

ORDINANCE NO. 2290

AN ORDINANCE amending provisions of the Camas Municipal Code relating to non-conforming uses, conditional use permits, variances, and development code administration, and adding new chapters governing temporary use permits, unclassified use permits, comprehensive plan amendments, and zoning map amendments.

Section I

There is hereby added to Title 18 of the Camas Municipal Code a new chapter to be entitled "Nonconforming Lots, Structures and Uses". Such chapter shall be in the form attached hereto as Exhibit "A" and by this reference incorporated herein.

Section II

There is hereby added to Title 18 of the Camas Municipal Code a new chapter to be entitled "Conditional Use Permits". Such chapter shall be in the form attached hereto as Exhibit "B" and by this reference incorporated herein.

Section III

There is hereby added to Title 18 of the Camas Municipal Code a new chapter to be entitled "Variances". Such chapter shall be in the form attached hereto as Exhibit "C" and by this reference incorporated herein.

Section IV

There is hereby added to Title 18 of the Camas Municipal Code a new chapter to be entitled "Temporary Use Permits". Such chapter shall be in the form attached hereto as Exhibit "D" and by this reference incorporated herein.

Section V

There is hereby added to Title 18 of the Camas Municipal Code a new chapter to be entitled "Unclassified Use Permits". Such chapter shall be in the form attached hereto as Exhibit "E" and by this reference incorporated herein.

Section VI

There is hereby added to Title 18 of the Camas Municipal Code a new chapter to be entitled "Comprehensive Plan Amendments". Such chapter shall be in the form attached hereto as Exhibit "F" and by this reference incorporated herein.

Section VII

There is hereby added to Title 18 of the Camas Municipal Code, a new chapter to be entitled "Zoning Map Amendments". Such chapter shall be in the form attached hereto as Exhibit "G" and by this reference incorporated herein.

Section VIII

There is hereby added to Title 18 of the Camas Municipal Code, a new chapter to be entitled "Development Code Administration". Such chapter shall be in the form attached hereto as Exhibit "H" and by this reference incorporated herein.

Section IX

The following chapters of the Camas Municipal Code are hereby repealed:

18.72 — Nonconforming uses; 18.76 — Conditional Uses and Variances; 14.01— Introduction to Development Code Administrations; 14.03 — Administration of Development Code; 14.05 — Consolidated Application Process; 14.07 — Public Notice Requirement; 14.09 — Review and Approval Process; 14.11 — Appeal; and 14.13 — Enforcement.

Section X

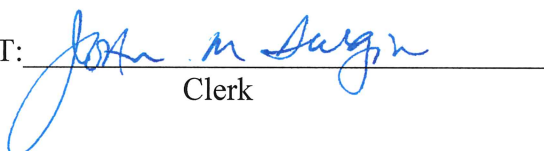
This ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED by the Council and APPROVED by the Mayor this 26<sup>th</sup> day of February, 2001.


SIGNED:

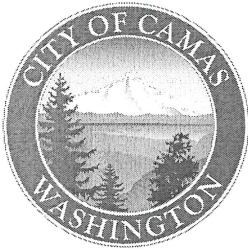
  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Clerk

APPROVED as to form:

  
\_\_\_\_\_  
City Attorney



## MEMORANDUM

**DATE:** February 27, 2001  
**TO:** Joan Durgin, City Clerk  
**FROM:** Phil Bourquin, Planner I *PB*  
**SUBJECT:** CMC Chapters 18.41, 18.43, 18.45, 18.47, 18.51, 18.53, 18.55

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*2290*  
Attached are the above CMC Chapters adopted by ordinance <sup>λ</sup>last night 3/26/01, at the City Council meeting. If you need anything else, please let me know.

## **Chapter 18.41 NONCONFORMING LOTS, STRUCTURES AND USES**

### **Sections:**

|                  |   |
|------------------|---|
| <b>18.41 010</b> | <b>Purpose.</b>   |
| <b>18.41.020</b> | <b>Scope.</b>   |
| <b>18.41.030</b> | <b>Definitions.</b>   |
| <b>18.41.040</b> | <b>Buildable lot of record.</b>                                 |
| <b>18.41.050</b> | <b>Continuance.</b>   |
| <b>18.41.060</b> | <b>Discontinuance.</b>  |
| <b>18.41.070</b> | <b>Nonconforming Structures.</b>                                |
| <b>18.41.080</b> | <b>Nonconforming land uses.</b>                                 |
| <b>18.41.090</b> | <b>Nonconforming landscaping.</b>                               |
| <b>18.41.100</b> | <b>Nonconforming parking lots.</b>                              |
| <b>18.41.110</b> | <b>Nonconforming manufactured and mobile homes.</b>             |
| <b>18.41.120</b> | <b>Signs.</b>   |
| <b>18.41.130</b> | <b>Conversion-removal.</b>                                      |
| <b>18.41.140</b> | <b>Agriculture/ Ranching (A/R) Nonconforming Permitted Use.</b> |

#### **18.41.010 Purpose.**

The purpose of this chapter is to establish limitations on the expansion of nonconforming uses and structures.

#### **18.41.020 Scope.**

The provisions in this chapter shall apply to structures, land or uses which become nonconforming as a result of a change of the zoning map, annexation, or changes made in the in the zoning ordinance.

Special provisions address the Agriculture/ Ranching (A/R) designation in this chapter. In the case of a conflict between the general provisions of this chapter regulating nonconforming uses and the provisions of this section governing land classified as A/R, the provisions of A/R sections shall prevail.

#### **18.41.030 Definitions.**

- A. "Nonconforming building or structure" means any building or structure which does not comply with one or more of the regulations in the zoning code by reason of a change in the zoning map, annexation or a change in the zoning ordinance.



- B. "Nonconforming use" means a lawful use of land prior to the adoption, amendment or revision of this code, but fails by reason of such adoption, revision, or amendment to conform to the zoning district in which it is located.
- C. "Lot of record" is a parcel which was in compliance with both the platting, if applicable, and zoning laws in existence when the parcel was originally created.

**18.41.040 Buildable lot of record.**

An authorized use or structure may be erected on a vacant lot of record containing less area than required by the zone district in which it is located; provided, setback requirements as well as other applicable dimensional standards of this title are met. (For example, a 50' x 100' (5000 sq. feet) lot of record which is nonconforming by current zoning regulations may be built upon as long as the setbacks, building height, and lot coverage provisions are met.)

**18.41.050 Continuance.**

- A. A nonconforming use or building may be continued, provided it complies with the following sections: 18.41.070 "Nonconforming structures" and 18.41.080 "Nonconforming land uses."
- B. In order for a nonconforming use or building to continue it must have been lawfully established prior to the change in the zoning map, annexation, or change in the zoning code that caused it to be a nonconforming use or building.

**18.41.060 Discontinuance.**

- A. A nonconforming use shall be discontinued if it ceases to be used continuously for that particular use for six consecutive months.
- B. A nonconforming building or structure shall be discontinued if it ceases to be used continuously for the purpose for which it was built for 12 consecutive months.
- C. A nonconforming building or structure shall be discontinued if it is destroyed by fire or other cause and rebuilding does not commence within 12 months.

**18.41.070 Nonconforming Structures.**

A nonconforming structure or building may be continued so long as the structure conforms to the following provisions:

- A. A building conforming as to use but nonconforming as to the density provisions of the district in which such building is located may be altered, repaired, or extended, providing that the alteration, repair, or extension does not further exceed or violate the appropriate density provisions. (For example, a building encroaching in a setback area shall not further encroach into the setback area as a result of an alteration).
- B. A building designed and built for, or devoted to, a nonconforming use at the time of the adoption of the code, may not be enlarged or structurally altered unless the use of such building is changed to a conforming use or to a more appropriate use in accordance with Section 18.41.080 (E.) "Nonconforming land uses."

**18.41.080 Nonconforming Land uses.**

A nonconforming use of land may be continued so long as it is conforms to the following provisions:

- A. No such nonconforming use shall be enlarged or increased nor extended to occupy a greater use than was occupied at the effective date of adoption of this title;
- B. No nonconforming use shall be moved in whole or in part to any other portion of the lot occupied by such use at the effective date of adoption or amendment of this title;
- C. If any such nonconforming use ceases for any reason for a period of more than six months, any subsequent use shall conform to the regulations specified by this title for the district in which such use is located;
- D. No existing structure devoted to a use not permitted by this title in which it is located shall be structurally altered, except in changing the use of the structure to a use permitted in the zone in which it is located;
- E. If non structural alterations are made, any nonconforming use of a structure or structure and premises may be changed to another nonconforming use, provided that the Zoning Board of Appeals, by making finding in the specific case, shall find that the proposed use is more appropriate to the zone than the existing nonconforming use. In permitting such change, the Zoning Board

of Appeals require appropriate conditions and safeguards in accord with the provisions of this title;

- F. Any structure, or structure and land in combination, in or on which a nonconforming use becomes a permitted use, shall thereafter conform to the regulations for the zone in which such structure is located.

#### **18.41.090 Nonconforming landscaping.**

Adoption of the landscaping regulations contained in this title shall not be construed to require a change in the landscape improvements for any legal landscape area which existed on the date of adoption of this title, unless and until change of use or alteration of the structure is proposed.

At such time as a change is proposed for a use, or structure, and associated premises, which does not comply with the landscape requirements of this title, a landscape plan which substantially conforms to the requirements of this title shall be submitted to the City prior to the issuance of building permits. The City may modify the standards imposed by this title when, in its judgment, the existing and proposed additional landscaping and screening materials together will adequately screen or buffer possible use incompatibilities, soften the barren appearance of parking or storage areas, and/or adequately enhance the premises appropriate to the use district and location of the site.

#### **18.41.100 Nonconforming parking lots.**

Nothing in the "Parking" chapter (18.11) of this title shall be construed to require change in any aspect of a structure or facility covered including but not limited to, parking lot layout, loading space requirements and curb-cuts, for any structure or facility which existed on the date of adoption of this title.

