



STAFF REPORT

Camas Meadows Hole 9 Major Variance

File No. MAJVAR24-01

Report Date: July 3, 2024

TO	Hearings Examiner	HEARING DATE	7/9/2024
PROPOSAL	To change the front and side yard setbacks of the residential lots, and increase the lot coverage for the townhome lots.		
LOCATION	The site is located at 4525 NW Camas Meadows Drive in the NE 1/4 Section 29, Township 2 North, Range 3 East, of the Willamette Meridian; and described as tax parcel 175980000, 172973000, 172963000, 986035734, 986035733, 172970000, & 986026906.		
APPLICANT/ OWNER	AKS Engineering Attn: Michael Andreotti 9600 NE 126th Ave Suite 2520 Vancouver, WA 98662	OWNER	Romano Development 4660 NE 77th Ave Vancouver, WA 98662
APPLICATION SUBMITTED	2/27/2024	APPLICATION COMPLETE	3/18/24
PUBLIC NOTICES	A consolidated Notice of Application and Public Hearing was mailed to property owners within 300 feet of the site and published in the Post Record on 5/23/2024. Legal publication #910140.		

APPLICABLE LAW: The application was submitted on 2/27/2024, and the applicable codes are those codes that were in effect at the date of the application’s first submittal. Camas Municipal Code (CMC) Title 16 Environment, Title 17 Land Development, and Title 18 Zoning, specifically (but not limited to): Chapter 18.43 Variances and Chapter 18.55 Administrative Procedures. [Note: Citations from Camas Municipal Code (CMC) are indicated in *italic* type.]

SUMMARY

An application has been made to the City of Camas for Major Variance approval to increase the front yard setback of the residential lots from a maximum of 10 feet to 15 feet. The second request consists of decreasing the side yard setback of the residential lots from a minimum of 10 feet to 5 feet. The third request includes increasing the lot coverage for two story townhome lots (lots 1-19, 57-77) from 50% to 60%.

The site received conditional approval, preliminary plat, site plan review, critical areas, SEPA, and archaeological review to construct a mixed-use development consisting of a commercial building, and a mixture of attached and detached single-family residences.

The subject site is bordered to the north and west by the Camas Meadows Golf Course zoned Light Industrial/Business Park. To the east is the Camas Meadows Golf Course Clubhouse and restaurant zoned Light Industrial/Business Park and Business Park. To the south are commercial buildings zoned

Light Industrial/Business Park and further southeast are townhomes zoned Multi-Family Residential MF-18. The site is currently vacant and contains several trees and vegetation.

A major variance is required for “modification of a numerical development standard by more than ten percent”. A major modification is required for changes to an approved development. Both of these permit criteria are addressed in this staff report.

The proposed major variance and major modification does or can comply with the applicable standards of the Camas Municipal Code (CMC) and Revised Code of Washington (RCW).

Chapter 18.45 Major Variance

A. CMC 18.45.040.B - Approval of a major variance must demonstrate with findings of 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;**

DISCUSSION: The following table states the approved and proposed setbacks that are affected by this variance request based on CMC 18.09.030 Table 1 and the Final Order for the Camas Meadows Hole 9 Mixed Use Development:

18.09.030 Table 1 Density and dimensions—Commercial and industrial zones.		
	Approved	Proposed
Minimum front yard (feet)	<u>Maximum</u> 10’	<u>Maximum</u> 15’
Minimum side yard (feet)	10’	5’
Lot coverage (percentage)	1 story (60%) 2 stories or more (50%)	1 story (60%) 2 stories or more (60%)

The applicant is proposing to change the front and side yard setback, and the lot coverage. There are several single and multi-family residential developments along NW Camas Meadows Drive that match the applicants proposed changes. The applicant submitted a vicinity map of these single family and townhome developments that meet the setbacks in CMC 18.09.040 – Single Family and Multi-Family Residential.

FINDING: Staff finds the major variance request does not grant special privilege to the specific site as there are many properties within the vicinity that have a similar front yard setback.

- 2. **That such variance is necessary, because of special circumstances or conditions 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;**

DISCUSSION: The first request to change the front yard setback is necessary because it ensures that the existing utility easement on NW Camas Meadows Drive, which varies from 12-feet to 15-feet-wide along the front of lots 1-21 and lots 57-77 and the future utility easement along the front of lots 22-56 is not

encroached on. The intent of the maximum 10-foot front yard setback is to pull forward a mixed use building where commercial is on the ground floor. However, this development has separated commercial and residential uses, leaving residential uses with a front yard setback that forces the future home to encroach on existing and future utility easements.

