

STAFF REPORT

Annual Amendments to Camas Municipal Code (CMC)

File No. MC21-01

TO	Tim Hein, Chair Planning Commission
FROM	Madeline Sutherland, Planner
DATE	November 10, 2021

Summary

As part of the city's annual code improvement project, the staff amendments include corrections to typos, citations or punctuation, and to clarify sections of the Camas Municipal Code (CMC) that were challenging to administer over the past review cycle. Staff's proposed amendments are captured in Exhibit 1 and are discussed further in this report.

This workshop will present staffs annual amendments to Camas Municipal Code (MC21-01). This report includes an evaluation in accordance with the review criteria at CMC Section 18.51.030.

Annual Code Amendments (File #MC21-01)

The following is a list of proposed amendments to sections of the CMC in numerical order and includes a brief description of the changes.

- CMC 17.09.030.B.5- Preliminary short plat approval. & CMC 17.11.030.B.6 - Preliminary subdivision plat approval.
 - The proposed amendment clarifies that both existing and proposed sidewalks need to be shown on the plat, not just the proposed.
 - The amendment will also require the submittal of retaining wall cross sections for walls over four feet in the height. Many times, the height of a retaining walls is not shown until after plat approval where later, staff finds the retaining walls exceed the maximum height permitted. By providing retaining wall information at the time of preliminary plat submittal, staff can review for compliance with height requirements.
- CMC 17.19.030.D.5. - Tract, block and lot standards.
 - This section relates to protecting the character of the neighborhood. By adding language to include pedestrian connectivity, it emphasizes that pedestrian connectivity, along with the other characteristics, are important to neighborhood character.
- CMC 17.19.040.B.10.b. - Infrastructure standards.
 - Block lengths over 600 feet are not required to have a pedestrian connection midway. The nearest pedestrian connection would be located at the end of each block, requiring a pedestrian to travel to one of the ends to cross safely. Staff is proposing to require a midway pedestrian connection, to allow for pedestrians to cross safely if block lengths are over 600 feet.

- The second proposed amendment in this section is to remove the second sentence in subsection ii and place it in a separate bullet point for clarification. The language has been updated to reference design requirements for the pedestrian connection.
- CMC 17.19.040.C.2. – Infrastructure standards.
 - Staff is proposing to update this section to clarify that each unit in a townhome development must have an individual sewer lateral, unless otherwise approved by the Operations Utility Manger. Other sections of code require individual sewer laterals; therefore, the update will be consistent with other code sections.
- CMC 18.03.030- Definitions for land uses capitalize Substance Abuse Treatment Facilities
 - Staff is proposing to include a new definition for **substance abuse treatment facilities**. The definition proposed is similar to the current definition in the **City of** Ferndale, WA municipal code and will include drug and alcohol detox facilities, and similar uses. The new definition allows staff to regulate these types of uses. lowercase city of
- CMC 18.07 - Table 1—Commercial and industrial land uses. capitalize Commercial and Industrial Use Table
 - A new use for **substance abuse treatment facilities** is proposed to be added to the **commercial and industrial use** table to regulate the zones this use is permitted in. The proposed amendment will prohibit the use in Neighborhood Commercial, Downtown Commercial and Mixed-Use zones. The use will require a **conditional use permit** in the Community Commercial, Regional Commercial, Business Park, Light Industrial/Business Park, Light Industrial and Heavy Industrial zones. There is a footnote proposed prohibiting this use to be located within 1,000 feet of schools, parks, **libraires** and other treatment facilities. caps
- CMC 18.07 Table 2—Residential and multifamily land uses. capitalize Single and Multi-Family Residential Use Table
 - A new use for **substance abuse treatment facilities** is proposed to be added to the **single and multi-family residential use** table to regulate the zones this use is permitted in. The proposed amendment will prohibit the use in Single-Family Residential zones and require a **conditional use permit** in Multi-Family Residential zones. There is a footnote proposed prohibiting this use to be located within 1,000 feet of schools, parks, **libraires** and other treatment facilities.
- CMC 18.15.100.A – Temporary signs
 - The proposed language will prohibit temporary signs within certain areas of the right-of-way for safety reasons. In the past, temporary signs have caused sight distance issues. The language will regulate placement of temporary signs.
- CMC 18.43.070 - Expiration and renewal.
 - The current language in the **conditional use permit** code section contradicts CMC 18.55.260 - Expiration, Renewals and Extensions. Staff is proposing to remove the language in the **conditional use permit** section that relates to permit **expiration and renewals**, and instead add language to reference CMC 18.55.260. This will provide clarity and consistency.
- CMC 18.55.110 - Application—Required information. does this refer to general permit expiration and renewals (lowercase) or the Expiration and Renewal section (caps) in the code?
 - This code section currently requires all Type III and short plat applications to post a 4 foot by 8-foot development sign on site. There are several Type III applications that are smaller in scale and a 4 foot by 8-foot sign are too substantial for these smaller sized applications. Staff is proposing to allow for a smaller development sign size subject to the directors approval. No hyphen needed
- CMC 18.55.355 - Code conflicts.
 - This code section was added last year during the annual code updates. A code interpretation application requires a discretionary decision. The section currently requires a Type I process, which is generally for applications that do not require a discretionary decision. A Type II process is required for discretionary decisions; therefore, staff is proposing to require code interpretations to be a Type II process instead of a Type I process.