If a change of use takes place, or an addition is proposed, which requires an increase in the parking area the requirements of Chapter 18.11 "Parking" of this title shall be complied with for the additional parking area.

#### **18.41.110 Mobile homes. – Replacement – Manufactured homes**

Legally preexisting mobile homes may continue to exist and be used, but if replaced the replacement shall not be a mobile home. The mobile home may be replaced with a HUD-approved manufactured home and must also meet the following standards:

- A. Shall have roofing material that is residential in appearance including, but not limited to approved wood, asphalt composition shingles or fiberglass, but excluding corrugated aluminum, corrugated fiberglass or metal roof;
- B. Shall have a minimum roof pitch of 3 inch rise for each 12 inches of run, or about 25%.

- C. Shall be installed in accordance with manufacturers instructions, which shall include design specifications for earthquake and wind load factors.
- D. Shall have exterior siding that is residential in appearance including, but not limited to, clapboards, simulated clapboards such as conventional vinyl or metal siding, wood shingles, shakes or similar material, but excluding smooth, ribbed, or corrugated metal or plastic panels;
- E. Shall have the hitch, axles and wheels removed.
- F. Shall be set on a perimeter foundation or pier blocks, and thereafter, properly backfilled or skirted.

**18.41.120 Signs.**

For nonconforming signs, see the applicable regulations in sections 18.15.190 through 18.15.210.

**18.41.130 Conversion-Removal.**

- A. Conversion or removal of a nonconforming structure or use shall be commenced not later than 60 days after the date of abandonment and shall be completed within six months thereafter.
- B. In the event of a failure of the owner of record to complete, or cause to be completed, removal or conversion, the City Planner may within 90 days after notice to the owner of record, cause or undertake removal of all nonconforming structures or uses and charge the cost thereof against the property.

**18.41.140 Agriculture / Ranching (A/R)-Nonconforming Permitted Use**

There is created a special category for nonconforming uses of land used either commercially or noncommercially for the raising of crops or livestock or any similarly related farming, ranching or agricultural use. Such land shall be classified A/R. In the case of a conflict between the general provisions of this chapter regulating nonconforming uses and the provisions of this section governing land classified as A/R, the provisions of this section shall prevail:

- A. Annexation. Any land annexed to the City that is used either commercially or noncommercially for the raising of crops or livestock or any similarly related farming, ranching or agricultural purpose shall be classified as A/R. Subject to the provisions of this section regarding sale, partition, conveyance, or other transfer of such land, and subject to the provisions of Section 18.41.060 regarding discontinuance of use, the A/R classification shall be perpetual.

- B. Sale restrictions. Property that is classified as A/R and that is sold, conveyed, or transferred as an entire unit shall continue to be classified as A/R so long as the new owner or transferee continues to use the land for agricultural purposes. An entire unit of land for agricultural purposes of this section, shall include all land that is owned by the same person or persons and that is contiguous, exclusive of public roads.
- C. Partial sale. Upon sale, conveyance, transfer, or partition of less than an entire unit of land, only one parcel of the entire unit of land so divided shall be allowed to retain the A/R classification. The parcel retaining the A/R classification shall be designated by the seller, must consist of a minimum of 10 acres, and must then constitute an entire unit of land that will continue to be used for agricultural purposes. The parcel or parcels not retaining the A/R classification shall be no longer classified as nonconforming and shall be zoned in accordance with the zoning classification then in effect pursuant to the zoning ordinance of the City.
- D. Residential Structures. A second residential structure may be constructed on land classified A/R without requiring a partition or sale of the land, and without causing a change in the A/R classification of the land, provided however, that ownership of the entire unit of land shall remain within the same family. For purposes of this section, family shall include lineal descendants, lineal ascendants, and siblings of the record owner of said land.
- E. Construction of any new residential structures or garages used for nonagricultural purposes and any alterations, modifications or additions to existing residences or garages used for nonagricultural purposes shall be done in conformity with the City building code and shall be subject to standard permit fees and inspection procedures.
- F. Accessory structures. Accessory or secondary structures used for agricultural purposes and alteration, modification, and additions to existing accessory or secondary structures used for agricultural purposes shall be exempt from City building code requirement including permit fees and inspections. Nothing contained in this section shall be deemed to exempt such accessory structures from applicable state safety, health and construction regulations.
- G. Such accessory or secondary structures used for agricultural purposes shall not be subject to density or setback requirements of the City, except that any new accessory structures shall be set back at least 50 feet from the property line when land classified A/R abuts property which is not classified A/R.
- H. Fences. Barbed wire and electric fences shall be permitted on land classified A/R. All electric fences in such instances shall be clearly identified. Maintenance, repair, and replacement of existing fences shall be governed by

state law. The provisions of Section 18.17.050 "Fences." of this code shall not apply to land classified A/R.

- I. Water systems. Land classified A/R shall be permitted to have its own domestic and agricultural water supply systems so long as the water used for domestic purposes meets state health and safety standards. Periodic inspections of domestic water systems may be required to insure compliance with state health standards, or in the alternative, proof of compliance with state health standards may be required.
- J. Sanitary systems. Land classified A/R shall be permitted to have its own self-contained sanitary system so long as the entire unit of land consists of one acre or more. State health standards shall apply to such sanitary systems and the operations thereof, and periodic inspections or proof of compliance may be required to insure that such health standards are not being violated.
- K. Lot clearing. City ordinances governing the clearing of vacant land lots shall not be applicable to land classified as A/R; provided, however, that the vacant land lot clearing regulations will apply to a 15 foot strip adjacent both to any public road and to any contiguous property not classified A/R. Nothing in this section shall be construed to relieve the owner of such land from state and county regulations for weed control, such as: tansy ragwort, Canadian thistles, and other noxious weeds.
- L. Product sale. Sales of products derived from farming, ranching and similar agricultural activities on land designated A/R may be conducted on such property and shall be subject to state regulations governing the same.
- M. Signs. The regulations governing signs in Chapter 18.15 for the respective zones shall be applicable.
- N. Variance-Conditional use. The provisions of Chapter 18.43 and 18.45 of this code pertaining to conditional uses and variances shall be applicable to property classified A/R.
- O. Nuisances. Sounds, odors, activities, and conditions that are incidental to and a normal part of agricultural uses shall not be a cause for complaint and shall not constitute a nuisance on land classified A/R under the relevant ordinances of the City.

## **Chapter 18.43 CONDITIONAL USE PERMITS**

### **Sections:**

|                  |                                      |
|------------------|--------------------------------------|
| <b>18.43.010</b> | <b>Purpose.</b>                      |
| <b>18.43.020</b> | <b>Scope.</b>                        |
| <b>18.43.030</b> | <b>Application.</b>                  |
| <b>18.43.040</b> | <b>Hearing.</b>                      |
| <b>18.43.050</b> | <b>Criteria.</b>                     |
| <b>18.43.060</b> | <b>Determination.</b>                |
| <b>18.43.070</b> | <b>Expiration and renewal.</b>       |
| <b>18.43.080</b> | <b>Revocation of permit.</b>         |
| <b>18.43.090</b> | <b>Performance bond or security.</b> |
| <b>18.43.100</b> | <b>Resubmittal of application.</b>   |
| <b>18.43.110</b> | <b>Appeal</b>                        |

### **18.43.010 Purpose**

It is the purpose of this chapter to establish review and permit approval procedures for unusual or unique types of land uses which, due to their nature, require special consideration of the impact on the neighborhood and land uses in the vicinity. The uses in this chapter may be located in any district, unless specifically not permitted, by special permission of the Planning Commission and Council.

### **18.43.020 Scope.**

This chapter shall apply for each application for a conditional use permit (CUP). Only those uses indicated by a "C" in the use tables contained in Chapter 18.07 "Use Authorization" will be considered for a conditional use permit.

### **18.43.030 Application.**

Application for a conditional use permit shall be filed with the Planning Department on forms provided by the City. The application shall be accompanied by a filing fee as may be set from time to time by resolution of the City Council. The application and review process shall be in conformance with Chapter 18.55 "Development Administration," in the Camas Municipal Code.

### **18.43.040 Hearing.**

Upon completion of review of the proposed project by the Planning Department, the Planning Commission shall schedule a public hearing to consider the application for the conditional use permit. Public notice and hearing shall be made in accordance with Chapter 18.55 "Development Administration." Following the public hearing, the Planning Commission shall make a recommendation regarding the proposed project which shall be forwarded to the City Council for its consideration. The City Council need not hold a public hearing on the permit application but shall consider the Planning Commission recommendation at a regular Council meeting. The Planning



Commission shall adopt findings and make a recommendaiton to approve, deny, or approve the application with conditions.

**18.43.050 Criteria.**

The Planning Commission and Council shall be guided by all of the following criteria in recommending a conditional use permit:

- A. The proposed use will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the proposed use or in the district in which the subject property is situated;
- B. The proposed use shall meet or exceed the development standards that are required in the zoning district in which it will occupy;
- C. The proposed use shall be compatible with the surrounding land uses in terms of traffic and pedestrian circulation, building and site design;
- D. Appropriate measures have been taken to minimize the possible adverse impacts that the proposed use may have on the area in which it is located.
- E. The proposed use is consistent with the goals and policies expressed in the Comprehensive Plan.

In granting a conditional use permit the Planning Commission and Council may stipulate additional requirements to carry out the intent of the Camas Municipal Code and Comprehensive Plan.

**18.43.060 Determination.**

Following the public hearing the Planning Commission shall transmit without delay to the Council the application, its findings, and its recommendation, together with any stipulated terms and conditions of approval.

After receiving and hearing the report of the Planning Commission, the City Council may approve or deny the application. In allowing a conditional use the City Council may impose conditions stipulated by the Planning Commission in its report of recommendation, and may impose such additional conditions as it deems necessary.

