by a filing fee as may be set from time to time by resolution of the city council. The application and review process shall be subject to a Type III procedure, pursuant to CMC Chapter 18.55 Administration and Procedures of this title.

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

18.43.050 Criteria.

The hearings examiner shall be guided by all of the following criteria in granting or denying a conditional use permit:

- A. The proposed use will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity of the proposed use, or in the district in which the subject property is situated;
- B. The proposed use shall meet or exceed the development standards that are required in the zoning district in which the subject property is situated;
- C. The proposed use shall be compatible with the surrounding land uses in terms of traffic and pedestrian circulation, density, building, and site design;
- D. Appropriate measures have been taken to minimize the possible adverse impacts that the proposed use may have on the area in which it is located;
- E. The proposed use is consistent with the goals and policies expressed in the comprehensive plan;
- F. Any special conditions and criteria established for the proposed use have been satisfied. In granting a conditional use permit the hearings examiner may stipulate additional requirements to carry out the intent of the Camas Municipal Code and comprehensive plan.

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

18.43.070 Expiration and renewal.

A conditional use permit shall automatically expire one year after the date it was granted, unless a building permit conforming to the plans for which the CUP was granted is obtained within that period of time. A CUP shall automatically expire unless substantial construction of the proposed development is completed within two years from the date the CUP is granted. The hearing examiner may authorize longer periods for a CUP, if appropriate for the project. The hearing examiner may grant a single renewal of the CUP, if the party seeking the renewal can demonstrate extraordinary circumstances or conditions not known or foreseeable at the time the original application for a CUP was granted, which would warrant such a renewal of a CUP.

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

18.43.090 Performance bond or security.

A performance bond or other adequate and appropriate security may be required by the hearing examiner for any elements of the proposed project which the city council determines are crucial to the protection of the public welfare. Such bond shall be in an amount equal to one hundred percent of the cost of the installation or construction of the applicable improvements.

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

18.43.100 Resubmittal of application.

An application for a conditional use permit that has been denied may not be resubmitted within one year from the date of the disapproval.

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

18.43.115 Special conditions and criteria for licensed liquor establishments in the downtown commercial zone.

A. As used in this chapter, "licensed liquor establishment" means a bar, tavern, cocktail lounge, or any other establishment where alcohol, spirits, beer, wine, or any other alcoholic beverage is served for consumption on premises.

B. Licensed liquor establishments where persons under twenty-one years of age are permitted in all areas open to the public during all hours the establishment is open for business do not require a conditional use permit in the downtown commercial zone.

C. Licensed liquor establishments where persons under twenty-one years of age are not allowed, or where persons under twenty-one years of age are not permitted to enter some portion of the establishment otherwise open to members of the public either during all or a portion of the hours the establishment is open for business, shall satisfy the following conditions in the downtown commercial zone:

1. There shall be no more than one such establishment per block frontage. Block frontage shall mean one side of the street between intersecting cross streets.
2. There shall be a maximum of six such establishments permitted in the downtown commercial zone.
3. The approval authority may impose additional conditions on live entertainment, outside lounge areas, noise levels, litter and trash, and such other matters as may be necessary to promote the public health, safety and general welfare.

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

Chapter 18.45 VARIANCES

Sections:

18.45.010 Purpose.

18.45.020 Approval process.

18.45.030 Criteria for granting a variance.

18.45.040 Conditions for granting--Extension.

18.45.050 Application requirements.

18.45.080 Prohibited variance.

18.45.010 Purpose.

A variance to any development standard contained in this title, other than density and lot area, may be granted when practical difficulties, unnecessary hardship, or results inconsistent with the general purposes of CMC Title 18 would result from the literal enforcement of its requirements. The sole purpose of any variance shall be to prevent such difficulties, hardship, or results, and no variance shall be granted which would have the effect of granting a special privilege not shared by other property in the same vicinity and zone, except when necessary to avoid such difficulties, hardship or results.

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

18.45.020 Approval process.

A. Minor Variance. A minor variance is one that results in the modification of up to ten percent of a numerical development standard (other than lot area or density) that shall be subject to Type I procedure, pursuant to CMC Chapter 18.55 Administration and Procedures, and subject to the approval criteria contained in CMC Section 18.45.030(A).

B. Major Variance. A major variance is one that results in the modification of a numerical development standard by more than ten percent. The board of adjustment is generally the decision maker regarding major variances. Where a variance is consolidated with an application for a Type III decision, the decision maker shall be the same as that for the Type III application. A major variance shall not be approved unless findings are made by the approval authority that all of the approval criteria under CMC Section 18.45.030 are satisfied.

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

18.45.030 Criteria for granting a variance.

The board of adjustment (or hearing examiner, or planning commission, in accordance with Section 18.45.020(B)) shall consider all requests for variances from the zoning code; a variance from the provisions of such ordinances shall not be granted unless all of the following facts and conditions exist:

A. Minor Variance. The community development director may grant a minor variance upon demonstration by the applicant of compliance with all of the following approval criteria:

1. Unusual circumstances or conditions apply to the property and/or the intended use that do not apply generally to other property in the same vicinity or district;
2. The variance requested is the minimum necessary to relieve the unusual circumstances or conditions identified in subsection (A)(1) of this section;
3. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which property is located;
4. The proposed variance does not exceed ten percent of the requested dimensional standard in which the variance is requested.

B. Major Variance. A major variance shall not be authorized without findings demonstrating compliance with all of the following criteria:

1. The variance shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located;
2. That such variance is necessary, because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property, to provide it with use, rights, and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located;
3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and in the zone in which the subject property is located.

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

18.45.040 Conditions for granting--Extension.

In authorizing the variance, the approval authority may attach thereto such conditions that it deems to be necessary or desirable in order to carry out the intent and purpose of this chapter and the public interest. A variance so authorized shall become void after the expiration of one year, or a longer period as specified at the time of the approval authority action, if no building permit has been issued in accordance with the plans for which such variance was authorized, except that the approval authority may extend the period of variance authorization, without a public hearing, for a period not to exceed twelve months upon a finding that there has been no basic change in pertinent conditions surrounding the property since the time of the original approval.

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

18.45.050 Application requirements.

An application for a variance shall be made on forms provided by the city. All applications shall be accompanied by a filing fee set time to time by resolution of the city council.
(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.45.080 Prohibited variance.

Under no circumstances shall the approval authority grant a variance to permit a use not outright or conditionally permitted in the zone involved, or any use expressly or by implication prohibited by the terms of this title.

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

Chapter 18.47 TEMPORARY USE PERMITS

Sections:

18.47.010 Purpose.

18.47.020 Permit required.

18.47.030 Application.

18.47.040 Exemptions.

18.47.050 Criteria for approval.

18.47.060 Time limitation.

18.47.070 Limitation on activity.

18.47.080 Removal of a temporary use.

18.47.090 Abatement.

18.47.100 Assurance device.

18.47.010 Purpose.

It is the purpose of this chapter to provide an administrative approval process whereby the city may permit uses to locate within the city on an interim basis without requiring full compliance with the development standards for the applicable zoning district, or by which the city may allow seasonal or transient uses not otherwise permitted.

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

18.47.020 Permit required.

A. No temporary use shall be permitted within the city except in accordance with the provisions of this chapter. A temporary use permit is required for temporary uses except those specifically exempted pursuant to Section 18.47.040 of this chapter.

B. The property owner or the agent of the property owner may apply for a temporary use permit on private property. Any person may apply for a temporary use permit within a public right-of-way.

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

18.47.030 Application.

The application for a temporary use permit shall be submitted on forms obtained from the planning department. The application shall contain all the information required by the city. The planning department shall verify that the application is consistent with the requirements of this chapter, and that the application contains proof of a legitimate business, if applicable. Temporary uses shall be subject to a Type I procedure, pursuant to CMC Chapter 18.55 Administration and Procedures.

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

18.47.040 Exemptions.

The following activities are exempt from the permit requirements of this chapter, but shall comply with other substantive requirements of this chapter, unless specifically noted otherwise:

A. Garage sale and yard sale;

- B. City sponsored uses and activities not occurring within a structure, and occurring at regular periodic intervals (i.e., weekly, monthly, yearly, etc.);
- C. Fireworks stands operating under a permit issued by the fire marshal's office;
- D. Christmas tree lots.

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

18.47.050 Criteria for approval.

A. The community development director may approve, or modify and approve an application for a temporary use permit if all of the application satisfies all of the following criteria:

1. The temporary use will not be materially detrimental to the public health, safety or welfare, nor injurious to property or improvements in the immediate vicinity;
2. The temporary use is compatible with the purpose and intent of this title, and the specific zoning district in which it will be located in accordance with the Chapter 18.07 "Use Authorization";
3. The temporary use is compatible in intensity and appearance with existing land uses in the immediate vicinity;
4. Structures proposed for the temporary use comply with the setback and vision clearance area requirements of this title, and with applicable provisions of the Building and Fire Codes;
5. Adequate parking is available to serve the temporary use, and if applicable, the temporary use does not occupy required off-street parking areas for adjacent or nearby uses;
6. Hours of operation of the temporary use are specified;
7. The temporary use will not cause noise, light, or glare which adversely impacts surrounding land uses.

B. The community development director may authorize a temporary use permit for a use not specifically listed in Chapter 18.07 "Use Authorization."

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

18.47.060 Time limitation.

A temporary use is valid for up to one hundred eighty calendar days from the effective date of the permit, however, the community development director may establish a shorter time frame. The community development director may grant one extension not to exceed sixty days, upon the applicant showing compliance with all conditions of permit approval.

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

18.47.070 Limitation on activity.

A property owner or other holder of a temporary use permit may not file an application for a successive temporary use permit for sixty days following the expiration of an approval permit applying to that property.

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

18.47.080 Removal of a temporary use.

The community development director shall establish, as a condition of each temporary use permit, a time within which the use and all physical evidence of the use must be removed. If the applicant has not removed the use as required by the temporary use permit, the city may abate the use as provided in Section 18.47.090 of this chapter.

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

18.47.090 Abatement.

Prior to the approval of a temporary use permit, the applicant shall submit to the community development director an irrevocable, signed and notarized statement granting the city permission to summarily enter the applicant's property with reasonable notice and abate the temporary use, and all physical evidence of that use if it has not been removed as required by the terms of the permit. The statement shall also

indicate that the applicant will reimburse the city for any expenses incurred in abating a temporary use under the authority of this chapter.

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

18.47.100 Assurance device.

In appropriate circumstances, the community development director may require a reasonable performance of maintenance assurance device, in a form acceptable to the finance department, to assure compliance with the provisions of this title and the temporary use permit as approved.

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

Chapter 18.49 UNCLASSIFIED USE PERMITS

Sections:

18.49.010 Purpose.

18.49.020 Uses requiring an unclassified use permit (UUP).

18.49.030 Area and dimensional requirements.

18.49.040 Application requirements.

18.49.050 Notice and hearing requirements.

18.49.060 Criteria.

18.49.070 Expiration and renewal.

18.49.080 Revocation of permit.

18.49.090 Performance bond or security.

18.49.100 Resubmittal of application.

18.49.010 Purpose.

It is the purpose of this chapter to establish procedures for the regulation of uses possessing unusual, large-scale, unique or special characteristics that make impractical their being included in the various zone districts previously defined in Chapter 18.05 "Zoning Map and Districts."

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

18.49.020 Uses requiring an unclassified use permit (UUP).

Uses not listed in CMC Chapter 18.07 Use Authorization of this title require an unclassified use permit processed subject to a Type III procedure pursuant to CMC Chapter 18.55 Administration and Procedures, subject to the approval criteria as provided in this chapter.

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

18.49.030 Area and dimensional requirements.

A. The requirements for front, rear and side yards and open spaces and landscaping applicable to the underlying zone classification in which any such use is proposed to be located shall prevail, unless specific modifications are required in granting the unclassified use permit.

B. The provisions applying to height and minimum lot area and width applicable to the underlying zone classification in which any such use is proposed to be located shall prevail unless specific modifications are required in granting the UUP.

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

18.49.040 Application requirements.

Application for an unclassified use permit shall be filed with the planning department on forms provided by that office. All applications shall be accompanied by a filing fee as set from time to time by resolution of the city council.

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

18.49.050 Notice and hearing requirements.

Upon completion of review of the proposed project by the planning department, the planning department shall schedule a public hearing before the planning commission to consider the application for the unclassified use permit. Public hearing notice shall be made in accordance with CMC Chapter 18.55 Administration and Procedures of this title. Following the public hearing, the planning commission shall make a recommendation to the city council regarding the proposed project. The city council shall adopt findings, and shall specifically state what is approved and any conditions thereon.

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

18.49.060 Criteria.

The planning commission and city council shall be guided by all of the following criteria in granting an unclassified use permit:

- A. The proposed use will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity;
- B. The proposed use shall meet or exceed the same standards for parking, landscaping, yards, and other development regulations that are required in the district it will occupy;
- C. The proposed use shall be compatible generally with the surrounding land uses;
- D. The proposed use shall be in keeping with the goals, objectives, and policies of the comprehensive plan;
- E. All measures shall be taken to minimize the possible adverse impacts that the proposed use may have on the area in which it is located.

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

18.49.070 Expiration and renewal.

An unclassified use permit shall automatically expire one year after the date it was granted by the city council, unless a building permit conforming to plans upon which the permit was granted is obtained within that period of time. An unclassified use permit shall automatically expire unless substantial construction shall be completed within two years from the date the unclassified use permit is granted by the city council, unless a renewal is granted, or unless the UUP specifically provides for a period greater than two years. The city council, upon recommendation of the planning commission, may renew an unclassified use permit for a maximum period of one additional year. No more than one renewal shall be issued for any UUP. A renewal may be granted only if there have been no pertinent changes in conditions surrounding the property since the time of original approval. No hearing is required for renewal of an unclassified use permit.

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

18.49.080 Revocation of permit.

The city council may revoke or modify an unclassified use permit. Any aggrieved party may petition the planning commission in writing to initiate revocation or modification proceedings. Such revocation or modification shall be made on any one or more of the following grounds:

- A. The approval was obtained by deception, fraud, or other intentional and misleading representations;
- B. The use approved has been abandoned;
- C. The use approved has at any time ceased for a period of one year or more;
- D. The permit granted is being exercised contrary to the terms or conditions of such approval, or in violation of any statute, resolution, code, law, or regulations.

