



Staff Report

February 16, 2021 Council Regular Meeting

Public Hearing - Annual Code Amendments – Housing Mandates

Presenter: Sarah Fox, Senior Planner

Phone	Email
360.817.7269	sfox@cityofcamas.us

SUMMARY: As part of the city’s annual code improvement project staff is presenting proposals to comply with state laws that changed in 2019 and 2020, which are generally related to definitions and land uses related to housing. Staff’s proposed amendments are captured in Exhibit 1. This report includes an evaluation in accordance with the review criteria at CMC Section 18.51.030.

Planning Commission held a public hearing on this item on December 15, 2020 and forwarded a recommendation of approval to Council. A workshop on this item was held before City Council on January 19, 2021.

Compliance with State Agencies:	Commerce 60-day notice of intent to adopt was sent on October 13, 2020.	The city issued a State Environmental Policy Act (File No. SEPA20-12) determination of Non-Significance Non-Project Action on November 12, 2020. No appeals were filed and the decision is final.
Notices:	Public notices were published on the city’s website and in the Camas Post Record on January 28, 2021. Public notices were also published prior to the Planning Commission public hearing on the city’s website and in the Camas Post Record on December 3, 2020 (Legal Publication # 481590)	

EQUITY CONSIDERATIONS:

What are the desired results and outcomes for this agenda item? **For city code to comply with state law.**

What’s the data? What does the data tell us? **n/a**

How have communities been engaged? **Are there opportunities to expand engagement? The city has held two workshops before Planning Commission, along with the workshop tonight, January 19th. Public notices have been published on the city’s website and in the Camas Post Record, along with publication of a SEPA Determination.**

Who will benefit from, or be burdened by this agenda item? **n/a**

What are the strategies to mitigate any unintended consequences? **n/a**

Does this agenda item have a differential impact on underserved populations, people living with disabilities, and/or communities of color? Please provide available data to illustrate this impact. **These amendments are required due to changes in state laws.**

Will this agenda item improve ADA accessibilities for people with disabilities? **n/a**

What potential hurdles exist in implementing this proposal (include both operational and political)? **n/a**

How will you ensure accountabilities, communicate, and evaluate results? **The amendments will be added to the municipal code, which is available online.**

How does this item support a comprehensive plan goal, policy or other adopted resolution? **Compliance with state laws.**

BUDGET IMPACT: **None**

DISCUSSION

The following is a list of the proposed amendments to the Camas Municipal Code (CMC) in numerical order and includes a description of the changes.

- **3.86.020 – Definitions for multi-family housing tax exemption**

Minor changes were made to the definitions related to affordable housing with the adoption of ES2HB 1923 (Exhibit 4, page 9, Line 10). The amendments to the city's code reflect the specific language regulated by the change in the law.

- **18.03.030 – Definitions for land uses**

The legislature added a new term and definition for "permanent supportive housing" with the adoption of ES2HB 1923. The language proposed within Exhibit 1 mirrors that of state law. The law also added two new sections in regard to cities being barred from prohibiting permanent supportive housing where multifamily housing is allowed (refer to Exhibit 4, page 17, line 17).

The legislature amended the definition for "tiny home" (Exhibit 3) and required that these structure types be allowed where mobile and manufactured homes are allowed with adoption of ESSB 5383. In order to be consistent with state law, the proposed amendments include adding a definition to Section 18.03.030 and ensuring that they are not a prohibited use within our city's manufactured home parks.

- **18.07.030 Table 1 – Commercial and industrial land uses and 18.07.040 Table 2 – Residential and multi-family land uses**

As previously noted, the legislature added a new term and definition for “permanent supportive housing” with the adoption of ES2HB 1923. The law requires that a city allow permanent supportive housing where multifamily housing is allowed. The proposed amendments to the land use tables are intended to be consistent with state law, and consistent with similar other uses within the city. The following two tables are from CMC and include uses that are multifamily in nature and highlights the zone in which those uses are allowed either outright or conditionally. Staff included the new use for ease of comparison.