The City Council shall promptly advise the Public Works Department of its action, and if an application is approved, the City Planner shall incorporate the terms and conditions stipulated by the City Council in the issuance of permits to the applicant.

**18.43.070 Expiration and renewal.**

A conditional use permit shall automatically expire one year after the date it was granted by the City Council, 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 by the City Council. The City Council may authorize longer periods for a CUP if appropriate for the project. The City Council 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 not warrant such a renewal of a CUP.

#### **18.43.080 Revocation of permit.**

The Planning Commission may make recommendation to revoke or modify a conditional use permit. Such revocation or modification shall be made on any one or more of the following grounds:

- A. The approval was obtained by deception, fraud, or other intentional and misleading representations;
- B. The use approved has been abandoned;
- C. The use approved has at any time ceased for a period of one year or more;
- D. The permit granted is being exercised contrary to the terms or conditions of such approval or in violation of any statute, resolution, code, law or regulation.

Any aggrieved party may petition the Planning Commission in writing to initiate revocation or modification proceedings. Before a conditional use permit may be revoked or modified, a public hearing shall be held. Procedures concerning notice, reporting and final decisions shall be the same as required by this chapter for the initial consideration of a CUP application.

#### **18.43.090 Performance bond or security.**

A performance bond or other adequate and appropriate security may be required by the City Council for any elements of the proposed project which the City Council determines are crucial to the protection of the public welfare. Such bond shall be in an amount equal to 100% of the cost of the installation or construction of the applicable improvements.

#### **18.43.100 Resubmittal of application.**

An application for a conditional use permit that has been denied may not be resubmitted within one year from the date of City Council disapproval.

#### **18.43.110 Appeal.**

Appeal of a City Council decision may be initiated in accordance with the process for Appeals in Chapter 18.55 "Development Administration."

## **Chapter 18.45 VARIANCES**

### **Sections:**

|                  |  |
|------------------|--|
| <b>18.45.010</b> | <b>Purpose.</b>                            |
| <b>18.45.020</b> | <b>Planning Commission authorization.</b>  |
| <b>18.45.030</b> | <b>Criteria for granting a variance.</b>   |
| <b>18.45.040</b> | <b>Conditions for granting -extension.</b> |
| <b>18.45.050</b> | <b>Application requirements.</b>           |
| <b>18.45.060</b> | <b>Application -hearing and notice.</b>    |
| <b>18.45.070</b> | <b>Application -Board decision.</b>        |
| <b>18.45.080</b> | <b>Prohibited variance.</b>                |
| <b>18.45.090</b> | <b>Appeal.</b>                             |

### **18.45.010 Purpose.**

It is the purpose of this chapter to authorize upon appeal in specific cases, such variances from the provisions of the zoning ordinance or other land use regulatory ordinance as the City may adopt which will not be contrary to the public interest and only where, owing to special conditions, a literal enforcement of the provisions of such ordinance(s) would result in unnecessary hardship.

### **18.45.020 Planning Commission authorization.**

Where an applicant requests a variance simultaneous with another development permit, the Planning Commission is authorized to recommend to the City Council the granting or denial of a variance. In acting upon a variance the Planning Commission and Council shall follow the procedures and criteria specifically required in this chapter in making a decision.

### **18.45.030 Criteria for granting a variance.**

The Zoning Board of Adjustment, (or Planning Commission in accordance with Section 18.45.020) shall consider all requests for variances from the zoning code; a variance from the provisions of such ordinances shall not be granted unless all of the following facts and conditions exist;

- A. The variance shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and in the zone in which the application was filed is located;
- B. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surrounding of the subject property in order to provide it with use, rights, and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located;

- C. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and in the zone in which the subject property is located;
- D. The authorization of such variance will not adversely affect the implementation of the Comprehensive Plan;
- E. The granting of such variance does not diminish the property rights enjoyed by the owners in the same vicinity.

**18.45.040 Conditions for granting -extension.**

In authorizing the variance, the Zoning Board of Adjustment may attach thereto such conditions that it deems to be necessary or desirable in order to carry out the intent and purpose of this chapter and the public interest. A variance so authorized shall become void after the expiration of one year or longer period as specified at the time of the Zoning Board of Adjustment action, if no building permit has been issued in accordance with the plans for which such variance was authorized, except that the Zoning Board of Adjustment may extend the period of variance authorization without a public hearing for a period not to exceed 12 months upon a finding that there has been no basic change in pertinent conditions surrounding the property since the time of the original approval.

**18.45.050 Application requirements.**

An application to the Zoning Board of Adjustment for the issuance of a variance shall be made on forms provided by the City. All applications shall be accompanied by a filing fee set time to time by resolution of the City Council.

**18.45.060 Application -hearing and notice.**

When a proper and complete variance application has been filed, and reviewed by the Building Department, the Zoning Board of Adjustment shall set a date for public hearing, pursuant to notice requirements of Chapter 18.55 Development Code Administration of the Camas Municipal Code.

**18.45.070 Application -Board decision.**

The Zoning Board of Adjustment shall decide all applications no later than 45 days after the public hearing.

**18.45.080 Prohibited variance.**

Under no circumstances shall the Zoning Board of Adjustment grant a variance to permit a use not outright or conditionally permitted in the zone involved, or any use expressly or by implication prohibited by the terms of this title.

**18.45.090 Appeal.**

The action of the Zoning Board of Adjustment in granting or denying the application for a variance shall be final and conclusive, unless, within ten days from the date of the Board's action, the original applicant or an aggrieved party petitions the Superior Court of Clark County under the Land Use Petition Act.

## **Chapter 18.47 TEMPORARY USE PERMITS**

### **Section:**

|                  |                                  |
|------------------|----------------------------------|
| <b>18.47.010</b> | <b>Purpose.</b>                  |
| <b>18.47.020</b> | <b>Permit required.</b>          |
| <b>18.47.030</b> | <b>Application.</b>              |
| <b>18.47.040</b> | <b>Exemptions.</b>               |
| <b>18.47.050</b> | <b>Criteria for approval.</b>    |
| <b>18.47.060</b> | <b>Time limitation.</b>          |
| <b>18.47.070</b> | <b>Limitation on activity.</b>   |
| <b>18.47.080</b> | <b>Removal of temporary use.</b> |
| <b>18.47.090</b> | <b>Abatement.</b>                |
| <b>18.47.100</b> | <b>Assurance device.</b>         |

### **18.47.010 Purpose.**

It is the purpose of this chapter to provide an administrative approval process whereby the City may permit uses to locate within the City on an interim basis without requiring full compliance with the development standards for the applicable zoning district, or by which the City may allow seasonal or transient uses not otherwise permitted.

### **18.47.020 Permit Required.**

- A. No temporary use shall be permitted within the City except in accordance with the provisions of this chapter. A temporary use permit is required for temporary uses except those specifically exempted pursuant to Section 18.47.040 "Exemptions."
- B. The property owner or the agent of the property owner may apply for a temporary use permit on private property. Any person may apply for a temporary use permit within a public right-of-way.

### **18.47.030 Application.**

The application for a temporary use permit shall be submitted on forms obtained from the Public Works Department. The application shall contain all the information required by the City. The Public Works Department shall verify that the application is consistent with the requirements of this chapter, and that the application contains proof of a legitimate business, if applicable. Temporary uses shall be processed in accordance with Section 18.55.190 "Administrative approvals without notice."

**18.47.040 Exemptions.**

The following activities are exempt from the permit requirements of this chapter, but shall comply with other substantive requirements of this chapter, unless specifically noted otherwise:

- A. Garage sale and yard sale;
- B. City sponsored uses and activities not occurring within a structure, and occurring at regular periodic intervals (i.e., weekly, monthly, yearly, etc.).

**18.47.050 Criteria for approval.**

- A. The Head of Planning Department may approve, or modify and approve an application for a temporary use permit if all of the application satisfies all of the following criteria:
  - 1. The temporary use will not be materially detrimental to the public health, safety or welfare, nor injurious to property or improvements in the immediate vicinity;
  - 2. The temporary use is compatible with the purpose and intent of this title, and the specific zoning district in which it will be located in accordance with the Chapter 18.07 "Use Authorization;"
  - 2. The temporary use is compatible in intensity and appearance with existing land uses in the immediate vicinity;
  - 3. Structures proposed for the temporary use comply with the setback and vision clearance area requirements of this title, and with applicable provisions of the Building and Fire Codes;
  - 4. Adequate parking is available to serve the temporary use, and if applicable, the temporary use does not occupy required off-street parking areas for adjacent or nearby uses.
  - 5. Hours of operation of the temporary use are specified;
  - 6. The temporary use will not cause noise, light, or glare which adversely impacts surrounding land uses.
- B. The Head of Planning Department may authorize a temporary use permit for a use not specifically listed in Chapter 18.07 "Use Authorization."



**18.47.060 Time limitation.**

A temporary use is valid for up to 180 calendar days from the effective date of the permit, however, the head of Planning Department may establish a shorter time frame. The head of Planning Department may grant one extension not to exceed 60 days, upon the applicant showing compliance with all conditions of permit approval.

**18.47.070 Limitation on activity.**

A property owner or other holder of a temporary use permit may not file an application for a successive temporary use permit for 60 days following the expiration of an approval permit applying to that property.

**18.47.080 Removal of a temporary use.**

The head of Planning Department shall establish, as a condition of each temporary use permit, a time within which the use and all physical evidence of the use must be removed. If the applicant has not removed the use as required by the temporary use permit, the City may abate the use as provided in Section 18.47.090 "Abatement."

**18.47.090 Abatement.**

Prior to the approval of a temporary use permit, the applicant shall submit to the head of Planning Department an irrevocable, signed and notarized statement granting the City permission to summarily enter the applicant's property with reasonable notice and abate the temporary use, and all physical evidence of that use if it has not been removed as required by the terms of the permit. The statement shall also indicate that the applicant will reimburse the City for any expenses incurred in abating a temporary use under the authority of this chapter.