Before an unclassified use permit may be revoked or modified, a public hearing shall be held. Procedures concerning notice, reporting, and appeals shall be the same as required by this chapter for the initial consideration of an unclassified use permit application.

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

18.49.090 Performance bond or security.

A performance bond or other adequate and appropriate security may be required by the city for any elements of the proposed project which the city determines are crucial to the protection of the public welfare. Such bond shall be in an amount equal to one hundred percent of the cost of the installation or construction of the applicable improvements.

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

18.49.100 Resubmittal of application.

An application for an unclassified use permit which has been denied may not be resubmitted within one year from the date of city council disapproval.

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

Chapter 18.51 COMPREHENSIVE PLAN AMENDMENTS

Sections:

18.51.010 Application and criteria therein.

18.51.020 Application review.

18.51.030 Staff report.

18.51.040 Notification and hearing.

18.51.050 Council consideration and decision.

18.51.010 Application and criteria therein.

Any interested person, including applicants, citizens, planning commission, city council, city staff, and other agencies, may submit an application in the month of January each year for a comprehensive plan amendment. The application shall specify:

- A. A detailed statement of what is proposed and why;
- B. A statement of the anticipated impacts of the change, including the geographic area affected, and issues presented by the proposed change;
- C. An explanation of why the current comprehensive plan is deficient or should not continue in effect;
- D. A statement of how the proposed amendment complies with and promotes the goals and specific requirements of the growth management act;
- E. A statement of what changes, if any, would be required in functional plans (i.e., the city's water, sewer, stormwater or shoreline plans) if the proposed amendment is adopted;
- F. A statement of what capital improvements, if any, would be needed to support the proposed change which will affect the capital facilities plans of the city;
- G. A statement of what other changes, if any, are required in other city or county codes, plans, or regulations to implement the proposed change; and
- H. The application shall include an environmental checklist in accordance with the State Environment Policy Act (SEPA).

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

18.51.020 Application review.

The comprehensive plan shall be reviewed once a year in accordance with RCW 35A.63.070-073, unless there is an emergency, with the following procedure:

- A. In the months of November and December, city staff and applicants shall complete preapplication meetings;
- B. In the month of January of each year, applicants shall submit an application form containing all of the information required by Section 18.51.010 of this chapter;
- C. In the months of February and March of each year, the city shall review all proposed changes (including any changes initiated by the city). If no amendments are received, the chairman of the planning

commission shall so report to the mayor and city council, and the annual review of the comprehensive plan shall be considered completed. The city may take as much as sixty days from the closing of the application period (January thirty-first) to complete the initial review of proposals. Environmental determination requirements associated with an application may lengthen this period.

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

18.51.030 Staff report.

The planning department shall prepare and submit to the planning commission a staff report which addresses the following:

- A. The issues set forth in this chapter;
- B. Impact upon the city of Camas comprehensive plan and zoning code;
- C. Impact upon surrounding properties, if applicable;
- D. Alternatives to the proposed amendment; and
- E. Appropriate code citations and other relevant documents.
- F. The SEPA checklist and determination.

The report shall include a copy of the application for each proposed amendment, any written comments on the proposals received by the department, and shall contain the department's recommendation on adoption, rejection or deferral of each proposed change.

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

18.51.040 Notification and hearing.

Upon consideration of any amendment, modification, or alteration to the comprehensive plan, the planning commission shall hold at least one public hearing on the proposed amendment. Any person can submit written comment to the department prior to the public hearing, and/or present oral testimony at the public hearing. Notice of the time, place, and purpose of such public hearing shall be published in the official newspaper of the city in accordance with CMC Section 18.55.320 Type IV – Legislative hearing process. The hearing may be continued from time to time at the discretion of the planning commission, but no additional notices need be published.

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

18.51.050 Council consideration and decision.

Subsequent to planning commission review and recommendation, the city council shall consider each request for an amendment to the comprehensive plan at a public meeting, at which time the applicant will be allowed to make a presentation. Any person submitting a written comment on the proposed change shall also be allowed an opportunity to make a responsive oral presentation. Such opportunities for oral presentation shall be subject to reasonable time limitations established by the council.

A. At minimum, the criteria the city council shall use to make a decision on a proposed amendment are as follows:

1. The application and criteria established therein;
2. The staff report and recommendation;
3. The planning commission recommendation;
4. The public interest.

B. The city council shall make a decision by motion, resolution, or ordinance as appropriate. The city council decision on a planning commission recommendation following a public hearing shall include one of the following actions:

1. Approve as recommended;
2. Approve with additional conditions;
3. Modify, with or without the applicant's concurrence;
4. Deny (resubmittal is not allowed until the next year);
5. Remand the proposal back to the planning commission for further proceedings.

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

Chapter 18.55 ADMINISTRATION AND PROCEDURES*

Sections:

Article I. General Procedures

18.55.010 Procedures for processing development permits.

18.55.020 Determination of proper procedure type.

18.55.030 Summary of decision making processes.

Article II. Pre-Filing Requirements

18.55.050 Initiation of action.

18.55.060 Preapplication conference meeting--Type II, Type III.

Article III. Application Requirements

18.55.100 Application requirements for Type II or Type III applications.

18.55.110 Application--Required information.

18.55.130 Letter of completeness Type II, Type III or SMP.

Article IV. Public Notices and Hearings

18.55.150 Notice of application--Type III.

18.55.165 SEPA threshold determinations and consolidated review.

18.55.170 Optional public notice.

18.55.180 Hearings process--Type III applications.

18.55.190 Hearing's notice.

Article V. Decisions and Appeals

18.55.200 Appeals--Generally.

18.55.210 Reserved.

18.55.220 Conditions of approval.

18.55.230 Notice of decision.

18.55.235 Reconsideration by the hearings examiner.

18.55.240 Judicial appeals.

18.55.250 Reapplication limited.

18.55.260 Expiration of a Type II, or Type III decisions.

18.55.270 Plat amendments and plat alterations.

18.55.280 Modification of conditions.

18.55.290 Minor amendments or modifications.

Article VI. Miscellaneous Processes

18.55.300 Joint public hearings.

18.55.320 Type IV--Legislative hearing process.

18.55.330 Shoreline master program permits.

18.55.340 Development agreements.

18.55.345 Final plat approval.

Article VII. Code Conflicts

18.55.350 Applicability in the event of conflicts.

18.55.360 Severability.

Article VIII. Enforcement

18.55.400 Enforcing authority.

18.55.410 General penalty.

18.55.420 Application.

18.55.430 Civil regulatory order.

18.55.440 Civil fines.

18.55.450 Review of approved permits.

18.55.460 Revocation of permits or approvals.

* Prior ordinance history: Ords. 2443, 2451, 2455, 2481 and 2509.

Article I. General Procedures

18.55.010 Procedures for processing development permits.

For the purpose of project permit processing, all development permit applications shall be classified as one of the following: Type I, Type II, Type III, BOA, SEPA, Shoreline or Type IV. As used in this chapter Director or Community Development Director shall mean the Community Development Director or designee.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.020 Determination of proper procedure type.

A. Determination by Director. The community development director or designee (hereinafter the "director"), shall determine the proper procedure for all development applications. If there is a question as to the appropriate type of procedure, the determination shall be at the director's discretion.

B. Optional Consolidated Permit Processing. An application that involves two or more project permits may be submitted concurrently and processed with no more than one open record hearing and one closed record appeal. If an applicant elects this process upon submittal and in writing, the determination of completeness, notice of application, and notice of decision or final decision shall include all project permits reviewed through the consolidated permit process.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

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

TABLE INSET:

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					
Final plats (2)	X						
Home occupations	X Minor	X 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)				
Sensitive areas/OS		X	X				
SEPA threshold determination					X		
Shorelines permit				X			
Short plat		X					
Sign permits	X						
Site plan review		X					
Temporary uses	X						
Unclassified use permit			X (4)				
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. The shoreline procedures are specified in CMC Chapter 18.88 Shoreline Management of this title.

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)

Article II. Pre-Filing Requirements

18.55.050 Initiation of action.

Except as otherwise provided, Type I, II, III, or BOA applications may only be initiated by written consent of the owner(s) of record or contract purchaser(s). Legislative actions may be initiated at the request of citizens, the city council, planning commission, or department director or division manager. (Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.060 Preapplication conference meeting--Type II, Type III.

A. Prior to submitting an application for a Type II or Type III application, the applicant shall schedule and attend a preapplication conference with city staff to discuss the proposal. The preapplication conference shall follow the procedure set forth by the director.

B. To schedule a preapplication conference the applicant shall contact the planning department. The purpose of the preapplication conference is for the applicant to provide a summary of the applicant's development proposal to staff and in return, for staff to provide feedback to an applicant on likely impacts, limitations, requirements, approval standards, fees, and other information that may affect the proposal. The director may provide the applicant with a written summary of the preapplication conference within ten days after the preapplication conference.

C. Notwithstanding any representations by city staff at a pre-application conference, staff is not authorized to waive any requirements of the city code. Any omission or failure by staff to recite to an

applicant all relevant applicable code requirements shall not constitute a waiver by the city of any standard or requirement.

D. A preapplication conference shall be valid for a period of one hundred eighty days from the date it is held. If no application is filed within one hundred eighty days of the conference or meeting the applicant must schedule and attend another conference before the city will accept a permit application. Any changes to the code or other applicable laws which take effect between the preapplication conference and submittal of an application shall be applicable.

E. The director may waive the preapplication requirements if, in the director's opinion, the development does not warrant these steps.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

Article III. Application Requirements

18.55.100 Application requirements for Type II or Type III applications.

All Type II, or Type III applications must be submitted at the planning department office on the most current forms provided by the city, along with the appropriate fee and all necessary supporting documentation and information sufficient to demonstrate compliance with all applicable approval criteria. The applicant has the burden of demonstrating, with evidence, that all applicable approval criteria are or can be met.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.110 Application--Required information.

Type II or Type III applications include all the materials listed in this subsection. The director may waive the submission of any of these materials if not deemed to be applicable to the specific review sought. Likewise, the director may require additional information beyond that listed in this subsection or elsewhere in the city code, such as a traffic study or other report prepared by an appropriate expert where needed to address relevant approval criteria. In any event, the applicant is responsible for the completeness and accuracy of the application and all of the supporting documentation. Unless specifically waived by the director, the following must be submitted at the time of application:

A. A copy of a completed city application form(s) and required fee(s);

B. A complete list of the permit approvals sought by the applicant;

C. A current (within thirty days prior to application) mailing list and mailing labels of owners of real property within three hundred feet of the subject parcel, certified as based on the records of Clark County assessor;

D. A complete and detailed narrative description that describes the proposed development, existing site conditions, existing buildings, public facilities and services, and other natural features. The narrative shall also explain how the criteria are or can be met, and address any other information indicated by staff at the preapplication conference as being required;

E. Necessary drawings in the quantity specified by the director;

F. Copy of the preapplication meeting notes (Type II and Type III);

G. SEPA checklist, if required;

H. Signage for Type III applications and short subdivisions: Prior to an application being deemed complete and Type III applications are scheduled for public hearing, the applicant shall post one four-foot by eight-foot sign per road frontage. The sign shall be attached to the ground with a minimum of two four-inch by four-inch posts or better. The development sign shall remain posted and in reasonable condition until a final decision of the city is issued, and then shall be removed by the applicant within fourteen days of the notice of decision by the city. The sign shall be clearly visible from adjoining rights-of-way and generally include the following:

1. Description of proposal,

2. Types of permit applications on file and being considered by the city of Camas,

3. Site plan,

4. Name and phone number of applicant, and city of Camas contact for additional information,
5. If a Type III application, then a statement that a public hearing is required and scheduled. Adequate space shall be provided for the date and location of the hearing to be added upon scheduling by the city. (Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.130 Letter of completeness Type II, Type III or SMP.

- A. Upon submission of a Type II, Type III, or SMP application, the director should date stamp the application form, and verify that the appropriate application fee has been submitted. The director will then review the application and evaluate whether the application is complete. Within twenty-eight days of receipt of the application, the director shall complete this initial review and issue a letter to the applicant indicating whether or not the application is complete. If not complete, the director shall advise the applicant what information must be submitted to make the application complete.
- B. If the director does not issue a letter of completeness or incompleteness within twenty-eight days, the application will be presumed complete on the twenty-eighth day after submittal.
- C. Upon receipt of a letter indicating the application is incomplete, the applicant has one hundred eighty days from the original application submittal date within which to submit the missing information or the application shall be rejected and all materials returned to the applicant. If the applicant submits the requested information within the one hundred eighty day period, the director shall again verify whether the application, as augmented, is complete. Each such review and verification should generally be completed within fourteen days.
- D. Once the director determines the application is complete, or the applicant refuses in writing to submit any additional information, the city shall declare the application complete and generally take final action on the application within one hundred twenty days of the date of the completeness letter. The timeframe for a final decision may vary due to requests by the city to correct plans, perform required studies, provide additional required information, extensions of time agreed to by the applicant and the city, or delays related to simultaneous processing of Shoreline's or SEPA reviews.
- E. The approval criteria and standards which control the city's review and decision on a complete application are those which were in effect on the date the application was first submitted, or as prescribed by a development agreement.
(Ord. 2515 § 1 (Exh. A (part)), 2008)

Article IV. Public Notices and Hearings

18.55.150 Notice of application--Type III.

- A. Notice of Application Required. A notice of application will be required for all Type III applications. The notice of application may be combined with a notice of public hearing.
- B. Contents. The notice of a Type III application shall include:
 1. The date of application, the date of the notice of completeness, and the date of the notice of application;
 2. A description of the proposed project action, a list of project permits included in the application, and, if applicable, a list of any studies requested;
 3. The identification of other permits not included in the application, to the extent known by the city;
 4. The identification of existing environmental documents that evaluate the proposed project, and, if not otherwise stated on the document providing notice of application, the location where the application and any studies can be reviewed;
 5. A statement of the limits of the public comment period, which shall be fifteen days following the date of notice of application, and statements of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights;
 6. The date, time, and place of hearing, if applicable and known;

7. A statement of the preliminary determination of consistency, if one has been made at the time of notice, and of those development regulations that will be used for project mitigation and consistency as provided in Title 16 of this code;
 8. Any other information determined appropriate by the city, such as the city's threshold determination.
- C. Time frame for issuance of notice of application.
1. Within fourteen days after the city has made a determination of completeness of a project permit application, the city shall issue a notice of application.
 2. If any open record predecision hearing is required for the requested project permit(s), the mailed notice of application shall be provided at least fifteen days prior to the open record hearing.
- D. Published. The notice of application shall be published in the city's official newspaper of general circulation in the general area where the proposal is located.
- E. Mailed. The notice of application shall be mailed to all owners of record of the subject property, and all owners of real property located within three hundred feet of the subject property based on Clark County GIS records.
- F. Preliminary Plat Actions. In addition to the notice of application requirements above for preliminary plats and proposed subdivisions, additional notice shall be provided as follows:
1. Notice of the filing of a preliminary plat adjacent to or within one mile of the municipal boundaries of the city, or which contemplates the use of any city or town utilities shall be given to the appropriate city or town authorities.
 2. Notice of the filing of a preliminary plat of a proposed subdivision adjoining the city limits shall be given to the appropriate county official.
 3. Notice of the filing of a preliminary plat of a proposed subdivision located adjacent to the right-of-way of a state highway, or within two miles of the boundary of a state or municipal airport shall be given to the secretary of transportation, who must respond within fifteen days of such notice.
 4. If the owner of the real property which is proposed to be subdivided owns another parcel or parcels of real property which lie adjacent to the real property proposed to be subdivided, notice under this section shall be given to owners of real property located within three hundred feet of any portion of the boundaries of such adjacently located parcels of real property owned by the owner of the real property proposed to be subdivided.
- (Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.165 SEPA threshold determinations and consolidated review.

