



**STAFF REPORT**

Couch Street Duplex

File No. CUP22-04

(Related files: DR22-11)

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<u>TO:</u>	Hearings Examiner	<u>HEARING DATE:</u>	June 29, 2023
<u>PROPOSAL:</u>	To request conditional use permit approval to construct a duplex residential structure on a property situated in the single-family residential zone.		
<u>LOCATION:</u>	The site is located on the westerly side of NW Couch Street, northerly of NW 12 <sup>th</sup> Avenue, in the NW ¼ of Section 11, Township 1 North, Range 3 East, of the Willamette Meridian; and described as tax parcel #986060366.		
<u>APPLICANT:</u>	Nick Jones, VestCapital 315 N Grand Boulevard Suite 200 Vancouver, WA 98661	<u>OWNER:</u>	Apex Education 315 N Grand Boulevard Suite 200 Vancouver, WA 98661
<u>APPLICATION SUBMITTED:</u>	October 7, 2022	<u>APPLICATION COMPLETE:</u>	March 29, 2023
<u>PUBLIC NOTICES:</u>	Notice of Application & Public Hearing was mailed to property owners within 300 feet of the site on June 14, 2023, and published in the Post Record on June 15, 2023. Legal publication #812380.		

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**APPLICABLE LAW:** The application was submitted on October 7, 2022, and the applicable codes are those codes that were in effect at the date of application. Camas Municipal Code Chapters (CMC): Title 16 Environment, Title 17 Land Development; and Title 18 Zoning; Specifically (not limited to): Chapter 17.19 Design & Improvement Standards; Chapter 18.07 Use Authorization; Chapter 18.09 Density and Dimensions; Chapter 18.11 Parking; Chapter 18.13 Landscaping; Chapter 18.19 Design Review; Chapter 18.43 Conditional Use Permits; and Chapter 18.55 Administrative Provisions.

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## SUMMARY

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The applicant is proposing to construct a duplex, each unit proposed to be approximately 1,730 square-feet, on an approximately 5,001 square-foot vacant parcel that is within the R-7.5 - Single-Family Residential Zone. Duplex developments are allowed in the single-family residential zone, subject to the approval of a conditional use permit per CMC 18.07.040- Table 2.

The property is situated on the westerly side of NW Couch Street and was previously developed with a pole barn that has since been removed, with the exception of the slab that it was sitting on. The slab is proposed to be removed to facilitate the development of the duplex. Adjacent properties are also zoned R-7.5 with a mix of styles, sizes, and densities (i.e., single-family and multi-family). The application materials include photos of nearby multi-family properties as well as an aerial showing the plexes within the surrounding vicinity. There is an existing multi-family building located directly across the street from the project site and a duplex adjacent to the south of that. Several other duplexes and four-plexes are situated throughout the surrounding neighborhood.

The site is relatively flat with some overgrown brush along the northerly side of the parcel. The site contains an existing Douglas Fir tree at the northwest corner, as well as four smaller Douglas Fir trees that will remain in place. An existing gravel driveway provides access to the site. There are no critical areas or significant trees on site.

The applicant sought design review approval and a design review committee meeting was held May 18, 2023.

## FINDINGS

### *Chapter 18.43 Conditional Use Permit*

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**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;**

CMC 18.03.040 Definitions defines duplex as “a structure containing two dwelling units on one lot”. The applicant has proposed a structure with two dwelling units, which is consistent with this definition. The project is a development in a single-family residential zone but is a use than can allowed, with the approval of a conditional use permit.

The applicant’s narrative further states the building will fit in with the surrounding housing stock and shall comply with the current building code. There are many properties within the vicinity consisting of multi-family residences as well.

**FINDING:** The proposed development as a duplex is allowed with approval of a conditional use permit per CMC Chapter 18.07 Use Authorization and will not be detrimental to the public or adjacent uses given the existing uses in the vicinity.