**18.47.100 Assurance device.**

In appropriate circumstances, the head of Planning Department may require a reasonable performance of maintenance assurance device, in a form acceptable to the Finance Department, to assure compliance with the provisions of this title and the temporary use permit as approved.

## **Chapter 18.49 UNCLASSIFIED USE PERMITS.**

### **Sections:**

|                  |   |
|------------------|---|
| <b>18.49.010</b> | <b>Purpose.</b>                                   |
| <b>18.49.020</b> | <b>Uses requiring an unclassified use permit.</b> |
| <b>18.49.030</b> | <b>Area and dimensional requirements.</b>         |
| <b>18.49.040</b> | <b>Application requirements.</b>                  |
| <b>18.49.050</b> | <b>Notice and hearing requirements.</b>           |
| <b>18.49.060</b> | <b>Criteria.</b>                                  |
| <b>18.49.070</b> | <b>Expiration and renewal.</b>                    |
| <b>18.49.080</b> | <b>Revocation of permit.</b>                      |
| <b>18.49.090</b> | <b>Performance bond and other security.</b>       |
| <b>18.49.100</b> | <b>Resubmittal of application.</b>                |

### **18.49.010 Purpose.**

It is the purpose of this chapter to establish procedures for the regulation of uses possessing unusual, large-scale, unique or special characteristics that make impractical their being included in the various zone districts previously defined in Chapter 18.05 "Zoning Map and Districts."

### **18.49.020 Uses requiring an unclassified use permit (UUP).**

Uses not listed in Chapter 18.07 "Authorized Use" require an unclassified use permit processed as provided in this chapter.

### **18.49.030 Area and dimensional requirements.**

- A. The requirements for front, rear and side yards and open spaces and landscaping applicable to the underlying zone classification in which any such use is proposed to be located shall prevail, unless specific modifications are required in granting the unclassified use permit.
- B. The provisions applying to height and minimum lot area and width applicable to the underlying zone classification in which any such use is proposed to be located shall prevail unless specific modifications are required in granting the UUP.

### **18.49.040 Application requirements.**

Application for an unclassified use permit shall be filed with the Planning Department on forms provided by that office. All applications shall be accompanied by a filing fee as set from time to time by resolution of the City Council.

**18.49.050 Notice and hearing requirements.**

Upon completion of review of the proposed project by the Public Works Department, the Planning Commission shall schedule a public hearing to consider the application for the unclassified use permit. Public notice and hearing shall be made in accordance with Chapter 18.55 Development Code Administration. Following the public hearing the Planning Commission shall make a recommendation to the City Council regarding the proposed project. The City Council shall adopt findings and shall specifically state what is approved and any conditions thereon.

**18.49.060 Criteria.**

The Planning Commission and City Council shall be guided by all of the following criteria in granting an unclassified use permit:

- A. The proposed use will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity;
- C. The proposed use shall meet or exceed the same standards for parking, landscaping, yards and other development regulations that are required in the district it will occupy;
- D. The proposed use shall be compatible generally with the surrounding land uses;
- E. The proposed use shall be in keeping with the goals, objectives, and policies the Comprehensive Plan.
- F. All measures shall be taken to minimize the possible adverse impacts that the proposed use may have on the area in which it is located.

**18.49.070 Expiration and renewal.**

An unclassified use permit shall automatically expire one year after the date it was granted by the City Council unless a building permit conforming to plans upon which the permit was granted is obtained within that period of time. An unclassified use permit shall automatically expire unless substantial construction shall be completed within two years from the date the unclassified use permit is granted by the City Council, unless a renewal is granted or unless the UUP specifically provides for a period greater than two years. The City Council, upon recommendation of the Planning Commission, may renew an unclassified use permit for a maximum period of one additional year. No more than one renewal shall be issued for any UUP. A renewal may be granted only if there have been no pertinent changes in conditions surrounding the property since the time of original approval. No hearing is required for renewal of an unclassified use permit.

**18.49.080 Revocation of permit.**

The City Council may revoke or modify a unclassified use permit. Any aggrieved party may petition the Planning Commission in writing to initiate revocation or modification proceedings. Such revocation or modification shall be made on any one or more of the following grounds:

- A. The approval was obtained by deception, fraud, or other intentional and misleading representations;
- B. The use approved has been abandoned;
- C. The use approved has at any time ceased for a period of one year or more;
- D. The permit granted is being exercised contrary to the terms or conditions of such approval or in violation of any statute, resolution, code, law or regulations; or

Before an unclassified use permit may be revoked or modified, a public hearing shall be held. Procedures concerning notice, reporting and appeals shall be the same as required by this chapter for the initial consideration of a unclassified use permit application.

**18.49.090 Performance bond or security.**

A performance bond or other adequate and appropriate security may be required by the City for any elements of the proposed project which the City determines are crucial to the protection of the public welfare. Such bond shall be in an amount equal to 100% of the cost of the installation or construction of the applicable improvements.

**18.49.100 Resubmittal of application.**

An application for a unclassified use permit which has been denied may not be resubmitted within one year from the date of City Council disapproval.

## **Chapter 18.51 COMPREHENSIVE PLAN AMENDMENTS**

### **Sections:**

|                  |  |
|------------------|--|
| <b>18.51.010</b> | <b>Application and criteria therein.</b>   |
| <b>18.51.020</b> | <b>Application review.</b>                 |
| <b>18.51.030</b> | <b>Notification and hearing.</b>           |
| <b>18.51.040</b> | <b>Staff report.</b>                       |
| <b>18.51.050</b> | <b>Council consideration and decision.</b> |

### **18.51.010            Application and criteria therein.**

Any interested person (including applicants, citizens, Planning Commission, City Council, City staff and other agencies) may submit an application in the month of January each year for a Comprehensive Plan amendment. The application shall specify:

- A.    A detailed statement of what is proposed and why;
- B.    A statement of the anticipated impacts of the change, including the geographic area affected and issues presented by the proposed change;
- C.    An explanation of why the current Comprehensive Plan is deficient or should not continue in effect;
- D.    A statement of how the proposed amendment complies with and promotes the goals and specific requirements of the Growth Management Act;
- E.    A statement of what changes, if any, would be required in functional plans (i.e., the City's water, sewer, storm water or shoreline plans) if the proposed amendment is adopted;
- F.    A statement of what capital improvements, if any, would be needed to support the proposed change which will affect the capital facilities plans of the City; and
- G.    A statement of what other changes, if any, are required in other city or county codes, plans or regulations to implement the proposed change.
- H.    The application shall include an Environmental Checklist in accordance with the State Environment Policy Act (SEPA).

**18.51.020 Application Review.**

The Comprehensive Plan shall be reviewed once a year in accordance with RCW 35A.63.070 - 073, unless there is an emergency, with the following procedure:

- A. In the months of November and December, City staff and applicants shall complete pre-application meetings.
- B. In the month of January of each year, applicants shall submit an application form containing all of the information required by Section 18.51.010 "Application and criteria therein."
- C. In the months of February and March of each year, the City shall review all proposed changes (including any changes initiated by the City of Camas). If no amendments are received, the Chairman of the Planning Commission shall so report to the Mayor and City Council, and the annual review of the Comprehensive Plan shall be considered completed. The City may take as much as 60 days from the closing of the application period (January 31) to complete the initial review of proposals. Environmental determination requirements associated with an application may lengthen this period.

**18.51.030 Notification and hearing.**

Upon consideration of any amendment, modification, or alteration to the Comprehensive Plan, the Planning Commission shall hold at least one public hearing on the proposed amendment. Notice of the time, place and purpose of such public hearing shall be published in the official newspaper of the City at least 10 days prior the date of the hearing. The hearing may be continued from time to time at the discretion of the Planning Commission, but no additional notices need be published. These procedures are in accordance with Section 18.55.160 "Notice of public hearing."

**18.51.040 Staff report.**

At least two weeks prior to Planning Commission consideration of any proposed amendments to the Comprehensive Plan, the Planning Department shall prepare and submit to the Planning Commission a staff report which addresses the following:

- A. The issues set forth in this chapter;
- B. Impact upon the City of Camas Comprehensive Plan and zoning code;
- C. Impact upon surrounding properties, if applicable;

- D. Alternatives to the proposed amendment; and
- E. Appropriate code citations and other relevant documents.
- F. The report shall include a copy of the application for each proposed amendment, any written comments on the proposals received by the Department, and shall contain the Department's recommendation on adoption, rejection or deferral of each proposed change.

**18.51.050 Council consideration and decision.**

Subsequent to Planning Commission review and recommendation, the City Council shall consider each request for an amendment to the Comprehensive Plan at a public meeting, at which time the applicant will be allowed to make a presentation. Any person submitting a written comment on the proposed change shall also be allowed an opportunity to make a responsive oral presentation. Such opportunities for oral presentation shall be subject to reasonable time limitations established by the Council.

- A. At minimum the criteria the City Council shall use to make a decision on a proposed amendment are as follows:
  - 1. The application and criteria established therein;
  - 2. The staff report and recommendation;
  - 3. The Planning Commission recommendation.
  - 4. The public interest.
- B. The City Council shall make a decision by motion, resolution, or ordinance as appropriate. The City Council decision on a Planning Commission recommendation following a public hearing shall include one of the following actions:
  - 1. Approve as recommended.
  - 2. Approve with additional conditions.
  - 3. Modify, with or without the applicant's concurrence.
  - 4. Deny (resubmittal is not allowed until the next year).
  - 5. Remand the proposal back to the Planning Commission for further proceedings.



## **Chapter 18.53 ZONING MAP AMENDMENTS**

### **Sections:**

- 18.53.010      Application submittal.**
- 18.53.020      Notification and hearing required.**
- 18.53.030      Criteria for granting zoning map reclassifications.**
- 18.53.040      City Council action.**

#### **18.53.010      Application submittal.**

An amendment to the zoning map by altering district boundaries may be initiated by the City Council, Planning Commission, or by application of a property owner or his authorized agent. A zoning map amendment shall not entail a change to the Comprehensive Plan Map. Such amendments shall be made on a formal application form to be submitted to the Planning Commission and filed with the City Clerk. All applications shall be accompanied by a filing fee as set from time to time by resolution of the City Council, and shall contain such information as may be required by the Planning Commission.