- A. Notice of Threshold Determinations. Under a consolidated review, notice of a threshold determination will be mailed to those agencies, individuals, or entities submitting comment within the comment period, and to all owners of record of the subject property, and all owners of real property generally located within three hundred feet of the subject property based on Clark County GIS records. Where a notice of public hearing is required, the threshold determination may be combined with such notice. An applicant is responsible for submitting a certified list of the property owners to be notified, and mailing labels of this list.
- B. Public Hearing on Project Permit. If an open record predecision hearing is required for the underlying project permit application, the city shall issue its threshold determination at least fifteen days prior to the open record predecision hearing.
- C. Consolidated Appeals. All SEPA related appeals, other than a DS, shall be consolidated with the open record hearing, or appeal, if any, on the underlying project application.
- D. DS appeals shall be heard in a separate open record hearing prior to the open record hearing, if applicable, on the underlying project application. The purpose for this early separate appeal hearing is to resolve the need for an environmental impact statement (EIS), and to permit administrative and judicial review prior to preparation of an EIS.
- E. Notice of Appeal--Timing and Content.
1. All SEPA appeals shall be filed in writing with the city of Camas clerk accompanied by the required filing fee.

2. The notice of appeal shall identify the appellant, establish standing, and set principal points of the appeal.
3. The notice of appeal shall be filed no later than fourteen days after the threshold determination has been issued.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.170 Optional public notice.

As optional methods of providing public notice of any project permit(s), the city may utilize one or more of the following:

- A. Notify the public or private groups with known interest in a certain proposal, or in the type of proposal being considered;
- B. Notify the news media;
- C. Place notices in appropriate regional, local, or neighborhood newspapers or trade journals;
- D. Publishing notice in city newsletters or sending notice to agency mailing lists, either general lists or lists for specific proposals or subject areas;
- E. Mailing to neighboring property owners; and
- F. Placing notice on the city of Camas official web site.

The city's failure to provide the optional notice as described in this section shall not be grounds for invalidation of any permit decision.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.180 Hearings process--Type III applications.

All public hearings on a Type III application shall be quasi-judicial and comply with the procedure of this section.

- A. Once the director determines that an application for a Type III decision is complete a hearing shall be scheduled.
- B. Notice of the hearing shall be issued in accordance with CMC Section 18.55.190.
- C. The director or designee shall prepare a staff report on the application which lists the applicable approval criteria, describes the application and the applicant's proposal, summarizes all relevant city department, agency, and public comments, describes all other pertinent facts as they relate to the application and the approval criteria, and makes a recommendation as to whether each of the approval criteria are met.
- D. At the beginning of the initial public hearing authorized under these procedures, a statement shall be announced to those in attendance that:
 1. Lists the applicable substantive criteria;
 2. The hearing will proceed in the following general order: staff report, applicant's presentation, testimony in favor of the application, testimony in opposition to the application, rebuttal, record closes, deliberation and decision;
 3. That all testimony and evidence submitted, orally or in writing, must be directed toward the applicable approval criteria. If any person believes that other criteria apply in addition to those addressed in the staff report, those criteria must be listed and discussed on the record. The decision maker may reasonably limit oral presentations in length or content depending upon time constraints. Any party may submit written materials of any length while the public record is open;
 4. Any party wishing a continuance or to keep open the record must make that request while the record is still open;
 5. That the decision maker shall disclose any ex parte contacts, conflicts of interest, or bias before the beginning of each hearing item and provide an opportunity for challenge. Advised parties must raise challenges to the procedures of the hearing at the hearing and raise any issue relative to ex parte contacts, conflicts of interest, or bias, prior to the start of the hearing;
 6. Requests for continuances and to keep open the record. The decision maker(s) may continue the hearing from time to time to allow the submission of additional information or for deliberation without

additional information. New notice of a continued hearing need not be given so long as the decision maker(s) established a time certain and location for the continued hearing. Similarly, the decision maker may close the hearing but keep open the record for the submission of additional written material or other documents and exhibits. The decision maker(s) may limit the factual and legal issues that may be addressed in any continued hearing or open-record period;

7. Denial by a hearings examiner or city council of a Type III permit application, shall result in denial of all associated Type II decisions applied for at the same time that are subject to some part of the Type III decision. The Type III decisions for which this applies include, but are not limited to, design review, variances, critical areas.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.190 Hearing's notice.

A. A notice of public hearing is required for all open record quasi-judicial hearings for which a scheduled hearing date was not included in a notice of application.

1. Mailed Notice. At least fifteen days prior to a hearing the director shall prepare and send by mail a notice of hearing to all owners of record of the subject property, and all owners of real property located within three hundred feet of the subject property. An applicant is responsible for submitting a current list (within thirty days prior to application) and mailing labels of the owners of real property within three hundred feet, certified as based on the records of the Clark County assessor.

2. Published Notice. At least fourteen days prior to a hearing the director shall publish the notice of hearing in a newspaper of general circulation within the city.

3. Content of notice under subsection (A)(1) or (A)(2) of this section:

- a. The time, date and location of the public hearing;
 - b. A general description of the proposed project;
 - c. The street address or other easily understood location of the subject property and city assigned case file number;
 - d. A timeframe for submitting written comments for inclusion in the decision maker's packet;
 - e. If a SEPA threshold determination is required, notice under subsection (A)(1) of this section may include the notice of the threshold determination;
 - f. A description of other project administrative decisions or determinations, and appeal periods.
4. Failure to satisfy the notice requirements of this section shall not invalidate the proceeding.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

Article V. Decisions and Appeals

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 (14) 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 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.

18.55.210 Reserved.

Editor's note: Ord. No. 2583, § II, adopted April 5, 2010, repealed § 18.55.210, which pertained to "Appeals--Type II, shoreline permit." See also the Code Comparative Table and Disposition List.

18.55.220 Conditions of approval.

- A. All city decision makers have the authority to impose reasonable conditions of approval designed to ensure that all applicable approval standards are, or can be met.
- B. The applicant retains the burden of demonstrating that applications comply with the approval criteria, or can and will comply with the approval criteria through the imposition of conditions of approval. Further, the applicant must file evidence demonstrating that approval criteria can be met with the imposition of conditions, as well as demonstrate a commitment to comply with conditions of approval.
- C. Failure to comply with any condition of approval shall be grounds for revocation of the permit(s), and grounds for instituting code enforcement proceedings pursuant to the city code.
(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.230 Notice of decision.

- A. Type II Process. The city shall mail a notice of all decisions rendered under a Type II process. Except as otherwise provided in this code, notice of Type II decisions shall be mailed to all property owners within three hundred feet of the subject property based on Clark County GIS records.
- B. Type III Decisions. The city shall mail a notice of all decisions rendered under a Type III process. Mailed notice of the decision shall be as follows:
 - 1. Any person, who prior to rendering of the decision, requested notice of the decision, or submitted substantial comments on the application;
 - 2. Those who were provided a notice of application;Those individuals signing a petition and not otherwise submitting substantial comments are not entitled to a notice of decision.
- C. The notice of decision shall include the following information:
 - 1. The file number and effective date of decision;
 - 2. The name of the applicant, owner, and appellant (if different);
 - 3. The street address or other easily understood location of the subject property;
 - 4. A brief summary of the decision and, if an approval, a description of the use approved; and
 - 5. The contact person, address, and a telephone number whereby a copy of the final decision may be inspected or copies obtained.
- D. For initial Type II decision or shoreline permit decisions not requiring an open public hearing, a statement that the decision(s) is final at the close of business on the fourteenth day after the date on the decision, unless appealed, and description of the requirements for perfecting an appeal.
- E. For consolidated reviews, notice of decision for administrative decisions and determinations may be included in the notice of public hearing for those portions of a development requiring a public hearing.
- F. A statement of appeal rights and timing.
(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.235 Reconsideration by the hearings examiner.

Any party of record believing that a decision of the hearings examiner is based on erroneous procedures, errors of law or fact, or the discovery of new evidence which could not be reasonably available at the public hearing, may make a written request to the examiner, filed with the city clerk, to be accompanied by an appeal fee, for reconsideration by the examiner.

A. Time Frame. The request for reconsideration shall be filed within fourteen calendar days of the date the decision was rendered.

B. Content. The request for reconsideration shall contain the following:

1. The case number designated by the city and the name of the applicant;
2. The name and signature of each petitioner;
3. The specific aspect(s) of the decision being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied on to prove the error. If the petitioner wants to introduce new evidence in support of the appeal, the written appeal must explain why such evidence should be considered.

C. The hearings examiner may, after review of the materials submitted in conjunction with the reconsideration request, and review of the open record hearing transcript, take further action as he or she deems proper; including, but not limited to, denying the request, modifying the decision, or affirming the decision.

D. The hearings examiner shall issue a decision on a request for reconsideration within forty-five (45) days of the filing of the request for reconsideration. When a request for reconsideration has been timely filed, any appeal to Clark County Superior Court under the Land Use Petition Act shall be filed within twenty-one (21) days after a hearings examiner issues its decision on the request for reconsideration.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

(Ord. No. 2583, § III, 4-5-2010)

18.55.240 Judicial appeals.

The city's final decision on an application may be appealed by a party of record with standing to file a land use petition in Clark County superior court. Such petition must be filed within twenty-one days after issuance of the decision, as provided in Chapter 36.70C RCW.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.250 Reapplication limited.

If an application is denied, or withdrawn following the close of the public hearing, no reapplication for the same or substantially similar proposal may be made for one year following the date of final decision denying the permit, or the date of withdrawal.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.260 Expiration of a Type II, or Type III decisions.

A. Type II or Type III approvals automatically become void if no timeframe is specified in the approval, and if any of the following events occur:

1. If, within two years of the date of the final decision, all necessary building permit(s) have not been issued, if required; or
2. If, within two years of the date of the final decision, the development action or activity approved in the decision is not initiated.

B. Notwithstanding subsection A of this section, subdivision plats and short plats, must be recorded within five years of final plat approval.

C. New Application Required. Expiration of an approval shall require a new application for any use on the subject property that is not otherwise allowed outright.

D. Deferral of the Expiration Period Due to Appeals. If a permit decision is appealed beyond the jurisdiction of the city, the expiration period shall not begin until review before the appellate courts has been completed, including any remand proceedings before the city. The expiration period provided for in

this section will begin to run on the date of final disposition of the case (the date when an appeal may no longer be filed).

E. Extensions: The Community Development Director may grant a request for an extension where a request is submitted prior to the expiration date of the decision and upon a demonstration that the extension is necessary due to unforeseen economic conditions and that no substantial changes in the code have occurred since the date the original application was deemed complete. An extension may be granted for a maximum of two years.

18.55.270 Plat amendments and plat alterations.

A. Plat amendments are amendments to an approved preliminary plat and are classified as either minor amendments or major amendments. Minor amendments are defined pursuant to CMC Section 18.55.290. Any increase or substantial decrease in lots, reduction in open space, or other substantial modification that alters the character of the development is a major modification. Minor modifications are a Type I decision, and major modifications are a Type III decision.

B. An application for a plat amendment may be made at any time until a preliminary plat or approval has expired under CMC Section 17.09.040 or 17.11.060 Expiration.

C. An amended plat proposal shall be submitted on an application satisfying all the criteria of Section 17.09.030(B) or 17.11.030(B) Application of this code. The community development director shall have the discretion to determine whether a new SEPA checklist application need be submitted, and whether stormwater, transportation, geotechnical, and other studies need to be revised or updated. A revised plat shall be submitted showing the location of lots, tracts, blocks, streets of the previous plat in dotted lines, and the proposed revisions in solid lines.

D. An approval for a plat amendment shall expire at the same time as the original preliminary plat approval.

E. Plat alterations are modifications to a final plat. Plat alterations are a Type III decision and shall be processed as provided in RCW 58.17.215.
(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.280 Modification of conditions.

Any request to modify a condition of permit approval shall be processed in the same manner, and shall be subject to the same standards, as was the original application, provided the standards and criteria used to approve the decision are consistent with the current code. However, the decision maker may, at its sole discretion, consider a modification request and limit its review of the approval criteria to those issues or aspects of the application that are proposed to be changed from what was originally approved.
(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.290 Minor amendments or modifications.

Minor amendments are modifications to approved developments or permits. Minor amendments are those modifications which may affect the precise dimensions or location of buildings, accessory structures, and driveways, but do not affect: (i) overall project character, (ii) increase the number of lots, dwelling units, or density, (iii) decrease the quality or amount of open space, or (iv) vary from specified dimensional standards of this title. Minor amendments are Type I decisions.
(Ord. 2515 § 1 (Exh. A (part)), 2008)

Article VI. Miscellaneous Processes

18.55.300 Joint public hearings.

A. Decision to Hold Joint Hearing. The director may combine any public hearing on a project permit application with any hearing that may be held by another jurisdiction, state, regional, federal, or other agency on the proposed action, as long as: (1) the hearing is held within the city limits; and (2) the requirements of subsection C of this section are met.

