

STAFF REPORT

Annual Amendments to Camas Municipal Code (CMC)

File No. MC21-01

TO:	Steve Hogan, Mayor City Council	
FROM:	Madeline Sutherland, Planner on behalf of the Planning Commission	
REPORT DATE:	March 25, 2022	WORKSHOP DATE: April 4, 2022
PUBLIC NOTICES:	Notice of public hearing before for Planning Commission was published in the Camas Post Record on January 6, 2022.	
COMPLIANCE WITH STATE AGENCIES:	Commerce 60-day notice of intent to adopt was sent on January 27, 2022.	The city issued a State Environmental Policy Act (SEPA) determination of Non-Significance Non-Project Action on February 17, 2022.

Summary

As part of the city’s annual code improvement project, the 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. This report includes an evaluation of each amendment in accordance with the review criteria at CMC Section 18.51.030.

Planning Commission held a public hearing on January 19, 2022, and received public testimony on several of the proposed code changes. Some of the suggestions from the public were then incorporated in the recommendation from the Planning Commission to the City Council (See exhibit 1). Specifically, the suggested language changes included changing the definition of “Substance Abuse Treatment Facilities” to “Residential Treatment Facility” thereby matching up with State definitions. The other addition to the definition included the terms “Sober Living Home” and “Transitional Housing.”

The inclusion of some additional terms within the definition as recommended may create issues of compliance with the Fair Housing Act. As such, staff and the City Attorney’s office have reviewed language with Municipal Research and Services Center and the Washington State Department of Commerce to draft language that is compliant with State and Federal requirements on fair housing (See City Attorney Memorandum, Exhibit 3).

Staff recommends that these new terms be added as separate definitions to comply with state law as shown in Exhibit 2. Staff is recommending City Council move forward with Exhibit 1, with the exception of the edits relating to CMC 18.03.030 – Residential Treatment Facility, CMC 18.07.040 Commercial and Industrial Land Uses, and CMC 18.07.040 – Residential Land Uses, and remand Exhibit 2 back to the Planning Commission for further discussion.

DISCUSSION

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 only the proposed.
 - The amendment will also require the submittal of retaining wall cross-sections for walls over four feet in height. Many times, the height of 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 and avoid future conflicts.
- CMC 17.19.030.D.5. - Tract, block, and lot standards.
 - The section relates to protecting the character of the neighborhood. By adding language to include pedestrian connectivity it emphasizes that pedestrian connectivity is important to neighborhood character.
- CMC 17.19.040.B.10.b. - Infrastructure standards.
 - Block lengths over 600 feet are not currently required to have a midway pedestrian connection. 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 subsection (iii) 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 Public Works Director or designee. 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/ CMC 18.07 - Table 1—Commercial and industrial land uses/ CMC 18.07 Table 2—Residential and multifamily land uses.
 - Planning Commission Recommendation (Exhibit 1): Planning Commission is recommending to include language for Sober Living Homes and Transitional Housing into the Residential Treatment Facility definition. The definition proposed in Exhibit 1, is not recommended by staff because grouping all three of these uses into one definition violates state law, therefore staff is proposing the amendments in Exhibit 2.
 - Staff Recommendation (Exhibit 2): Staff is recommending creating separate definitions for “Sober Living Homes” and “Transitional Housing” to comply with state law.
 - People in Sober Living Homes are considered “persons with handicaps” and therefore may not be treated differently than a single-family residence. The bed count for a Sober Living Home will be limited to no more than eight unrelated people to be consistent with an Adult Family Home, which houses “persons of handicap” as well. Sober Living Homes are also proposed to be permitted in the same zones as an Adult Family Home. Staff is proposing additional language to the Residential Treatment Facility definition to require more than 8 unrelated individuals to separate the use from a Sober Living Home.

- Transitional Housing was a part of a state legislative update that requires this type of housing to be permitted in all zones where residential dwelling units and hotels are permitted. The definition proposed is from RCW 84.36.043.2.c.
- CMC 18.15.100.A – Temporary signs
 - The proposed language will prohibit temporary signs within roundabouts due to safety reasons. The proposed amendment complies with the AASHTO’s regulations by prohibiting signs within the sight distance of roundabouts. The amendment will increase vehicle, bicycle, and pedestrian safety.
- 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 related to permit expiration and renewals. Instead, add language to reference CMC 18.55.260 to provide clarity and consistency.
- CMC 18.55.110 - Application—Required information.
 - Currently, the code section requires all Type III and short plat applications to post a 4 foot by 8-foot development sign on site. Several Type III applications 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 director’s approval.
- CMC 18.55.355 - Code conflicts.
 - The code section was added during the 2020 Annual Code Amendments. 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 a code interpretation application to be a Type II process instead of a Type I process.

CRITERIA OF APPROVAL – CMC 18.51.030	Finding
A. Impact upon the city of Camas comprehensive plan and zoning code;	The proposed changes consist of edits to typos or adding clarity to the zoning code. No substantive changes are proposed at this time.
B. Impact upon surrounding properties, if applicable;	The proposed changes will have minor impacts on future development citywide.
C. Alternatives to the proposed amendment; and	No alternatives are proposed at this time.
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 and 2.

Planning Commission Recommendation

Planning Commission unanimously approved the amendments as provided in Exhibit 1 at a public hearing on January 19, 2022, and is recommending City Council approve the amendments as proposed in Exhibit 1.

Staff Recommendation

Staff recommends City Council review the exhibits and move forward with Exhibit 1, with the exception of the edits relating to CMC 18.03.030 – Definitions- Residential Treatment Facility, CMC 18.07.030 Commercial and Industrial Land Uses, and CMC 18.07.040 – Residential Land Uses, and remand Exhibit 2 back to the Planning Commission for further discussion.