ORDINANCE NO. 2433 43

AN ORDINANCE amending Chapter 16.05, 16.12, 16.40, and 16.50 of the Camas Municipal Code, and amending Titles 17 and 18 of the Camas Municipal Code, by revising regulations relating to environmental, land division, and zoning matters.

WHEREAS, City staff has undertaken a comprehensive review of Title 16 (Environmental Regulations), Title 17 (Land Division), and Title 18 (Zoning); and

WHEREAS, City staff has prepared a draft ordinance incorporating technical revisions and corrections to the existing code; and

WHEREAS, the proposed changes have been considered at a public hearing held before the Planning Commission; and

WHEREAS, the proposed changes have further been considered at public hearings before the City Council; and

WHEREAS, the Council desires to adopt the revisions as proposed,

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CAMAS DO ORDAIN AS FOLLOWS:

Section I

1. Chapters 16.05, 16.12, 16.40, and 16.50 are modified to provide as set forth in Exhibit "A", attached hereto and by this reference incorporated herein.

Section II

Title 17 of the Camas Municipal Code is amended to read as set forth in Exhibit "A", attached hereto and by this reference incorporated herein.

Section III

Title 18 of the Camas Municipal Code is amended to provide as set forth in Exhibit "A", attached hereto and by this reference incorporated herein.

Section IV

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 17th day of April, 2006.

SIGNED: Paul Dennis
Mayor

ATTEST: John Nelson
Clerk

APPROVED as to form:
City Attorney

CITY OF CAMAS
MAYOR'S OFFICE
OCT 11 2011
RECEIVED

Request for Public Records

City of Camas
616 Northeast Fourth Avenue
P.O. Box 1055
Camas, WA 98607
http://www.ci.camas.wa.us

Per RCW 42.56, the City of Camas has five business days to respond to requests for public records. If the information will not be available within five business days a reasonable estimate of the time to provide the record will be given. Denials will give specific reasons for the denial. RCW 42.56 prohibits the disclosure of lists of individuals when such lists are requested for commercial purposes. Requests for police records must be made on an official form obtained from the Camas Police Department.

Records requested: In order for us to locate the records you are seeking as quickly as possible, please be specific as to the records you are requesting.

Req. copy of Ord. 2443 (2006)

Please check the appropriate box:

☐ I would only like to review the records at this time. There is no charge to view documents.
Name & Phone: _____

☒ I would like electronic copies of the records emailed to me at the email address listed below.
Email: kelly.flanigan@landerholm.com

☐ I would like copies of the records and will pick them up when they are available.
Name & Phone: _____

☐ I would like copies faxed to me (local calls only):
Name & Fax Number: _____

☐ I would like copies of the records sent to me by mail to the address listed below. I understand that if there are any reproduction and postage fees associated with the records I am requesting, the city must receive payment for the copies I have requested before sending them to me.
Name: _____
Address: _____
City, State, Zip: _____

Fees:			
$0.15 per 8.5 x 11or 8.5 x 14 inch black & white copy	_____	copies	$
$0.50 per 8.5 x 11or 8.5 x 14 inch color copy	_____	copies	$
$3.00 per 11 x 17 color copy or map	_____	copies	$
$3.00 per 24 x 36 black & white copy or map	_____	copies	$
$6.00 per 24 x 36 color copy or map	_____	copies	$
$6.00 per 42 x 36 black & white copy or map	_____	copies	$
$0.50 per compact disc (CD) of public meetings	_____	copies	$
$5.00 per audio tape of public meetings	_____	copies	$
Mailing costs will be the actual cost of postage plus shipping container			$
		Total due:	$

Department Use Only

☒ Approved J Burgin ☐ Denied/Reason: _____
Date received: 10/11/11
Date contacted: _____
Date viewed/delivered: _____ Fee: _____

Modified April 2011

EXHIBIT "A"

Chapter 16.05 ARCHAEOLOGICAL RESOURCE PRESERVATION

16.05.010 Purpose.

16.05.020 Definitions.

16.05.030 Coordination.

16.05.040 Recording.

16.05.050 Permit required.

16.05.060 Applicability.

16.05.070 Predetermination required.

16.05.080 Predetermination standards.

16.05.090 Predetermination reports.

16.05.100 Review of predetermination reports and further action.

16.05.110 Archaeological resource survey required.

16.05.120 Survey standards.

16.05.130 Survey reports.

16.05.140 Review of survey reports and further action.

16.05.150 Discovery principle.

16.05.160 Notification to tribes.

16.05.170 Enforcement.

16.05.010 Purpose.

The purposes of this chapter are to:
A. Encourage the identification and preservation of cultural, archaeological and historic resources consistent with the Growth Management Act of 1990, as amended, and Camas's comprehensive plan;
B. Establish clear procedures and specific standards for identifying, documenting and preserving Camas's cultural, archaeological and historic resources;
C. Ensure use of the best available technology and techniques commonly accepted as standards in the profession of archaeology;

D. Establish a fair and equitable process for balancing the identification and preservation of cultural, archaeological and historic resources with economic development;
E. Ensure coordination and consistency in the implementation of the State Environmental Policy Act, the Shoreline Management Act and the Growth Management Act. (Ord. 2137 § 1 (part), 1997)

16.05.020 Definitions.

In carrying out the provisions of this chapter, the following definitions shall apply:
"**Adequately surveyed and documented**" means that (1) the survey method, level of analysis, and area covered are sufficient to meet the requirements of this chapter; and (2) the documentation is sufficient to allow another archaeologist to repeat the survey and reach the same conclusion. Adequacy shall be determined by the director.
"**Archaeological object**" means an object that comprises the physical evidence of an indigenous and subsequent culture including material remains of past human life including monuments, symbols, tools, facilities and technological by-products (WAC 25-48-020(8)).
"**Archaeological resources**" means any material remains of human life or activities which are of archaeological interest. This shall include all sites, objects, structures, artifacts, implements and locations of prehistoric or archaeological interest, whether previously recorded or still unrecognized, including, but not limited to, those pertaining to prehistoric and historic American Indian or aboriginal burials, campsites, dwellings, and their habitation sites, including rock shelters and caves, their artifacts and implements of culture such as projectile points, arrowheads, skeletal remains, grave goods, basketry, pestles, mauls, and grinding stones, knives, scrapers, rock carvings and paintings, and other implements and artifacts of any material (WAC 25-48-020(10)). This shall also include any material remains of human life or activities from historic periods which are located at least partially below the ground surface necessitating the use of archaeological methods for study or recovery.
"**Archaeological resource survey**" means procedure by which an archaeologist makes an assessment of the presence or absence of an archaeological site on a parcel, a preliminary assessment of a site's significance, and a recommendation for further evaluation, avoidance, mitigation, or recovery of resources.
"**Archaeological site**" means a geographic locality in Washington, including but not limited to, submerged and submersible lands and the bed of the sea within the state's jurisdiction, that contains archaeological objects (WAC 25-48-020(9)).
"**Archaeologist**" means either a qualified archaeologist (RCW 27.53.030(9)) or a professional archaeologist (RCW 27.53.030(8) and WAC 25-48-020(4)) who has been approved by the city. Both qualified archaeologists and professional archaeologists may perform predeterminations and surveys. Only professional archaeologists may perform services such as evaluation and data recovery for which a state permit is needed.
"**Department**" means the community development department.
"**Director**" means the director of the community development department or designee.
"**Feature**" means an artifact or set of artifacts which loses its integrity when moved due to its size and complexity (e.g., a hearth or a house floor).
"**Known**, recorded archaeological site" means an archaeological site which has been recorded with OAHP.
"**OAHP**" means the Washington State Office of Archaeology and Historic Preservation.
"**Of archaeological interest**" means capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques such as controlled observation, contextual measurement, controlled collection, analysis, interpretation and explanation (WAC 25-48-020(12)).
"**Predetermination**" means a procedure similar to, but of less intensity than an archaeological

resource survey. Its purpose is to determine whether an archaeological site is likely to be present or absent on a parcel, and based on that determination recommend whether or not to proceed with an archaeological resource survey.
"**Probability level**" means account classification of property according to the probability of its having archaeological resources. The probability levels are low (zero to twenty percent), low-moderate (twenty to forty percent), moderate (forty to sixty percent), moderate-high (sixty to eighty percent), and high (eighty to one hundred percent). The probability levels assigned to property within the urban growth boundary of the city are identified in that map entitled "City of Camas Archaeological Site Study, June 3, 1997."
"**Significant archaeological site**" means an archaeological site which has been determined by a professional archaeologist to contain: (1) archaeological objects at a density of at least one hundred per cubic meter per stratigraphic or cultural unit; or (2) at least one feature; or (3) at least one relatively uncommon archaeological object; or (4) skeletal remains.
"**Survey**" means archaeological resource survey.
"**Tribes**" means any federally recognized or other local Native American Government organization which may consider the site to be of historic or cultural significance. (Ord. 2137 § 1 (part), 1997)

16.05.030 Coordination.

A. General. Where the provisions of this chapter conflict with each other or with other laws, ordinances or programs, the more restrictive provisions shall apply.
B. SMA. The provisions of this chapter shall apply throughout Camas, including areas regulated by Camas's shoreline management master program.
C. SEPA. The regulations of the State Environmental Policy Act shall supplement the provisions of this chapter.
D. Development Review. For projects subject to Title 18, Chapter 18.55 of the Camas Municipal Code, a determination that an application is complete shall not be made until any required predetermination has been completed and a predetermination report has been submitted.

16.05.040 Recording.

Any archaeological site identified pursuant to the provisions of this chapter shall be recorded with OAHP. (Ord. 2137 § 1 (part), 1997)

16.05.050 Permit required.

A permit from OAHP shall be secured prior to digging, altering, excavating, and/or removing archaeological objects and sites or historic archaeological resources, or proposing to remove glyptic or painted records of tribes or peoples, or archaeological resources from native Indian cairns or graves (WAC 25-48-050). (Ord. 2137 § 1 (part), 1997)

16.05.060 Applicability.

A. The provisions of this chapter shall apply:
1. When any item of archaeological interest is discovered during the course of a permitted ground-disturbing action or activity (Section 16.05.150);
2. When the director determines that reliable information indicates the possible existence of an archaeological site on a parcel for which an application for a permit or approval for a ground-disturbing action or activity has been submitted.

B. The provisions of this chapter shall apply, except as provided in this section and in Section 16.05.060C below, to all ground-disturbing actions or activities for which a permit or approval is required:

1. On all parcels in probability level high;
2. On parcels of at least five acres in probability levels moderate-high and moderate;
3. Regardless of parcel size or probability level, when proposed within one-fourth mile of a known, recorded archaeological site as measured on a horizontal plane extending in all directions. Such an action or activity may be exempted by the director, when appropriate, during the predetermination process due to the effects of a geographic barrier (Section 16.05.070F).

C. The following shall not trigger or shall be exempted from the provisions of this chapter:

1. Accessory dwelling units;
2. Land use permits issued under clear and objective standards, such as those for fences, sheds, decks, patios or driveways;
3. Sign permits;
4. Conditional use permits for a change in use only, not involving ground disturbance for structural modification;
5. Zoning variance approvals;
6. Ground-disturbing actions or activities which constitute normal maintenance and repair of existing structures and facilities; or
7. Ground-disturbing actions or activities proposed in areas which the director determines to have been adequately surveyed and documented (as defined in Section 16.05.020) in the past and within which no archaeological resources have been discovered.

D. When more than one probability level traverses a parcel, the entire parcel shall be considered to be within the level with the greatest probability rating. (Ord. 2137 § 1 (part), 1997)

16.05.070 Predetermination required.

A. A predetermination shall be required for any nonexempt ground-disturbing action or activity for which a permit or approval is required within probability level high.
B. A predetermination shall be required for any nonexempt ground-disturbing action or activity for which a permit or approval is required and which is located on a parcel of at least five acres within probability levels moderate-high and moderate.
C. A predetermination shall be required for all nonexempt ground-disturbing actions or activities for which a permit or approval is required which are proposed within one-fourth mile of a known, recorded archaeological site.
D. A predetermination shall be required when the director determines that reliable information indicates the possible existence of an archaeological site on a parcel for which an application for a permit or approval for a ground-disturbing action or activity has been submitted.
E. A predetermination shall be required when any item of archaeological interest is discovered during the course of a permitted ground-disturbing action or activity.
F. During the predetermination process, the director will determine whether a ground-disturbing action or activity is exempt under Section 16.05.060B3, or 16.05.060C7. In the event that the director is able to make such a determination of exemption based solely upon background research (Section 16.05.080C), the city shall reduce the applicant's total fee obligation for the project by one-half of the predetermination fee.
G. A predetermination shall not be performed when a survey is required under Section 16.05.110.
H. The director may waive the requirement for a predetermination if the applicant chooses to provide a survey in accordance with Sections 16.05.110 and 16.05.130. (Ord. 2137 § 1 (part), 1997)

16.05.080 Predetermination standards.

Predeterminations shall include at a minimum the following elements and be carried out according to the following standards:
A. Predeterminations shall be performed by a qualified or professional archaeologist.
B. Predeterminations shall be performed to the high standard of quality which fulfills the purposes of this chapter.
C. Background Research. A thorough review of records, documentation, maps, and other pertinent literature shall be performed.
D. Surface Inspection. A visual inspection of the ground surface shall be completed when conditions yield at least fifty percent visibility.
E. Subsurface Investigation. Subsurface investigation shall be performed when considered necessary by the archaeologist. When necessary, the following standards shall apply:

1. Subsurface probes shall be no less than eight inches/twenty centimeters in diameter (twelve inches/thirty centimeters or more preferred) at the ground surface, and shall delve no less than twenty inches/fifty centimeters deep into natural soil deposits whenever possible.
2. The most appropriate number of and locations for subsurface probes shall be determined by the archaeologist.
3. All material excavated by subsurface probes shall be screened using both one-fourth inch and one-eighth inch hardware mesh cloths. (Ord. 2137 § 1 (part), 1997)

16.05.090 Predetermination reports.

A report shall be completed for each predetermination to the high standard of quality which fulfills the purposes of this chapter and standardized guidelines furnished by the department. A completed report shall be submitted to OAHP as well as the city.