After a duly scheduled public hearing, the Planning Commission shall transmit its recommendations to the City Council along with any necessary covenants or agreements which have been fully executed by the petitioner.

#### **18.53.020      Notification and hearing required.**

Upon consideration of any amendment, modification, or alteration to the Zoning Map, the Planning Commission shall hold at least one public hearing on the proposed amendment. Notice of the time, place and purpose of such public hearing shall be published in the official newspaper of the City at least 10 days prior the date of the hearing. The hearing may be continued from time to time at the discretion of the Planning Commission, but not additional notices need be published. These procedures are in accordance with Section 18.55.160 "Notice of public hearing."

#### **18.53.030      Criteria for granting zoning map reclassifications.**

The Planning Commission and City Council shall be guided by the following criteria in granting reclassification requests to the zoning map of this title:

- A.      The use or change in zoning requested shall be in conformity with the adopted Comprehensive Plan, the provisions of this title, and the public interest;

- B. The use or change in zoning requested in the zoning map or this title for the establishment of commercial, industrial, or residential use shall be supported by an architectural site plan showing the proposed development, if any, and its relationship to surrounding areas as set forth in the application form.

**18.53.040 City Council Action.**

Upon receipt of all necessary documents and the recommendation of the Planning Commission, the City Council may act on said recommendation without further public hearing.

## **Chapter 18.55 DEVELOPMENT CODE ADMINISTRATION**

### **Sections:**

#### **Article I Introduction.**

- 18.55.010 Purpose.**
- 18.55.020 Conflict of provisions.**

#### **Article II Administration.**

- 18.55.030 Roles and responsibilities.**
- 18.55.040 Administrative decisions.**
- 18.55.050 Zoning Board of Adjustment .**
- 18.55.060 Planning Commission.**
- 18.55.070 City Council.**

#### **Article III Consolidation application process**

- 18.55.080 Application.**
- 18.55.090 Pre-application meetings.**
- 18.55.100 Contents of applications.**
- 18.55.110 Letter of completeness.**
- 18.55.120 Technical review committee.**
- 18.55.130 Environmental review.**

#### **Article IV Public Notice Requirements**

- 18.55.140 Notice of development application.**
- 18.55.150 Notice of administrative approvals.**
- 18.55.160 Notice of public hearing.**
- 18.55.170 Notice of appeal hearing.**
- 18.55.180 Notice of decision.**

#### **Article V Review and Approval Process**

- 18.55.190 Administrative approvals without notice.**
- 18.55.200 Administrative approvals subject of notice.**
- 18.55.210 Planning Commission review and recommendation.**
- 18.55.220 City Council action.**
- 18.55.230 Procedures for public hearings.**
- 18.55.240 Procedures for closed record appeals.**
- 18.55.250 Reconsideration.**
- 18.55.260 Remand.**
- 18.55.270 Final Decision.**

#### **Article VI Appeals**

- 18.55.280 Appeal of administrative interpretations and approvals.**
- 18.55.290 Appeal of Planning Commission recommendations.**
- 18.55.300 Appeal to the City Council.**
- 18.55.310 Judicial appeal.**

## **Article VII Enforcement**

- 18.55.320 Enforcing authority.**
- 18.55.330 General penalty.**
- 18.55.340 Application.**
- 18.55.350 Civil regulatory order.**
- 18.55.360 Civil fines.**
- 18.55.370 Review of approved permits.**
- 18.55.380 Revocation or modification of permits and approvals.**

## **Article VIII Tables**

- 18.55.390 Development review tables.**
- 18.55.400 Table 1 Development Review and Approval Authority**
- 18.55.410 Table 2 Development Review Process**

## **Article I Introduction**

### **18.55.010 Purpose.**

This chapter provides for application, review and approval processes for land development in the City of Camas. It is further intended to comply with state guidelines for combining and expediting development review and integrating environmental review and land use development plans. Final decision on development proposals shall be made within 120 days of the date of the Letter of Completeness except as provided in Section 18.55.270 "Final Decision."

### **18.55.020 Conflict of provisions.**

In the event of any conflict between the provisions of this Chapter and the provisions of Title 15 relating to building, Title 16 relating to environment, Title 17 relating to subdivisions, and this chapter, the provisions of this chapter shall prevail.

## **ARTICLE II ADMINISTRATION**

### **18.55.030 Roles and responsibilities.**

The regulation of land development is a cooperative activity including many different elected and appointed boards and City staff. The specific responsibilities of these bodies is set forth in Table 18.55 -1

A developer is expected to read and understand the City Development Code and be prepared to fulfill the obligations placed on the developer by this chapter and Titles 15 through 18 of the Camas Municipal Code.

**Table 18.55 -1 Roles and Responsibilities**

| <b>Roles:</b>             | <b>Responsibilities:</b>   |
|---------------------------|--|
| Director of Public Works: | <ul style="list-style-type: none"> <li>• Threshold and final environmental determinations.</li> <li>• Shoreline permits</li> <li>• Reviews subdivision, planned developments, and binding site plans</li> </ul>  |
| City Engineer:            | <ul style="list-style-type: none"> <li>• Clearing/ Grading permit</li> <li>• Right-of-way use</li> <li>• Encroachment permit</li> <li>• Reviews subdivision, planned developments, and binding site plans</li> </ul>   |
| City Planner:             | <ul style="list-style-type: none"> <li>• Minor modifications/ planning</li> <li>• Design Review</li> <li>• Lot line adjustment</li> <li>• Short plat</li> <li>• Variances/ planning related</li> <li>• Conditional use permit</li> <li>• Unclassified use permit</li> <li>• Temporary use permit</li> <li>• Planned developments</li> <li>• Subdivisions preliminary and final plat</li> <li>• Binding site plan</li> <li>• Threshold and final environmental determinations.</li> <li>• Shoreline permits</li> <li>• Zoning code amendments</li> <li>• Comprehensive plan amendments</li> <li>• Annexation</li> <li>• Area-wide zoning</li> </ul> |

| <b>Roles:</b>      | <b>Responsibilities:</b>   |
|--------------------|--|
| Building Official: | <ul style="list-style-type: none"><li>• Certificate of occupancy</li><li>• Minor modifications/ building</li><li>• Building permits</li><li>• Home occupation permit</li><li>• Variances/ building related</li></ul> |
| Fire Marshal:      | <ul style="list-style-type: none"><li>• Reviews subdivision, planned developments, and binding site plans</li></ul>  |

**18.55.040 Administrative Decisions.**

The Director(s) shall review and act on the following:

- A. Authority: Director of Public Works, City Planner, City Engineer, Fire Marshal, and Building Official are responsible for the administration of Titles 15 through 18 of the Camas Municipal Code.
- B. Delegation: The Directors may delegate responsibility for Administrative Approvals to an appropriate Designee.
- C. Administrative Approvals: The Director of Planning or the Director of Public Works or their Designees may approve, approve with conditions or deny the following without notice:
  1. Certificate of occupancy;
  2. Home occupation permit;
  3. Minor amendments or modifications to approved developments or permits. Minor amendments are those which may affect the precise dimensions or location of buildings, accessory structures and driveways, but do not affect (i) overall project character, (ii) increase the number of lots, dwelling units, or density or (iii) decrease the quality or amount of open space;
  4. Right-of-way use;
  5. Residential or commercial building permits;
  6. Lot line adjustment;
  7. Development code interpretations;
  8. Temporary use permit;
  9. Design Review.

- D. The Directors may grant preliminary approval or approval with conditions, or may deny the following actions subject to the notice and appeal requirements of this section:
1. Clearing and Grading permit;
  2. Short Plat;
  3. Threshold and final determinations (SEPA).

#### **18.55.050 Zoning Board of Adjustment**

The Zoning Board of Adjustment shall review and act on the following subjects:

- A. Variances not connected with an underlying land use action, approved by Planning Commission and Council from the standards and dimensional regulations of the Zoning Code, Title 18, such as height, width, size, setback and yard restrictions.
- B. Amortization periods for nonconforming signs.
- C. Appeals from other administrative decisions as may be determined by other ordinances of the City.

The review criteria and procedures for the Zoning Board of Adjustment are contained in Chapter 18.45 "Variances."

#### **18.55.060 Planning Commission.**

The Planning Commission shall review and make recommendations on the following applications and subjects:

- A. Conditional Use Permit;
- B. Variances in accordance with Section 18.45.020;
- C. Unclassified Use Permit;
- D. Planned Developments;
- E. Preliminary Plat ;
- F. Binding Site Plan;
- G. Shoreline Permits;
- H. Street Vacation;



- I. Special Planning Studies;
- J. Planning Policies and Procedures;
- K. Project Rezones;
- L. Area-Wide Zoning;
- M. Comprehensive Plan Amendments;
- N. Amendments to the Zoning Map;
- O. Amendments to the Building Code (Title 15), Environment Code (Title 16), Subdivision Code (Title 17), and Zoning Code (Title 18); or
- P. Other actions requested or remanded by the City Council.
- Q. The review criteria for certain of the actions are contained in Section 18.55.120 "Planning Commission review and recommendation."

**18.55.070 City Council.**

In addition to its legislative responsibility, the City Council shall review and act on the following subjects:

- A. Recommendations of the Planning Commission;
- B. Appeal of Planning Commission recommendations;
- C. Appeal of administrative interpretations;
- D. Appeal of administrative approvals as set forth in 18.55.190 "Administrative approvals without notice," and 18.55.200 "Administrative approval subject of notice."
- E. Appeal of a SEPA threshold determination under CMC Chapter 16.16.010

### **ARTICLE III CONSOLIDATED APPLICATION PROCESS**

#### **18.55.080 Application.**

- A. The City shall consolidate development application and review in order to integrate the development permit and environmental review process, while avoiding duplication of the review processes.
- B. All applications for development permits, design review approvals, variances and other City approvals under the Development Code shall be submitted on forms provided by the City. All applications shall be acknowledged by the property owner.

