

**BEFORE THE LAND USE HEARINGS EXAMINER
FOR THE CITY OF CAMAS, WASHINGTON**

Regarding an application by Eric Papenfuse for conditional) **FINAL ORDER**
 use permit and variance approval to construct a duplex)
 residence in a single-family residential zone on the east side) **CUP23-04¹**
 of SW Valley Street, in the City of Camas, Washington) **(Valley Street Duplex)**

A. SUMMARY

1. The applicant, Eric Papenfuse, requests Conditional Use Permit (“CUP”) approval to build a duplex residence in a single-family residential zone. The applicant also requests approval of a major variance to allow the garage to be located at the front building line.

2. The duplex is proposed on a 10,019 square foot parcel located on the east side of SW Valley Street, at the northern terminus of the street, known as tax account no. 83103-000 (the “site”). The site is currently vacant. The site and surrounding properties to the north, south, and east are zoned R-6 (Single-Family Residential, 6,000 square foot minimum lot size). Properties to the west, across SW Valley Street, are zoned NC (Neighborhood Commercial). There are other multi-family (duplex) residences in the surrounding neighborhood including two existing duplex buildings located directly to the south of the site.

3. Additional basic facts about the site and surrounding land and applicable approval standards are provided in the Staff Report to the Hearing Examiner issued August 12, 2024 (the "Staff Report").

4. City staff recommended that the examiner approve the application subject to conditions in the Staff Report. The applicant accepted those findings and conditions without exceptions. No one else testified orally or in writing.

5. Based on the findings provided or incorporated herein, the examiner approves the application subject to the conditions at the conclusion of this final order.

B. HEARING AND RECORD HIGHLIGHTS

1. The examiner received testimony at a public hearing about this application on August 14, 2024. All exhibits and records of testimony are filed at the City of Camas. At the beginning of the hearing, the examiner described how the hearing would be conducted and how interested persons could participate. The examiner disclaimed any *ex parte* contacts, bias or conflicts of interest. The following is a summary by the examiner of selected testimony and evidence offered at the public hearing.

2. City planner Yvette Sennewald summarized the Staff Report.

¹ This decision also addresses DR23-08 and MAJVAR23-02

a. She noted a typographical error in the variance file number. The correct number is MAJVAR24-02. The City issued the Staff Report on August 12, 2024, but that date was not included in the Staff Report.

b. She noted that the site and surrounding properties to the north, east and south are zoned R-6. Properties to the west, across SW Valley Street, are zoned NC. The surrounding neighborhood contains a variety of size, style, and density of residential development, including several multi-family (duplex and cottage) dwellings. The applicant will be required to provide five-foot L1 buffers on the side and rear lot lines of the site to buffer the duplex from surrounding R-6 zoned properties.

c. The proposed duplex complies with all applicable setback requirements with the exception of the requirement that the garage be setback five-feet behind the front of the dwelling. The applicant requested a variance to that requirement, to allow the front of the garage located at the front building line of the site.

3. The applicant, Eric Papenfuse, accepted the findings and conditions in the Staff Report without exception.

4. No one else testified at the hearing. The examiner closed the record and announced his intention to approve the application subject to recommended conditions.

C. DISCUSSION

1. City staff recommended approval of the application, based on the affirmative findings and subject to conditions of approval in the Staff Report. The applicant accepted those findings and conditions without exceptions.

2. The Examiner finds that the Staff Report identifies all of the applicable approval standards for the application and contains sufficient findings showing the application does or can comply with those standards subject to conditions of approval. These findings were not disputed and are supported by substantial evidence in the record. The Examiner adopts the findings in the Staff Report as his own.

D. CONCLUSION

Based on the above findings and discussion provided or incorporated herein, the examiner concludes that CUP23-04, DR23-08, and MAJVAR24-02 (Valley Street Duplex) should be approved, because it does or can comply with the applicable standards of the Camas Municipal Code, the Revised Code of the State of Washington.