**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;**

Development standards at CMC 18.09.040 Tables 1 and 2, for a single-family lot include building setback minimums, maximum height standards, and maximum building lot coverage standards. Parking and landscaping requirements are found in CMC Chapter 18.11 and 18.13, respectively. There are also specific building design standards for duplexes within CMC Chapter 18.19 Design Review and the Camas Design Review Manual discussed in further detail below of this staff report.

### Setbacks

Building setbacks are based on lot sizes per CMC 18.09.040 Table 2. The subject property is approximately 5,001 square-feet in size. The setback standards for a lot that is between 5,000-11,999 sq. ft. are as follows: Front yard is 20-feet; Side yard is 5-feet; Rear yard is 25-feet. The proposed site plan demonstrates compliance with these setback requirements.

### Parking

Residential uses must provide adequate off-street parking pursuant to CMC Chapter 18.11.130 *Standards*. A “duplex” use requires two off-street parking spaces per unit. The site plan shows that each garage includes two parking spaces, and each driveway is large enough to accommodate an additional two vehicles, therefore the parking requirement has been met.

### Landscaping

Per the landscape plan, the applicant is proposing two trees in the front yard of the duplex in compliance with CMC 17.19.030.F.1 which states, “*Each dwelling unit within a new development shall be landscaped with at least one tree in the planting strip of the right-of-way, or similar location in the front yard of each dwelling unit, with the exception of flag lots and lots accessed by tracts. Required trees shall be a minimum two-inch diameter at breast height (dbh) to create a uniform streetscape (dbh is four and one-half above the ground as measured from upside of tree)*”. A duplex consists of two dwelling units; therefore, two street trees will be required. Per the applicant’s landscape plan, this criterion is met.

**FINDING:** Staff finds that the two trees proposed in the front yard meet the street tree requirements. The property owner is responsible for replacing the trees if they fail to survive, therefore appropriate measures shall be taken to ensure the trees survival. If a tree is removed or dies, it must be replaced within one year. A final landscape plan shall be submitted to the City prior to engineering plan approval. A condition will be warranted.

### Landscape buffers:

The proposal must also comply with the applicable landscaping standards in CMC Chapter 18.13. The applicant has focused on the planting areas within the front yard adjacent to the driveways. Per CMC 18.13.055(A) Table 1- Landscape Buffers, a 5-foot (L1) landscape buffer is required for multi-family uses (i.e., duplexes) abutting residentially zoned property. The project site is adjacent to residentially zoned properties on both sides. For compliance with this standard, trees and shrubs should be provided per CMC 18.13.055.B.1 or a fully sight-obscuring fence be installed per CMC 18.13.055.B.4.b. While the site plan or landscape plan does not indicate any fencing to be installed, the applicant is aware of the requirement to either install a 5-foot L1 landscape buffer or a maximum 6-foot-high fence to meet this requirement. They have indicated a 6-foot-high fence would be utilized to fulfill this requirement and a condition is warranted.

### Tree Density/Tree Survey:

There are no significant trees on site. Per CMC significant trees include “*evergreen trees eight inches DBH, and deciduous trees twelve inches DBH*” and “*does not include hazard trees or invasive species*”. The applicant is required to provide 20 tree units per acre per CMC 18.13.051. The property is .11 acres and as such, 2 tree units are required. Tree plantings are required to be a minimum of 2” cal. which calculates to two trees per CMC 18.13.051 Table 2. The two Quercus Rober “Crimson Spine” trees shown on the landscape plan are proposed to be 1.5” in size. The applicant should provide trees that are a minimum 2” caliper in size to meet this requirement.

A final landscape plan consistent with the landscaping standards in CMC Chapter 18.13 and the Camas Design Manual planting specifications and landscape notes should be submitted to the City for review and

approval prior to engineering plan approval. Trees should be installed prior to final occupancy and conditioned as such.

**FINDING:** Staff finds the proposed development as conditioned can or will meet the development standards that are required in the zoning district.

**C. The proposed use shall be compatible with the surrounding land uses in terms of traffic and pedestrian circulation, density, building, and site design;**

**Traffic and Pedestrian Circulation:**

The proposed development is located in an existing residential neighborhood that includes sidewalks located on one or both sides of the local roads providing for pedestrian circulation to several neighborhood parks and to the downtown area.