Staff is in support of increasing the front yard setback if a condition is added that the garage must be set back a minimum of 18-feet for the single-family detached Lots 22-56. An 18-foot setback allows for a vehicle to park in the driveway and not block the sidewalk.

The second request to reduce the side yard setback to 5-feet aligns with the single and multi-family zones. CMC 18.09.040 and 18.09.050 require a minimum 5-foot side yard setback for single-family lots less than 11,999 square feet, and 3 feet (detached)/0 feet (attached) for townhomes in the multi-family zones.

Staff finds the request to reduce the side yard setback is necessary because it allows the lot to be used as other single family and multi-family development in the area.

There is a 6-foot-wide utility easement along the street side yards of the townhomes, therefore, staff recommends that the street side yard setback remain at 10-feet to accommodate the 6-foot-wide public utility easements. Staff recommends that the side yard setback abutting the commercial development remain at 10-feet as proposed.

The third request to increase the lot coverage from 50% for two story homes to 60% also aligns with the multi-family zone lot coverage requirements in CMC 18.09.050. The maximum lot coverage for town homes in the multi-family zone is up to 65%.

Staff finds the variance is necessary to accommodate a townhome in the mixed-use zoning.

FINDING: Staff finds the variances are necessary subject to the recommended conditions discussed in this section.

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.*

DISCUSSION: The intent of the Mixed Use (MX) zone is for mixed-use buildings with commercial on the ground floor and residential above. Single-family residences are outright permitted in the MX zone. However, the applicant received conditional use permit approval to construct townhomes. This resulted in a separation of commercial and residential uses on site.

The MX setbacks are intended for mixed use buildings with commercial on the ground floor, and residential above. The residential zone setbacks are intended for residential uses. Therefore, the applicant has requested variances to setbacks and lot coverage that align with the residential zoning code.

FINDING: Staff finds the variance will not be detrimental to the public because these standards currently exist in the residential zone for residential uses which is what was approved to be constructed on site.

CMC Section 18.55.290 Major Modification

Minor amendments or modifications. Minor amendments are those modifications which may affect the precise dimensions or location of buildings, accessory structures, and driveways. Minor amendments do not effect:

I. Overall project character,

FINDING: The project character remains a mixed-use development. There are no changes to the proposed uses or lot locations. The request to change setbacks and lot coverage will not affect the overall project character.

II. Increase the number of lots, dwelling units, or density;

FINDING: The proposal to change setbacks and lot coverage will not increase the number of lots, dwelling units, or density. Staff finds this criterion is met.

III. Decrease the quality or amount of open space, or

FINDING: No open space will be affected due to the changes in setbacks and lot coverage. The lot lines and open space tracts will remain the same. Staff finds this criterion is met.

IV. Vary from specified dimensional standards of this title.

FINDING: The proposal will not affect lot sizes; however, it will affect setbacks and lot coverage. A major variance is required for “modification of a numerical development standard by more than ten percent”. The proposed changes to setbacks and lot coverage includes more than a 10% change to a numerical development standard. Therefore, the applicant has submitted a major variance application. Staff finds this criterion is addressed throughout the major variance criteria section in this staff report.

PUBLIC COMMENTS

As of the writing of this staff report, staff has not received any comments.

CONCLUSION

Based on the above findings and discussion provided in this staff report, staff concludes that Camas Meadows Hole 9 Major Variance (MAJVAR24-01) should be approved because it does comply with the applicable standards if all the conditions of approval are met.

RECOMMENDATION

Staff recommends APPROVAL of the preliminary plat of Camas Meadows Hole 9 Major Variance (MAJVAR24-01) subject to the following conditions of approval:

CONDITIONS OF APPROVAL

Standard Conditions:

The Standard Conditions of Approval, as noted in the CUP23-01 Final Order, issued September 21, 2023, remain in effect.

Special Conditions of Approval:

Except for the following conditions, The Special Conditions of Approval, as noted in the CUP23-01 Final Order, issued September 21, 2023, remain in effect.

1. The front yard setback for the residential lots shall be a maximum of 15 feet.
2. The garage setback for the single-family detached lots (lots 20-21, 30-48) must be a minimum of 18-feet to the face of the garage.
3. The street side yard setback shall remain at 10-feet to accommodate the 6-foot-wide public utility easements for lots 3, 4, 19-21, 27, 28, 74, and 75. All other side yard setbacks for the residential lots shall be a minimum of 5 feet.
4. The side yard setback of residential lots (lots 48, 77) abutting the commercial development shall remain at 10-feet.
5. The maximum lot coverage for townhomes is 60%.