#### **18.55.090 Pre-Application meetings.**

- A. Informal. Applicants for development are encouraged to participate in an informal meeting prior to the formal pre-application meeting. The purpose of the meeting is to discuss in general terms, the proposed development, City design standards, design alternatives, and required permits and approval process.
- B. Formal. Every person proposing a development in the City with exception of building permits, shall attend a pre-application meeting. The purpose of the meeting is to discuss the nature of the proposed development, application and permit requirements, fees, review process and schedule, applicable plans, policies and regulations. In order to expedite development review, the City shall invite all affected jurisdictions, agencies and/or special districts to the pre-application meeting.

#### **18.55.100 Content of Applications.**

- A. All applications for approval under Titles 15 through 18 shall include the information specified in the applicable title. The Director may require such additional information as reasonably necessary to fully and properly evaluate the proposal.
- B. The applicant shall apply for all permits identified in the pre-application meeting.

**18.55.110 Letter of Completeness.**

- A. Within 28 days of receiving a date stamped application, the City shall review the application and as set forth below, provide applicants with a written determination that the application is complete or incomplete.
- B. A project application shall be declared complete only when it contains all of the following materials:
  - 1. A fully completed, signed, and acknowledged development application and all applicable review fees.
  - 2. A fully completed, signed, and acknowledged environmental checklist for projects subject to review under the State Environmental Policy Act.
  - 3. The information specified for the desired project in the appropriate chapters of the Camas Municipal Code and as identified in Section 18.55.100 "Content of application."
- C. Any supplemental information or special studies identified by the Director.
- D. For applications determined to be incomplete, the City shall identify, in writing, the specific requirements or information necessary to constitute a complete application. Upon submittal of the additional information, the City shall, within 14 days, issue a letter of completeness or identify what additional information is required.

**18.55.120 Technical Review Committee.**

Immediately following the issuance of a letter of completeness, the City shall schedule a meeting of a Technical Review Committee (TRC). The TRC may be composed of representatives of all affected City departments, utility districts, the fire department, and any other entities or agencies with jurisdiction. The TRC shall review the development application for compliance with City plans and regulations, coordinate necessary permit reviews, and identify the development's environmental impacts.

**18.55.130 Environmental review.**

- A. Developments and planned actions subject to the provisions of the State Environmental Policy Act (SEPA) shall be reviewed in accordance with the policies and procedures contained in Title 16, CMC.
- B. SEPA review shall be conducted concurrently with development project review. The following are exempt from concurrent review:
  - 1. Projects categorically exempt from SEPA.

2. Components of previously completed planned actions, to the extent permitted by law and consistent with the Environmental Impact Statement (EIS) for the planned action.

## **ARTICLE IV PUBLIC NOTICE REQUIREMENTS**

### **18.55.140 Notice of development Application.**

- A. Within 14 days of issuing a letter of completeness (Section 18.55.110 "Letter of Completeness") the City shall issue a Notice of Development Application. The notice shall include but not be limited to the following:
  1. Name of the applicant.
  2. Date of application.
  3. Date of the letter of completeness.
  4. Location of the project.
  5. Detailed project description.
  6. Requested approvals, actions, and/or required studies.
  7. Public comment period not less than 14 nor more than 30 days.
  8. Identification of existing environmental documents.
  9. City staff contact and phone number.
  10. Date, time, and place of a public hearing if one has been scheduled.
  11. A statement that the decision on the application will be made within 120 days of the date of the letter of completeness.
- B. The Notice of Development Application shall be posted on the subject property and published once in a newspaper of general circulation.
- C. The Notice of Development Application shall be issued prior to and is not a substitute for required notice of a public hearing.
- D. A Notice of Application is not required for the following actions, when they are categorically exempt from SEPA or environmental review has been completed:
  1. Building permits.
  2. Lot line adjustments.
  3. Administrative approvals.

### **18.55.150 Notice of administrative approvals.**

Notice of administrative approvals, subject to the notice requirements under Section 18.55.200 "Administrative approvals subject to notice," shall be made by the Director by notifying the adjacent property owners of his intent to grant approval. Notification shall be made by mail only. The notice shall include:

- A. A description of the preliminary approval granted, including any conditions of approval.
- B. A place where further information may be obtained.
- C. A statement that final approval will be granted unless an appeal requesting a public hearing is filed with the City Clerk within 15 days of the date of the notice.

**18.55.160 Notice of public hearing.**

Notice of a public hearing for all development applications and all open record appeals shall be given as follows:

- A. Time of Notices. Except as otherwise required, public notification of meetings, hearings, and pending actions under Titles 15 through 18, CMC, shall be made by:
  - 1. Publication at least 10 days before the date of a public meeting, hearing, or pending action in the official newspaper if one has been designated or a newspaper of general circulation in the City; and
  - 2. Mailing at least 12 days before the date of a public meeting, hearing, or pending action to all property owners as shown on the records of the County Assessor and to all street addresses of properties within 300 feet, not including street rights-of-way, of the boundaries of the property which is the subject of the meeting or pending action. Addressed, pre-stamped envelopes shall be provided by the applicant; and
  - 3. Posting at least 12 days before the meeting, hearing, or pending action in three public places where ordinances are posted and at least one notice on the subject property.
- B. Content of Notice. The public notice shall include a general description of the proposed project, action to be taken, a non-legal description of the property or a vicinity map or sketch, the time, date and place of the public hearing and the place where further information may be obtained.
- C. Continuances. If for any reason, a meeting or hearing on a pending action cannot be completed on the date set in the public notice, the meeting or hearing may be continued to a date certain and no further notice under this section is required.

**18.55.170 Notice of appeal hearings.**

In addition to the posting and publication requirements of Section 18.55.160, notice of appeal hearings shall be as follows:

- A. For administrative approvals, notice shall be mailed to adjacent property owners.
- B. For Planning Commission recommendations, mailing to parties of record from the Commission hearing.

**18.55.180 Notice of decision.**

- A. A written notice for all final decisions shall be sent to the applicant and all parties of record. For development applications requiring Planning Commission review and City Council approval, the notice shall be the signed ordinance or resolution.

**ARTICLE V REVIEW AND APPROVAL PROCESS**

**18.55.190 Administrative approvals without notice.**

- A. The Director may approve, approve with conditions, or deny the following without notice:
  - 1. Lot line adjustments;
  - 2. Extension of time for approval;
  - 3. Minor amendments or modifications to approved developments or permits. Minor amendments are those which may affect the precise dimensions or location of buildings, accessory structures and driveways, but do not affect:
    - a. overall project character;
    - b. increase the number of lots, dwelling units, or density;
    - c. decrease the quality or amount of open space.
  - 4. Home Occupations;
  - 5. Certificate of occupancy;
  - 6. Right-of-way use;
  - 7. Temporary use permits;
  - 8. Building permits.
- B. Director's decisions under this section shall be final on the date issued.

**18.55.200 Administrative approvals subject to notice.**

- A. The Director may grant preliminary approval or approval with conditions, or may deny the following actions subject to the notice and appeal requirements of this section:
  - 1. Short Plats;
  - 2. Clearing and grading permit;
  - 3. Threshold and final environmental determinations;
  - 4. Design Review
- B. Final Administrative Approvals: Preliminary approvals under this section shall become final subject to the following:
  - 1. If no appeal is submitted, the preliminary approval becomes final at the expiration of the 15-day notice period.
  - 2. If a written notice of appeal is received within the specified time the matter will be referred to the Planning Commission for a public hearing.

**18.55.210 Planning Commission review and recommendation.**

- A. Staff Report. The City Planner shall prepare a staff report on the proposed development or action summarizing the comments and recommendations of City departments, affected agencies and special districts, and evaluating the development's consistency with the Camas Municipal Code, adopted plans and regulations. The staff report shall include proposed findings, conclusions and recommendations for disposition of the development application.
- B. Hearing. The Planning Commission shall conduct a public hearing on development proposals for the purpose of taking testimony, hearing evidence, considering the facts germane to the proposal, and evaluating the proposal for consistency with the City's Development Code, adopted plans and regulations. Notice of the Planning Commission hearing shall be in accordance with Section 18.55.160 "Notice of public hearing."
- C. Required Findings. The Planning Commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:
  - 1. The development is consistent with the Comprehensive Plan and meets the requirements and intent of the Camas Municipal Code.
  - 2. The development makes adequate provisions for open space, drainage ways, streets and other public ways, transit stops, water supply, sanitary wastes, parks and recreation facilities, playgrounds, sites for schools and school grounds.
  - 3. The development adequately mitigates impacts identified under Titles 15 through 18 of the Camas Municipal Code.

4. The development is beneficial to the public health, safety and welfare and is in the public interest.
  5. The development does not lower the level of service of transportation and/or neighborhood park facilities below the minimum standards established within the Comprehensive Plan. If the development results in a level of service lower than those set forth in the Comprehensive Plan, the development may be approved if improvements or strategies to raise the level of service above the minimum standard are made concurrent with the development. For the purpose of this section, "concurrent with the development" is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six (6) years of approval of the development.
  6. The area, location and features of land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.
- D. Recommendation. Upon approving or disapproving a development proposal or action, the Planning Commission shall make a motion setting forth its findings, conclusions and additional recommendations and promptly forward it to the City Council for consideration.