B. Applicant's Request for a Joint Hearing. The applicant may request that the public hearing on a permit application be combined, as long as the joint hearing can be held within the time periods set forth in this title. In the alternative, the applicant may agree to a particular schedule if additional time is needed in order to complete the hearings.

C. Prerequisites to Joint Public Hearing. A joint public hearing may be held with another local, state, regional, federal, or other agency and the city, as long as:

1. The other agency is not expressly prohibited by statute from doing so;
2. Sufficient notice of the hearing is given to meet each of the agencies' adopted notice requirements as set forth in statute, ordinance, or rule;
3. The agency has received the necessary information about the proposed project from the applicant in enough time to hold its hearing at the same time as the city of Camas hearing; and
4. The hearing is held within the Camas city limits.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.320 Type IV--Legislative hearing process.

A. Purpose. Legislative actions involve the adoption or amendment of the city's Municipal Code, comprehensive plan, map inventories, and other policy documents that affect the entire city or large portions of it. Legislative actions that affect land use must begin with a public hearing before the planning commission.

B. Notice of Legislative Hearings. Notice of the date, time, place, and subject of an initial legislative hearing before the planning commission shall be published in a newspaper of general circulation within the city at least six days prior to the hearing.

C. Planning Commission Review.

1. Hearing Required. The planning commission shall hold a public hearing before recommending action on a legislative proposal. Recommendations by the planning commission shall be by majority vote of the entire planning commission.

2. Director's Report. Once the planning commission's hearing has been scheduled and notice provided under this section, the director shall prepare and make available a staff report on the legislative proposal at least five days prior to the hearing.

3. Planning Commission Recommendation. At the conclusion of the initial hearing, or a continued hearing, the planning commission shall forward a recommendation on the proposal to the city council.

D. City Council Review. Upon a recommendation from the planning commission, the city council may hold a public hearing on the proposal or consider the proposal at a regular meeting of the council. The city council may adopt, modify, or reject the proposal, or it may remand the matter to the planning commission for further consideration. If the decision is to adopt at least some form of the proposal, and thereby amend the city's land use regulations, comprehensive plan, official zoning maps, or some component of any of these documents, the city council decision shall be enacted as an ordinance or resolution.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.330 Shoreline master program permits.

The process and procedures regarding shoreline master program permits are found in CMC Chapter 18.88 Shoreline Management of this title. Where a permit under Chapter 18.88 of this title is submitted under concurrent review, the final decision by the city council shall occur at the same time as any other required permit or decision.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.340 Development agreements.

A. Development Agreements--Authorized. The city may enter into a development agreement with a person having ownership or control of real property within its jurisdiction. The city may enter into a development agreement for real property outside its boundaries as part of a proposed annexation or a

service agreement. A development agreement must set forth the development standards and other provisions that shall apply to, and govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement. A development agreement shall be consistent with applicable development regulations adopted by the city.

B. **Development Agreements--Effect.** Unless amended or terminated, a development agreement is enforceable during its term by a party to the agreement. A development agreement and the development standards in the agreement govern during the term of the agreement, or for all or that part of the build-out period specified in the agreement. A development agreement may not be subject to an amendment to a zoning ordinance, development standard, regulation, a new zoning ordinance, development standard, or regulation adopted after the effective date of the agreement. A permit or approval issued by the county or city after the execution of the development agreement must be consistent with the development agreement.

C. **Development Agreements--Recording--Parties and Successors Bound.** A development agreement shall be recorded with the real property records of the Clark County. During the term of the development agreement, the agreement is binding on the parties and their successors, including the city, if the city assumes jurisdiction through incorporation or annexation of the area covering the property covered by the development agreement.

D. **Development Agreements--Public Hearing.** Notwithstanding other procedural requirements of this title, the city shall only approve a development agreement by ordinance or resolution after a public hearing by the city council. Notice of the public hearing shall be made by publishing in the local paper, a minimum six days prior to the hearing, the time, date, and location of the hearing, and a general description of the location and proposal.

If the development agreement relates to a project permit application, the provisions of Chapter 36.70C RCW shall apply to the appeal of the decision on the development agreement.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.345 Final plat approval.

Final plat approval is subject to review and approval by the city council consistent with CMC Title 17 and RCW Chapter 58.17.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

Article VII. Code Conflicts

18.55.350 Applicability in the event of conflicts.

The provisions of chapter supersede all conflicting provisions in the city of Camas Municipal Code.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.360 Severability.

If any section, sentence, clause, or phrase of the ordinance codified in this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause, or phrase of this chapter.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

Article VIII. Enforcement

18.55.400 Enforcing authority.

A. The public works director, community development director, engineering manager, fire marshal, and building official shall be responsible for enforcing Titles 14 through 18 of this code, and may adopt administrative rules to meet that responsibility. Enforcement responsibility may be delegated to an appropriate designee, for example, a code enforcement officer.

B. The enforcement provisions of this chapter shall be applicable to any violation of the provisions of Titles 14 through 18 of this code, and to any failure to comply with the terms and conditions of any permits or approvals issued pursuant to the provisions of those titles.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

(Ord. No. 2583, § IV, 4-5-2010)

18.55.410 General penalty.

Compliance with the requirements of Titles 14 through 18 of this code shall be mandatory. The general penalties and remedies established in CMC Chapter 1.24 General Penalty of this code for such violations shall apply to any violation of those titles. The enforcement actions authorized under this chapter shall be supplemental to those general penalties and remedies.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

(Ord. No. 2583, § V, 4-5-2010)

18.55.420 Application.

Actions under this chapter may be taken in any order deemed necessary or desirable by the director to achieve the purpose of Titles 14 through 18 of this code. Proof of a violation of a development permit or approval shall constitute prima facie evidence that the violation is that of the applicant and/or owner of the property upon which the violation exists. An enforcement action under this chapter shall not relieve or prevent enforcement against any other responsible person.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

(Ord. No. 2583, § VI, 4-5-2010)

18.55.430 Civil regulatory order.

A. Authority. A civil regulatory order may be issued and served upon a person if any activity by or at the direction of that person is, has been, or may be taken in violation of the development code.

B. Notice. A civil regulatory order shall be deemed served, and shall be effective when posted at the location of the violation and/or delivered to any suitable person at the location, and/or delivered by mail or otherwise to the owner or other person having responsibility for the location.

C. Content. A civil regulatory order shall set forth:

1. The name and address of the person to whom it is directed;
2. The location and specific description of the violation;
3. A notice that the order is effective immediately upon posting at the site and/or receipt by the person to whom it is directed;
4. An order that the violation immediately cease, or that the potential violation be avoided;
5. An order that the person stop work until the violation is corrected or remedied;
6. A specific description of the actions required to correct, remedy, or avoid the violation, including a time limit to complete such actions;
7. A notice that failure to comply with the regulatory order may result in further enforcement actions, including civil fines and criminal penalties.

D. Remedial Action. The director may require any action reasonably calculated to correct or avoid the violation, including but not limited to, replacement, repair, supplementation, revegetation or restoration.

E. Appeal. A civil regulatory order may be appealed to the city council as provided by CMC 18.55.200.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

(Ord. No. 2583, § VII, 4-5-2010)

18.55.440 Civil fines.

A. Authority. A person who violates any provision of the development code, or who fails to obtain any necessary permit, or who fails to comply with a civil regulatory order shall be subject to a civil fine.

B. Amount. The civil fine assessed shall not exceed one thousand dollars for each violation. Each separate day, event, action, or occurrence shall constitute a separate violation.

C. Notice. A civil fine shall be imposed by a written notice, and shall be effective when served or posted as set forth in Section 18.55.430(B) "application." The notice shall describe the date, nature, location, and act(s) comprising the violation, the amount of the fine, and the authority under which the fine has been issued.

D. Collection. Civil fines shall be immediately due and payable upon issuance and receipt of the notice. The director may issue a regulatory order stopping work until such fine is paid. If remission or appeal of the fine is sought, the fine shall be due and payable upon issuance of a final decision. If a fine remains unpaid thirty days after it becomes due and payable, the director may take actions necessary to recover the fine. Civil fines shall be paid into the city's general fund.

E. Application for Remission. Any person incurring a civil fine may, within ten days of receipt of the notice, apply in writing to the director for remission of the fine. The director shall issue a decision on the application within ten days. A fine may be remitted only upon a demonstration of extraordinary circumstances.

F. Appeal. A civil fine may be appealed to the city council as provided by CMC 18.55.200. If an application for remission of a fine was timely submitted, then the appeal must be filed within fourteen (14) days of the date the director issues the decision on the application for remission.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

(Ord. No. 2583, § VIII, 4-5-2010)

18.55.450 Review of approved permits.

A. Review. Any approval or permit issued under the authority of the development code may be reviewed for compliance with the requirements of the development code, or to determine if the action is creating a nuisance or hazard, has been abandoned, or the approval or permit was obtained by fraud or deception.

B. Initiation of Review. The review of an approval or permit may be initiated by the director, city administrator, city council, or by petition to the director by three property owners or three residents of separate dwelling units in the city, stating their belief as to the noncompliance, nuisance, or hazard of the permitted activity.

C. Director's Investigation. Upon receipt of information indicating the need for, or upon receiving a request for review of permit or approval, the director shall investigate the matter and take one or more of the following actions:

1. Notify the property owner or permit holder of the investigation;
2. Issue a civil regulatory order, and/or civil fine, and/or recommend revocation or modification of the permit or approval;
3. Refer the matter to the city attorney; and/or
4. Refer the matter to the city council with a recommendation for action.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

18.55.460 Revocation of permits or approvals.

A. Review. Upon receiving a director's recommendation for revocation of a permit or approval, the approval authority shall review the matter at a public hearing. Upon a finding that the activity does not comply with the conditions of approval or the provisions of the development code, or creates a nuisance or hazard, the approval authority may delete, modify, or impose such conditions on the permit or approval it deems sufficient to remedy the deficiencies. If the approval authority finds no reasonable conditions which would remedy the deficiencies, the permit or approval shall be revoked and the activity allowed by the permit or approval shall cease. Revocation hearing regarding a Type II decision shall be scheduled before the hearings examiner.

B. Reapplication. If a permit or approval is revoked for fraud or deception, no similar application shall be accepted for a period of one year from the date of final action and appeal, if any. If a permit or approval is revoked for any other reason, another application may be submitted subject to all of the requirements of the development code.

(Ord. 2515 § 1 (Exh. A (part)), 2008)

Chapter 18.88 SHORELINE MANAGEMENT

Sections:

18.88.010 Purpose.

18.88.020 Policy designated.

18.88.030 Definitions.

18.88.040 Applicability.

18.88.050 Application--Procedure.

18.88.060 Application--Notice.

18.88.070 Review committee--Created.

18.88.080 Review committee--Consideration criteria for applications.

18.88.090 Review.

18.88.100 Council review.

18.88.110 Conditions imposition.

18.88.120 Exceptions.

18.88.130 Permit--Notice.

18.88.140 Permit--Ruling.

18.88.150 Construction commencement.

18.88.160 Permit--Revision.

18.88.170 Permit--Rescission.

18.88.180 Permit--Appeal.

18.88.190 Variance and conditional use--Applicability.

18.88.200 Variances.

18.88.210 Conditional use.

18.88.220 Civil enforcement.

18.88.230 General criminal penalty.

18.88.240 Development and building permits.

18.88.250 Severability.

18.88.010 Purpose.

The purpose of this chapter is to implement the Shoreline Management Act of 1971 (RCW Chapter 90.58) as amended, and the city shoreline management master program by regulating use activities on shorelines of the city, and by providing for variances and conditional uses as may be warranted. (Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.88.020 Policy designated.

The Washington State legislature has found (RCW Chapter 90.58) that the shorelines of the state are among the most valuable and fragile of its natural resources, and that there is great concern throughout the state relating to their utilization, protection, restoration, and preservation. In addition, it has found that ever increasing pressures of additional uses are being placed on the shorelines necessitating increased coordination in the management and development of the shorelines of the state. The legislature further found that much of the shorelines of the state, and the uplands adjacent thereto are in private ownership; that unrestricted construction on the privately owned or publicly owned shorelines of the state is not in the best public interest; and therefore, coordinated planning is necessary in order to protect the public interest associated with the shorelines of the state while, at the same time, recognizing and protecting private property rights consistent with the public interest. There is, therefore, a clear and urgent demand for a planned, rational, and concerted effort, jointly performed by federal, state, and local governments, to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines.

It is the policy of the state, as stated in the legislation, to provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses. This policy is designed to insure the development of these shorelines in a manner which, while allowing for limited reduction of rights of the public in the navigable water, will promote and enhance the public interest. This policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting generally public rights of navigation and corollary rights incidental thereto.

The legislature has further declared that the interest of all of the people shall be paramount in the management of shorelines of statewide significance. The department of ecology, in adopting guidelines for shorelines of statewide significance, and local government, in developing master programs for shorelines of statewide significance, are required to and shall give preference to uses in the following order of preference which:

- A. Recognize and protect the statewide interest over local interest;
- B. Preserve the natural character of the shoreline;
- C. Result in long-term over short-term benefit;
- D. Protect the resources and ecology of the shoreline;
- E. Increase public access to publicly owned areas of the shorelines;
- F. Increase recreational opportunities for the public in the shoreline;
- G. Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.

It is stated that the city's policy is consistent with such state policy as stated in this section. In the implementation of this policy the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the city shall be preserved to the greatest extent feasible consistent with the overall best interest of the state, the city, and the people generally. To this end, uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the city's shoreline. Alterations of the natural condition of the shorelines of the city, in those limited instances when authorized, shall be given priority for single-family residences, ports, shoreline recreational uses including, but not limited to parks, marinas, piers, and other improvements facilitating public access to shorelines of the city, industrial and commercial developments which are particularly dependent on their location on or use of the shorelines of the city, and other development that will provide an opportunity for substantial numbers of the people to enjoy the shorelines of the city. Permitted uses in the shorelines of the city shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area, and any interference with the public's use of the water.

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

18.88.030 Definitions.

As used in this chapter, unless the context otherwise requires, the following definitions and concepts shall apply:

"Appurtenances" means a structure or development which is necessarily connected to the use and enjoyment of a single-family residence, and is located landward of the ordinary high water mark, and also of the perimeter of any marsh, bog or swamp. Normal appurtenances include a garage, deck, driveway, utilities, fences, and grading which does not exceed two hundred fifty cubic yards.