16.05.100 Review of predetermination reports and further action.

A. Predetermination reports shall be reviewed by the director.
B. When the director determines that a predetermination report is complete and adequate, the director shall, based upon the information contained in the report, determine whether an archaeological site is likely to exist.
C. Where the director determines that an archaeological site is not likely to exist, the application may proceed through the remainder of the development review process.
D. Where the director determines that an archaeological site is likely to exist, an archaeological resource survey shall be required and carried out in accordance with the provisions of this chapter. (Ord. 2137 § 1 (part), 1997)

16.05.110 Archaeological resource survey required.

A survey shall be required when the results of a predetermination indicate further investigation is necessary and either:

A. No previous survey has been done; or
B. A previous survey or documentation is determined by the director to be inadequate. (Ord. 2137 § 1 (part), 1997)

16.05.120 Survey standards.

Surveys shall include at a minimum the following elements and be carried out according to the following standards:
A. Surveys shall be performed by a professional archaeologist.
B. Surveys shall be performed to the high standard of quality which fulfills the purposes of this chapter.
C. Background Research. A thorough review of records, documentation, and other pertinent literature shall be performed.
D. Surface Inspection. A systematic, one hundred percent visual inspection of the ground surface shall be completed when conditions yield at least fifty percent visibility.
E. Subsurface Investigation. Subsurface investigation shall be performed when considered necessary by the archaeologist, utilizing the same standards set forth within CMC Section 16.05.080E. (Ord. 2137 § 1 (part), 1997)

16.05.130 Survey reports.

A report shall be completed for each survey in accordance with state guidelines and to the high standard of quality which fulfills the purposes of this chapter. A completed report shall be submitted to OAHP as well as the city. (Ord. 2137 § 1 (part), 1997)

16.05.140 Review of survey reports and further action.

A. Survey reports shall be reviewed by the director.
B. When the director determines that a survey report is complete and adequate, the director shall, based upon the information contained in the report, determine whether an archaeological site has been identified.
C. Where the director determines that no archaeological site has been identified, the application may proceed through the remainder of the development review process.
D. Where the director determines that an archaeological site has been identified and is not likely to be significant, the application may proceed through the remainder of the development review process.
E. Where the director determines that an archaeological site has been identified and is likely to be significant, archaeological resources shall be further evaluated, avoided, properly mitigated or properly recovered in accordance with the director's recommendation and subject to state regulations. Priority for protection in-place and thorough evaluation and data recovery shall be given to significant archaeological sites. Bonding may be required to ensure that the site is treated in accordance with the director's recommendation and provisions of the state permit. Monitoring and future corrective measures may be required to ensure that an archaeological site is not degraded by a permitted development. (Ord. 2137 § 1 (part), 1997)

16.05.150 Discovery principle.

In the event that any item of archaeological interest is uncovered during the course of a permitted ground-disturbing action or activity:

A. All ground-disturbing activity shall immediately cease.
B. The applicant shall notify the department and OAHP.
C. The applicant shall provide for a predetermination and a predetermination report prepared in accordance with the provisions of this chapter. The director shall review the report and issue a

determination in accordance with Section 16.05.100 in a reasonably diligent manner, taking into account all pertinent factors and conditions (within seven calendar days whenever feasible). Where such determination is that an archaeological site is not likely to exist, construction may continue. Where such determination is that an archaeological site is likely to exist, the applicant shall provide a survey and survey report. The director shall produce a map of the parcel indicating clearly the portion(s) of the parcel, if any, within which construction may continue under the supervision of an archaeologist and monitoring by the director while the required survey is being completed. The provisions of Section 16.05.140 shall apply. (Ord. 2137 § 1 (part), 1997)

16.05.160 Notification to tribes.

Whenever a predetermination or survey is required, the applicant shall provide the tribes with a copy of the application and all supporting materials, and shall provide proof of compliance with this requirement to the director. Upon city receipt of a predetermination or survey, the director shall notify the tribes, in writing, that such predetermination or survey will be submitted to the tribes by the applicant. When the director determines that the existence of an archaeological site is probable and an archaeological resource survey is required, the director shall notify the tribes of such determination by certified mail, return receipt requested. Comments from the tribes shall be accepted by the director until five p.m. on the fourteenth day from the date notification was mailed to the tribes. Should the fourteenth day fall on a nonbusiness day, the comment period shall be extended until five p.m. on the next business day. (Ord. 2137 § 1 (part), 1997)

16.05.170 Enforcement.

The provisions of this chapter shall be enforced in accordance with the provisions of CMC Chapter 14.13. (Ord. 2137 § 1 (part), 1997)

Chapter 16.12 ADMINISTRATIVE PROVISIONS

16.12.010 Adoption by reference.

16.12.020 Additional definitions.

16.12.030 Responsible official designated.

16.12.040 Lead agency--Determination.

16.12.050 Lead agency--Transfer to state.

16.12.060 Time limit consideration.

16.12.070 Additional timing considerations.

16.12.010 Adoption by reference.

The city adopts the following sections of WAC Chapter 197-11 by reference:

197-11-040 Definitions.
197-11-050 Lead agency.
197-11-055 Timing of the SEPA process.
197-11-060 Content of Environmental review.
197-11-070 Limitations on action during SEPA process.
197-11-080 Incomplete or unavailable information.
197-11-090 Supporting documents.
197-11-100 Information required of applicants.
(Prior code § 10.32.020)

16.12.020 Additional definitions.

In addition to those definitions contained within WAC 197-11-700 through 197-11-799, when used in this chapter, the following terms shall have the following meanings, unless the context indicates otherwise:
A. "Department" means any division, subdivision or organizational unit of the city established by ordinance, rule or order.
B. "Early notice" means the city's response to an applicant stating whether it considers issuance of a determination of significance likely for the applicant's proposal (mitigated DNS procedures).
C. "Ordinance" means the ordinance, resolution, or other procedure used by the city to adopt regulatory requirements.
D. "SEPA rules" means WAC Chapter 197-11 adopted by the Department of Ecology. (Prior code § 10.32.030)

16.12.030 Responsible official designated.

A. For those proposals for which the city is the lead agency, the responsible official shall be the community development director or designee.
B. For all proposals for which the city is the lead agency, the responsible official shall make the threshold determination, supervise scoping and preparation of any required EIS, and perform any other functions assigned to the "lead agency" or "responsible official" by those sections of the SEPA rules that were adopted by reference in WAC 173-806-020.
C. The city shall retain all documents required by the SEPA rules (WAC Chapter 197-11) and make them available in accordance with RCW Chapter 42.17. (Prior code § 10.32.040)

16.12.040 Lead agency--Determination.

A. The department within the city receiving an application for or initiating a proposal that involves a nonexempt action shall determine the lead agency for that proposal under WAC 197-11-050 and WAC 197-11-922 through WAC 197-11-940; unless the lead agency has been previously determined or the department is aware that another department or agency is in the process of determining the lead agency.
B. When the city is the lead agency for a proposal, the department receiving the application shall determine the responsible official who shall supervise compliance with the threshold determination requirements, and if an EIS is necessary, shall supervise preparation of the EIS.
C. When the city is not the lead agency for a proposal, all departments of the city shall use and consider, as appropriate, either the DNS or the final EIS of the lead agency in making decisions on the proposal. No city department shall prepare or require preparation of a DNS or EIS in addition to that prepared by the lead agency, unless required under WAC 197-11-600. In some cases, the city may conduct supplemental environmental review under WAC 197-11-600.

D. If the city or any of its departments receives a lead agency determination made by another agency that appears inconsistent with the criteria of WAC 197-11-922 through 197-11-940, it may object to the determination. Any objection must be made to the agency originally making the determination and resolved within fifteen days of receipt of the determination, or the city must petition the Department of Ecology for a lead agency determination under WAC 197-11-946 within the fifteen-day time period. Any such petition on behalf of the city may be initiated by public works director.
E. Departments of the city are authorized to make agreements as to lead agency status or shared lead agency duties for a proposal under WAC 197-11-942 and 197-11-944; provided, that the responsible official and any department that will incur responsibilities as the result of such agreement must approve the agreement.
F. Any department making a lead agency determination for a private project shall require sufficient information from the applicant to identify which other agencies have jurisdiction over the proposal (that is: which agencies require nonexempt licenses). (Prior code § 10.32.050)

16.12.050 Lead agency--Transfer to state.

For any proposal for a private project where the city would be the lead agency and for which one or more state agencies have jurisdiction, the city's responsible official may elect to transfer the lead agency duties to a state agency. The state agency with jurisdiction appearing first on the priority listing in WAC 197-11-936 shall be the lead agency and the city shall be an agency with jurisdiction. To transfer lead agency duties, the city's responsible official must transmit a notice of the transfer together with any relevant information available on the proposal to the

appropriate state agency with jurisdiction. The responsible official of the city shall also give notice of the transfer to the private applicant and any other agencies with jurisdiction over the proposal. (Prior code § 10.32.060)

16.12.060 Time limit consideration.

The following time limits (expressed in calendar days) shall apply when the city processes licenses for all private projects and those governmental proposals submitted to the city by other agencies:
A. Categorical Exemptions. The city shall identify whether an action is categorically exempt within seven days of receiving a completed application.
B. Threshold Determinations.

1. The city should complete threshold determinations that can be based solely upon review of the environmental checklist for the proposal within fifteen days of the date an applicant's adequate application and completed checklist are submitted.
2. When the responsible official requires further information from the applicant or consultation with other agencies with jurisdiction:
    a. The city should request such further information within fifteen days of receiving an adequate application and completed environmental checklist;
    b. The city shall wait no longer than thirty days for a consulted agency to respond;
    c. The responsible official should complete the threshold determination within fifteen days of receiving the requested information from the applicant or the consulted agency.
3. When the city must initiate further studies, including field investigations, to obtain the information to make the threshold determination, the city should complete the studies

within thirty days of receiving an adequate application and a completed checklist.

4. The city shall complete threshold determinations on actions where the applicant recommends in writing that an EIS be prepared, because of the probable significant adverse environmental impact(s) described in the application, within fifteen days of receiving an adequate application and completed checklist. (Prior code § 10.32.070)

16.12.070 Additional timing considerations.

A. For nonexempt proposals, the DNS or draft EIS for the proposal shall accompany the city's staff recommendation to any appropriate advisory body, such as the planning commission.
B. If the city's only action on a proposal is a decision on a building permit or other license that requires detailed project plans and specifications, the applicant may request in writing that the city conduct environmental review prior to submission of the detailed plans and specifications. (Prior code § 10.32.080)

Chapter 16.40 FEES

16.40.010 Required.

16.40.020 Threshold determination.

16.40.030 Environmental impact statement.

16.40.040 Notice--Publication.

16.40.050 Copy preparation.

16.40.010 Required.

The city shall require the following fees for its activities in accordance with the provisions of this title. (Prior code § 10.32.250 (part))

16.40.020 Threshold determination.

For every environmental checklist the city reviews when it is lead agency, the city shall collect a fee in accordance with the most current fee schedule adopted by the city. The time periods provided for by this title for making a threshold determination shall not begin to run until payment of the fee.

16.40.030 Environmental impact statement.

A. When the city is the lead agency for a proposal requiring an EIS and the responsible official determines that the EIS shall be prepared by employees of the city, the city may charge and collect a reasonable fee from any applicant to cover costs incurred by the city in preparing the EIS. The responsible official shall advise the applicant(s) of the projected costs for the EIS prior to actual preparation; the applicant shall post bond or otherwise ensure payment of such costs.
B. The responsible official may determine that the city will contract directly with a consultant for

preparation of an EIS, or a portion of the EIS, for activities initiated by some persons or entity other than the city and may bill such costs and expenses directly to the applicant. Such consultants shall be selected by mutual agreement of the city and applicant after a call for proposals. The city may require the applicant to post bond or otherwise ensure payment of such costs.

C. If a proposal is modified so that an EIS is no longer required, the responsible official shall refund any fees collected under subsection A or B of this section which remain after incurred costs are paid. (Prior code § 10.32.250(2))

16.40.040 Notice--Publication.

The city may collect a reasonable fee from an applicant to cover the cost of meeting the public notice requirements of this title relating to the applicant's proposal. (Prior code § 10.32.250(3))

16.40.050 Copy preparation.

The city may charge any person for copies of any document prepared under this title, and for mailing the document, in a manner provided by RCW Chapter 42.17. (Prior code § 10.32.250(4))

Chapter 16.50 GENERAL PROVISIONS

16.50.010 Purpose.

16.50.020 Authority.

16.50.030 Relationship to other regulations.

16.50.040 Severability.

16.50.050 Administrative rules.

16.50.060 Interpretation.

16.50.070 Critical areas--Regulated.

16.50.080 Best available science.

16.50.090 Applicability.

16.50.100 Exemptions.

16.50.110 Exception--Reasonable use.

16.50.120 Allowed activities.

16.50.130 Review required.

16.50.140 Critical area reporting evaluation--Requirements.

16.50.150 Critical area report--Modifications to requirements.

16.50.160 Mitigation requirements.

16.50.170 Mitigation sequencing.

16.50.180 Mitigation plan requirements.

16.50.190 Innovative mitigation.

16.50.200 Unauthorized critical area alterations and enforcement.

16.50.210 Critical area markers, signs and fencing.

16.50.220 Notice on title.

16.50.230 Native growth protection areas--Reserved.

16.50.240 Critical area protective mechanism.

16.50.250 Bonds to ensure mitigation, maintenance, and monitoring.

16.50.010 Purpose.

A. The purpose of this chapter is to designate and classify ecologically sensitive and hazardous areas and to protect these areas and their functions and values, while allowing for some reasonable use of property.
B. The city finds that critical areas provide a variety of valuable and beneficial biological and physical functions that benefit the city of Camas and its residents, and/or may pose a threat to human safety or to public and private property.
C. Goals. By managing development and alteration of critical areas, this chapter seeks to:

1. Protect members of the public and public resources and facilities from injury, loss of life, or property damage due to landslides and steep slope failures, erosion, seismic events or flooding;
2. Protect unique, fragile and valuable elements of the environment, including ground and surface waters;
3. Direct activities not dependent on critical area resources to less ecologically sensitive sites and mitigate necessary impacts to critical areas by regulating alterations in and adjacent to critical areas; and
4. Prevent cumulative adverse environmental impacts to critical aquifer recharge and frequently flooded areas.