**18.55.220 City Council action.**

- A. Actions. Upon receiving a recommendation from the Planning Commission or notice of any other matter requiring the Council's attention, the Council shall perform the following actions as appropriate:
1. Make a decision on a Planning Commission recommendation.
  2. At the Council's discretion, hold a public hearing and make a decision on the following matters:
    - a. Appeal of administrative interpretations.
    - b. Appeal of administrative approvals.
    - c. Appeal of determinations of significance.
    - d. Other matters not prohibited by law.
- B. Decisions. The City Council shall make its decision by motion, resolution, or ordinance as appropriate.
1. A Council decision on a Planning Commission recommendation or following a public hearing shall include one of the following actions:
    - a. Approve as recommended.
    - b. Approve with additional conditions.
    - c. Modify, with or without the applicant's concurrence, provided that the modifications do not:
      - i Enlarge the area or scope of the project.
      - ii Increase the density or proposed building size.



- iii Significantly increase adverse environmental impacts as determined by the responsible official.
  - e. Deny (re-application or re-submittal is permitted).
  - f. Deny with prejudice (re-application or re-submittal is not allowed for one year).
  - g. Remand for further proceedings and/or evidentiary hearing in accordance with Section 18.55.260 "Remand."
- 2 Council decision following a closed record appeal hearing shall include one of the following actions:
- a. Grant the appeal in whole or in part.
  - b. Deny the appeal in whole or in part.
  - c. Remand for further proceedings and/or evidentiary hearing in accordance with Section 18.55.260 "Remand."

#### **18.55.230 Procedures for public hearings.**

Public hearings shall be conducted in accordance with the hearing body's rules of procedure and shall serve to create or supplement an evidentiary record upon which the body will base its decision. The Chair shall open the public hearing and, in general, observe the following sequence of events:

- A. Staff presentation, including submittal of any administrative reports. Members of the hearing body may ask questions of the staff.
- B. Applicant presentation, including submittal of any materials. Members of the hearing body may ask questions of the applicant.
- C. Testimony or comments by the public germane to the matter. Questions directed to the staff, the applicant, or the public shall be posed by the Chair at his/her discretion.
- D. Rebuttal, response or clarifying statements by the staff and the applicant. No new evidence shall be introduced by the applicant in rebuttal.
- E. If at any time after the public has testified, the applicant modifies his proposal or introduces new evidence, then the public shall be provided an opportunity to respond to such modifications or new evidence.
- F. The evidentiary portion of the public hearing shall be closed and the hearing body shall deliberate on the matter before it.

#### **18.55.240 Procedures for closed record appeals.**

Closed record appeals shall be conducted in accordance with the hearing body's rules of procedure and shall serve to provide argument and guidance for the body's decision. Closed record appeals shall be conducted generally as provided for public hearings. Except as provided in 18.55.260 "Remand," no new evidence or testimony

shall be given or received. The parties to the appeal may submit timely written statements or arguments.

**18.55.250 Reconsideration.**

A party to a public hearing or closed record appeal may seek reconsideration only of a final decision by filing a written request for reconsideration with the Director within five (5) days of the oral announcement of the final decision. The request shall comply with CMC Section 18.55.290 (B). The Council or hearing body shall consider the request at its next regularly scheduled meeting, without public comment or argument by the appellant except as requested by the City Council. If the request is denied, the previous action shall become final. If the request is granted, the Council or hearing body may immediately revise and reissue its decision or may call for argument in accordance with the procedures for closed record appeals. Reconsideration should be granted only when an obvious legal error has occurred or a material factual issue has been overlooked that would change the previous decision.

**18.55.260 Remand.**

In the event the City Council determines that the public hearing record or record on appeal is insufficient or otherwise flawed, the Council may remand the matter back to the hearing body to correct the deficiencies. The Council shall specify the items or issues to be considered and the time frame for completing the additional work. The Council may hold a public hearing on a closed record appeal only for the limited purposes identified in RCW 34.05.562(1).

**18.55.270 Final decision.**

- A. Time. The final decision on a development proposal shall be made within 120 days from the date of the letter of completeness. Exceptions to this include:
1. Amendments to the Comprehensive Plan or Development Code.
  2. Any time required to correct plans, perform studies or provide additional information, provided that within 14 days of receiving the requested additional information, the Director shall determine whether the information is adequate to resume the project review.
  3. Substantial project revisions made or requested by an applicant, in which case the 120 days will be calculated from the time that the City determines the revised application to be complete.
  4. All time required for the preparation and review of an Environmental Impact Statement.
  5. Projects involving the siting of an essential public facility.
  6. An extension of time mutually agreed upon by the City and the applicant.
  7. All time required to obtain a variance.

8. Any remand to the hearing body.
  9. All time required for the administrative appeal of a Determination of Significance.
- B. Effective Date. The final decision of the Council or hearing body shall be effective on the date stated in the decision, motion, resolution, or ordinance, provided that the date from which appeal periods shall be calculated shall be the date the Council or hearing body takes action on the motion, resolution, or ordinance.

## **ARTICLE VI APPEALS**

### **18.55.280 Appeal of administrative interpretations and approvals.**

Administrative interpretations and administrative approvals may be appealed, by applicants or parties of record, to the City Council.

### **18.55.290 Appeal to the City Council.**

- A. Filing. Every appeal to the City Council shall be filed with the Director within 10 days after the date of the decision of the matter being appealed.
- B. Contents. The notice of appeal shall contain a concise statement identifying:
1. The decision being appealed.
  2. The name and address of the appellant and his interest(s) in the matter.
  3. The specific reasons why the appellant believes the decision to be wrong. The appellant shall bear the burden of proving the decision was wrong.
  4. The desired outcome or changes to the decision.
  5. The appeals fee.

### **18.55.300 Judicial appeal.**

- A. Appeals from the final decision of the City Council, or Zoning Board of Adjustment, or other City board or body involving Titles 15 through 18, CMC, and for which all other appeals specifically authorized have been timely exhausted, shall be made to Clark County Superior Court within 21 days of the date the decision or action became final, unless another time period is established by state law or local ordinance.
- B. Notice of the appeal and any other pleadings required to be filed with the court shall be served on the City within the applicable time period. This requirement is jurisdictional.
- C. The cost of transcribing and preparing all records ordered certified by the court or desired by the appellant for such appeal shall be borne by the

appellant. The appellant shall post with the City Clerk prior to the preparation of any records an advance fee deposit in the amount specified by the City Clerk. Any overage will be promptly returned to the appellant.

## **ARTICLE VII ENFORCEMENT**

### **18.55.310 Enforcing authority.**

The Director of Public Works, City Planner, City Engineer, Fire Marshal, and Building Official shall be responsible for enforcing Titles 15 through 18, and may adopt administrative rules to meet that responsibility. The Directors may delegate enforcement responsibility to the an appropriate designee, e.g. code enforcement officer.

### **18.55.320 General penalty.**

Compliance with the requirements of Titles 15 through 18, Camas Municipal Code, shall be mandatory. The general penalties and remedies established in Chapter 1.24, CMC, for such violations shall apply to any violation of those titles. The enforcement actions authorized under this chapter shall be supplemental to those general penalties and remedies.

### **18.55.330 Application.**

- A. Actions under this chapter may be taken in any order deemed necessary or desirable by the Director to achieve the purpose of Titles 15 through 18.
- B. Proof of a violation of a development permit or approval shall constitute prima facie evidence that the violation is that of the applicant and/or owner of the property upon which the violation exists. An enforcement action under this chapter shall not relieve or prevent enforcement against any other responsible person.

### **18.55.340 Civil regulatory order.**

- A. Authority. A civil regulatory order may be issued and served upon a person if any activity by or at the direction of that person is, has been, or may be taken in violation of the Development Code.
- B. Notice. A civil regulatory order shall be deemed served and shall be effective when posted at the location of the violation and/or delivered to any suitable person at the location and/or delivered by mail or otherwise to the owner or other person having responsibility for the location.
- C. Content. A civil regulatory order shall set forth:

1. The name and address of the person to whom it is directed.
  2. The location and specific description of the violation.
  3. A notice that the order is effective immediately upon posting at the site and/or receipt by the person to whom it is directed.
  4. An order that the violation immediately cease, or that the potential violation be avoided.
  5. An order that the person stop work until the violation is corrected or remedied.
  6. A specific description of the actions required to correct, remedy, or avoid the violation, including a time limit to complete such actions.
  7. A notice that failure to comply with the regulatory order may result in further enforcement actions, including civil fines and criminal penalties.
- D. Remedial Action. The Director may require any action reasonably calculated to correct or avoid the violation, including but not limited to replacement, repair, supplementation, revegetation, or restoration.
- E. Appeal. A civil regulatory order may be appealed in accordance with the Camas Municipal Code.

**18.55.350 Civil fines.**

- A. Authority. A person who violates any provision of the Development Code, or who fails to obtain any necessary permit, or who fails to comply with a civil regulatory order shall be subject to a civil fine.
- B. Amount. The civil fine assessed shall not exceed \$1,000.00 for each violation. Each separate day, event, action or occurrence shall constitute a separate violation.
- C. Notice. A civil fine shall be imposed by a written notice, and shall be effective when served or posted as set forth in Section 18.55.330(B) "Application." The notice shall describe the date, nature, location, and act(s) comprising the violation, the amount of the fine, and the authority under which the fine has been issued.
- D. Collection. Civil fines shall be immediately due and payable upon issuance and receipt of the notice. The Director may issue a regulatory order stopping work until such fine is paid. If remission or appeal of the fine is sought, the fine shall be due and payable upon issuance of a final decision. If a fine remains unpaid 30 days after it becomes due and payable, the Director may take actions necessary to recover the fine. Civil fines shall be paid into the City's general fund.
- E. Application for Remission. Any person incurring a civil fine may, within ten days of receipt of the notice, apply in writing to the Director for remission of

the fine. The Director shall issue a decision on the application within 10 days. A fine may be remitted only upon a demonstration of extraordinary circumstances.

- F. Appeal. A civil fine may be appealed to the City Council as set forth in the applicable enforcement provisions.