"Development" means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters of the state, subject to RCW Chapter 90.58 at any state of water level (RCW 90.58.030(3)(d)).

"Fair market value" of a development means the expected price at which the development can be sold to a willing buyer. For developments which involve nonstructural operations such as dredging, drilling, dumping or filling, the fair market value is the expected cost of hiring a contractor to perform the

operation, or where no such value can be calculated, the total of labor, equipment use, transportation, and other costs incurred for the duration of the permitted project.

"Floodway" means those portions of the area of a river valley lying streamward from the outer limits of a watercourse upon which floodwaters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, such floodway being identified, under normal conditions, by changes in surface soil conditions or changes in types or quality of vegetative ground cover conditions. The floodway does not include lands that can reasonably be expected to be protected from floodwaters by flood-control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state. The limits of the floodway are based on the national flood insurance program flood boundary and floodway map for the city of Camas.

"Master program" means the comprehensive use plan for the city of Camas, and the use regulations together with maps, diagrams, charts, other descriptive materials, texts, a statement of desired goals, and standards developed in accordance with policies enunciated in RCW 90.58.020.

"Ordinarily high water mark (OHWM)" means that mark that will be found by examining the bed and banks, and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or the department; provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water. See RCW 90.58.030(2) and WAC 173-22-030(6).

"Person" means an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of the state or local governmental unit however designated (RCW 90.58.030(1)(d)).

"Shorelines" means all of the water areas of the city, including reservoirs, and their associated wetlands, together with lands underlying them; except: (1) shorelines of statewide significance; (2) shorelines on segments of streams upstream of a point where the mean annual flow is twenty cubic feet per second or less, and the wetlands associated with such upstream segments; and (3) shorelines on lakes less than twenty acres in size, and wetlands associated with such small lakes. (RCW 90.58.030(2)(d)).

"Shorelines of statewide significance" means: (1) those lakes, whether natural, artificial, or a combination thereof, with a surface acreage of one thousand acres or more measured at the ordinary high water mark; and (2) those natural rivers or segments thereof downstream of a point where the mean annual flow is measured at one thousand cubic feet per second or more.

"Shorelines of the city" means the total of all "shorelines" and "shorelines of statewide significance" within the city.

"Single-family residence (SFR)" means a detached dwelling designed for and occupied by one family, including those structures and developments within a contiguous ownership which are a normal appurtenance (WAC 173-14-040(1)(g)).

"Substantial development" means any development of which the total cost or fair market value exceeds two thousand five hundred dollars, or any development which materially interferes with the normal public use of the water or shorelines of the city; except as specifically exempted pursuant to RCW 90.58.030(3)(e) and WAC 173-14-040. The following shall not be considered substantial developments for the purpose of this chapter:

1. Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements;
2. Construction of the normal protective bulkhead common to single-family residences;
3. Emergency construction necessary to protect property from damage by the elements;
4. Construction and practices normal or necessary for farming, irrigation, and ranching activities, including agricultural service roads and utilities on wetlands; and the construction and maintenance of irrigation structures including, but not limited to, head gates, pumping facilities, and irrigation channels;

provided, that a feedlot of any size, all processing plants, other activities of a commercial nature, alteration of the contour of the wetlands by leveling or filling other than that which results from normal cultivation, shall not be considered normal or necessary farming or ranching activities. A feedlot shall be an enclosure or facility used, or capable of being used for feeding livestock hay, grain, silage, or other livestock feed, but shall not include land for growing crops or vegetation for livestock feeding and/or grazing, nor shall it include normal livestock wintering operations;

5. Construction or modification of navigational aids such as channel markers and anchor buoys;

6. Construction on wetlands by an owner, lessee, or contract purchaser of a single-family residence for his own use, or for the use of his family, which residence does not exceed a height of thirty-five feet above average grade level, and which meets all requirements of the city other than requirements imposed pursuant to this chapter;

7. Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee or contract purchaser of single- and multiple-family residences, the cost of which does not exceed two thousand five hundred dollars;

8. Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as part of an irrigation system for the primary purpose of making use of system water, including return flow and artificially stored groundwater for the irrigation of lands;

9. The marking of property lines or corners on state-owned lands, when such marking does not significantly interfere with normal public use of the surface of the water;

10. Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on September 8, 1975, which were created, developed, or utilized primarily as a part of an agricultural drainage or diking system; and

11. Any project with a certification from the Governor pursuant to RCW Chapter 80.50.

"Use activity" means any development or substantial development, including but not limited to those addressed by policy statements and use regulations in the master program.

"Wetlands" or "wetland areas" means those lands extending landward for two hundred feet in all directions, as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all marshes, bogs, swamps, and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of this chapter and the state of Washington Shoreline Management Act (RCW Chapter 90.58). For the purposes of this chapter, the term "associated wetlands" includes biological wetlands and other dry upland areas contained within the Shoreline Management Act jurisdiction.

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

18.88.040 Applicability.

This chapter shall apply to all developments and substantial development proposed upon shorelines of the city.

A. No development shall be undertaken on shorelines of the city except those which are consistent with the policy of RCW 90.58.020, the applicable guidelines and provisions of the master program. The burden of proving that the proposed development is consistent with this criteria in all cases shall be on the applicant. Any deviation from these provisions shall require an application for a conditional use or variance approval. Such application shall be processed under the provisions of this chapter, and more particularly of Section 18.88.050.

B. No one shall undertake any substantial development on the shorelines of the city without first obtaining a substantial development permit. Any such proposal must be consistent with the state guidelines and with all provisions of the master program, except as may be provided for under Sections 18.88.190 through 18.88.210. The burden of proving that the proposed substantial development is consistent with this criteria in all cases shall be on the applicant. Such permit shall be applied for and processed under the provisions of Sections 18.88.050 through 18.88.120, inclusive, of this chapter.

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

18.88.050 Application--Procedure.

Applications for such permits shall be made to the community development director on forms to be prepared by him. The community development director is appointed the city's "administrator" of the provisions of this chapter and of the master program. The application shall be made by the property owner, lessee, contract purchaser, or other person entitled to possession of the property, or by an authorized agent, and shall be accompanied by a filing fee in such amount as may be set from time to time by resolution of the city council.

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

18.88.060 Application--Notice.

A. Applications provided by the administrator shall include written instructions to the applicant that it is his responsibility to publish and post notices of his application, and to provide the administrator with the names and addresses of all the latest recorded real property owners within four hundred feet of the boundary of the property upon which the substantial development is proposed.

The notice of application shall be published by the applicant once a week on the same day of the week for two consecutive weeks in the city's official newspaper, and a local daily paper, and four copies of such notice shall be posted by the applicant in conspicuous places on or in close proximity of the property concerned. The administrator shall mail copies of the notice to all owners of property within four hundred feet of the subject property. Such published, posted, and mailed notices shall contain a statement that any person desiring to present his views on the application should do so in writing addressed to the administrator within thirty days of the final date of publication, posting, or mailing of the notice, whichever comes last. All persons who submit their views, and all others who so notify the administrator, shall be entitled to receive a copy of the action taken upon the application.

B. Prior to the conclusion of such thirty-day period, the applicant shall be responsible for providing the administrator with affidavits reciting that the notice has been properly published and posted. The affidavits, together with a certification by the administrator that the notice has been deposited in the U.S. mails pursuant to this section, shall be affixed to the application.

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

18.88.070 Review committee--Created.

There is created a shoreline management review committee (SMRC), which shall consist of the city community development director, who shall be an ex-officio member, the chairman of the planning commission, the chairman of the parks and recreation commission, and a councilperson to be appointed by the mayor and confirmed by the council. A chairman shall be elected by the committee annually, or as needed. The SMRC shall convene as often as necessary on the call of the administrator.

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

18.88.080 Review committee--Consideration criteria for applications.

Immediately upon application for a permit under this chapter, the administrator shall forward the application to the SMRC. The administrator shall also have prepared an environmental assessment on the proposed action pursuant to RCW Chapter 43.21C. Upon receipt of the application, the committee shall consider it, public comments, and supporting data submitted by the applicant, written comments submitted in response to the published and posted notices, and the environmental assessment. Based upon this and other relevant information, the SMRC shall evaluate the nature and scope of the project in its relationship with the overall public interest, shall determine the significance of the proposed action and bonding requirements for improvements. The SMRC shall, by majority vote, take one of the following actions:

A. If the proposal is determined to be of minor significance, it may approve issuance of a permit which is then forwarded to the state for review; or

B. If the significance of the project is such that it is likely to involve public concern over the proposed use of the shoreline, it shall refer the application to the city planning commission for a public hearing. (Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.88.090 Review.

For all applications referred to the planning commission, SMRC shall prepare a report on all relevant aspects of the proposed substantial development to include a recommendation as to whether the permit should be issued and what conditions, if any, should be imposed. In the case of substantial developments requiring public hearings for other actions by the planning commission and city council, such as a plat approval or a zone change, planning staff will make all reasonable attempts to schedule the public hearings concurrently. If appropriate, the SMRC report and recommendation may be incorporated as part of the staff report on other such action, so that the public hearings may be conducted simultaneously. At the public hearing the planning commission shall hear from the staff, from the applicant, and from interested persons who have made written response to the notice or who are in attendance. The planning commission shall thereafter make an informal recommendation to the city council as to whether such permit should be issued, and what conditions, if any, should be imposed as are authorized by Section 18.88.110; provided, the planning commission may defer sending the matter to the city council for a reasonable time if it appears that more information is needed in order to make a proper recommendation. (Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.88.100 Council review.

Within twenty days, the administrator shall send the planning commission recommendation to the city council and such planning commission recommendation shall be accompanied by complete reports from city and regional staff, and by plans and supporting data supplied by the applicant, or by other persons supporting or opposing the proposed development.

The applicant and all persons who have previously made written appearances shall be advised that the application will be on the city council's agenda on a given date, and such persons and others may appear and be heard thereon, but no formal public hearing is required. After hearing from the applicant and other interested persons, and after considering all plans and data supplied by either, and all staff reports and recommendations, and the planning commission's recommendation, the city council shall decide either to: (1) approve issuance of the permit; (2) disapprove issuance of the permit; or (3) approve issuance of the permit only if certain specific conditions are met.

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

18.88.110 Conditions imposition.

In granting a permit the city council or SMRC may attach thereto such conditions regarding the location, character, and/or other features of the proposed structure or use, or regarding their effect upon the shorelines, as it deems necessary to carry out the spirit and purposes of this chapter, the master program, and the State Act, and to be in the public interest. The city council or SMRC, as a condition to granting any permit, may require certain additional work to be done, or the work to be done in a certain manner. In any case it may require the applicant to post with the city, as a prerequisite to permit approval, a bond or other security approved as to form by the city attorney conditioned to assure that the applicant and/or his assigns will adhere to the approved plans and all conditions and requirements imposed by the council or SMRC under this section.

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

18.88.120 Exceptions.

Whenever an applicant claims that, or it appears that, he is exempt from the necessity of a substantial development permit under RCW 90.58.030, the administrator shall decide whether he is in fact exempt, and may refer the matter to SMRC or to the city attorney for assistance in resolving such question.

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

18.88.130 Permit--Notice.

Notification. After final action by the SMRC or the city council, the administrator shall notify the applicant and all persons requesting notification of such action per Section 18.88.060, but construction shall not begin and no building permits shall be issued until conclusion of the review period provided for in Section 18.88.150 of this chapter.

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

18.88.140 Permit--Ruling.

Any ruling on an application for a substantial development permit under authority of this chapter, whether it be an approval or denial, shall be transmitted by the administrator within eight days of such action to the department of ecology and the attorney general, as required by WAC 173-14-090.

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

18.88.150 Construction commencement.

No construction pursuant to a substantial development permit shall begin or be authorized, and no building, grading or other construction permits or use permits shall be issued by the city community development director until receipt of notification from the department of ecology that:

- A. No appeal has been certified by the state within thirty days from the date of filing the final ruling with the department of ecology and attorney general, or
- B. Until all review proceedings initiated by the state within such thirty days have terminated (WAC 173-14-120).

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

18.88.160 Permit--Revision.

A. Where an applicant seeks to revise a substantial development permit previously granted, he shall submit to the administrator detailed plans and narrative describing the proposed changes. The administrator shall immediately forward copies of the proposed revisions to the SMRC, and shall also transmit pertinent information to the department of ecology, the attorney general, and the latest recorded real property owners within four hundred feet of the boundary of the subject property, requesting in writing within thirty days whether they believe a new substantial development permit shall be required. Upon conclusion of such thirty-day period, SMRC shall convene to consider the proposed revisions and written comments thereon. An application for a revision to an existing substantial development permit, conditional use permit, or variance shall be in accordance with Section 18.88.050, Application--Procedure.

B. If the SMRC determines that the proposed changes are within the scope and intent of the original permit, then the SMRC may approve the application for a revision. Within eight days of the date of final local government action, the revision, including the revised site plan, test, and the final ruling on consistency with WAC 173-14-064 shall be filed with the department of ecology and the attorney general. In addition, the SMRC shall notify parties of the record of their action. If the revision to the original permit involves a conditional use or variance which was conditioned by the department of ecology, the SMRC shall submit the revision to the department of ecology for the department's approval, approval with conditions, or denial. The revision shall indicate that it is being submitted under the requirements of WAC 173-14-064(5).

C. If the SMRC determines that the proposed changes are not within the scope and intent of the original permit, the SMRC shall deny the revision application.

D. "Within the scope and intent of the original permit" means all of the following: (1) no additional over-water construction is involved except that pier, dock, or float construction may be increased by five hundred square feet or ten percent from the provisions of the original permit, whichever is less; (2) ground area coverage and height of each structure may be increased a maximum of ten percent from the

provisions of the original permit; (3) additional separate structures may not exceed a total of two hundred fifty square feet; (4) the revised permit does not authorize development to exceed height, lot coverage, setback or any other requirements of the applicable master program except as authorized under the original permit; (5) additional landscaping is consistent with conditions (if any) attached to the original permit and with the applicable master program; (6) the use authorized pursuant to the original permit is not changed; and (7) no substantial adverse environmental impact will be caused by the project revision. (Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2443 § 3 (Exh. A (part)), 2006)

18.88.170 Permit--Rescission.

Any substantial development permit may be rescinded by the city council upon its finding, based upon a report from the SMRC, that a permittee has not complied with conditions of the permit, and no further development shall be done after such rescission, and/or action may be taken against the security posted under Section 18.88.110 of this chapter to assure compliance with conditions of the permit. (Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2443 § 3 (Exh. A (part)), 2006)

18.88.180 Permit--Appeal.

A. Any party aggrieved by a decision of the SMRC may have such decision reviewed by the city council by filing a request for review within ten days following the decision of the SMRC. All reviews by the city council of SMRC decisions shall be de novo.