**Roads:**

The proposed project is to meet the requirements of CMC 17.19.040.B Streets.

The proposed duplex is located on the west side of NW Couch Street, which is classified as a local road per the 2016 Transportation Comprehensive Plan. The existing improved local roadway consists of approximately 30-feet of right-of-way, 24-feet of paved surfacing, curb on both sides, with curb tight sidewalk on the east side only. On-street parking is not permitted.

Per CMC 17.19.040.B Streets, when determined by the city engineering, half-width frontage improvements and right-of-way dedication may be required. As this is an existing improved local roadway, with the exception of removal and replacement of worn and deteriorated curb, neither full-depth half-width street improvements nor dedication of additional right-of-way will be required.

Staff recommends a condition of approval that prior to final engineering plan approval, the applicant should submit revised plans that include a provision for removal and replacement of the existing damaged and worn curb along the frontage.

**FINDING:** Staff finds that, as conditioned, the proposed development, as conditioned, can or will meet the City's road standards.

**Density, Building and Site Design**

The subject property is located in a residential neighborhood with a mix of designs and densities to include several multi-family residences. The design of the building is influenced by the existing character of the neighborhood to include architectural features and materials consistent with that of a residential use. The design of the building is discussed in further detail below.

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

**Water:**

The proposed project is to meet the requirements of CMC 17.19.040.C.4 Water System. Per CMC 17.19.040.C.4.b. each unit of a duplex or townhome shall have its own water service.

There is an existing 6-inch ductile iron water main located on the west side of NW Couch Street. The applicant will be required to provide an individual water service, one per dwelling unit. The water services are to be tapped at the main, extended to the right-of-way, and a water meter box for each service is to be provided, per the Camas Design Standards Manual Water Details.

A 10-foot separation is to be maintained between the new water services and the new sanitary sewer laterals. Trenching, trench backfill, and surface restoration is to be in accordance with the Camas Design

Standards Manual (CDSM). All water services beyond the meters will be privately owned and maintained by the applicant.

**FINDING:** Staff finds that the applicant can and will provide water system improvements consistent with the City's standards.

**Sanitary Sewer:**

The proposed project is to meet the requirements of CMC 17.19.040.C.2 sanitary sewers. Per CMC 17.19.040.C.2.b duplex, tri-plex, and townhome units shall each have a dedicated sewer lateral, unless otherwise approved by the public works director or designee.

There is an existing 8-inch PVC gravity sanitary sewer main located in NW Couch Street. The applicant will be required to provide an individual sanitary sewer lateral for each dwelling unit. The sewer laterals are to be tapped at the main and extended to a cleanout at the right-of-way, per the Camas Design Standards Manual Sewer Details.

A 10-foot separation is to be maintained between the new water services and the new sanitary sewer laterals. Trenching, trench backfill, and surface restoration is to be in accordance with the Camas Design Standards Manual (CDSM). Sanitary laterals beyond the cleanout will be privately owned and maintained by the applicant.

**FINDING:** Staff finds that adequate provisions for sanitary sewer can or will be made.

**Stormwater:**

The proposed project is to meet the requirements of CMC 17.19.040.C.2 Stormwater Control.

The proposed development is located on Parcel No. 986060366, which is approximately 5,001 square feet (0.11 acres) in size. A preliminary TIR, stormwater report, dated November 13, 2022, was prepared by True North Geotechnical. Per the report the proposed development will consist of approximately 1,970 SF of non-pollution generating hard surface (Non-PGHS), approximately 420 sf of pollution generating hard surface (PGHS) for the driveway, and an overall total of 2,390 SF of new hard surface.

Per Ecology's *Stormwater Management Manual for Western Washington (SWMMWW)* Figure I-3.1 *Flow Chart for Determining Requirements New Development (Vol. I, Chapter 3)*, the following applies:

- *All new development projects shall comply with Minimum Requirement (MR) #2 – Submittal of a Stormwater Pollution Prevent Plan (SWPPP).*

At the time of building permit application, the applicant for the duplex will be required to submit a *Stormwater Pollution Prevent Plan (SWPPP)* as part of the building application. An abbreviated SWPPP is available from the Building Department.