D. The regulations of this chapter are intended to protect critical areas in accordance with the Growth Management Act and through the application of best available science, as determined according to WAC 365-195-900 through 365-195-925, and in consultation with state and federal agencies and other qualified professionals.

E. This chapter is to be administered with flexibility and attention to site-specific characteristics. It is not the intent of this chapter to make a parcel of property unusable by denying its owner reasonable economic use of the property.
F. The city's enactment or enforcement of this chapter shall not be construed for the benefit of any individual person or group of persons other than the general public. (Ord. 2367 § 2 (part), 2004)

16.50.020 Authority.

As provided herein, the director shall mean the community development director or designee. The director is given the authority to interpret and apply, and the responsibility to enforce this chapter to accomplish the stated purpose. (Ord. 2367 § 2 (part), 2004)

16.50.030 Relationship to other regulations.

A. These critical area regulations shall apply as an overlay and in addition to zoning and other regulations, including the city of Camas Design Standards Manual, adopted by the city.
B. These critical area regulations may be applied concurrently with review conducted under the State Environmental Policy Act (SEPA) or other development review as adopted.
C. In the event of a conflict with any other provisions of this chapter, that which provides more protection to the critical areas shall apply.
D. Compliance with the provisions of this chapter does not constitute compliance with other federal, state and local regulations and permit requirements that may be required (for example, Shoreline Substantial Development Permits, HPA permits, Army Corps of Engineers Section 404 permits, NPDES permits). The applicant is responsible for complying with all requirements, apart from the process established in this chapter. (Ord. 2367 § 2 (part), 2004)

16.50.040 Severability.

If any clause, sentence, paragraph, section or part of this chapter or the application thereof to any person or circumstances shall be judged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered. The decision shall not affect or invalidate the remainder of any part thereof and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable. (Ord. 2367 § 2 (part), 2004)

16.50.050 Administrative rules.

Applicable departments within the city of Camas are authorized to adopt such administrative rules and regulations as necessary and appropriate to implement these chapters and to prepare and require the use of such forms as necessary for its administration.
The applicant shall be responsible for the initiation, preparation, submission and expense of all required reports, assessment(s), studies, plans, reconnaissance(s), peer review(s) by qualified consultants, and other work prepared in support of or necessary to review the application. (Ord. 2367 § 2 (part), 2004)

16.50.060 Interpretation.

In the interpretation and application of this ordinance, the provisions of this chapter shall be

considered to be the minimum requirements necessary, shall be liberally construed to serve the purpose of the ordinance codified in this chapter, and shall be deemed to neither limit nor repeal any other provisions under state statute. (Ord. 2367 § 2 (part), 2004)

16.50.070 Critical areas--Regulated.

A. Critical areas regulated by this chapter include critical aquifer recharge areas (CMC Chapter 16.70), frequently flooded areas (CMC Chapter 16.80), and geologically hazardous areas (CMC Chapter 16.90).
B. All areas within the city meeting the definition of one or more critical area, regardless of any formal identification, are hereby designated critical areas and are subject to these provisions. (Ord. 2367 § 2 (part), 2004)

16.50.080 Best available science.

A. Best Available Science to be Used Must be Consistent with Criteria. The best available science is that scientific information applicable to the critical area prepared by local, state or federal natural resource agencies, a qualified scientific professional or team of qualified scientific professionals, that is consistent with criteria established in WAC 365-195-900 through WAC 365-195-925.
B. Absence of Valid Scientific Information. Where there is an absence of valid scientific information or incomplete scientific information relating to a critical area, leading to uncertainty about the risk to critical area function of permitting an alteration of or impact to the critical area, the director shall:

1. Limit development and land use activities until the uncertainty is sufficiently resolved; and
2. Require an effective adaptive management program that relies on scientific methods to evaluate how well regulatory and non-regulatory actions protect the critical area. An adaptive management program is a formal and deliberate scientific approach to taking action and obtaining information in the face of uncertainty. An adaptive management program shall:
    a. Address funding for the research component of the adaptive management program;
    b. Change course based on the results and interpretation of new information that resolves uncertainties; and
    c. Commit to the appropriate timeframe and scale necessary to reliably evaluate regulatory and non-regulatory actions affecting protection of critical areas and anadromous fisheries. (Ord. 2367 § 2 (part), 2004)

16.50.090 Applicability.

Land proposals below are subject to the criteria, guidelines, report requirements, conditions and performance standards in CMC Chapters 16.50 through 16.95:

A. Binding site plan;
B. Blasting permits;
C. Commercial development;
D. Conditional use permit;
E. Light industrial or industrial development;
F. Planned residential development;

G. Short plat;
H. Subdivision;
I. Shoreline substantial development permit;
J. Unclassified use;
K. Any grading, filling or clearing of land or logging or removal of timber on land characterized in a critical area described in CMC Section 16.50.070(A); and
L. Other activities as specified within CMC Chapters 16.50 through 16.95. (Ord. 2367 § 2 (part), 2004)

16.50.100 Exemptions.

A. Exempt Activities. The following developments, activities and associated uses shall be exempt from the provisions of this title, provided that they are otherwise consistent with the provisions of other local, state and federal laws and requirements:

1. Emergencies. Emergency activities are those activities necessary to prevent an immediate threat to public health, safety or welfare, or that pose an immediate risk of damage to private property and that require remedial or preventative action in a timeframe too short to allow for compliance with the requirements of these provisions.
1. An emergency response shall utilize reasonable methods to address the emergency considering the applicable critical area(s); in addition, they must have the least possible impact to the critical area or its management zone. The person or agency undertaking such action shall notify the city within four days following commencement of the emergency activity. If the director determines that the action taken, or any part of the action taken, was beyond the scope of an allowed emergency action, then enforcement will commence.
2. After the emergency, the person or agency undertaking the action shall fully restore and/or mitigate any impacts to the critical area and management zones resulting from the emergency action in accordance with an approved critical area report and mitigation plan. Restoration and/or mitigation activities must be initiated within one year of the date of the emergency, and completed in a timely manner;
3. Operation, Maintenance or Repair. Operation, maintenance or repair of existing structures, infrastructure improvements, utilities, public or private roads, dikes, levees or drainage systems, that do not further alter or increase the impact to, or encroach further within, the critical area or management;
4. Passive Outdoor Activities. Recreation, education and scientific research activities that do not degrade the critical area, including fishing, hiking and bird watching. Trails must be constructed pursuant to CMC Section 16.50.120(C)(4); and
5. Forest Practices. Forest practices regulated and conducted in accordance with the provisions of Chapter 76.09 RCW and forest practices regulations, Title 222 WAC, and those that are exempt from city of Camas's jurisdiction, provided that forest practice conversions are not exempt.

B. Exempt Activities Shall Avoid Impacts to Critical Areas. All exempted activities shall use reasonable methods to avoid potential impacts to critical areas. To be exempt from these provisions does not give permission to degrade a critical area or ignore risk from natural hazards. Any incidental damage to, or alteration of, a critical area that is not a necessary outcome of the exempted activity shall be restored, rehabilitated, or replaced at the responsible party's expense. (Ord. 2367 § 2 (part), 2004)

16.50.110 Exception--Reasonable use.

A. If the application of this title would deny all reasonable use of the subject property, the property owner may apply for an exception pursuant to this section.
B. Exception Request and Review Process. An application for a reasonable use exception shall be made to the city and shall include a critical area application and fee; critical area report, including mitigation plan, if necessary; and any other related project documents, such as permit applications to other agencies, special studies, and environmental documents prepared pursuant to the State Environmental Policy Act (Chapter 43.21C RCW) (SEPA documents). A staff report shall be prepared to include a recommendation to the approval authority based on review of the submitted information, a site inspection, and the proposal's **ability to comply with reasonable use exception** criteria in subsection D of this section.
C. Public Hearing Required. A request for an exception under this section shall be considered through a Type III hearing process in accordance with CMC Chapter 18.55.
D. Reasonable Use Review Criteria. The criteria for review and approval of reasonable use exceptions is:

1. The application of these provisions would deny all reasonable use of the property;
2. No other reasonable use of the property has less impact on the critical area;
3. Any alteration is the minimum necessary to allow for reasonable use of the property; and
4. The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant after the effective date of these provisions or its predecessor.

E. Burden of Proof. The burden of proof shall be on the applicant to bring forth evidence in support of the application and to provide sufficient information on which any decision has to be made on the application. (Ord. 2367 § 2 **(part)**, 2004)

16.50.120 Allowed activities.

A. Critical Area Report not Required. Activities which have been reviewed and permitted or approved by the city or other agency with jurisdiction for impacts to critical or sensitive areas, do not require submittal of a new critical area report or application under this chapter, unless such submittal was required previously for the underlying permit.
B. Required Use of Best Management Practices. All allowed activities shall be conducted using the best management practices, adopted pursuant other provisions contained in this code, that result in the least amount of impact to the critical areas. Best management practices shall be used for tree and vegetation protection, construction management, erosion and sedimentation control, water quality protection, and regulation of chemical applications. The city shall monitor the use of best management practices to ensure that the activity does not result in degradation to the critical area. Any incidental damage to, or alteration of, a critical area shall be restored, **rehabilitated or replaced at the responsible party's expense.**
C. Allowed Activities. The following activities are allowed:

1. Permit Requests Subsequent to Previous Critical Area Review. Development permits and approvals that involve both discretionary land use approvals (such as subdivisions, rezones, or conditional use permits) and construction approvals (such as building permits) if all of the following conditions have been met:
    a. There have been no material changes in the potential impact to the critical area or management zone since the prior review;
    b. There is no new information available that is applicable to any critical area review of the site or particular critical area;
    c. The permit or approval has not expired or, if no expiration date, no more than five years has elapsed since the issuance of that permit or approval; and
    d. Compliance with any standards or conditions placed upon the prior permit or approval has been achieved or secured;
2. Modification to Existing Structures. Structural modifications, addition to, or replacement

of an existing legally constructed structure that does not further alter or increase the impact to the critical area or management zone and there is no increased risk to life or property as a result of the proposed modification or replacement, provided that restoration of structures substantially damaged by fire, flood or act of nature must be initiated within one year of the date of such damage, as evidenced by the issuance of a valid building permit, and diligently pursued to completion;

3. Activities Within the Improved Right-of-Way. Replacement, installation or construction of utility facilities, lines, pipes, mains, equipment, or appurtenances, not including substations, when such facilities are located within the improved portion of the public right-of-way or a city-authorized private roadway except those activities that alter a wetland or watercourse, such as culverts or bridges, or results in the transport of sediment or increased stormwater;
4. Public and Private Pedestrian Trails.
    a. Existing public and private trails established consistent with the city of Camas Parks and Open Space Plan may be maintained, replaced or extended provided there is no increase in the impact to the critical area or management zone.
    b. Other public and private pedestrian trails, except in wetlands, fish and wildlife habitat conservation areas, or their management zones, subject to the following:
        i. The trail surface shall meet all other requirements including water quality standards set forth in the city of Camas Design Standards Manual;
        ii. Critical area and/or management zone widths shall be increased, where possible, equal to the width of the trail corridor, including disturbed areas; and
        iii. Trails proposed to be located in landslide or erosion hazard areas shall be constructed in a manner that does not increase the risk of landslide or erosion and in accordance with an approved geotechnical report;
5. Selective Vegetation Removal Activities. The following vegetation removal activities, provided that no vegetation shall be removed from a critical area or its management zone without approval from the director, are allowed:
    a. The removal of invasive plant species including Himalayan blackberry (Rubus discolor, R. procerus), Evergreen blackberry (Rubus laciniatus), English Ivy as well as any other noxious weed or invasive plant species acknowledged by the city, with hand labor and light equipment (e.g. push mowers, powered trimmers, etc.);
    b. The removal of trees that are hazardous, posing a threat to public safety, or posing an imminent risk of damage to private property, from critical areas and management zones, provided that:
        i. The applicant submits a report from a certified arborist, registered landscape architect, or professional forester that documents the hazard and provides a replanting schedule for the replacement trees;
        ii. Tree cutting shall be limited to limbing and crown thinning, unless otherwise justified by a qualified professional. Where limbing or crown thinning is not sufficient to address the hazard, trees should be topped to remove the hazard rather than cut at or near the base of the tree;
        iii. The landowner shall replace any trees that are felled or topped with new trees at a ratio of two replacement trees for each tree felled or topped within one year in accordance with an approved restoration plan. Tree species that are native and indigenous to the site and a minimum caliper of two inches shall be used;
        iv. If a tree to be removed provides critical habitat, such as an eagle perch, a qualified wildlife biologist shall be consulted to determine timing and

methods of removal that will minimize impacts; and

v. Hazard trees determined to pose an imminent threat or danger to public health or safety, or to public or private property, or serious environmental degradation may be removed or topped by the landowner prior to receiving written approval from city provided that within fourteen days following such action, the landowner shall submit a restoration plan that demonstrates compliance with these provisions;

c. Measures to control a fire or halt the spread of disease or damaging insects consistent with the State Forest Practices Act; Chapter 76.09 RCW, and Camas Fire Department requirements provided that the removed vegetation shall be replaced in-kind or with similar native species within one year in accordance with an approved restoration plan.