B. Any person aggrieved by a decision of the city council under this chapter may seek review from the State Shorelines Hearings Board by filing a request for the same with the department of ecology and the attorney general within thirty days of their receipt of the final action, as provided for in RCW 90.58.180(1). Copies of the appeal shall likewise be filed with the city attorney and with the administrator, who will forward copies of the same to members of the SMRC and city council. The burden of proof shall in all cases be upon the person seeking such review.

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

18.88.190 Variance and conditional use--Applicability.

In order to insure that strict implementation of the master program will not create unnecessary hardships or thwart the policy enumerated in Section 18.88.020 of this chapter, provisions for variances and conditional uses are here included. These provisions shall apply only when it can be shown that extraordinary circumstances exist and that the public interest would suffer no substantial detrimental effect. In the case of substantial developments, any such varying or conditional use shall be clearly identified upon the permit for substantial development, and no separate application, filing fee or permit is necessary for this purpose. In the case of developments, applications for variances or conditional uses shall be made to the administrator of this chapter on forms provided by him, and such applications shall be processed in the same manner as applications for substantial development permits provided for in Sections 18.88.050 through 18.88.120 of this chapter. In all cases the final local action upon a request for a variance or conditional use shall be submitted to the department of ecology for approval or disapproval. (Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2443 § 3 (Exh. A (part)), 2006)

18.88.200 Variances.

The SMRC and/or the city council may approve developments and grant substantial development permits which are at variance with the master program policy statements, use regulations, and other pertinent criteria where, owing to special conditions pertaining to a specific piece of property, the literal interpretation and strict application of the criteria would cause undue and unnecessary hardship. No such variance shall be permitted unless the applicant can demonstrate all of the following:

A. That if he complies with the provisions of the master program he cannot make any reasonable use of his property. The fact that he might make a greater profit by using his property in a manner contrary to the intent of the program is not sufficient reason for a variance;

- B. That the hardship results from the application of the requirements of the act and master program, and not, for example, from deed restrictions or the applicant's own actions;
- C. That the variance granted will be in harmony with the general purpose and intent of the master program; and
- D. That the public welfare and interest will be preserved; if more harm will be done to the area by granting the variance than would be done to the applicant by denying it, the variance will be denied. (Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2443 § 3 (Exh. A (part)), 2006)

18.88.210 Conditional use.

For any use activity which may not be compatible with the shoreline environment in which it is proposed, as defined in the master program, a conditional use approval shall be required. The SMRC and/or the city council may impose performance standards to make the use more compatible with other desirable uses within that area. Conditional use approval may be granted only if the applicant can demonstrate all of the following:

- A. The use will cause no significant adverse effects on the environment or other uses;
- B. The use will not interfere with public use of public shorelines;
- C. Design of the development will be compatible with the surroundings and the master program; and
- D. The proposed use will not be contrary to the general intent of the master program. (Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2443 § 3 (Exh. A (part)), 2006)

18.88.220 Civil enforcement.

A. Cease and Desist Order. The city shall have the authority to serve upon any person a cease and desist order if an activity is being undertaken on the shorelines of the city in violation of this chapter. The cease and desist order shall set forth and contain:

1. A description of the specific nature, location, extent and time of violation and the damage or potential damage; and
2. A notice that the violation or the potential violation cease and desist or, in appropriate cases, the specific corrective action to be taken within a given time. A civil penalty under this section may be issued with the order and same shall specify a date certain or schedule by which payment will be complete.
3. The cease and desist order issued under this subsection shall become effective immediately upon receipt by the person to whom the order is directed.
4. Failure to comply with the terms of a cease and desist order can result in enforcement actions including, but not limited to, the issuance of a civil penalty.

B. Injunctive Relief. The city attorney shall bring such injunctive, declaratory, or other actions as are necessary to insure that no uses are made of the shorelines of the state in conflict with the provisions of the act and this master program, and to otherwise enforce the provisions of the act and the master program.

C. Civil Penalty.

1. Violation. Any person who fails to conform to the terms of a permit issued under this master program, or who undertakes a development or use on the shorelines of the state without first obtaining any permit required under the master program, or who fails to comply with a cease and desist order issued under regulations shall also be subject to a civil penalty not to exceed one thousand dollars for each violation. Each day of violation shall constitute a separate violation.
2. Aiding and Abetting. Any person who, through an act of commission or omission proceeds, aids, or abets in the violation shall be considered to have committed a violation for the purposes of the civil penalty.
3. Notice of Penalty. The penalty provided for in this section shall be imposed by a notice in writing, either by certified mail with return receipt requested, or by personal service, to the person incurring the same from the city. The notice shall include the content of order specified in subsection A of this section.
4. Remission and Joint Order. Within thirty days after the notice is received, the person incurring the penalty may apply in writing to the city for remission or mitigation of such penalty. Upon receipt of the

application, the city may remit or mitigate the penalty only upon a demonstration of extraordinary circumstances, such as the presence of information or factors not considered in setting the original penalty. Any penalty imposed pursuant to this section by the city shall be subject to review by the city council. In accordance with RCW 90.58.050 and 90.58.210(4), any penalty jointly imposed by the city and the department of ecology shall be appealed to the shorelines hearings board. When a penalty is imposed jointly by the city and the department of ecology, it may be remitted or mitigated only upon such terms as both the city and the department agree.

D. **Delinquent Permit Penalty.** Permittees applying for a permit after commencement of a use or activity may, at the discretion of the city, be required, in addition, to pay a delinquent permit penalty not to exceed three times the appropriate permit fee that would have been charged to or paid by the permittee. A person who has caused, aided or abetted a violation within two years after the issuance of a regulatory order, notice of violation, or penalty by the city or the department against such person may be subject to a delinquent permit penalty not to exceed ten times the appropriate permit fee paid by the permittee. Delinquent permit penalties shall be paid in full prior to resuming the use or activity.

E. **Property Lien.** Any person who fails to pay the prescribed penalty as authorized in this section shall be subject to a lien upon the affected property until such time as the penalty is paid in full. The city attorney shall file such lien against the affected property in the office of the county auditor. The notice of lien shall state the monetary amount owed, the name and address of the person indebted to the city, and the legal description of the property against which the lien is claimed. In addition to filing the lien with the auditor of the county, a copy of the lien shall be served upon the person indebted by regular mail, and by certified mail, return receipt requested. Any such lien may be foreclosed in the manner provided for the foreclosure of mortgages.

F. **Mandatory Civil Penalties.** Issuance of civil penalties is mandatory in the following instances:

1. The violator has ignored the issuance of an order or notice of violation;
2. The violation causes or contributes to significant environmental damage to shorelines of the state as determined by the city;
3. A person causes, aids or abets in a violation within two years after issuance of a similar regulatory order, notice of violation, or penalty by the city or the department against such person.

G. **Minimum Penalties.**

1. Regarding all violations that are mandatory penalties, the minimum penalty is two hundred fifty dollars.
2. For all other penalties, the minimum penalty is one hundred dollars.
(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

18.88.230 General criminal penalty.

In addition to any civil liability, any person found to have willfully engaged in activities on the shorelines of the state in violation of the provisions of the act or the master program shall be guilty of a gross misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not more than ninety days for each separate offense, or by both such fine and imprisonment; provided, that the fine for each separate offense for the third and all subsequent violations in any five-year period shall be not less than five hundred dollars nor more than ten thousand dollars.

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

18.88.240 Development and building permits.

No building permit, septic tank permit, or other development permit shall be issued for any parcel of land developed or divided in violation of the master program. All purchasers or transferees of property shall comply with provisions of the act and the master program, and each purchaser or transferee may recover his damages from any person, firm, corporation, or agent selling, transferring, or leasing land in violation of the act or the master program, including any amount reasonably spent as a result of inability to obtain any development permit, and spent to conform to the requirements of the act or the master program, as

well as cost of investigation, suit, and reasonable attorney's fees occasioned thereby. Such purchaser, transferee, or lessor may, as an alternative to conforming his property to these requirements, rescind the sale, transfer, or lease and recover cost of investigation and reasonable attorney's fees occasioned thereby from the violator.

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

18.88.250 Severability.

If any provision of this chapter or its application to any person or circumstance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter.

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

Index of Amendments to Titles 16, 17 and 18 of Camas Municipal Code (CMC)

Section	Action	Description
Title 16 CMC		
16.07.025	Amend	The city has adopted ... listed in <u>CMC Section 16.46 07 .020</u> and ...
16.31.150	Add	<p><u>D. In the event any archaeological or historic materials are encountered during project activity, work in the immediate area (initially allowing for a 100 foot buffer; this number may vary by circumstance) must stop and the following actions taken:</u></p> <p><u>1. Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering; and</u></p> <p><u>2. Take reasonable steps to ensure the confidentiality of the discovery site; and</u></p> <p><u>3. Take reasonable steps to restrict access to the site of discovery.</u></p> <p><u>The project proponent will notify the concerned tribes and all appropriate city, county, state, and federal agencies, including the Washington State Department of Archaeology and Historical Preservation. The agencies and tribe(s) will discuss possible measures to remove or avoid cultural material, and will reach an agreement with the project proponent regarding action to be taken and disposition of material.</u></p> <p><u>If human remains are uncovered, appropriate law enforcement agencies shall be notified first, and the above steps followed. If the remains are determined to be native, consultation with the affected tribes will take place in order to mitigate the final disposition of said remains.</u></p>
Title 17 CMC		
17.01.030 B4	Amend	Any division of land ... each of which is five <u>twenty</u> acres or...
17.09.030 B	Amend	Application/Fees. <u>In addition to those items listed in CMC 18.55.110, the the following items are...</u>
17.09.030 B	Delete	2. A complete, signed SEPA checklist application, and applicable fee, if required;
17.09.030 B 5	Add	<u>f. Location of sidewalks, street lighting, and street trees,</u>
17.09.030 B 5	Amend	<u>fg. Lot area and lot line dimensions for each lot,</u>
17.09.030 B 5	Amend	<u>hi. Location of proposed building envelopes and sewer tanks,</u>
17.09.030 B 5	Amend	<u>mn. Description, location and size of existing and proposed <u>utilities</u>, storm drainage facilities</u>
17.09.030 B 5	Amend	<u>p. A survey of existing significant trees as required under CMC Section 18.31.009<u>0080</u>.</u>
17.09.030 B	Amend	<u>8 7. Preliminary stormwater plan and report;</u>
17.09.030 B	Amend	<u>9 8. For properties with <u>development contemplated on</u> slopes of ten percent or greater a <u>preliminary geotechnical report</u> will be required per consistent with CMC Chapter 16.90<u>59</u>;</u>

Key to changes:

- ⊖ = Delete text ... = Text that has not been included for brevity in this index and has also not been amended.
- ⊕ = Insert text

17.09.040	Amend	<u>If the short plat is not recorded within seven years of the date of preliminary short plat approval, the short plat shall become null and void. Upon written request by the developer prior to the expiration date, the community development director may grant one extension of not more than one year. Any preliminary plat approved by the city after February 6, 2006, shall expire seven years from the date of that preliminary plat approval.</u>
17.11.030	Amend	B. Application. <u>In addition to those items listed in CMC 18.55.110, ¶the following items are ...</u>
17.11.030 B	Amend	5. A survey of existing trees as required under CMC Section 18.31.09 <u>0080</u> .
17.11.030 B6	Amend	1. Existing <u>and proposed</u> topography, field measured at two-foot contour intervals....
17.11.030 B6	Amend	6. Finished floor elevations for lots located in flood plain,
17.11.030 B	Amend	8. Preliminary stormwater plan <u>and report</u> .
17.11.030 B	Amend	9. For properties with <u>development contemplated on slopes</u> of ten percent or greater a <u>preliminary</u> geotechnical report will be required per CMC Chapter 16.90 <u>59</u> .
17.11.060 A	Amend	The subdivision approval shall expire within <u>seven</u> years from the date of preliminary plat approval by <u>the</u> approval authority. The applicant may request in writing prior to the expiration of the five <u>seven</u> years, a request to city council for a one-year extension. <u>Any preliminary plat approved by the city after February 6, 2006, shall expire seven years from the date of that preliminary plat approval.</u>
17.15.030	Amend	A. <u>Preapplication.</u> 1. <u>In accordance with CMC Chapter 18.55, the applicant must proceed with the formal preapplication process prior to application submittal for review.</u> 2. <u>The applicant must 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.</u>
17.15.030	Amend	B. Application/Fees. <u>In addition to those items listed in CMC Section 18.55.110, ¶the following items are...</u>
17.15.030 B	Amend	1. Completed binding site plan application form as prescribed by the community development department director with the appropriate fee;
17.15.030 B	Delete	2. Completed application checklist; 3. That a 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; 4. A complete SEPA checklist application if required. The SEPA submittal should also include: a. Legal description of the parcel(s) from deed(s), and b. Proposed BSP no larger than eleven inches by seventeen inches (eight and one half inches by eleven inches preferred if legible);

Key to changes:

⊖ = Delete text ... = Text that has not been included for brevity in this index and has also not been amended.