Excerpt from Table 1 Section 18.07.030 Commercial & Industrial Land Uses

Zoning Districts →	NC	DC	CC	RC	MX	BP	LI/BP	LI	HI
<i>Nursing, rest, convalescent, retirement home</i>	C	P	P	P	P	X	X	X	X
<i>Adult family home</i>	C	P	P	X	P	X	X	X	X
<i>Assisted living</i>	C	P	P	X/P 10	P	X	X	X	X
<i>Duplex or two-family dwelling</i>	X	C/P 7	X	X	P	X	X	X	X
<i>Group home</i>	C	P	P	X	P	X	X	X	X
<i>Housing for the disabled</i>	P	P	P	X/P 10	P	X	X	X	X
<i>Apartment, multifamily development, row houses</i>	X	C/P 7	X/P 10	X/P 10	C	X	X	X	X
<i>Residence accessory to and connected with a business</i>	P	P	P	X/P 10	P	X	X	X	X
<u>Permanent Supportive Housing</u>	<u>C</u>	<u>P</u>	<u>X/ P10</u>	<u>X / P10</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

Excerpt from Table 2 Section 18.07.040 Residential & Multifamily Land Uses

Zoning Districts →	R	MF
<i>Adult family home, residential care facility, supported living arrangement, or housing for the disabled 1</i>	P	P
<i>Apartments</i>	P ²	P
<i>Duplex or two-family dwelling</i>	C	P
<i>Nursing, rest, convalescent, retirement home 1</i>	C	P
<i>Residential attached housing for three or more units (e.g., rowhouses)</i>	X/P ²	P
<u>Permanent Supportive Housing</u>	<u>C/P²</u>	<u>P</u>

Note to Table: #2. Permitted in the R zones as part of a planned development only.

• **18.09.080– Lot sizes**

The legislature passed SHB 1377 to require a city to “allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization.” (Exhibit 2, page 3, Line 6). The proposed CMC amendment does not need to be adopted until an application is submitted. As discussed at previous workshops before Planning Commission, staff

noted that the law allows the city to be *reactive*. Specifically the law states that a city “*may develop policies*” upon receipt of a request for development by the religious organization.

This proposal is intended to create a provision consistent with state law that would also be consistent with other density bonuses allowed within the city’s zoning code, similar to [Density Transfers at CMC Section 18.09.060](#). Adopting this amendment in advance of a development application provides more certainty for landowners (Refer to map of properties at Exhibit 2) and reduces discretionary negotiation processes.

The city’s current Density Transfer provision allows a 30% increase in residential density when a land division sets aside a tract of land for the protection of a critical area, natural open space network, or network connector, or approved as a recreational area.

- **18.29.070 – Manufactured home and space standards**

As noted above, the legislature amended rules concerning tiny homes with adoption of ESSB 5383 (Exhibit 3). In general, the city must allow tiny homes where a manufactured or mobile home is allowed. In order to be consistent with state law, the proposed amendments include ensuring that they are not a prohibited use within the CMC chapter ordinance relating to manufactured home parks, Chapter 18.29.

CRITERIA OF APPROVAL – CMC 18.51.030	Finding
A. Impact upon the city of Camas comprehensive plan and zoning code;	The proposed changes will align the city with state laws.
B. Impact upon surrounding properties, if applicable;	The proposed changes will have minor impacts to future development city wide.
C. Alternatives to the proposed amendment; and	The amendments proposed to CMC Section 18.09.080 Lot Sizes, regarding religiously owned property is not a mandate, rather it is preemptive. This section could be forwarded to council or set-aside for additional work.
D. Relevant code citations and other adopted documents that may be affected by the proposed change.	No citations or documents will be affected beyond what has been provided within Exhibit 1.

Recommendation

Planning Commission rendered a unanimous approval of the amendments.

Council should conduct a public hearing, deliberate, and render a decision. If approval, then direct the City Attorney to prepare an ordinance for adoption on March 15, 2021.