- *If the project results in less than 5,000 sf, but more than 2,000 sf of new plus replaced hard surface area then Minimum Requirements (MR) #1- #5 will apply.*

The proposed development improvements are less than 5,000 sf but are more than 2,000 sf of new plus replaced hard surface, therefore *Minimum Requirements (MR) #1 - #5* apply. Treatment and detention, MR's 6 and 7, are not required.

The preliminary TIR, includes *Appendix I-E, is the LID Feasibility Checklist* from the *2015 Clark County Stormwater Manual*. Per CMC 14.02 Stormwater Control, the stormwater report/design is to be prepared in accordance with the latest edition of Ecology's *Stormwater Management Manual for Western Washington (SWMMWW)*. Current Ecology SWMMWW manual is the 2019 version. Additionally, the report refers to a 'single-family' residence when the proposed development is for a duplex.

Staff recommends a condition of approval that prior to final engineering plan approval, the preliminary stormwater report (TIR) should be revised to include the LID check lists from Ecology's *Stormwater Management Manual for Western Washington* and revise the discussion to reference the proposed duplex and not a single-family residence.

Per CMC 17.19.040.C.3.e. drainage for stormwater runoff from roof and footing drains is to be routed to an approved drainage system to prevent stormwater runoff impacts to adjoining parcels.

There is an existing catch basin south of the proposed development on the northwest corner of NW Couch Street and NW 12<sup>th</sup> Avenue. Refer to Ecology's latest edition of the *Stormwater Management Manual for Western Washington (SWMMWW)* for roof downspout controls. Roof downspouts and crawl spaces are to hard piped to weep holes in the new curb, to allow for stormwater to flow south via the gutter to the existing catch basin.

Staff recommends a condition of approval that prior to final engineering plan approval, the applicant should submit revised plans with roof downspouts and crawl spaces hard piped to weep holes in the new curb, to allow for stormwater to flow south via the gutter to the existing catch basin at the corner of NW Couch Street and NW 12<sup>th</sup> Avenue.

**FINDING:** Staff finds that adequate provisions for stormwater, as conditioned, can or will be made.

**FINDINGS:** Staff finds that, as conditioned, adequate provisions for streets, water, sanitary sewer, and stormwater to the site can be provided.

**D. Appropriate measures have been taken to minimize the possible adverse impacts that the proposed use may have on the area in which it is located;**

The duplex has been designed with a single-family residential feel and utilizes craftsman-like architectural features that are similar in nature to single family dwellings. The scale of the duplex is similar to neighboring residences. As mentioned earlier, either a 5-foot L1 landscape buffer or a maximum 6-foot-high fence is required to meet the landscape buffer requirement where a duplex is constructed adjacent to single-family residential zoned property which will minimize any potential adverse impacts of the duplex.

**FINDING:** Staff finds the building design and landscaping will minimize potential adverse impacts.

**E. The proposed use is consistent with the goals and policies expressed in the comprehensive plan;**

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

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

**FINDING:** Staff finds the development is consistent with the comprehensive plan.

**F. Any special conditions and criteria established for the proposed use have been satisfied. In granting a conditional use permit the hearings examiner may stipulate additional requirements to carry out the intent of the Camas Municipal Code and comprehensive plan;**

**FINDING:** After conducting a public hearing and deliberating over the evidence, the Hearings Examiner may include any additional conditions or criteria necessary to carry out the intent of the CMC and the Comprehensive Plan.