**18.55.360 Review of approved permits.**

- A. Review: Any approval or permit issued under the authority of the Development Code may be reviewed for compliance with the requirements of the Development Code, or to determine if the action is creating a nuisance or hazard, has been abandoned, or the approval or permit was obtained by fraud or deception.
- B. Initiation of Review: The review of an approval or permit may be initiated by the Director, City Administrator, City Council or by petition to the Director by three property owners or three residents of separate dwelling units in the City, stating their belief as to the noncompliance, nuisance or hazard of the permitted activity.
- C. Director's Investigation: Upon receipt of information indicating the need for, or upon receiving a request for review of permit or approval, the Director shall investigate the matter and take one or more of the following actions:
1. Notify the property owner or permit holder of the investigation; and/or
  2. Issue a civil regulatory order and/or civil fine and/or recommend revocation or modification of the permit or approval; and/or
  3. Refer the matter to the City Attorney; and/or
  4. Refer the matter to the City Council with a recommendation for action.

**18.55.370 Revocation or modifications of permits or approvals.**

- A. City Council Review. Upon receiving a Director's recommendation for revocation or modification of a permit or approval, the City Council shall review the matter at a public hearing. Upon a finding that the activity does not comply with the conditions of approval or the provisions of the Development Code, or creates a nuisance or hazard, the City Council may delete, modify or impose such conditions on the permit or approval it deems sufficient to remedy the deficiencies. If the Council finds no reasonable conditions which would remedy the deficiencies, the permit or approval shall be revoked and the activity allowed by the permit or approval shall cease.
- B. Re-application. If a permit or approval is revoked for fraud or deception, no similar application shall be accepted for a period of one year from the date of final action and appeal, if any. If a permit or approval is revoked for any other

reason, another application may be submitted subject to all of the requirements of the Development Code.

## **Article VIII TABLES**

### **18.55.380 Development Review Tables.**

The City of Camas has four types of review processes:

- A. Type 1 review is an administrative review by the City staff resulting in a decision by the Director of Public Works, City Planner, City Engineer, Building Official or their designee.
- B. Type 2 review is a review resulting in a decision by the Zoning Board of Adjustment.
- C. Type 3 review is a review quasi-judicial proceeding which includes a hearing and recommendation by the Planning Commission and decision by the City Council.
- D. Type 4 review is a legislative action that includes a hearing and recommendation by the Planning Commission and decision by the City Council.

Table 18.55 -2 "Development Review and Approval Authorities" and Table 18.55 -3 "Development Review Process," on the following pages list the levels of review and process elements required for each type of review.

**Table 18.55 -2 Development Review and Approval Authorities**

| ↓ Permits/<br>Decision<br>Authority →                   | Direct<br>or/<br>Staff | Zoning<br>Board of<br>Adjustment | Planning<br>Commission | City<br>Council | Appealable<br>to:                |
|---|------------------------|----------------------------------|------------------------|-----------------|----------------------------------|
| <b>Type 1 Review: Administrative review and action</b>  |                        |                                  |                        |                 |                                  |
| Certificate of Occupancy                                | X                      |                                  |                        |                 | Zoning<br>Board of<br>Adjustment |
| Design Review   | X                      |                                  |                        |                 | Council                          |
| Home Occupation<br>Permit                               | X                      |                                  |                        |                 | Zoning<br>Board of<br>Adjustment |
| Minor<br>Modifications/Bldg.                            | X                      |                                  |                        |                 | Zoning<br>Board of<br>Adjustment |
| Clearing/Grading<br>Permits                             | X                      |                                  |                        |                 | Zoning<br>Board of<br>Adjustment |
| Building Permits<br>Residential/Commercial              | X                      |                                  |                        |                 | Zoning<br>Board of<br>Adjustment |
| Minor<br>Modifications/Planning                         | X                      |                                  |                        |                 | Council                          |
| Right-of-way Use  | X                      |                                  |                        |                 | Council                          |
| Lot Line Adjustment                                     | X                      |                                  |                        |                 | Council                          |
| Temporary use permit                                    | X                      |                                  |                        |                 | Council                          |
| Short Plat  | X                      |                                  |                        |                 | Council                          |
| Determinations of<br>Significance (SEPA)                | X                      |                                  |                        |                 | Council                          |
| Code Interpretations                                    | X                      |                                  |                        |                 | Council                          |
| <b>Type 2 Review: Zoning Board of Adjustment action</b> |                        |                                  |                        |                 |                                  |
| Variances   | (X)*                   | X                                |                        |                 | Superior Ct.                     |
| Administrative Decision<br>Appeal                       | (X)*                   | X                                |                        |                 | Superior Ct.                     |



| ↓ Permits/<br>Decision<br>Authority →            | Direct<br>or/<br>Staff | Zoning<br>Board of<br>Adjustment | Planning<br>Commission | City<br>Council | Appealable<br>to: |
|--|------------------------|----------------------------------|------------------------|-----------------|-------------------|
| <b>Type 3 Review: Quasi judicial actions</b>     |                        |                                  |                        |                 |                   |
| Conditional Use Permit                           | (X)*                   |                                  | (X)***                 | X               | Superior<br>Court |
| Unclassified Use Permit                          | (X)*                   |                                  | (X)***                 | X               | Superior<br>Court |
| Preliminary Plat                                 | (X)*                   |                                  | (X)***                 | X               | Superior<br>Court |
| Planned Developments                             | (X)*                   |                                  | (X)***                 | X               | Superior<br>Court |
| Binding Site Plan                                | (X)*                   |                                  | (X)***                 | X               | Superior<br>Court |
| Street Vacation                                  | (X)*                   |                                  | (X)***                 | X               | Superior<br>Court |
| Special Planning<br>Studies                      | (X)*                   |                                  | (X)***                 | X               | Superior<br>Court |
| Planning Policies &<br>Procedures                | (X)*                   |                                  | (X)***                 | X               | Superior<br>Court |
| Final Plat                                       | (X)*                   |                                  |                        | X               | Superior<br>Court |
| Shoreline Permits                                | (X)*                   |                                  |                        | X               | Superior<br>Court |
| Appeal of Zoning Board<br>of Adjustment Decision | (X)*                   |                                  |                        | X               | Superior<br>Court |
| <b>Type 4 Review: Legislative actions</b>        |                        |                                  |                        |                 |                   |
| Area-Wide Zoning                                 | (X)*                   |                                  | (X)***                 | X               | Superior<br>Court |
| Annexation                                       | (X)*                   |                                  | (X)***                 | X               | GMHB/BRB<br>(1)   |
| Comprehensive Plan<br>Amendments                 | (X)*                   |                                  | (X)***                 | X               | Superior<br>Court |
| Zoning Code<br>Amendments                        | (X)*                   |                                  | (X)***                 | X               | Superior<br>Court |

X Final decision authority

(X)\* Department Reviews and recommends to hearing body

(X)\*\*\* Planning Commission recommends to Council for final determination

(1) Growth Management Hearings Board/ Boundary Review Board

**Table 18.55 -3 Development Review Process**

| ↓ Process Elements/<br>Review types<br>(4) →   | Type 1<br>Review | Type 2<br>Review    | Type 3<br>Review    | Type 4<br>Review    | Responsibility Roles   |
|--|------------------|---------------------|---------------------|---------------------|--|
| Pre-Application meeting  |                  |                     | X                   | X                   | Applicable Department Staff  |
| Complete Application/<br>Sufficiency Review  | X                | X                   | X                   | X                   | Planning Department documents sufficiency / Starts 120 day timeline. Legislative action is exempt from the 120-day timeline.   |
| Notice of Application  | (1)              | X                   | X                   | X                   | Circulate to applicable public, agencies, and jurisdictions. Early Notice for SEPA issued, if applicable   |
| Public Notice <ul style="list-style-type: none"> <li>to adjacent property owners</li> <li>posting the site</li> <li>publication of public hearing</li> </ul> | (2)              | X<br><br>X<br><br>X | X<br><br>X<br><br>X | X<br><br>X<br><br>X | Applicant provides City with set of addressed envelopes for adjacent property owners, where appropriate.<br><br>Staff prepares and posts the site.<br><br>Staff prepares publication notice. |
| SEPA Threshold Determination   |                  |                     | X                   | X                   | SEPA Threshold Determination issued and circulated, except for Exempt projects.  |
| Staff Report Prepared  | (3)              | X                   | X                   | X                   | Document the application's compliance with applicable codes, identify conditions of approval. Draft findings and conclusions prepared.   |
| Director's Decision  | X                |                     |                     |                     | The applicable Director. Director also has the option of processing as a Type 3 review for the decision.   |

| ↓ Process Elements/<br>Review types<br>(4) →  | Type 1<br>Review | Type 2<br>Review | Type 3<br>Review | Type 4<br>Review | Responsibility Roles  |
|---|------------------|------------------|------------------|------------------|---|
| Zoning Board of Adjustment Hearing & Decision |                  | X                |                  |                  | Zoning Board of Adjustment and holds a hearing and makes a decision.  |
| Planning Commission Public Hearing            |                  |                  | X                | X                | Planning Commission holds a public hearing  |
| Planning Commission Recommendation            |                  |                  | X                | X                | Planning Commission makes a recommendation based on public hearing, staff report and record within 15 working days to City Council. |
| City Council Hearing & Decision               |                  |                  | X                | X                | City Council may hold public meeting or closed record hearing - Type 4 review. City Council makes decision on the application.      |

(1) Notice of Application sent for Home Occupation and SEPA Threshold Determinations.

(2) Short Plats require posting of the site.

(3) Staff Report prepared if appropriate.

(4) The City of Camas has four types of review processes:

1. **Type 1** review is an administrative review by the City staff resulting in a decision by the Director of Public Works, City Planner, City Engineer, Building Official or their designee;
2. **Type 2** review is a review resulting in a decision by the Zoning Board of Adjustment;
3. **Type 3** review is a quasi-judicial action which includes a hearing and recommendation by the Planning Commission and decision by the City Council;
4. **Type 4** review is a legislative action which includes a hearing and recommendation by the Planning Commission and decision by the City Council;