6. Chemical Applications. The application of herbicides, pesticides, organic or mineral-derived fertilizers, or other hazardous substances, provided that their use shall be restricted in accordance with Department of Fish and Wildlife Management Recommendations, and the regulations of the Department of Agriculture and the U.S. Environmental Protection Agency;1
7. Minor Site Investigative Work. Work necessary for land use submittals, such as surveys, soil logs, percolation tests, and other related activities, where such activities do not require construction of new roads or significant amounts of excavation. In every case, impacts to the critical area shall be minimized and disturbed areas shall be immediately restored; and
8. Navigational Aids and Boundary Markers. Construction or modification of navigational aids and boundary markers. (Ord. 2367 § 2 (part), 2004)

1 More information on commercial and residential use of chemicals can be found in Department of Ecology "Guidance Document for Establishment of Critical Aquifer Recharge Areas Ordinances" Version 3.0, Publication #97-30; and from the state Department of Agriculture, http://www.wa.gov/agr/.

16.50.130 Review required.

Mapping. The approximate location and extent of critical areas are shown on the adopted critical area maps. These maps are to be used as a guide for the city, project applicants and/or property owners, and may be continually updated as new critical areas are identified. They are a reference and do not provide a final critical area designation or delineation.

If the proposed activity is within, adjacent to, or is likely to impact a critical area, the city shall require a critical area report from the applicant that has been prepared by a qualified professional. If the report concludes that there is a critical area present then the city of Camas shall:

A. Review and evaluate the critical area report;

B. Determine whether the development proposal conforms to the purposes and performance standards of these provisions;

C. Assess potential impacts to the critical area and determine if they are necessary and unavoidable; and

D. Determine if any mitigation proposed by the applicant is sufficient to protect the functions and values of the critical area and public health, safety, and welfare concerns consistent with the goals, purposes, objectives and requirements of these provisions. (Ord. 2367 § 2 (part), 2004)

16.50.140 Critical area reporting evaluation--Requirements.

A. Incorporating Best Available Science. The critical area report shall use scientifically valid methods and studies in the analysis of critical area data and field reconnaissance and reference the source of science used. The critical area report shall evaluate the proposal and the likelihood of all probable adverse impacts to critical areas in accordance with these provisions.
B. Minimum Report Contents. At a minimum, the report shall contain the following:

1. The name and contact information of the applicant, a description of the proposal, and identification of the permit requested;
2. A copy of the site plan for the development proposal showing, identified critical areas, management zones, property lines, limits of any areas to be cleared, and a description of the proposed stormwater management plan for the development and consideration of impacts to drainage alterations;
3. The dates, names and qualifications of the persons preparing the report and documentation of any fieldwork performed on the site;
4. Identification and characterization of critical areas, wetlands, water bodies and management zones within the proposed project area;
5. A description of reasonable efforts made to avoid, minimize and mitigate impacts to critical areas;
6. A proposal for financial guarantees to ensure compliance; and
7. Any additional information required for the critical area as specified in the corresponding chapter.

C. Unless otherwise provided, a critical area report may be supplemented by or composed, in whole or in part, of any reports or studies required by other laws and regulations or previously prepared for and applicable to the development proposal site, as approved by the director. (Ord. 2367 § 2 (part), 2004)

16.50.150 Critical area report--Modifications to requirements.

A. Limitations to Study Area. The director may limit or extend the required geographic area of the critical area report as deemed appropriate, so long as it is within the proposed site.
B. Modifications to Required Contents. The applicant may consult with the director prior to or during preparation of the critical area report to obtain city written approval for modifications to the required contents of the report where, in the judgment of a qualified professional, more or less information is required to adequately address the probable critical area impacts and required mitigation.
C. Additional Information May be Required. The director may require additional information to be included in the critical area report when determined to be necessary to the review of the proposed activity in accordance with these provisions. Additional information that may be required, includes, but is not limited to:

1. Historical data, including original and subsequent mapping, aerial photographs, data compilations and summaries, and available reports and records relating to the site or past operations at the site;
2. Grading and drainage plans; and
3. Information specific to the type, location and nature of the critical area. (Ord. 2367 § 2 (part), 2004)

16.50.160 Mitigation requirements.

A. The applicant shall avoid all impacts that degrade the functions and values of a critical area or

areas. Unless otherwise provided in these provisions, if alteration to the critical area is necessary, all adverse impacts to or from critical areas and management zones resulting from a development proposal or alteration shall be mitigated in accordance with an approved critical area report and SEPA documents.
B. Mitigation should be in-kind and on-site, when possible, and sufficient to maintain the functions and values of the critical area, and to prevent risk from a hazard posed by a critical area.
C. Mitigation shall only be implemented after city approval of a critical area report that includes a mitigation plan; and mitigation shall be in accordance with the provisions of the approved critical area report. (Ord. 2367 § 2 (part), 2004)

16.50.170 Mitigation sequencing.

Applicants shall demonstrate that reasonable efforts have been examined with the intent to mitigate impacts to critical areas. When an alteration to a critical area is proposed, mitigation can be accomplished through a variety of methods. Generally, avoiding the impact altogether is the preferred option. Methods to reduce impacts and mitigate for them should follow a series of steps taken in sequential order:
A. Avoiding the impact altogether by not taking a certain action or parts of an action (usually by either finding another site or changing the location on the site);
B. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps, such as project design, developable area configuration, relocation, or timing, to avoid or reduce impacts;
C. Minimizing or eliminating the hazard by restoring or stabilizing the hazard area through engineered or other methods;
D. Reducing or eliminating the impact or hazard over time by preservation and maintenance operations during the life of the action;
E. Compensating for the impact to critical areas by replacing, enhancing or providing substitute resources or environments;
F. Monitoring the hazard or other required mitigation and taking remedial action when necessary; and
G. Rectifying the impact to critical areas by repairing, rehabilitating or restoring the affected environment to the historical conditions or the conditions existing at the time of the initiation of the project.
Following this process is referred to as mitigation sequencing and mitigation for individual actions may include a combination of the measures provided in this section. (Ord. 2367 § 2 (part), 2004)

16.50.180 Mitigation plan requirements.

When mitigation is required, the applicant shall submit to the city a mitigation plan as part of the critical area report. The mitigation plan shall include:
A. Environmental Goals and Objectives. The mitigation plan shall include a written report identifying environmental goals and objectives of the compensation proposed and including:

1. A description of the anticipated impacts to the critical areas and the mitigating actions proposed and the purposes of the compensation measures, including the site selection criteria; identification of compensation goals; identification of resource functions; and dates for beginning and completion of site compensation construction activities. The goals and objectives shall be related to the functions and values of the impacted critical area; and
2. An analysis of the likelihood of success of the mitigation project.

B. Performance Standards. The mitigation plan shall include measurable specific criteria for evaluating whether or not the goals and objectives of the mitigation project have been successfully attained and whether or not the requirements of these provisions have been met.
C. Detailed Construction Plans. The mitigation plan shall include written specifications and descriptions of the mitigation proposed including but not limited to: the proposed construction sequence, timing and duration; grading and excavation details; erosion and sediment control features; a planting plan specifying plant species, quantities, locations, size, spacing and density; and, measures to protect and maintain plants until established.
These written specifications shall be accompanied by detailed site diagrams, scaled cross-sectional drawings, topographic maps showing slope percentage and final grade elevations, and any other drawings appropriate to show construction techniques or anticipated final outcome.
D. Monitoring Program. The mitigation plan shall include a program for monitoring construction of the compensation project and for assessing a completed project. A protocol shall be included outlining the schedule for site monitoring (for example, monitoring shall occur in years one, three and five after site construction), and how the monitoring data will be evaluated to determine if the performance standards are being met. A monitoring report shall be submitted as needed to document milestones, successes, problems, and contingency actions of the compensation project. The compensation project shall be monitored for a period necessary to establish that performance standards have been met, but not for a period less than five years.
E. Contingency Plan. The mitigation plan shall include identification of potential courses of action, and any corrective measures to be taken if monitoring or evaluation indicates project performance standards are not being met.
F. Financial Guarantees. The mitigation plan shall include financial guarantees, as determined by the approval authority, to ensure that the mitigation plan is fully implemented. Financial guarantees ensuring fulfillment of the compensation project, monitoring program, and any contingency measures shall be posted consistent with these provisions. (Ord. 2367 § 2 (part), 2004)

16.50.190 Innovative mitigation.

The city may encourage, facilitate and approve innovative mitigation projects. Advance mitigation or mitigation banking are examples of alternative mitigation projects allowed under the provisions of this section wherein one or more applicants, or an organization with demonstrated capability, may undertake a mitigation project together if it is demonstrated that all of the following circumstances exist:
A. Creation or enhancement of a larger system of critical areas and open space is preferable to the preservation of many individual habitat areas;
B. The group demonstrates the organizational and fiscal capability to act cooperatively;
C. The group demonstrates that long-term management of the habitat area will be provided;
D. There is a clear potential for success of the proposed mitigation at the identified mitigation site; and
E. Conducting mitigation as part of a cooperative process does not reduce or eliminate the required replacement ratios. (Ord. 2367 § 2 (part), 2004)

16.50.200 Unauthorized critical area alterations and enforcement.

A. When a critical area or its management zone has been altered in violation of these provisions, all ongoing development work shall stop and the critical area shall be restored. The city shall have the authority to issue a stop work order to cease all ongoing development work, and order restoration, rehabilitation or replacement measures at the owner's or other responsible party's

expense to compensate for violation of these provisions.
B. Restoration Plan Required. Where a violation has occurred, all development work shall remain stopped until a restoration plan is submitted by the property owner and/or violator (applicant) and approved by the city. Such a plan shall be prepared by a qualified professional and shall describe how the actions proposed meet the intent of requirements described in subsection C of this section. The director may, at the applicant's expense, seek expert advice in determining the adequacy of the plan and may impose additional requirements to mitigate critical areas issues.
C. Minimum Performance Standards for Restoration.

1. For alterations to critical aquifer recharge areas and frequently flooded areas, the following minimum performance standards shall be met for the restoration of a critical area, provided that if the violator can demonstrate that greater functional and habitat values can be obtained, these standards may be modified:
    a. The historic structural and functional values shall be restored, including water quality and habitat functions;
    b. The historic soil types and configuration shall be replicated;
    c. The critical area and management zones shall be replanted with native vegetation that replicates the vegetation historically found on the site in species types, sizes and densities; and
    d. The historic functions and values should be replicated at the location of the alteration.
2. For alterations to frequently flooded and geological hazardous areas, the following minimum performance standards shall be met for the restoration of a critical area, provided that, if the violator can demonstrate that greater safety can be obtained, these standards may be modified:
    a. The hazard shall be reduced to a level equal to, or less than, the pre-development hazard;
    b. Any risk of personal injury resulting from the alteration shall be eliminated or minimized; and
    c. The hazard area and management zones shall be replanted with native vegetation sufficient to minimize the hazard.

D. Enforcement. Violations and compliance issues under these provisions are subject to enforcement under CMC Chapter 18.55. (Ord. 2367 § 2 (part), 2004)

16.50.210 Critical area markers, signs and fencing.

A. Temporary Markers. The outer perimeter of the management zones and/or critical areas may be required to be marked in the field in such a way as to ensure that no unauthorized intrusion will occur, and verified by the director prior to the commencement of permitted activities. This temporary marking, if required, shall be maintained throughout construction, and shall not be removed until permanent signs, if required, are in place.
B. Permanent Signs. The city may require as a condition of any permit or authorization issued pursuant to this chapter, that the applicant install permanent signs along the boundary of a critical area or management zone to city standards.
C. Fencing.

1. The director may condition any permit or authorization issued pursuant to this chapter to require the applicant to install a permanent fence to city specifications at the edge of the habitat conservation area or management zone, when in the opinion of the city, fencing will reasonably minimize or prevent future impacts to the habitat conservation area.
2. Fencing installed as part of a proposed activity or as required in this subsection shall be designed so as to not interfere with species migration, including fish runs, and shall be constructed in a manner that minimizes habitat impacts. (Ord. 2367 § 2 (part), 2004)

16.50.220 Notice on title.

A. The proponent of any new development proposal which involves a critical area or management zone may be required to file a notice with the Clark County records and elections division. The notice, if required, shall state the presence of the critical area or management zone on the property, of the application of these provisions to the property, and the fact that limitations on actions in or affecting the critical area or management zone may exist. The notice shall run with the land.

B. This notice on title shall not be required for a development proposal by a public agency or public or private utility:

1. Within a recorded easement or right-of-way;
2. Where the agency or utility has been adjudicated the right to an easement or right-of-way; or
3. On the site of a permanent public facility.
1. C. The applicant shall submit proof that the notice has been filed for public record before the city approves any development proposal for the property or, in the case of subdivisions, short subdivisions, planned unit developments, and binding site plans, at or before recording. (Ord. 2367 § 2 (part), 2004)

16.50.230 Native growth protection areas--Reserved.

16.50.240 Critical area protective mechanism.

A. Identified critical areas and their associated buffer or management zones shall be protected and preserved through a permanent protective mechanism acceptable to the city. This may include placing the critical area and its associated buffer or management zone in a separate tract; executing a protective easement; or dedicating the critical area and its associated buffer or management zone to a public agency or public or private land trust. The mechanism shall provide for maintenance of the critical area and its associated buffer or management zone.