### ***Chapter 18.19 Design Review***

*Design Review Committee member attendees: Ed Fischer, Whitney Henion, Geoerl Niles, Dawn Redmond, and Council Representative, Bonnie Carter. Kevin Breuner and Casey Wycoff were excused.*

Design Review is required for new multi-family developments per CMC 18.19.020 and therefore the duplex building proposal is subject to the applicable design review standards in CMC 18.19.050.A Standard Principles and B.3.c Specific Principles for Duplex, Triplex and Four-Plex and the guidelines in the Camas Design Review Manual “DRM”. As such, a Design Review Committee public meeting was held May 18, 2023, to review the proposal and recommend conditions or other actions necessary for compliance with the Design Review Manual.

#### **Standard Principles:**

#### **Landscaping and screening, integration, or natural features of the property, building design, and integration of historic elements;**

Per CMC 18.13.055(A) Table 1- Landscape Buffers, a 5-foot (L1) landscape buffer is required for multi-family uses (i.e. duplexes) abutting residentially zoned property. The project is adjacent to residentially zoned and developed properties on both sides. For compliance with this standard, trees and shrubs should be provided per CMC 18.13.055.B.1 or a fully sight-obscuring fence be installed per CMC 18.13.055.B.4.b. Although fencing is not shown on the preliminary site plan, the applicant has indicated that they will provide fencing adjacent to the already developed single-family residential properties along the north, west, and south property lines. There is overgrown brush along the north side of the subject property that will be cleared to facilitate the construction of the proposed duplex. One large Douglas Fir tree is in the northwest corner of the site along with a few smaller Douglas Fir trees. All are proposed to remain in place. Additional trees and shrubs will be planted in the front yard area of the duplex and will meet the minimum tree density and landscaping requirements.

The modern style duplex building is proposed to be approximately 28-feet in height. Building materials such as asphalt composite shingles, vertical cedar siding, smooth stucco board, Hardie trip, and metal roofing accents will be incorporated into the design. The proposed design includes two complimenting color pallets utilizing gray, pewter green, off white, bronze, and white. Materials and colors selected are consistent with those seen on nearby residential structures. Any landscape or building lighting should be directed, hooded, or shielded away from surrounding properties, a condition is warranted.

#### **Specific Principles:**

#### **Multi-Family Principles: Duplex, Triplex and Four-Plex**

The garages account for less than 50% of the front façade. The Design Review Committee overall agreed that the duplex produced a complementary façade facing the street.

**FINDING:** The Design Review Committee and staff found the proposed Couch Street Duplex is generally in compliance with the Design Review Manual, and applicable design principles and guidelines of CMC Chapter 18.19.

## CONCLUSION

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Based on the above findings and discussion provided in this staff report, staff concludes the conditional use permit application for the Couch Street Duplex (File # CUP22-04) should be approved, because it does or can comply with the applicable standards if all conditions of approval are met.

## RECOMMENDATION

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Staff recommends APPROVAL of the Couch Street Duplex (File #CUP22-04) subject to the following conditions of approval in addition to the conditions of the Consolidated Decision (File No. DR22-11).

### STANDARD CONDITIONS OF APPROVAL

1. Final engineering site improvement plans shall be prepared in accordance with the Camas Design Standards Manual (CDSM) and CMC 17.19.040.
  - a. Per CMC 17.19.040.C.a: All utilities designed to serve the development shall be placed underground.
2. The final engineering site plans shall be prepared by a licensed civil engineer in Washington State and submitted to the City's Community Development (CDEV) Engineering Department for review and approval.
  - a. CDEV Engineering is responsible for plan review (PR) and construction inspection (CI) of all the civil site improvements outside of building footprints.
3. Contact CDEV Project Manager for submittal requirements for CDEV Engineering's first review process.
4. CDEV shall collect a total 3% plan review and construction inspection (PR&CI) fee for the proposed development improvements outside of the building footprints. The following submittals are required:
  - a. A preliminary engineer's estimate is to be submitted prior to or with first review submittal.
  - b. The 3% fee is based on a stamped engineer's estimate.
  - c. Payment of the 3% plan review (PR) 2% construction inspection (CI) fee is to be paid prior to release of the approved construction drawings by CDev Engineering Dept.
  - d. Under no circumstances will the applicant be permitted to begin construction prior to final engineering plan approval.
5. In addition to approved civil engineering site plans, work within the right-of-way (ROW) will require a General Encroachment permit, issued by Development (CDev) Engineering.
  - a. A traffic control plan (TCP) is to be submitted with the encroachment permit for review and approval, prior to working within the right-of-way on NW Couch Street.
6. Regulations for installation of public improvements, improvement agreements, bonding, final platting, and final acceptance shall be found in CMC 17.21.
7. In the event that any item of archaeological interest is uncovered during the course of a permitted ground disturbing action or activity, all ground disturbing activities shall immediately cease, and the applicant shall notify the City, the tribes, and DAHP.
8. A building permit shall be required prior to commencement of construction of a building structure.
9. A building permit shall not be issued prior to completion of site improvements, unless otherwise approved by the Director.



