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February 8, 2022

Robert Maul
City of Camas
Community Development Department
616 NE Fourth Avenue
Camas, WA 98607

Re: Alternative language for text amendment to CMC 3.86.040.A.3

Dear Mr. Maul:

This is a follow up to our request for a minor text amendment to the city's Multifamily Housing Tax Exemption (MHTE) provisions in CMC 3.86.050.A.3 to allow the city to approve projects that exceed the maximum 45 foot/3 story height limitation if the city finds that it would better serve the intent of the MHTE.

As you know, we represent Hudson East Living, LLC and Cascadia Development Partners. Our clients are developing a 56-unit apartment project with ground floor retail at 404 NE 6th Avenue in Camas. The current design of the proposed building meets the maximum height under zoning but is taller than what is currently allowed for a tax exemption under CMC 3.86.050.A.3. Therefore, our clients have requested a text amendment to create a process for MHTE approval of their project.

The proposed text amendment would apply to any project seeking MHTE approval, and we believe this would be a beneficial amendment to the MHTE that would create additional opportunities to better meet the overall goals of the MHTE.

The original request was for the city initiate a text amendment to CMC 3.86.050.A.3 to implement the change shown in bold underline typeset below:

3.86.050 Downtown district: standards and guidelines.

In approving a tax exemption under CMC 3.86.040 and in addition to compliance with the requirements of the underlying zone and design and developments standards under Title 17 and Title 18 of the Camas Municipal Code, the following standards and guidelines shall be applicable within the downtown district:

A. Standards.

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3. Building Height. Maximum of forty-five feet and three stories, which may be exceeded if the city determines that the additional height would better meet the intent of the exemption under CMC 3.86.040.A.

Under the proposed amendment the city would have the discretion to approve an exemption for a higher building if the proposal would better meet the overall intent of the MHTE as set forth in subsections 1 through 6 of CMC 3.86.040.A. The intent of the MHTE, as expressed in these six subsections, provides suitable guidance for the city to determine whether a tax exemption should be approved for a building that is higher than 45 feet/three stories.

This amendment would not change the existing requirement in CMC 3.86.050 that the height limitations in the underlying code must be met. By its terms, CMC 3.86.050 applies “in addition to compliance with the requirements of the underlying zone and design and developments standards under Title 17 and Title 18 of the Camas Municipal Code.” The proposed amendment would not change this existing restriction in CMC 3.86.050 that all projects must still meet the height limitations imposed by underlying zoning.

However, in situations where it makes sense to approve a tax exemption for a higher building to better meet the intent of the MHTE, the proposed amendment would give the city the discretion to do that, provided that maximum heights under zoning were met.

As an alternative that would provide the city with greater flexibility in reviewing future applications would be to amend CMC 3.86.050 as follows:

3.86.050 Downtown district: standards and guidelines.

In approving a tax exemption under CMC 3.86.040 and in addition to compliance with the requirements of the underlying zone and design and developments standards under Title 17 and Title 18 of the Camas Municipal Code, the following standards and guidelines shall be applicable within the downtown district, **unless the city determines that the proposal would better meet the intent of the exemption under CMC 3.86.040.A:**

Please let me know if you need any further information about this request.

Sincerely,

LANDERHOLM, P.S.



STEVE C. MORASCH
Attorney at Law