E. DECISION

Based on the findings, discussion, and conclusions provided or incorporated herein and the public record in this case, the examiner hereby approves CUP23-04, DR23-08, and MAJVAR24-02 (Valley Street Duplex), subject to the following conditions of approval:

CONDITIONS OF APPROVAL

STANDARD CONDITIONS

1. Final engineering site improvement plans shall be prepared in accordance with the City of Camas Design Standards Manual (CDSM) and CMC 17.19.040.
2. The engineering site plans shall be prepared by a licensed civil engineer in Washington State and submitted to the City's Community Development (CDEV) Engineering Department for review and approval. Submittal requirements for first review are as follows:
 - a. Final engineering civil plans are not to be submitted until after Planning issues the land-use decision.
 - b. The final engineering plans are to be submitted via the online portal at www.cityofcamas.us/Permits/Civil_Construction_Application.
 - c. A Stamped engineer's estimate is required with the application.
3. Community Development (CDEV) Engineering shall collect a total 3% plan review and construction inspection (PR&CI) fee for the proposed improvements.
 - a. The 3% fee is based on a stamped engineer's estimate.
 - b. Payment of the 3% plan review (PR) and construction Inspection (CI) fee is to be paid prior to release of approved construction drawings by CDEV Engineering Department.
4. Regulations for installation of public improvements, improvement agreements, bonding, final platting, and final acceptance are provided in CMC 17.21.
5. In the event that any item of archaeological interest is uncovered during the course of a permitted ground disturbing action or activity, all ground disturbing activities shall immediately cease and the applicant shall notify the City, the tribes, and DAHP.
6. The applicant shall remove all temporary erosion prevention and sediment control measures from the site at completion of all site improvements, which includes the stabilization of all disturbed soil, unless otherwise directed by the Public Works Director.
7. Final as-built construction drawing submittals shall meet the requirements of the Camas Design Standards Manual (CDSM).
 - a. As-builts are to be submitted as PDFs and in either AutoCad or Carlson formats.
 - b. The cover sheet for the as-builts is to include the originally approved and signed cover sheet.

SPECIAL CONDITIONS OF APPROVAL

Planning:

8. The maximum lot coverage of 40% shall be met.
9. Prior to engineering plan approval, a final landscape plan consistent with the landscaping standards in CMC 18.13.050 and the Camas Design Manual planting specifications shall be submitted to the city for review and approval.

10. The final landscape plan shall reflect a five-foot L1 landscape buffer around the sides and rear property line in accordance with CMC 18.13.055 – Table 1.
11. The final landscape plan shall note proposed tree sizes as to ensure the project will meet or exceed the 20-tree-unit per acre requirement for new development.
12. Trees shall be installed prior to final occupancy.
13. The property owner is responsible for replacing the trees if they fail to survive, therefore appropriate measures shall be taken to ensure the trees survival. If a tree is removed or dies, it must be replaced within one year by the property owner.
14. Lighting shall be shielded or hooded from neighboring properties.

Engineering:

Roads

15. The civil plans shall include a 20-foot-wide access easement with a minimum 12-foot-wide paved surface from the end of SW Valley Street to the north side of Parcel No. 83103000.
16. The civil plans shall provide a turnaround at the future duplex that meets the requirements for fire, life, safety. The applicant is to work with the Fire Marshal and staff to provide an adequate turnaround on Parcel No. 83103000.
17. A ‘No Parking’ sign including the name and number for a towing service is to be added to the civil site plans and is to be installed on the west side of the access easement.

Sanitary Sewer

18. The civil plans shall be revised with the existing two-inch pressure sewer main extended approximately 75-feet from the south property line of Parcel No. 83103000 to the north property line of Parcel No. 83103000 and to relocate the AARV to the north end of the extended pressure sewer main. Two separate one-inch pressure laterals are to be stubbed from the main to the future STEP tanks.

Water

19. The civil plans shall be revised replacing approximately 70-feet of the existing section of one-inch galvanized water main and extending approximately 70-feet of new two-inch ductile iron water main from the south property line of Parcel No. 830103000 to the north property line of Parcel No. 830103000.
 - a. Two separate one-inch water services and water meter boxes are to be provided: one per dwelling unit.
 - b. The city will be responsible for tapping a new one-inch water service on the extended two-inch water main for the existing single-family residence on Parcel No. 83124000.
 - c. The applicant is to work with staff to determine the location for extending the two-inch water main.

Stormwater

20. A preliminary stormwater report shall be submitted for review and approval addressing Ecology’s Minimum Requirements (MRs) #1-#5.

21. The applicant shall provide roof downspout and surface water runoff control in accordance with the latest 2024 edition of Ecology's *SWMMWW*.

Prior to Final Acceptance:

Sanitary Sewer

22. The applicant shall record a utility access and maintenance easement over the private road with right-of-entry granted to the city for access, maintenance, and inspections of the STEP tanks.

Water

23. The applicant shall record a utility access and maintenance easement over the private road with right-of-entry granted to the city for access and maintenance of the water main.

Expiration of a Type III Decision:

24. This permit shall expire in two (2) years from the date of the final decision per CMC§18.55.260 if no building plans are submitted.

DATED this 19th day of August 2024.



Joe Turner, AICP
City of Camas Land Use Hearings Examiner