Annual Code Amendments (MC21-01)

CMC 17.09.030.B.5- Preliminary short plat approval.

Oxford comma? What is the city style guide for this?

- f. Location of existing and proposed sidewalks, street lighting, and street trees,
- q. Show location and height of proposed retaining walls. Provide cross sections for retaining walls over 4-feet in height.

CMC 17.11.030.B.6 - Preliminary subdivision plat approval.

- e. Location of existing and proposed sidewalks, street lighting and street trees,
- p. Show location and height of proposed retaining walls. Provide cross sections for retaining walls over 4-feet in height.

CMC 17.19.030.D.5. - Tract, block and lot standards.

- d. d. To protect the character of the immediate neighborhood, the city may impose special conditions, where feasible, including access configuration and separation, pedestrian connectivity, setbacks, fencing and landscaping;

CMC 17.19.040.B.10.b. - Infrastructure standards.

- i. Block lengths shall not exceed the maximum access spacing standards for the roadway class per the city's design standards manual. If block lengths greater than 600-feet are approved pursuant to CMC 17.19.040.B.10.b.iii., a midway pedestrian connection shall be provided.

- ii. Cul-de-sacs and permanent dead-end streets over three hundred feet in length may be denied unless topographic or other physical constraints prohibit achieving this standard. ~~When cul-de-sacs or dead-end streets are permitted, a direct pedestrian or bicycle connection shall be provided to the nearest available street or pedestrian-oriented use.~~

- iii. When cul-de-sacs or dead-end streets are permitted that are over 300 feet, a direct pedestrian and bicycle connection shall be provided to the nearest available street or pedestrian oriented use. Pedestrian connections need to meet Design Standards Manual for ADA accessibility in accordance with PROWAG and ADAAG.

extra space

- iv. The city engineer may recommend approval of a deviation to the design standards of this section based on findings that the deviation is the minimum necessary to address the constraint and the application of the standard if impracticable due to topography, environmental sensitive lands, or existing adjacent development patterns.

consistency in capitalizing city employee titles

Oxford comma? What is the city style guide for this?

CMC 17.19.040.C.2. – Infrastructure standards.

- b. Duplex, tri-plex, and townhome units ~~may have up to two sewer services at the discretion of the engineering and public works departments.~~ shall each have a dedicated sewer lateral, unless otherwise approved by Operations Utility Manager.

caps?