B. If the protective mechanism includes placing the critical area and its associated buffer or management zone in a separate tract, then the critical area tract(s) shall:

1. Be recorded on all documents of title of record for all affected lots;
2. Be designated on the face of the plat or recorded drawing in a format approved by the city. The designation shall include the following restriction:
    a. An assurance that native vegetation will be preserved for the purpose of preventing harm to property and the environment, including, but not limited to, controlling surface water runoff and erosion, maintaining slope stability, management zoning, and protecting plants and animal habitat; and
    b. The right of the city to enforce the terms of the restriction.

C. The city may require that any required critical area tract be dedicated to the city, or held by an incorporated homeowner's association or other legal entity. (Ord. 2367 § 2 (part), 2004)

16.50.250 Bonds to ensure mitigation, maintenance, and monitoring.

A. When mitigation required pursuant to a development proposal is not completed prior to the city final permit approval, such as final plat approval, the city shall require the applicant to post a performance bond or other security in a form and amount deemed acceptable by the city. If the development proposal is subject to mitigation, the applicant shall post a mitigation bond or other security in a form and amount deemed acceptable by the city to ensure mitigation is fully functional.

B. The bond shall be in the amount of one hundred and twenty-five percent of the estimated cost of the uncompleted actions or the estimated cost of restoring the functions and values of the critical area that are at risk, whichever is greater.
C. The bond may be in the form of a surety bond, performance bond, assignment of savings account, or an irrevocable letter of credit guaranteed by an acceptable financial institution with terms and conditions acceptable to the city attorney.
D. Bonds or other security authorized by this section shall remain in effect until the city determines, in writing, that the standards bonded for have been met.
E. Depletion, failure, or collection of bond funds shall not discharge the obligation of an applicant or violator to complete required mitigation, maintenance, monitoring or restoration.
F. Public development proposals may be relieved from having to comply with the bonding requirements of this section if public funds have previously been committed for mitigation, maintenance, monitoring or restoration.
G. Any failure to satisfy critical area requirements established by law or condition including, but not limited to, the failure to provide a monitoring report within thirty days after it is due or comply with other provisions of an approved mitigation plan shall constitute a default, and the city may demand payment of any financial guarantees or require other action authorized by the city code or any other law.
H. Any funds recovered pursuant to this section shall be used to complete the required mitigation. (Ord. 2367 § 2 (part), 2004)

Title 17 Land Development*

Chapter 17.01 GENERAL PROVISIONS

17.01.010 Title.

17.01.020 Purpose.

17.01.030 Scope and exemptions.

17.01.040 Dedications.

17.01.050 Survey content.

17.01.010 Title.

This code shall be known as the "City of Camas Land Development Code."

17.01.020 Purpose.

The purpose of this code is to provide rules, regulations, requirements, and standards for development of land in the city, insuring that the public health, safety, general welfare, and design standards of the city are promoted and protected; that planned growth, development, and the conservation, protection and proper use of land are ensured; that proper provisions for all

public facilities including circulation, utilities, open space, and services comply with adopted manuals and standards; and that the goals and policies of the city of Camas comprehensive plans are furthered through the development of land.

17.01.030 Scope and exemptions.

A. Scope.

1. This title is applicable to any development, division of land or modification to an existing lot or parcel line except as exempted under this title.
2. Where this code imposes greater restrictions or higher standards upon the development of land than other laws, ordinances, manuals or restrictive covenants, the provisions of this code shall prevail.
3. Land divisions shall conform to the requirements of state laws and the standards established by this title.

B. Exemptions. The provisions of this chapter shall not apply to:

1. Cemeteries and other burial plots while used for that purpose (RCW 58.17.040 (1));
2. Any division of land made by testamentary provision, or the laws of descent (RCW 58.17.040 (3));
3. Any division of land resulting from a public dedication; or
4. Any division of land into lots or tracts each of which is five acres or larger (RCW 58.17.040 (2)). (Ord. 2375 § 1 (part), 2004)

17.01.040 Dedications.

A. Act of Dedication. The intention to dedicate real property to the public shall be evidenced by showing the dedication on the plat prepared for approval. All dedications, including easements, rights-of-way and real property shall be clearly and precisely indicated on the face of the plat. Unless specifically noted otherwise on the plat, approval of the plat for recording shall constitute acceptance of the dedications.

B. Public Streets. All streets shown on the final plat and intended for public use shall be offered for dedication for public use.

C. Tracts. All parcels of land shown on the final plat and intended for public use shall be offered for dedication for public use, except the approving entity may allow the conveyance of certain public improvements to be conveyed to a homeowner's association or similar nonprofit corporation.

D. Public Trails. All regional, neighborhood and local trails as identified in the Camas parks and open space comprehensive plan, and intended for public use shall be offered for dedication for public use.

E. Certificate. If the land division includes a dedication, the final plat shall include a certificate of dedication or reference to a separate written instrument which dedicates all required streets and other areas to the public, or the homeowners association. The certificate or instrument of dedication shall be signed and acknowledged before a notary public by every person having any ownership interest in the lands divided and recorded as part of the final plat. (Ord. 2375 § 1 (part), 2004)

17.01.050 Survey content.

A. Information. When a survey is required the following information shall be included:

1. The name of the plat, graphic scale and north arrow. The survey shall be done to a reasonable scale on a standard sheet of mylar.

2. Existing features such as streams, streets, railroads and structures, critical areas (wetlands, steep slopes, environmentally protected) existing wells, easements, potential lines of dispute.
3. The lines and names of all existing or platted streets or other public ways, trails, parks, playgrounds, and easements adjacent to the final plat, land division or dedication, including municipal boundaries, county lines, township lines and section lines.
4. Legal description of the boundaries, including the county tax serial number for each property described.
5. A complete survey of the section or sections in which the plat, tract, parcel, lot or replat is located, if necessary, including:
    a. All stakes, monuments or other evidence found on the ground and used to determine the boundaries of the land division. Location and monuments found or reset with respect to any established centerline of streets adjacent to or within the proposed land division. All other monuments found or established in making the survey of this land division or required to be installed by provisions of this title.
    b. City or county boundary lines when crossing or adjacent to the land division.
    c. The location and width of streets and easements intersecting the boundary of lots and tracts.
    d. Tract, block and lot boundary lines; street rights-of-way with centerlines, dimensions, bearings, radii, arcs and central angles, points of curvature and tangent bearings. Tract boundaries, lot boundaries and street bearings shall be shown to the nearest second with basis of bearings. All distances shall be shown to the nearest one-hundredth foot.
    e. The width and location of existing and proposed easements and rights-of-way.

B. Residential surveys shall also include the following:

1. Lot and phase numbers beginning with the number one and numbered consecutively without omission or duplication.
2. Tracts to be dedicated to any public or private purpose shall be distinguished from lots intended for general development with notes stating their purpose and any limitations.
3. Building Envelopes. The plat shall identify the potentially buildable area, to include identification of required setbacks, and average slope for each building envelope, and certification that the soils within the building envelope are suitably compacted for residential development based on geotechnical evaluation.
4. Land Inventory. The land inventory shall include the following:
    a. Total acreage;
    b. Total developed acreage;
    c. Total lot area;
    d. Total infrastructure acreage (includes storm pond);
    e. Total tract area (if not included in subsections (d) or (f));
    f. Total acreage of critical areas (i.e., wetlands, steep slopes, buffer zones, stream beds, conservation areas);
    g. Total acreage of recreational open spaces (not included in subsections (e) or (f) i.e., that portion of land set aside for trails).

C. Statements. The plat shall include the following statements:

1. A certificate bearing the printed names of all persons having an interest in the subdivided land, signed by the persons and acknowledged by them before a notary public, consenting to the land division and reciting a dedication by them of all land shown on the plat to be dedicated for public uses, and a waiver by them and their successors of all claims for damages against any governmental authority arising from the construction and maintenance of public facilities and public property within the land division.
2. A certificate with the seal of and signature of the surveyor responsible for the survey and

preliminary plat: in accordance with RCW 58.09.080.

3. Certification of examination and approval by the county assessor.
4. Recording certificate for completion by the Clark County department of records and elections.
5. City of Camas finance director certificate that states there are no delinquent special assessments, and that all special assessments on any of the property that is dedicated as streets, alleys or for other public use are paid in full at the date of certification.
6. Certification by the public works director or designee that the developer has complied with the following:
    a. All improvements have been installed in accordance with the requirements of this title and with the preliminary plat approval;
    b. All improvements meet current public works drawing standards for road, utility and drainage construction plans;
    c. Original and reproducible mylar or electronic records in a format approved by the public works director or designee and certified by the designing engineer as being "as constructed" have been submitted for city records.
7. Certificate of dedication when required.

D. Monumentation.

1. Imprinted Monument. All monuments set in land division shall be at least one-half inch by twenty-four-inch steel bar or rod, or equivalent, with durable cap imprinted with the license number of the land surveyor setting the monument.
2. Centerline Monument. After paving, except as provided in CMC 17.19, monuments shall be driven flush with the finished road surface at the following intersections:
    a. Centerline intersections;
    b. Points of intersection of curves if placement falls within the paved area; otherwise, at the beginnings and endings of curves;
    c. Intersections of the plat boundaries and street center lines.
3. Property Line Monumentation. All front corners, rear corners, and beginnings and endings of curbs shall be set with monuments, except as provided in CMC 17.19. In cases where street curbs are concentric and/or parallel with front right-of-way lines, front property line monumentation may be provided by brass screws or concrete nails at the intersections of curb lines and the projections of side property lines. If curb monumentation is used, it shall be noted on the plat, and also that such monumentation is good for projection of line only and not for distance.
4. Post-monumentation. All monuments for exterior boundaries of the land division shall be set and referenced on the plat prior to plat recording. Interior monuments need not be set prior to recording if the developer certifies that the interior monuments shall be set within ninety days of final land division construction inspection by the public works department, and if the developer guarantees such interior monumentation.
5. Post-monumentation Bonding. In lieu of setting interior monuments prior to final plat recording as provided in CMC 17.19. The public works director may accept a performance bond in an amount and with surety and conditions satisfactory to the director or other secure method as the public works director may require, providing for and securing the actual setting of the interior monuments. (Ord. 2375 § 1 (part), 2004)

Chapter 17.05 ADMINISTRATION AND ENFORCEMENT

17.05.010 Planning control area.

17.05.020 Compliance required.

17.05.010 Planning control area.

There is hereby created within the city a planning control area consisting of all area within the city shown on the official map known as the zoning map. (Ord. 2375 § 1 (part), 2004)

17.05.020 Compliance required.

Every partitioning or division of land within the planning control area must comply with the regulations of this title, and must be approved in accordance with the procedures set forth in this title. (Ord. 2375 § 1 (part), 2004)

Chapter 17.07 BOUNDARY LINE ADJUSTMENTS

17.07.010 Purpose.

17.07.020 Scope.

17.07.030 Process.

17.07.040 Approval.

17.07.050 Recording.

17.07.060 Expiration.

17.07.010 Purpose.

It is the intent to provide an efficient and timely process that allows consistent review; to ensure such actions do not create non-conformities with zoning and other city regulations; to provide a permanent record of boundary line adjustments, and to ensure provisions are made for access and utility easements. (Ord. 2375 § 1 (part), 2004)

17.07.020 Scope.

This chapter applies to all boundary line adjustments, which do not otherwise occur as part of a short plat, subdivision, binding site plan or qualify as exempt under CMC 17.01.030(B). (Ord. 2375 § 1 (part), 2004)

17.07.030 Process.

Boundary line adjustments shall be processed as a type 1 decision as set forth in CMC 18.55.
A. Boundary line adjustments for the purpose of creating a buildable lot will require a survey and property monuments prior to final approval.
B. Boundary line adjustments for the purpose of enhancing an already buildable lot and not contributing to the building envelope, nor making either lot nonconforming to existing zoning minimums may be exempt from survey at the discretion of the community development director.

17.07.040 Approval.

In order to receive approval, the applicant must submit to the community development department a complete application, in quantities specified by the city, and meet the criteria for approval.

A. A complete application consists of the following:

1. A completed application on a form provided by the community development department and application fee.
2. A neat and readable plan, drawn to a standard decimal (engineer) scale.
3. Criteria. The preliminary plan shall require the following information:
    a. Property lines, with those that remain in their existing location shown as a solid line, those that are being moved or removed shown as a dashed line, and those that have been relocated shown as a solid line and clearly identified as a relocated line;
    b. Dimensions of all property lines and total square footage of the lots, before and after the adjustment;
    c. Location and footprint of all structures on the site and their setbacks from existing and newly created property lines;
    d. Location and purpose of all easements on the site;
    e. Location, purpose of any newly created or extended easements proposed;
    f. Location of adjacent public roads and points of access from the public road(s) if a lot does not front on a public road, show how and where access is provided;
    g. Calculations that demonstrate that required yard of all adjusted properties satisfy health and public safety requirements of the fire and building codes.

B. In order to approve a boundary line adjustment, the community development department shall determine the proposal complies with the following criteria:

1. No additional lots, sites, parcels, tracts or divisions are created.
2. The adjustment will not create non-conforming lots, with respect to zoning dimension and area standards, zoning setbacks and lot area coverage standards identified in CMC 18.09.
3. The degree of nonconformance on existing nonconforming lots with respect to zoning dimension and area standards, zoning setbacks and floor area ratio are not increased.
4. All lots have legal access to a public road. Existing required private access road improvements and easements are not diminished below city street standards for lots that are served by a private access road.
5. Existing easements for utilities conform to adopted standards for their intended function, or they are extended, moved or otherwise altered to an approved location. The applicant shall be responsible for the relocation of any installed utilities.
6. The adjustment does not create any nonconformity with respect to the adopted building code, fire code or any other locally administered regulation. (Ord. 2375 § 1 (part), 2004) 17.07.040

17.07.050 Recording.

A. Upon approval, prior to recording the boundary adjustment, the following must be submitted to the community development department for review and signature.