⊕ = Insert text

17.15.030 B	Amend	4. A survey of existing trees as required under CMC Section 18.31.080;
17.15.030 B	Amend	8 6. Site and development plans that provide the following information. The plans shall be neat and accurate on a decimal scale sufficient in size and detail to demonstrate the BSP meets the ordinance requirements, on paper sheets in record of survey format:
17.15.030 B 6	Amend	b. Lines marking the boundaries...
17.15.030 B	Amend	10 8. Preliminary stormwater plan and report;
17.15.030 B	Amend	11 9. For properties with <u>development contemplated on slopes</u> of ten percent or greater a <u>preliminary</u> geotechnical report will be required per CMC Chapter 16. 9059 .
17.19.030 A	Amend	1. Critical Areas. Land that ... defined in Title 18 16 of this...
17.19.030	Amend	B. Blocks ...in which case the city council <u>approval authority</u> may approve a single tier.
17.19.030 D	Amend	4. Where property ... discretion of the city council <u>approval authority</u> .
17.19.040 A	Amend	A. Private Street: Privates street(s)...
17.19.040 B	Amend	7. Names. All street ... in accordance with CMC 12. 2824 .
17.19.040 B	Amend	8. Right-of-way, tract and pavement widths for streets shall be based on Table 17.19. <u>040-1</u> .
17.19.040 Table 1	Amend	Add " <u>Note</u> " to the end of table
17.19.040 B 10	Amend	c. When the proposed ... is 7,400 <u>square feet</u> or less one... the requirements of CMC <u>Chapter 18.11.030</u> .
17.19.040 B 10	Amend	d. When on the basis of topography... a deviation from the standards of Table 17.19. <u>040-1</u> .
17.19.040 B 11	Amend	c. In addition to ... also requires reverse...
17.19.040 B 12b	Amend	i. Exceeding the ...a <u>through</u> street ... with <u>a</u> larger...
17.19.040 B 13	Amend	Sidewalks shall be constructed as specified in Camas Design Standard Manual. See Table 17.19.040-1for dimensions.
17.19.040 B 13	Amend	a. Prior to final acceptance ... when required under Table 17.19. <u>040-1</u> ,
17.19.040 B	Amend	14. Culs de sacs. ... greater than 400 feet <u>from the centerline-to centerline intersections</u> shall require...
17.19.040 C3	Add	<u>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 shall be provided to each lot as necessary to prevent stormwater runoff impacts to adjoining parcels as determined by the city.</u>
17.21.060	Amend	C. Criteria for Final ... and the community development <u>department</u> is the...

Key to changes:

⊖ = Delete text ... = Text that has not been included for brevity in this index and has also not been amended.

⊕ = Insert text

17.21.060	Amend	F. ... approval by the city <u>consistent with CMC 18.07.040 Table 2.</u>
17.21.070 B	Amend	4. Upon approval ... the community development division <u>department</u> may grant ...
17.23.010 A	Amend	2. Easements. The city council <u>approval authority</u> may approve an easement...
17.23.010 A	Amend	3. Streets. The city council <u>approval authority</u> may approve ...
17.23.010 A 3	Amend	a. The establishment of such street is initiated by the city council <u>hearings examiner</u> and is declared essential ...
Title 18 CMC		
18.03.030	Amend	Adult Entertainment Facility: <u>see CMC Chapter 5.36 Sexually Oriented Business</u>
18.03.030	Amend	"Boat sales; <u>and</u> repair and rental " means a business primarily engaged in sales; <u>and</u> repair and/or rental of new and used ...
18.03.030	Amend	"Home occupation" means any occupation or profession conducted entirely within a dwelling unit by the inhabitants thereof which is clearly incidental and secondary to the use of the premises for dwelling purposes and does not change the residential character thereof. See Chapter 18.39 Home Occupations..
18.03.040	Amend	"Building envelope" means... See Figure 18.03-34 "Building height" means... See Figure 18.03-4 3
18.03.040	Amend	"Building line" means a line on ... beyond which <u>primary</u> buildings or ...
18.03.040	Delete	"Density Bonus" means a percentage of units allowed in a PRD over and above the number of units provided for in the zoning district absent a PRD proposal.
18.03.040	Amend	"Density transfer" means a transfer of ... developable portion of land on the site. (Refer to Section 18.09.060 <u>Density Transfers</u>)
18.03.040	Amend title only	"Designated manufactured home" "Home, designated manufactured"
18.03.040	Delete	"Development Agreement" means a legal contract between the city and the developer relative to a specific project and piece of property. The agreement may specify and further delineate, and may include but is not limited to, findings of council, actions, requirements of the developer and city, benefits to the parties involved, conditions of approval, time frames, etc. A development agreement shall become binding upon the land.
18.03.040	Amend	"Director" means community development director <u>or designee.</u>
18.03.040	Amend	"Hearings examiner" conducts quasi-judicial ... and other ordinances. See CMC Chapter 2.44 <u>.15 Hearing Examiner System.</u>
18.03.040	Amend title only	"Manufactured homes" " <u>Home, manufactured</u> "
18.03.040	Amend title only	"Mobile Home" " <u>Home, mobile</u> "

Key to changes:

⊖ = Delete text ... = Text that has not been included for brevity in this index and has also not been amended.

⊕ = Insert text

18.03.040	Amend title only	"Modular Home" <u>"Home, modular"</u>
18.03.040	Delete	"Home occupation:" means any occupation or profession conducted entirely within a dwelling unit by the inhabitants thereof which is clearly incidental and secondary to the use of the premises for dwelling purposes and does not change the residential character thereof.
18.03.040	Amend	"Manufactured home park" means any ... standards established in <u>CMC Chapter 18.29 "Manufactured...</u>
18.03.040	Delete	"Master Plan" means a planned proposal for development that includes and illustrates the division of land into lots, the location and sizes of streets, road and accessways, pedestrian circulation, landscaping, parking areas and the location of and types and densities of uses. A master plan further identifies the dimensions, height, location, and setbacks of all such buildings to the extent necessary to comply with the purpose and intent set forth in this chapter.
18.03.040	Amend	"Nonconforming building or use" means any lawful use ... in which located. <u>see CMC Chapter 18.41 Nonconforming Uses....</u>
18.03.040	Delete	"Open Space" means land that is set aside and maintained in a natural state, providing air, light, and habitat for wildlife, and/or containing significant trees and vegetation. Open space may also contain environmentally sensitive lands, which include, but are not limited to, steep slopes and areas with unstable soils, wetlands, and streams and watercourses. Open space may also provide for active and passive recreation use. There are two general categories of open space: 1. Natural open space is land that is devoted to protecting environmentally sensitive lands as defined in this code and Title 16. Natural open space generally has no developed areas, with the exception of trails as identified in the comprehensive parks, recreation, and open space plan, or by a condition of development approval. 2. Recreational open space is land that is set aside and shall include development for recreational opportunities such as trails, sports fields, playgrounds, swimming pools, tennis courts, and picnic areas. Recreational open space is generally limited in size and intensity, proportionate to the development, and is intended for the enjoyment of the residents of the development.
18.03.040	Delete	"Peripheral Yard" means those areas which form the boundary between a planned unit or planned residential development district and any other zoning district, planned unit, or planned residential development.
18.03.040	Amend	"Planned residential development" (hereinafter referred ... a PRD) means a ... multifamily units. <u>see CMC Chapter 18.23 Planned Residential Development.</u>
18.03.040	Amend	Sensitive Areas and Open Space. For related definitions see Section 18.31.040 "Definitions" in Chapter 18.31 "Sensitive Areas and Open Space." <u>CMC Section 18.03.050 Environmental definitions.</u>
18.03.040	Amend	"Shorelines." For related definitions see <u>CMC Section 18.88.030 Definitions in Chapter 18.88 Shoreline Management.</u>

Key to changes:

⊖ = Delete text ... = Text that has not been included for brevity in this index and has also not been amended.

⊕ = Insert text

18.03.040	Add	<u>"Setback."</u> See <u>"Yard"</u>
18.03.040	Amend	<u>"Signs."</u> For related definitions see <u>Section 18.15.030 Definitions in Chapter 18.15 Signs.</u>
18.03.040	Amend	"Subdivision improvement bond" means a guarantee ... approval per CMC Section 17.21.050 <u>Bonds and other financial agreements.</u>
18.03.040	Amend	Utility Facilities, Minor. "Minor utility facilities" means ... 6. Cable television receiver ... as defined in CMC Section 18.35.030 <u>Definitions;</u>
18.03.040	Delete	<u>"Wetland bond" insures the satisfactory installation, maintenance, and monitoring of wetland creation or enhancement as may be required as part of the SEPA or wetland mitigation plans. The bond has a beginning and ending date shall be in the amount as specified in CMC Section 17.21.050(B)(3).</u>
18.03.050	Add	<u>"dbh" (diameter at breast height) means a tree's diameter measured four and one-half (4.5) feet above the ground measured from the uphill side.</u>
18.03.050	Amend	"Significant trees" means evergreen trees eight inches in diameter or greater, as measured four feet above existing grade dbh, and deciduous trees, ... twelve inches in diameter or greater, measured one foot above the root crown dbh.
18.03.050	Add	<u>"Wetland bond" insures the satisfactory installation, maintenance, and monitoring of wetland creation or enhancement as may be required as part of the SEPA or wetland mitigation plans. The bond has a beginning and ending date, and shall be in the amount as specified in CMC Section 17.21.050(B)(3).</u>
18.05.010	Amend	B. Amendments. Amendments may be proposed by ... or city staff pursuant to <u>CMC Chapter 18.55 Administration and Procedures.</u>
18.07.020	Amend	B. If the letter "P" appears in the box at the ... procedures in accordance with <u>CMC Chapter 18.55 "Development Code Administration and Procedures."</u>
18.07.030 Table 1	Amend	Add <u>"Notes"</u> to the end of table
18.07.030 Table 1 (Notes)	Amend	1: See CMC Chapter 18.37 "Adult Entertainment" <u>5.36 Sexually Oriented Businesses</u> for additional regulations for siting adult entertainment <u>sexually oriented business</u> facilities.
18.07.040 Table 2	Delete	<u>"Group homes"</u>
18.07.040 Table 2	Amend	Add <u>"Notes"</u> to the end of table

Key to changes:

⊖ = Delete text ... = Text that has not been included for brevity in this index and has also not been amended.

⊕ = Insert text

18.09.030 Table 1	Amend	Add “ <u>Note</u> ” for all prior to all footnotes within the table				
18.09.030 Table 1	Amend	Add “ <u>Notes</u> ” to the end of the table.				
18.09.030 Table 1 (Notes)	Amend	4. The densities and dimensions in the LI/BP zone may be reduced under a planned industrial development. See Chapters 18.20 <u>North Dwyer Creek Residential Overlay</u> and 18.21 <u>Light Industrial/Business Park</u> .				
18.09.030 Table 1 (Notes)	Amend	5. Single family dwellings, single family attached, and two family Residential dwelling units shall ...				
18.09.040 Table 2	Amend	Add “ <u>Notes</u> ” to notes at end of table				
18.09.040 Table 2 (Notes)	Amend	1. For additional density provisions, see CMC Sections 18.09.060 through 18.09. 190 <u>180</u> .				
18.09.040 Table 2 (Notes)	Amend	4. For parcels greater than one acre in size, a <u>with an existing dwelling</u> , one time variance <u>exception</u> shall <u>may</u> be allowed to partition ...				
18.09.050 Table 3	Amend	Add “ <u>Notes</u> ” to notes at end of table				
18.09.080 B	Amend	<u>When creating new lots via short plats or subdivisions that are adjacent to a different residential zone designation, the new lots along that common boundary shall be the maximum lot size allowed for the zone designation of the new development (if a lower density adjacent zone), or the minimum lot size allowed for the zone designation of the new development (if a greater density adjacent zone), as based on CMC 18.09.040 Table 2, Section A. In applying this section , where a land division is required to increase the size of lots, the land division may utilize the density transfer provisions provided for in 18.09.060.</u>				
18.09.110	Amend	The following type of structures or structural ... are addressed in <u>CMC Chapter 18.35 Telecommunication Ordinance</u> .				
18.09.130 C	Amend	C. Open, unenclosed patios ... into a required yard provided that such areas are not used for off street parking or other purposes not in conformance with the requirements of this code.				
18.11.020 D	Amend	Small Car Parking Spaces. A maximum of ... minimum of seven and one-half <u>eight</u> feet in width				
18.11.130 Table	Delete	Home Occupation				
18.13.050 Table	Add	<table border="1"> <thead> <tr> <th>Zone</th> <th>Percent Landscaping Required</th> </tr> </thead> <tbody> <tr> <td><u>MX</u></td> <td><u>10%</u></td> </tr> </tbody> </table>	Zone	Percent Landscaping Required	<u>MX</u>	<u>10%</u>
Zone	Percent Landscaping Required					
<u>MX</u>	<u>10%</u>					
18.13.050 Table	Add	NC, <u>MF</u>				

Key to changes:

⊖ = Delete text ... = Text that has not been included for brevity in this index and has also not been amended.

⊕ = Insert text

18.15.050 Table 1	Amend	Add “ <u>Note</u> ” to the footnotes throughout the table.
18.15.050 Table 1	Amend	Add “ <u>Notes</u> ” to the bottom of the table.
18.17.030	Amend	Vision clearance area shall ... in the DC, CC, RC, HI <u>HI</u> , and MX zoning districts.
18.17.030 A	Amend	On all corner lots ... feet above the existing grade sidewalk or fourteen feet above the street. See Figure 18.17.030 2.
18.17.030 A	Delete	Figure 18.17.030 2 Graphic Link
18.18 Section List	Amend	18.18.050 Application open for public inspection.
18.18.020 B	Amend	2. Light industrial/business park development applications pursuant to CMC Chapters 18.20 <u>North Dwyer Creek Residential Overlay</u> and 18.21 <u>Light Industrial/Business Park</u> ;
18.18.020 B	Amend	5. Unless otherwise required, ... under CMC Chapter 18.55 <u>Administration and Procedures</u> .
18.18.030	Amend	A. Any use that is subject to the ... established under CMC Chapter 18.55 <u>Administration and Procedures</u> for Type II project permit applications.
18.18.040	Amend	In addition to the submittal requirements under CMC Chapter 18.55 <u>Administration and Procedures</u> , each application for ...
18.18.050	Delete	18.18.050 Application open for public inspection. From the time of the filing of the application until the time of final action by the city, the application, together with all plans and data submitted, shall be available for public inspection at the planning department.
18.18.060	Amend	F. All relevant statutory codes, regulations ... with the provisions of CMC Chapter 18.55 <u>Administration and Procedures</u> .
18.18.070	Amend	A. Public. Prior to the issuance of a ... city pursuant to CMC Section 17.21.050 <u>Bonds and other financial agreements</u> .
18.18.070	Amend	B. Private. Prior to issuance of final ... accordance with CMC Section 17.21.070 <u>Final acceptance</u> .
18.18.090	Amend	B. Major amendments are Type II permit ... with CMC Chapter 18.55 <u>Administration and Procedures</u> . Major amendments ...
18.19.070	Amend	Application for design review ... by the planning community development director <u>or designee</u> . The application ...
18.19.100	Amend	Failure to comply with the requirements of this chapter, ... VIII of CMC Chapter 18.55 <u>Administration and Procedures</u> .
18.20.040	Amend	As provided in Section CMC Chapter 18.21.110 Light Industrial/Business Park of this title ... for a binding site plan found in <u>CMC Chapter 17.15 Binding Site Plan</u> , processed in accordance with the procedures under CMC Chapter 18.55 <u>Administration and Procedures</u> , for a Type II <u>(or is it Type III? See Section 18.20.150)</u> project permit application, and...
18.20.060	Amend	Because of the special nature of a PID, ... objectives of <u>CMC Chapter 18.21</u>

Key to changes:

⊖ = Delete text ... = Text that has not been included for brevity in this index and has also not been amended.