10. At the time of building permit issuance, the applicant shall pay the appropriate impact fees in accordance with the provisions of CMC 3.88.
11. Prior to final acceptance, the applicant shall remove all temporary erosion prevention and sediment control measures from the site at completion of all site improvements, which includes stabilization of all disturbed soil, prior to issuance of Final Acceptance from CDEV Engineering.
12. As a component for final acceptance, final as-built construction drawing submittals shall meet the requirements of the Camas Design Standards Manual (CDSM).
  - a. The as-built cover sheet is to be the originally approved cover sheet signed by the City Engineer.
  - b. As-builts are to be submitted as PDFs.
  - c. As-builts are to be submitted in either AutoCad or Carlson formats.
13. Per CMC 17.21.050.B.2 and prior to final acceptance a 2-year warranty maintenance bond is to be submitted for all public improvements.
  - a. Per CMC 17.21.070.A Upon final acceptance of the development improvements the two-year (2) warranty bond commences.
14. Per CMC 17.21.070.E A letter of final acceptance will be issued once all items listed in 17.21.070.B-C have been completed, submitted, reviewed, and approved by the city.
15. Per CMC 18.18.070.B, prior to issuance of final occupancy permits, all public and private improvements shall be completed in accordance with CMC 17.21.070 Final Acceptance.
16. Unless construction of this site commences within two (2) years of issuance of this decision, this permit will expire.

## **SPECIAL CONDITIONS OF APPROVAL**

### Planning:

17. Prior to engineering plan approval, a final landscape plan consistent with the landscaping standards in CMC 18.13.050 and the Camas Design Manual planting specifications shall be submitted to the city for review and approval.
18. If any trees are proposed to be planted along streetscapes with overhead power lines, the landscape plan shall include only those trees identified on the City's Tree list.
19. The final landscape plan shall show either a 5-foot L1 landscape buffer or a 6-foot-high fence where adjacent to single-family residentially zoned properties.
20. The property owner is responsible for replacing the trees if they fail to survive, therefore appropriate measures shall be taken to ensure the trees survival. If a tree is removed or dies, it must be replaced within one year by the property owner.
21. Trees shall be installed prior to final occupancy.
22. Exterior lighting shall be shielded or hooded from neighboring properties.
23. If any signs are to be located on buildings or incorporated into the landscaping, they shall be unobtrusive and vandal resistant. If illuminated, they are to be front lit.

### Engineering:

[Roads]

24. Prior to final engineering plan approval, the applicant shall submit revised plans that include a provision for removal and replacement of the existing damaged and worn curb along the frontage.

[Water]

No Special Conditions

[Sanitary Sewer]

No Special Conditions

[Storm Drainage]

25. Prior to final engineering plan approval, the preliminary stormwater report (TIR) shall be revised to include the LID check lists from Ecology's *Stormwater Management Manual for Western Washington* and revise the discussion to reference the proposed duplex and not a single-family residence.

26. prior to final engineering plan approval, the applicant should submit revised plans with roof downspouts and crawl spaces hard piped to weep holes in the new curb, to allow for stormwater to flow south via the gutter to the existing catch basin at the corner of NW Couch Street and NW 12<sup>th</sup> Avenue.

27. This permit shall expire two (2) years from the date of the final decision per CMC 18.55.260 if no building plans are submitted.