B. A checklist completed by the applicant and including the following:

1. Survey of the boundary line adjustment. In the event that the community development director has exempted the boundary line adjustment from survey, the property owner must submit an exhibit indicating new lot dimensions, placement of existing buildings on

the lots and the total square feet of the amended lots;
2. Before and after legal descriptions of the affected lots;
3. Affidavit of ownership; and
4. Other documentation necessary to demonstrate any conditions of the approval imposed as a result of a review has been met.

C. The applicant will be responsible for picking up the approved documents from the planning division and recording them with the Clark County auditor's office. A copy of the recorded documents must be returned to the planning division. (Ord. 2375 § 1 (part), 2004)

17.07.060 Expiration.

The boundary line adjustment application shall expire if it has not been recorded within one year from the date of approval. Upon written request from the applicant prior to the expiration date, the community development director is authorized to grant one extension, not to exceed six months. (Ord. 2375 § 1 (part), 2004)

Chapter 17.09 SHORT SUBDIVISIONS

17.09.010 Scope.

17.09.020 Decision process.

17.09.030 Preliminary short plat approval.

17.09.040 Final short plat approval.

17.09.050 Expiration.

17.09.060 Substantially complete--Issuance of building permit.

17.09.070 Limitations on further subdivision.

17.09.080 Contiguous short plats.

17.09.090 Final acceptance.

17.09.010 Scope.

A. Except as provided in CMC 17.01.030(B) or a binding site plan under Chapter 17.15, any land being divided into four or fewer, lots, sites or parcels for the purpose of conveyance, shall meet the requirements of this chapter.

B. Tracts may be in addition to the lot count provided that the tract is reserved as forested lands, part of the open space network, serving as storm water detention or set aside as an unbuildable area due to critical lands. (Ord. 2375 § 1 (part), 2004)

17.09.020 Decision process.

Applications for short plat approval shall be processed as a type II decision, subject to the provisions of CMC 18.55. (Ord. 2375 § 1 (part), 2004)

17.09.030 Preliminary short plat approval.

A. Pre-application.

1. In accordance with CMC 18.55, the applicant must proceed with the formal pre-application process prior to application submittal for review.
2. The applicant shall submit to the planning department the pre-application form and copies of their proposal drawn to an engineer scale on paper, showing lot sizes, topography and overall land dimensions.

B. Application/Fees. The following items are required, in quantities specified by the city of Camas, for a complete short plat application for preliminary approval. Items may be waived if, in the judgment of the community development director, they are not applicable to the proposal:

1. Completed preliminary short plat application form as prescribed by the community development director with the applicable application fee;
2. A completed application checklist;
3. A complete, signed SEPA checklist application, if required;
4. Complete and submit a transportation impact study to determine the adequacy of the transportation system to serve a proposed development and to mitigate impacts of the proposal on the surrounding transportation system;
5. Complete applications for other required land use approvals, (i.e., signage, conditional use, shoreline permit, entrance structures) applicable to the proposal;
6. Vicinity map showing location of the site; and
7. Site and development plans which provide the following information, drawn to an engineering scale on a standard sheet of paper and including the name of the plat, graphic scale and north arrow.
    a. The names of owners of adjacent land and the names of any adjacent subdivisions;
    b. Lines marking the boundaries of the existing lot(s) (any existing lot to be eliminated should be a dashed line and so noted);
    c. Locations of existing and proposed public street rights-of-way and easements and private access easements;
    d. Footprint and setbacks of all existing structures on the site;
    e. Lot area; lot line dimensions and average widths for each lot;
    f. Location of proposed new property lines and numbering of each lot;
    g. Location of proposed building envelopes;
    h. Location, dimensions and purpose of existing and proposed easements. Provide recorded documents that identify the nature and extent of existing easements;
    i. Location of any proposed dedications;
    j. Existing and proposed topography at two-foot contour intervals, extending to five feet beyond the project boundaries;
    k. Location of any critical areas, critical area buffers, and existing trees as required under Title 18 of this code;
    l. Description, location and size of existing and proposed storm drainage facilities; and
    m. Locations of all fire hydrants within five hundred feet of the proposal.

C. Review Procedures.

1. Referral to Other Departments. Upon receipt of an application for a short subdivision, the planning department shall transmit one copy of the application to any department or agency deemed necessary to review the proposal.
2. Additional Submittals. The review process will determine if additional studies or submittals are required with regard to SEPA, critical areas, archeological or historical significance. If further material is required, the review process will stop until the required

information is submitted to the planning department by the applicant in accordance with CMC 18.31 and CMC 18.55.

3. Proposed short subdivisions located adjacent to the right-of-way of state highways shall be submitted to the Washington Department of Transportation (WSDOT) for review, consideration and recommendation. This condition may be satisfied as part of the SEPA process. However if a SEPA checklist is not required, it is applicants responsibility to notify WSDOT of the proposal. Recommendations from Washington Department of Transportation shall be included in the conditions of approval for the short subdivision.
4. Community development director. The community development director or designee may approve, approve with modifications, or deny the application for a preliminary short plat.

D. Criteria for Preliminary Short Plat Approval. The community development director or designee shall base his decision on an application on the following criteria:

1. The proposed short plat is in conformance with the Camas comprehensive plan, neighborhood traffic management plan, Camas parks and open space plan, and any other city adopted plans;
2. Provisions have been made for water, storm drainage, erosion control and sanitary sewage disposal for the short plat which are consistent with current standards and plans as adopted in the Camas Design Standard Manual;
3. Provisions have been made for road, utilities and other improvements that are consistent with the six-year street plan, the Camas Design Standard Manual and other state adopted standards and plans;
4. Provisions have been made for dedications, easements and reservations;
5. Appropriate provisions are made to address all impacts identified by the transportation impact study;
6. The design, shape and orientation of the proposed lots are appropriate to the proposed use for which the lots are intended;
7. Provisions are made for the maintenance of commonly owned private facilities;
8. The short plat complies with the relevant requirements of the Camas land division code;
9. The short plat complies with the requirements of the Camas zoning code and other relevant local regulations; and
10. That the plat meets the requirements of Chapter 58.17 RCW and other applicable state and local laws which were in effect **at the time of preliminary plat approval. (Ord.** 2375 § 1 (part), 2004)

17.09.040 Final short plat approval.

A. Application. The following items are required, in quantities specified by the community development department, for a complete application for final plat approval. Items may be waived if in the judgment of the community development department the items are not applicable to the particular proposal:

1. Completed short plat final approval form and applicable fees;
2. Completed application checklist;
3. A plat certificate from title insurance company documenting the ownership and title of all interested parties in the plat, subdivision or dedication, and listing all encumbrances. The certificate must be dated within forty-five calendar days prior to the date of filing the application for final plat approval;
4. Documentation of the square footage of each lot and mathematical boundary closure of the subdivision, of each lot, tract and block, of street centerlines, showing the error of closure, if any;
5. Three copies of the final plat survey in conformance with the standards set forth in CMC 17.01.050 and CMC 17.09.020 as applicable;

6. Public improvements must either be complete or secured. If secured, the developer/owner must submit a subdivision improvement bond or other financial security in a form acceptable to the city attorney in the amount of one hundred five percent of improvement cost of deferred improvement per CMC 17.21.050(B)(1).
7. City installation of water services and/or sewer laterals shall be in accordance with CMC 13.36.050 with the exception of setting the meter, which will be completed at time of building permit issuance.
8. Any documentation necessary to demonstrate conditions of preliminary plat approval have been met; and
9. Private covenants intended to be recorded with the plat.

B. Final Approval Review Procedures.

1. Referral to Other Departments and Agencies. The planning division shall distribute the final plat to all departments and agencies receiving the preliminary plat, and to any other departments, special purpose districts and other governmental agencies deemed necessary to review the approval.
2. Departmental Approval. The community development department and other interested departments and agencies shall review the final plat and submit to the planning division written comments with respect to the final plat decision criteria.

C. Criteria for Final Plat Approval. The community development department may approve the final plat provided:

1. That the proposed final plat bears the required certificates and statements of approval;
2. That the facilities and improvements required to be provided by the subdivider have been completed or, alternatively, that the subdivider has submitted with the proposed final plat a subdivision improvement bond or other security in conformance with CMC 17.21;
3. That the land surveyor certifies the plat as accurate;
4. That the plat is in substantial conformance with the approved preliminary plat; and
5. That the plat meets the requirements of Chapter 58.17 RCW and other applicable state and local laws which were in effect at the time of preliminary plat approval.

D. Signing the Plat. Once approved, two mylar copies will be submitted for signature.

1. Signatures on the following certificates on the face of the plat from the surveyor that prepared the plat.
2. All necessary documents as identified in Section 17.01.050(C) of this code.
3. Signature and date lines for city engineer and fire chief, the Clark County recorder and Clark County auditor.

E. Filing the Plat. The applicant shall file the final plat with the Clark County department of records. The plat will be considered complete when the signed and recorded mylar copy of the plat is returned to the public works department. (Ord. 2375 § 1 (part), 2004)

17.09.050 Expiration.

If the short plat is not recorded within five years of the date of preliminary short plat approval, the short plat shall become null and void. Upon written request by the developer prior to the expiration date, the community development director may grant one extension of not more than one year. (Ord. 2375 § 1 (part), 2004)

17.09.060 Substantially complete--Issuance of building permit.

A. The developer must obtain a substantially complete certification by the community development department. The planning division shall distribute the substantially complete certificate upon request initiated by either the developer or the city.

B. Upon inspection and approval of improvements necessary for fire and life safety, the city will issue a notice to the developer that the short plat has been deemed substantially complete. This notice shall be forwarded to the building department for the express purpose of issuing building permits. No building permits for housing shall be issued in the short subdivision until it is deemed substantially complete.

C. Approval. A short subdivision shall be deemed substantially complete upon approval of the following:

1. The streets, utility, water and sewer lines have been installed and tested. The improvements have been inspected and approved by the engineering department.
2. Stormwater facilities must be complete and erosion control measures in place, all of which must be accepted by the engineering department.
3. Street signs must be in place, fire apparatus access complete to Uniform Fire Code standards, and fire hydrants shall be flow tested by a Washington State licensed fire sprinkler contractor. Flow test results shall be submitted to the fire department. Fire hydrant locations shall be verified by the fire department.
    a. Exception. Hydrant flow tests by a sprinkler contractor are not required when residential fire sprinklers are installed.
4. The design, shape and orientation of the proposed lots are appropriate to the proposed use. In addition to meeting the minimum lot size density requirement, each residential lot must provide a building envelope that allows a building that at least conforms to the developers own building restrictions (CC and R's). Therefore corner lots, lots with easements, or lots with environmental constraints may have to be larger than other lots in the subdivision.
5. All fees associated with the conditions of approval must be paid.
6. A performance bond (up to one year) may be posted to assure completion of punch list items. The bond must be submitted at the time the development is deemed substantially complete. The city reserves the right to exclude one or two items from the bond requirement. (Ord. 2375 § 1 (part), 2004)

17.09.070 Limitations on further subdivision.

Any land short platted shall not be further divided for a period of five years without following the provisions for subdivision. This provision applies to any lots, tracts or parcels recorded as part of the plat. (Ord. 2375 § 1 (part), 2004)

17.09.080 Contiguous short plats.

No application for a short plat shall be approved if the land being divided is held in common ownership with a contiguous parcel that has been divided in a short plat within the preceding five years. (Ord. 2375 § 1 (part), 2004)

17.09.090 Final acceptance.

A. Within sixty days of the substantially complete approval, the short plat shall be submitted to the public works department for final acceptance of the development improvements and commencement of two-year warranty bond.

B. The public works department shall accept all improvements within subdivisions and planned developments provided:

1. All improvements have been installed in accordance with the requirements of this

title and with the preliminary plat approval;

2. Approved plat and "as-constructed" engineering drawings have been submitted to the city in an electronic format approved by the city engineer;
3. Copies of any dedicated tracts, easement, Or lots as set forth in CIVIC Section 17.03.050 : and
4. Upon approval of the engineering department that the improvements are complete, a warranty bond equal to ten percent of the cost of the improvement for a period not to exceed two years shall be submitted to the city to warranty all public improvements in accordance with CIVIC Section 17.21.050(B)(2). Upon conferring with the engineering department, the planning division may grant an exception to this bonding requirement for certain outstanding items;

C. Binding maintenance agreements have been recorded to provide for the maintenance of commonly owned private facilities.

D. A short plat may receive final acceptance, exclusive of wetlands where three-year, five-year and ten-year monitoring plans require replacement vegetation and maintenance as part of the SEPA or wetland mitigation. However, a wetland bond may be required in the amount of the monitoring and maintenance.

E. The planning division will notify the building department to stop accepting permit applications and no permits shall be issued for any development that does not request final acceptance within sixty days of the substantially complete approval and the city shall enforce the subdivision improvement bond for completion of the subdivision.