⊕ = Insert text

		<u>Light Industrial/Business Park</u> and this chapter.
18.20.080	Amend	A. Primary and secondary permitted uses ... as listed in Section 18.07.030 <u>Table 1</u> , subject to the conditions ... may further specify what uses listed under Section 18.07. 030 <u>Table 1</u> (LI/BP) may be allowed ...
18.20.110	Amend	B. Common Landscaped Areas. ... the development in accordance with <u>CMC</u> Chapter 18.13 <u>Landscaping</u> , and Section 18.21.070
18.20.110	Amend	C. Recycling and Trash Receptacle Areas.... community development director or his designee, and shall
18.20.120	Amend	F. The proposal shall meet the intent and objectives for a PID as expressed in Section 18.21.110 <u>Planned industrial development overlay</u> , of this title.
18.21.020	Amend	Primary uses in the LI/BP district are those ... pursuant to <u>CMC</u> Chapter 18.55 <u>Administration and Procedures</u> of this title.
18.21.030	Amend	Commercial development listed as a secondary ... decision pursuant to <u>CMC</u> Chapter 18.55 <u>Administration and Procedures</u> of this title.
18.21.050	Amend	D. Parking. Parking shall be provided as per <u>CMC</u> Chapter 18.11 <u>Parking</u> of this title.
18.21.050	Amend	E. Signs. Signage shall be as provided in <u>CMC</u> Chapter 18.15 <u>Signs</u> of this title, or as ...
18.21.070	Amend	In addition to the landscaping requirements of <u>CMC</u> Chapter 18.13 <u>Landscaping</u> of this title ...
18.21.070	Amend	M. Earth berms are convenient devices for ... clearance standards in <u>CMC</u> Chapter 18.17 <u>Supplemental Development Standards</u> of this title.
18.21.110	Amend	A. Permit a PID to be established within the LI/BP ... as set forth in <u>CMC</u> Chapter 18.20 <u>North Dwyer Creek Residential Overlay</u> of this title;
18.22.030	Amend	As used in this <u>In addition to those definitions listed in CMC Chapter 18.03, the following definitions shall also apply to this chapter:</u>
18.22.040	Amend	D. Uses as authorized under CMC Section 18.07.030 <u>Table 1</u> for Community Commercial.
18.22.060	Amend	C. Approval. The master plan and ... review requirements in <u>CMC</u> Chapter 18.19 <u>Design Review</u> of this code.
18.22.070	Amend	C. Off-Street Parking and Loading. Off-street parking and ... in accordance with <u>CMC</u> Chapter 18.11 <u>Parking</u> , Table 18.11-1, Table 18.11-2 and Table 18.11-3 of this Code.
18.22.070	Amend	E. Environmental Impacts. The probable adverse ... accordance with CMC Title 16 <u>Environment</u> and RCW Chapter 43.21C.
18.22.080	Amend	A. Minimum landscaping or open space ... landscape provisions in <u>CMC</u> Chapter 18.13 <u>Landscaping</u> of this € code.
18.22.080 C5	Amend	a. A fence or wall ... as provided in <u>CMC</u> Chapter 18.13 <u>Landscaping</u> of this € code.
18.22.100 Table	Amend	Eliminate duplicate table heading

Key to changes:

⊖ = Delete text ... = Text that has not been included for brevity in this index and has also not been amended.

⊕ = Insert text

18.22.100 Table	Amend	Installation of parking ... (by resident or employee) ^{Note 1}
18.22.100 Table	Amend	Add " <u>Note</u> " at the end of the table
18.23.020	Amend	The following terms are defined as follows: <u>In addition to those definitions listed in CMC Chapter 18.03, the following definitions shall also apply:</u>
18.23.020	Amend	"Density transfer" means a transfer...on the site. (Refer to Sections 18.09.060 and 18.09.070)
18.23.030	Amend	Planned residential developments (PRD's) <u>are optional. If proposed, it shall be established under the following criteria:</u>
18.23.070 B 8	Amend	A landscaping plan drawn to scale and demonstrating compliance with <u>CMC Chapter 18.13 Landscaping</u> of this title.
18.23.130	Amend	An application for a PRD shall be processed as a Type III procedure pursuant to <u>CMC Chapter 18.55 Administration and Procedures</u> of this title. ... with the provisions of this chapter and Chapter 17.13 of the Camas Municipal Code.
18.24.020	Amend	A. All new development within the Mixed Use (MX) ... in accordance with <u>CMC Chapter 18.18 Site Plan Review</u> of this title unless otherwise exempt per this title.
18.24.020	Amend	B. All new developments and uses shall ... application in accordance with <u>CMC Chapter 18.19 Design Review</u> of this title prior to applying for a building permit.
18.25.060	Amend	Dimensional standards shall be determined by Table 3 of Section 18.09. 050 <u>030</u> .
18.27.050	Amend	O. Owner Occupancy. Prior to ... permit establishing and accessory dwelling...
18.29.060	Amend	H. Signs. Signs identifying the manufactured home park shall comply with regulations in Section <u>CMC Chapter 18.15.110 "Entrance structures sign standards."</u> <u>Signs.</u>
18.31.090 C	Amend	1. Upon receipt of an application ...community development director or his/her designee shall conduct ...
18.31.090 E	Amend	8. Monitoring of vegetation ...development director or his designee;
18.31.090	Amend	H. Process. Vegetation removal permits shall ... pursuant to <u>CMC Chapter 18.55 Administration and Procedures</u> of this title.
18.31.120 B	Amend	3. Land satisfying ... criteria of Section 4.4 <u>5.4</u> of the parks...
18.31.080 A	Amend	A tree survey, conducted by a qualified biologist, <u>landscape architect</u> , or arborist, shall be conducted for all lands proposed to be developed and listed under Section 18.31.020...
18.35 Section List	Delete	18.35.020 Findings.
18.35.020 Findings	Delete	The council makes the following findings: A. Radio and television broadcasts, wireless and other communication

Key to changes:

⊖ = Delete text ... = Text that has not been included for brevity in this index and has also not been amended.

⊕ = Insert text

		<p>facilities provide public benefits. B. These facilities can be incompatible with the character of residential, commercial, and light industrial areas due to their size and appearance. C. These facilities can result in interference with public safety communications. This interference usually manifests when a cell tower is placed too close to a police or fire station, or consequently, when a public safety radio comes within close proximity to one of these structures. D. These facilities may result in interference with industrial and manufacturing processes, and with residential communications equipment. E. The city is authorized to adopt regulations to promote the public health, safety and general welfare of its citizens.</p>
18.35.060	Amend	Major and minor telecommunication facilities may be authorized as provided under <u>CMC</u> Chapter 18.07 <u>Use Authorization</u> of this title.
18.35.080	Amend	D. A variance to the height standard shall be subject to <u>CMC</u> Chapter 18.45 <u>Variances</u> of this title. In addition to ...
18.35.110	Amend	Wireless communications support structures shall be subject to the conditional use permit provisions of <u>CMC</u> Chapter 18.43 <u>Conditional Use Permits</u> <u>CMC</u> , as a Type III procedure ...
18.35.120	Amend	A. The perimeter of the wireless ... or wall subject to <u>CMC</u> Chapter Section 18.18.050 <u>Site Plan Review</u> of this title. ...
18.35.120	Amend	B. Landscaping shall be installed in compliance with <u>CMC</u> Chapter 18.13 <u>Landscaping</u> of this title.
18.35.140 A	Amend	1. Certification that the following notice ... Pursuant to the requirements of <u>CMC</u> Chapter 18.35 <u>Telecommunications Ordinance</u> ...
18.39.030	Amend	C. Minor home occupation permits shall be subject to a Type I ... procedures of <u>CMC</u> Chapter 18.55 <u>Administration and Procedures</u> .
18.39.040	Amend	Major home occupation permits shall be subject to a Type II ... procedures of <u>CMC</u> Chapter 18.55 <u>Administration and Procedures</u> .
18.39.040	Amend	D. Signs. Signs shall be in conformance with <u>CMC</u> Chapter 18.15 <u>Signs</u> .
18.39.040	Amend	G. Parking. Notwithstanding <u>CMC</u> Section 18.11.030, Table 18.11-1,
18.39.040 K	Amend	2. Any noise generated by the home occupation ... <u>CMC</u> Section 9.32.050 <u>Public disturbance noises</u> .
18.39.060	Amend	B. Garage sales, yard sales, bake sales, ... subject to <u>CMC</u> Chapter 8.48 <u>Garage and Yard Sales</u> .
18.39.090	Amend	Any complaint made that a home ... to Article VIII of <u>CMC</u> Chapter 18.55 <u>Administration and Procedures</u> .
18.41.030	Amend	As used in <u>In addition to those definitions in Chapter 18.03, the following definitions shall also apply to this chapter:</u>
18.41.060	Amend	A. A nonconforming use ... particular use for six <u>twelve</u> consecutive months.
18.41.060	Amend	D. The community development director shall ... city council pursuant to <u>CMC</u> Chapter 18.55 <u>Administration and Procedures</u> of this title.

Key to changes:

⊖ = Delete text ... = Text that has not been included for brevity in this index and has also not been amended.

⊕ = Insert text

18.41.100	Amend	Nothing in <u>CMC Chapter 18.11 Parking</u> of this title shall be construed ...
18.41.120	Amend	For nonconforming signs, see the applicable regulations in Sections 18.15.220 through 18.15.240 <u>CMC Chapter 18.15 Signs</u> of this title.
18.41.140	Amend	M. Signs. The regulations governing signs in <u>CMC Chapter 18.15 Signs</u> of this title for ...
18.41.140	Amend	N. Variance--Conditional Use. The provisions of <u>CMC Chapters 18.43 Conditional Use Permits</u> and <u>18.45 Variances</u> of this title pertaining to ... classified A/R.
18.43.020	Amend	This chapter shall apply for each application ... tables contained in <u>CMC Chapter 18.07 Use Authorization</u> of this title...
18.43.030	Amend	Application for a conditional use permit ... to a Type III procedure, pursuant to <u>CMC Chapter 18.55 Administration and Procedures</u> of this title.
18.43.115 C	Amend	1. No such establishment shall be permitted within two hundred fifty feet of a church, public school, private school, or licensed day care facility.
18.45.010	Amend	Purpose. General. A variance to any...
18.45.020	Amend	A. Minor Variance. A minor variance is one ... procedure, pursuant to <u>CMC Chapter 18.55 Administration and Procedures</u> , and subject to the approval criteria ...
18.47.030	Amend	Temporary uses shall be subject to a Type III <u>I</u> procedure, pursuant to <u>CMC Chapter 18.55 Administration and Procedures</u> .
18.49.020	Amend	Uses not listed in <u>CMC Chapter 18.07 Use Authorization</u> of this ... Type III procedure pursuant to <u>CMC Chapter 18.55 Administration and Procedures</u> , subject to the approval criteria as provided in this chapter.
18.49.050	Amend	Upon completion of review of the ... in accordance with <u>CMC Chapter 18.55 Administration and Procedures</u> of this title. ...
18.51.040	Amend	Upon consideration of any ... with <u>CMC Section 18.55.320 Type IV – Legislative hearing process</u> .
18.55.010	Amend	For the purpose of project <u>As used in this chapter Director or Community Development Director shall mean the Community Development Director or designee.</u>
18.55.030 Table 1	Amend	Home Occupations: X (type A) Minor X (type B) Major
18.55.030 Table 1	Amend	Add " <u>Notes</u> " to the end of the table.
18.55.030	Amend	B. Type II Decisions. The community development ... If an appeal is received the <u>hearings examiner</u> city council will review the decision ...
18.55.030	Amend	D. Shoreline (SMP, Shore). The community development ... procedures are specified in <u>CMC Chapter 18.88 Shoreline Management</u> of this title.
18.55.030	Amend	F. Board of adjustment decisions are the final decision of the city, except as provided in <u>Section 18.45.020 Approval process</u> of this title.

Key to changes:

⊖ = Delete text ... = Text that has not been included for brevity in this index and has also not been amended.

⊕ = Insert text

18.55.110	Amend	C. A current (within thirty days prior to application) a mailing list <u>and mailing labels</u> of owners of real...
18.55.190 A	Amend	1. Mailed Notice. ... feet of the subject property, based on Clark County GIS records. An applicant is responsible for submitting a certified current <u>list (within thirty days prior to application) and mailing labels</u> of the property <u>owners of real property within three hundred feet, certified as based on the records of the Clark County assessor to be notified and mailing labels of this list.</u>
18.55.200	Amend	A. <u>Type II decision may be appealed to the hearings examiner.</u> AB. The following decisions may be appealed to the City Council: (1) Type II decisions; (2) Shoreline master program permits; (3) SEPA decisions; (4) civil regulatory orders, and (5) civil fines. For all other decisions under this chapter, there is no appeal to any other decision maker within the city.
18.55.260	Add	<u>E. Extensions: The Community Development Director may grant a request for an extension where a request is submitted prior to the expiration date of the decision and upon a demonstration that the extension is necessary due to unforeseen economic conditions and that no substantial changes in the code have occurred since the date the original application was deemed complete. An extension may be granted for a maximum of two years.</u>
18.55.270	Amend	B. An application for a plat ... expired under CMC Section 17.09.040 or 17.11.060 <u>Expiration.</u>
18.55.270	Amend	C. An amended plat proposal shall be submitted ... of Section 17.09.030(B) or 17.11.030(B) <u>Application</u> of this code. ...
18.55.330	Amend	The process and procedures regarding shoreline master program permits are found in <u>CMC Chapter 18.88 Shoreline Management</u> of this title.
18.55.410	Amend	Compliance with the requirements of Titles 14 through 18 ... and remedies established in <u>CMC Chapter 1.24 General Penalty</u> of this code for such ...

Key to changes:

~~○~~ = Delete text ... = Text that has not been included for brevity in this index and has also not been amended.

○ = Insert text