CMC 18.03.030- Definitions for land uses

"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, drug or alcohol treatment services, ~~or~~ obstetrical or acute illness services. This does not include substance abuse treatment facilities. See substance abuse treatment facility definition.

delete

"Substance abuse treatment facility (SATF)" means a facility meeting applicable state and federal standards that provides support services including, but not limited to, counseling, rehabilitation and

medical supervision for the need of drug or alcohol treatment. An SATF may function as a residence, day-treatment facility, or a combination thereof. A SATF may be staffed by resident or nonresident staff. A SATF shall not be located within 1,000 feet of public and private schools, public parks, public libraries, other SATF, or similar uses.

CMC 18.07 - Table 1—Commercial and industrial land uses.

Zoning Districts	NC	DC	CC	RC	MX	BP	LI/BP	LI	HI
<u>Substance Abuse Treatment Facility¹²</u>	X	X	C	C	X	C	C	C	C

Footnote 12: A substance abuse facility (SATF) shall not be located within 1,000 feet of public and private schools, public parks, public libraries, other SATF, or similar uses.

CMC 18.07 Table 2—Residential and multifamily land uses.

Zoning Districts	R	MF
<u>Substance Abuse Treatment Facility⁵</u>	X	C

Footnote 5: A substance abuse facility (SATF) shall not be located within 1,000 feet of public and private schools, public parks, public libraries, other SATF, or similar uses.

CMC 18.15.100.A – Temporary signs

4. Location. Temporary signs are prohibited from being placed within bulb-outs, landscape islands, medians and central islands of roundabouts that are within the public right-of-way and not accessible by a sidewalk or pedestrian walking path or which are placed within the Stopping Sight Distance of any intersection connecting to any roundabout or median as calculated by AASHTO's "A Policy on Geometric Design of Highways and Streets (Latest Edition)."

CMC 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. See CMC 18.55.260 for expiration, renewals and extensions.

CMC 18.55.110 - Application—Required information.

- 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 ^{4 foot} four-foot by ^{8 foot} eight-foot sign per road frontage, unless a different size is approved by the Director. The sign shall be attached to the ground with a minimum of two ^{4 inch} four-inch by ^{4 inch} 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, ^{delete} 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.

CMC 18.55.355 - Code conflicts.

Code Interpretation:

- A. Purpose. The purpose of this chapter to provide a process for interpreting and applying the provisions of Title 16, 17 and 18.
- B. Responsibility. It shall be the responsibility of the Director to review and resolve any questions regarding the proper interpretation or application of the provisions of Title 16, 17 and 18 pursuant to the procedures set forth in this chapter. The Director's decision shall be in keeping with the spirit and intent of this title and of the comprehensive plan. The director's decision shall be in writing and kept on permanent file.

Procedure:

- A. Application. Any person with property owner consent may request in writing the ^{di}director's interpretation of a code provision of Title 16, 17 or 18 when it pertains to a specific property or project by means of a Type II ~~Type I~~ application pursuant to Section 18.55.030. The Director may independently initiate an interpretation of any conflicting or unclear provisions of this Title.
- B. Multiple Applications. If an application for an interpretation is associated with any land use application(s) subject to Title 16, 17, or 18, then the application for the interpretation may be combined with the associated application(s) and is subject to the highest level of procedure that applies to any of the applications, Section 18.55.030.
- C. Codification. To ensure that the director's interpretations are applied consistently over time, the director shall on an annual basis initiate a Type IV text amendment to this code for the purpose of codifying interpretations pursuant to Chapter 18.55. The codified interpretations shall be located in Chapter 18.55.355—Code Conflicts, or in the chapter of the code governing the subject matter of the interpretation, whichever may be more appropriate.
- D. Appeals. Any official interpretation of the provisions of Title 16, 17, and 18 may be appealed by any aggrieved party, pursuant to the appeal procedures set forth in Chapter 18.55.