F. Prior to expiration of the two-year period following acceptance of the improvements by the public works director, the engineering department shall re-inspect the required improvements. If there are no faults, the warranty bond will lapse at the end of the warranty period and the city accepts the improvements

Chapter 17.11 SUBDIVISIONS

17.11.010 Scope.

17.11.020 Decision process.

17.11.030 Preliminary subdivision plat approval.

17.11.040 Phasing.

17.11.050 Plat amendments and plat alterations.

17.11.060 Final subdivision plat approval.

17.11.070 Substantially complete--Issuance of building permits.

17.11.080 Limitations on further subdivision.

17.11.090 Final acceptance.

17.11.100 Expiration.

17.11.010 Scope.

Any land being divided into five or more parcels, lots, or sites, for the purpose of sale or gift, or any land that has been divided under the short subdivision procedures within five years and is not eligible for further short platting pursuant to CMC Section 17.09.010 shall conform to the procedures and requirements of this chapter. (Ord. 2375 § 1 (part), 2004)

17.11.020 Decision process.

Applications for preliminary plat approval shall be processed as type 3 decision subject to the provisions of CMC 18.55. (Ord. 2375 § 1 (part), 2004)

17.11.030 Preliminary subdivision plat approval.

A. Pre-application.

1. In accordance with CMC Chapter 18.55 the applicant must proceed with the formal pre-application process prior to application submittal review.
2. The applicant shall submit to the planning department the pre-application form and copies of their proposal drawn to an engineer scale on paper, showing lot sizes, topography, overall land dimensions, and fire hydrant locations within five hundred feet of the proposal.

B. Application. The following items are required, in quantities specified by planning division, for a complete application for preliminary short plat approval. Items may be waived if in the judgment of the community development director or designee the items are not applicable to the particular proposal:

1. Completed preliminary plat application form and fee;
2. Completed application checklist;
3. A complete and signed SEPA checklist application. The SEPA submittal should also include:
    a. Legal description (lot, block, quarter section, metes and bounds legal description not necessary for SEPA review);
    b. Vicinity map (no larger than eight and one-half inches by eleven inches);
    c. Proposed preliminary plat map no larger than eleven inches by seventeen inches (eight and one-half inches by eleven inches preferred if legible);
    d. A set of address labels for property owners within three hundred feet of the property (required as part of a consolidated review).
4. Complete applications for other required land use approvals;
5. A vicinity map showing location of the site;
6. A survey of existing significant trees as required under Title 18 of this code;
7. All existing conditions shall be delineated. Site and development plans shall provide the following information:
    a. A plat map meeting the standards identified in CMC 17.01.050;
    b. Owners of adjacent land and the names of any adjacent subdivisions;
    c. Lines marking the boundaries of the existing lot(s) (any existing lot to be eliminated should be a dashed line and so noted);
    d. Names, locations, widths and dimensions of existing and proposed public street rights-of-way and easements and private access easements, parks and other open spaces, reservations and utilities;
    e. Location of sidewalks, street lighting and street trees;
    f. Location, footprint and setbacks of all existing structures on the site;

g. Lot area, dimensions and average widths for each lot;
h. Location of proposed new property lines and numbering of each lot;
i. Location of the proposed building envelopes and sewer tanks;
j. Location, dimension and purpose of existing and proposed easements. Provide recorded documents that identify the nature and extent of existing easements;
k. Location of any proposed dedications;
l. Existing topography, field measured at two-foot contour intervals extending to five feet beyond project boundaries;
m. Location of any critical areas and critical area buffers indicate compliance with all applicable provisions of the critical areas legislation;
n. Description, location and size of existing and proposed utilities, storm drainage facilities and roads to serve the lots;
o. Finished floor elevations for lots located in flood plain;
p. Location of all existing fire hydrants within five hundred feet of the proposal.

8. Clark County assessor's maps which show the location of each property within three hundred feet of the subdivision;
    a. Applicant shall furnish one set mailing labels for all property owners and tenants (residents or businesses). The list shall be generated and certified from Clark County assessment and GIS or approved Clarkview Program.
    b. It is the intent of this requirement to notify neighbors of the proposed land use division. Therefore the list should include adjoining and adjacent property owners even though they may be outside of the three hundred feet area.
9. A copy of the conditions, covenants and restrictions intended to be recorded with the plat. This may be a draft, but should address ownership and maintenance of open spaces, storm water facilities, public trails and critical areas. It should also contain any proposed building conditions or restrictions; and
10. Complete and submit a transportation impact study to determine the adequacy of the transportation system to serve a proposed development and to mitigate impacts of the proposal on the surrounding transportation system.
11. A narrative addressing the applicable approval criteria and standards of the Camas Municipal Code.

C. Review Procedures.

1. Referral to Other Offices. Upon receipt of a complete preliminary plat application, the planning division shall transmit a notice of application and one copy of the preliminary plat to each of the following offices: public works, building department, and fire department. At the discretion of the community development director or designee other agencies and departments may be notified for their review of the proposal.
2. The review process shall follow the guidelines of CMC Chapter 18.55 for the subdivision proposal.
3. Public Notice and Public Hearing. The process for public notice, hearings, decisions and appeals shall be as provided for type 3 decisions as identified in CMC 18.55.

D. Criteria for Preliminary Plat Approval. The hearings examiner decision on an application for preliminary plat approval shall be based on the following criteria:

1. The proposed subdivision is in conformance with the Camas comprehensive plan, parks and open space comprehensive plan, neighborhood traffic management plan, and any other city adopted plans;
2. Provisions have been made for water, storm drainage, erosion control and sanitary sewage disposal for the subdivision that are consistent with current standards and plans as adopted in the Camas Design Standard Manual;
3. Provisions have been made for road, utilities, street lighting, street trees and other improvements that are consistent with the six-year street plan, the Camas Design

Standard Manual and other state adopted standards and plans;

4. Provisions have been made for dedications, easements and reservations;
5. The design, shape and orientation of the proposed lots are appropriate to the proposed use. In addition to meeting the minimum lot size density requirement, each residential lot must provide a building envelope that allows a building that at least conforms to the developers own building restrictions (CC and R's). Therefore corner lots, lots with easements, or lots with environmental constraints may have to be larger than other lots in the subdivision;
6. The subdivision complies with the relevant requirements of the Camas subdivision and zoning codes, and all other relevant local regulations;
7. Appropriate provisions are made to address all impacts identified by the transportation impact study;
8. Appropriate provisions for maintenance of privately owned common facilities have been made;
9. Appropriate provisions, in accordance with RCW 58.17.110, are made for:
    a. The public health, safety, and general welfare and for such open spaces, drainage ways, streets, or roads, alleys or other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and
    b. The public use and interest will be served by the platting of such subdivision and dedication.
10. The application and plans shall be consistent with the applicable regulations of the adopted comprehensive plans, shoreline master plan, state and local environmental acts and ordinances in accordance with RCW 36.70B.030. (Ord. 2375 § 1 (part), 2004)

17.11.040 Phasing.

The subdivider may develop and record the subdivision in phases. Any phasing proposal shall be submitted for city council review at preliminary plat. Approval of the phasing plan shall be based upon making the following findings:

A. The phasing plan includes all land contained within the approved preliminary plat, including areas where off-site improvements are being made.

B. The sequence and timing of development is identified on a map.

C. Each phase shall consist of a contiguous group of lots that meets all pertinent development standards on its own. The phase cannot rely on future phases for meeting any city codes with the exception of storm drainage facilities. Storm drainage must be adequate for each phase, and the storm water plan must adequately meet the needs of the entire development. Storm drainage facility must be included in the first phase.

D. Each phase provides adequate circulation and utilities. Public works has determined that all street and other public improvements, including but not limited to erosion control improvements, are assured. Deferment of some improvements may be allowed pursuant to CMC Chapter 17.21.

E. As phases are completed, any changes to the phasing plan shall be approved by the hearings examiner. If in the opinion of the community development director, the changes are significant, the community development director may request a formal replat submittal to be reviewed by the hearings examiner.

F. Specific improvements necessary for the entire development may be required to be completed with the first phase, regardless of phase design or completion schedule of future phases, i.e., storm pond must be completed prior to obtaining substantially complete for the first phase regardless of area where storm pond is located. (Ord. 2375 § 1 (part), 2004)

17.11.050 Plat amendments and plat alterations.

A. Plat amendments are amendments to an approved preliminary plat and are classified as either minor amendments or major amendments. Minor amendments are those modifications that may alter dimensions of lots, location of lots and infrastructure, alignment of roads, and other similar modifications that do not affect the overall character of the development. Any increase or substantial decrease in lots, reduction in open space, or other substantial modification that alters the character of the development is a major modification. Minor modifications are a type I decision, and major modifications are a type III decision.
B. An application for a plat amendment may be made at any time until a preliminary plat or approval has expired under CMC Section 17.11.100.
C. An amended plat proposal shall be submitted on an application satisfying all the criteria of Section 17.11.030(B) of this chapter. The community development director shall have the discretion to determine whether a new SEPA checklist application need be submitted and whether storm water, transportation, geotechnical and other studies need to be revised or updated. A revised plat shall be submitted showing the location of lots, tracts, blocks, streets of the previous plat in dotted lines, and the proposed revisions in solid lines.
D. An approval for a plat amendment shall expire at the same time as the original preliminary plat approval, unless the expiration date is extended pursuant to CMC Section 17.11.100.
E. Plat alterations are modifications to a final plat. Plat alterations are a type III decision and shall be processed as provided in RCW 58.17.215. (Ord. 2375 § 1 (part), 2004)

17.11.060 Final subdivision plat approval.

A. Application. The following items are required, in quantities specified by the community development department, for a complete application for final plat approval. Items may be waived if in the judgment of the community development department the items are not applicable to the particular proposal:

1. Completed subdivision final approval form and applicable fees;
2. Completed application checklist;
3. Documentation of the square footage of each lot and mathematical boundary closure of the subdivision, of each lot, tract and block, of street centerlines, showing the error of closure, if any;
4. Three copies of the final plat survey in conformance with the standards set forth in CMC Sections 17.01.050 and 17.11.020, as applicable;
5. A plat certificate from title insurance company documenting the ownership and title of all interested parties in the plat, subdivision or dedication, and listing all encumbrances. The certificate must be dated within forty-five calendar days prior to the date of filing the application for final plat approval;
6. Public improvements must either be complete or secured. If secured, the developer/owner must submit a subdivision improvement bond or other financial security in a form acceptable to the city attorney in the amount of one hundred five percent of improvement cost of deferred improvement and in accordance with CMC 17.21.050(B)(1);
7. Any documentation necessary to demonstrate conditions of preliminary plat approval have been met; and
8. Private covenants intended to be recorded with the plat.

B. Final Approval Review Procedures.

1. Referral to Other Departments and Agencies. The planning division shall distribute the final plat to all departments and agencies receiving the preliminary plat, and to any other departments, special purpose districts and other governmental agencies deemed

necessary.

2. Departmental Approval. The community development department and other interested departments and agencies shall review the final plat, legal descriptions and lot closures and submit to the planning division written comments with respect to the final plat decision criteria.
3. The planning department shall return the redlined plats with all department comments to the applicant's architect or engineer, and a copy of the comments to the applicant.
4. An eight and one-half inches by eleven inches copy of the revised final plat should be delivered to the planning department prior to the city council meeting.

C. Criteria for Final Plat Approval. The city council may approve the final plat approval provided:

1. That the proposed final plat bears the required certificates and statements of approval;
2. That a title insurance report furnished by the developer/owner confirms the title of the land, and the proposed subdivision is vested in the name of the owner(s) whose signature(s) appears on the plat certificate;
3. That the facilities and improvements required to be provided by the developer/owner have been completed or, alternatively, that the developer/owner has submitted with the proposed final plat a subdivision improvement bond or other security in conformance with CMC 17.21.040;
4. That the plat is certified as accurate by the land surveyor responsible for the plat;
5. That the plat is in conformance with the approved preliminary plat; and
6. That the plat meets the requirements of Chapter 58.17 RCW and other applicable state and local laws which were in effect at the time of preliminary plat approval.

D. Designing the Plat. Once approved, mylars will be submitted for signature.

1. Signatures on the following certificates on the face of the plat from the surveyor that prepared the plat, the Clark County treasurer, owner's affidavit and certificate of dedication as identified in CMC 17.01.050(B).
2. Signature and date lines for city engineer, fire chief, the mayor and attested by the city clerk.

E. Filing the Plat. The applicant shall file the final plat with the recording division of the Clark County auditor's office. The plat will be considered complete when a copy of the recorded documents is returned to the city of Camas public works department. (Ord. 2375 § 1 (part), 2004)

17.11.070 Substantially complete--Issuance of building permits.

A. The developer must obtain a substantially complete certification by the community development director. The planning division shall distribute the substantially complete certificate upon request by either the developer or the city.

B. Upon inspection and approval of improvements necessary to occupy dwelling units, the city will issue a notice to the developer/owner that the subdivision or subdivision phase has been deemed substantially complete. This notice shall be forwarded to the building department for the express purpose of issuing building permits. No building permits for housing shall be issued in the subdivision until it is deemed substantially complete.

C. Approval. A subdivision or subdivision phase shall be deemed substantially complete upon approval of the following:

1. The streets have been paved, inspected and approved, and the water lines have been installed, tested and approved by the engineering department;
2. Storm water facilities must be complete and erosion control measures in place, all of which must be accepted by the building and engineering department;
3. Street signs must be in place, fire apparatus access complete to Uniform Fire Code standards, and fire hydrants shall be flow tested by a Washington State licensed fire

sprinkler contractor. Flow test results shall be submitted to the fire department. Fire hydrant locations shall be verified by the fire department;

   a. Exception. Hydrant flow tests by a sprinkler contractor are not required when residential fire sprinklers are installed.

4. Any fill in the building envelope must be engineered fill and approved by the licensed engineer of record. Any non-structural fill must be removed from the building envelope;
5. All fees associated with the conditions of approval must be paid; and
6. A performance bond (up to one year) may be posted to assure completion of any outstanding punch list items. The bond must be submitted at the time the development is deemed substantially complete. The city reserves the right to exclude one or two items from this bond requirement. (Ord. 2375 § 1 (part), 2004)

17.11.080 Limitations on further subdivision.

Any land subdivided shall not be further divided for a period of five years. This provision applies to any lots, tracts, or parcels recorded as part of the plat. (Ord. 2375 § 1 (part), 2004)

17.11.090 Final acceptance.

A. Within sixty days of the substantially complete approval, the subdivision or subdivision phase shall be submitted to the planning division for final acceptance of the development improvements and commencement of two-year warranty bond.

B. The city council shall accept all improvements within subdivisions and planned developments provided:

1. All improvements have been installed in accordance with the requirements of this title and with the preliminary plat approval. (RCW 58.17.130, reference the last sentence);
2. Approved plat and "as-constructed" engineering drawings have been submitted to the city in an electronic format approved by public works;
3. Copies of any dedicated tracts, easements, or lots as set forth in CMC Section 17.03.050;
4. Upon approval of the engineering department that the improvements are complete, a warranty bond equal to ten percent of the cost of the improvement for a period not to exceed two years shall be submitted to the city to warranty all public improvements in accordance with CMC Section 17.21.050(B)(2). Upon conferring with the engineering department, the planning division may grant an exception to this bonding requirement for certain outstanding items; and
5. Binding maintenance agreements to provide for the maintenance of commonly owned private facilities.

C. A phase or subdivision may receive final acceptance, exclusive of wetlands where three-year, five-year and ten-year monitoring plans require replacement vegetation and maintenance as part of the SEPA or wetland mitigation. However, a wetland bond may be required in the amount of the monitoring and maintenance.

D. The planning division will notify the building department to stop accepting permit applications and no permits shall be issued for any development that does not request final acceptance within sixty days of the substantially complete approval and the city shall enforce the subdivision improvement bond for completion of the subdivision.

E. Prior to expiration of the two-year period following acceptance of the improvements by the city council, the engineering department shall reinspect the required improvements. If there are no faults, the warranty bond will lapse at the end of the warranty period and the city accepts the improvements. (Ord. 2375 § 1 (part), 2004)

17.11.100 Expiration.

A. The subdivision approval shall expire within five years from the date of preliminary plat approval by city council. The applicant may request in writing prior to the expiration of the five years, a request to city council for a one-year extension.
B. For an application timely submitted pursuant to terms of CMC Section 17.11.040, city council may, upon approval of the preliminary plat, extend the proposed timeline for phased development to seven years maximum from date of preliminary approval to the final plat of the last phase.
C. Expired subdivisions, or expired phases of subdivisions must make a new land use application, and shall not be permitted to amend or revise the expired preliminary plats. (Ord. 2375 § 1 (part), 2004)

Chapter 17.13 PLANNED DEVELOPMENTS*

Note to Chapter 17.13*

17.13.010 Phasing.

17.13.020 Plat amendments and plat alterations.

17.13.030 Final plat approval.

17.13.040 Substantially complete--Issuance of building permits.

17.13.050 Limitations on further land division.

17.13.060 Final acceptance.

17.13.070 Expiration.

Note to Chapter 17.13*

* Planned developments shall be established in accordance with CMC Chapter 18.23.

17.13.010 Phasing.

The subdivider may develop and record the planned residential development in phases. Any phasing proposal shall be submitted for city council review at the time at which a final plat for the first phase is submitted. Approval of the phasing plan shall be based upon making the following findings:
A. The phasing plan includes all land contained within the approved preliminary plat, including areas where off-site improvements are being made.
B. The sequence and timing of development is identified on a map.
C. Each phase shall consist of a contiguous group of lots that meets all pertinent development standards on its own. The phase cannot rely on future phases for meeting any city codes with the exception of storm drainage facilities. Storm drainage must be adequate for each phase, and the storm water plan must adequately meet the needs of the entire development. Storm drainage facility must be included in the first phase.
D. Each phase provides adequate circulation and utilities. Public works has determined that all

street and other public improvements, including but not limited to erosion control improvements, are assured. Deferment of some improvements may be allowed pursuant to CMC Chapter 17.21.
E. As phases are completed, any changes to the phasing plan, or the future phases including street configurations, lot sizes, and/or number of lots within the phase shall be presented to the planning manager for review. If in the opinion of the planning manager, the changes are significant, the planning manager may request a formal replat submittal to be reviewed by city council. In accordance with CMC Section 17.13.020.
F. Specific improvements necessary for the entire development may be required to be completed with the first phase, regardless of phase design or completion schedule of future phases, i.e., storm pond must be completed prior to obtaining substantially complete for the first phase regardless of area where storm pond is located. (Ord. 2375 § 1 (part), 2004)

17.13.020 Plat amendments and plat alterations.

Plat amendments and plat alterations of planned residential developments shall be subject to CMC Section 17.11.050. (Ord. 2375 § 1 (part), 2004)

17.13.030 Final plat approval.

City council may approve the final plat in accordance with the provisions of CMC Section 18.23.100.
A. Application. The following items are required, in quantities specified by the planning manager, for a complete application forfinal plat approval. Items may be waived if in the judgment of the planning manager the items are not applicable to the particular proposal:

1. Completed planned residential development final plat approval form and applicable fees;
2. Completed application checklist;
3. Documentation of the square footage of each lot and mathematical boundary closure of the subdivision, of each lot, tract and block, of street centerlines, showing the error of closure, if any;
4. Three copies of the final plat survey in conformance with the standards set forth in CMC Sections 17.01.050 and 17.11.020, as applicable;
5. A plat certificate from title insurance company documenting the ownership and title of all interested parties in the plat, subdivision or dedication, and listing all encumbrances. The certificate must be dated within forty-five calendar days prior to the date of filing the application for final plat approval;
6. Public improvements must either be complete or secured. If secured, the developer/owner must submit a subdivision improvement bond or other financial security in a form acceptable to the city attorney in the amount of one hundred five percent of improvement cost of deferred improvement pursuant to Section 17.21.050(B)(1) of this code;
7. Any documentation necessary to demonstrate conditions of preliminary plat approval have been met; and
8. Private covenants intended to be recorded with the plat.

B. Final Approval Review Procedures.

1. Referral to Other Departments and Agencies. The planning division shall distribute the final plat to all departments and agencies receiving the preliminary plat, and to any other departments, special purpose districts and other governmental agencies deemed necessary.
2. Departmental Approval. The public works department and other interested departments and agencies shall review the final plat, legal descriptions and lot closures and submit to the planning department written comments with respect to the final plat decision criteria.

3. The planning department shall return the redlined plats with all department comments to the applicant's architect or engineer, and a copy of the comments to the applicant.
4. An eight and one-half inches by eleven inches copy of the revised final plat should be delivered to the planning department prior to the city council meeting.

C. Criteria for Final Plat.

1. That the proposed final plat bears the required certificates and statements of approval;
2. That the facilities and improvements required to be provided by the subdivider have been completed or, alternatively, that the subdivider has submitted with the proposed final plat a subdivision improvement bond or other security in conformance with CMC Chapter 17.21;
3. That the plat is certified as accurate by the land surveyor responsible for the plat;
4. That the plat is in conformance with the approved preliminary plat; and
5. That the plat meets the requirements of Chapter 58.17 RCW and other applicable state and local laws which were in effect at the time of preliminary plat approval.

D. Signing the Plat. Once approved by city council, mylars will be submitted for signature.

1. Signatures on the following certificates on the face of the plat from the surveyor that prepared the plat, the Clark County Treasurer, owner's affidavit and certificate of dedication as identified in Section 17.01.050(B) of this code.
2. Signature and date lines for city engineer, fire chief, planning commission chair, the mayor and attested by the city clerk.

E. Filing the Plat. The applicant shall file the final plat with the Clark County department of records. The plat will be considered complete when a copy of the recorded documents is returned to the public works department. (Ord. 2375 § 1 (part), 2004)

17.13.040 Substantially complete--Issuance of building permits.

A. The subdivider must obtain a substantially complete certification by the planning manager. The planning division shall distribute the substantially complete certificate upon request by either the developer or the city.

B. Upon inspection and approval of improvements necessary to occupy dwelling units, the city will issue a notice to the developer that the planned development or planned development phase has been deemed substantially complete. This notice shall be forwarded to the building department for the express purpose of issuing building permits. No building permits for housing shall be issued in the planned residential development until it is deemed substantially complete.

C. Approval. A planned development or planned development phase shall be deemed substantially complete upon approval of the following:

1. The streets have been paved, inspected and approved, and the water lines have been installed, tested and approved by the engineering department;
2. Storm water facilities must be complete and erosion control measures in place, all of which must be accepted by the engineering department;
3. Street signs must be in place, fire apparatus access complete to Uniform Fire Code standards, and fire hydrants shall be flow tested by a Washington State licensed fire sprinkler contractor. Flow test results shall be submitted to the fire department. Fire hydrant locations shall be verified by the fire department;
    a. Exception. Hydrant flow tests by a sprinkler contractor are not required when residential fire sprinklers are installed.
4. The building envelopes have been inspected and approved as buildable lots by the building department. Any fill in the building envelope must be engineered fill and approved by the building department or it must be removed from the building envelope;
5. All fees associated with the conditions of approval must be paid; and
6. A performance bond (up to one year) may be posted to assure completion of any

outstanding punch list items. The bond must be submitted at the time the development is deemed substantially complete. The city reserves the right to exclude one or two items from this bond requirement. (Ord. 2375 § 1 (part), 2004)

17.13.050 Limitations on further land division.

Any land subdivided shall not be further divided for a period of five years. This provision applies to any lots, tracts, or parcels recorded as part of the plat. (Ord. 2375 § 1 (part), 2004)

17.13.060 Final acceptance.

A. Within sixty days of the substantially complete approval, the planned development or planned development phase shall be submitted to the planning division for final acceptance of the development improvements and commencement of two-year warranty bond.
B. The city council shall accept all improvements within planned developments and subdivisions provided:

1. All improvements have been installed in accordance with the requirements of this title and with the preliminary plat approval;
2. Approved plat and "as-constructed" engineering drawings have been submitted to the city in an electronic format approved by public works;
3. Copies of any dedicated tracts, easements, or lots as set forth in CMC 17.03.050;
4. A warranty bond equal to ten percent of the cost of the improvements for a period not to exceed two years shall be submitted to the city to warranty all public improvements in accordance with CMC 17.21.040(B)(1). Upon conferring with the engineering department, the planning division may grant an exception to this bonding requirement for certain outstanding items; and
5. Binding maintenance agreements to provide for the maintenance of commonly owned private facilities.

C. A phase or planned development may receive final acceptance, exclusive of wetlands where three-year, five-year or ten-year monitoring plans require replacement vegetation and maintenance as part of the SEPA or wetland mitigation. However, a wetland bond may be required in the amount of the monitoring and maintenance.
D. The planning division will notify the building department to stop issuing building permits for any development that does not request final acceptance within the sixty days of the substantially complete approval.
E. Within sixty days expiration of the two-year period following acceptance of the improvements by the city council, the engineering department shall reinspect the required improvements. If there are no faults, the warranty bond will lapse at the end of the warranty period and the city accepts the improvements. (Ord. 2375 § 1 (part), 2004)

17.13.070 Expiration.

The planned development approval shall expire within five years from the date of preliminary plat approval by city council. The applicant may request in writing prior to the expiration of the five years, a request to council for a one-year extension.
A. On application timely submitted pursuant to terms of this Section 17.11.040, city council may, upon approval of the preliminary plat, extend the proposed timeline for phased development to seven years maximum from date of preliminary approval to the final plat of the last phase.
B. Expired subdivisions, or expired phases of subdivisions must make a new land use application, and shall not be permitted to amend or revise the preliminary plats. (Ord. 2375 § 1 (part), 2004)

Chapter 17.15 BINDING SITE PLAN (BSP)

17.15.010 Purpose.

17.15.020 Scope.

17.15.030 Preliminary binding site plan (BSP) approval.

17.15.040 Final approval of plan.

17.15.050 Improvements.

17.15.060 Revision of plan.

17.15.010 Purpose.

This chapter is established to accommodate the division of land for the purpose of sale or lease of property within an integrated commercial or industrial center. This land division allows certain zoning standards including, for example, minimum parking, setbacks, landscaping, lot area and lot dimension on the individual lots to be modified provided the standards for the entire center are met. (Ord. 2375 § 1 (part), 2004)

17.15.020 Scope.

A binding site plan application may be submitted for a project located on any land zoned commercial or industrial, which is being divided for the purpose of sale or lease consistent with the terms of this chapter. (Ord. 2375 § 1 (part), 2004)

17.15.030 Preliminary binding site plan (BSP) approval.

A. Application/Fees. The following items are required, in quantities specified by public works department, for a complete binding site plan (BSP) application. Items may be waived if in the judgment of the public works director the items are not applicable to the particular proposal:

1. Completed binding site plan application form as prescribed by the public works department director with the appropriate fee;
2. Completed application checklist;
3. That a title insurance report furnished by the developer/owner confirms the title of the land, and the proposed subdivision is vested in the name of the owner(s) whose signature(s) appears on the plat certificate;
4. A complete SEPA checklist application if required. The SEPA submittal should also include:
    a. Legal description (lot, block, quarter section, section, township, and range);
    b. Vicinity map (no larger than eight and one-half inches by eleven inches); and
    c. Proposed BSP no larger than eleven inches by seventeen inches (eight and one-half inches by eleven inches preferred if legible).
5. Complete applications for other required land use approvals;
6. Vicinity map showing location of the site;
7. A survey prepared to the standards specified in CMC 17.01.050;

8. Site and development plans that provide the following information. The plans shall be neat and accurate on a decimal scale sufficient in size and detail to demonstrate the BSP meets the ordinance requirements, on paper sheets in record of survey format:
    a. The owners of adjacent land and the names of any adjacent subdivisions;
    b. Lines making the boundaries of the existing lot(s) (any existing lot to be eliminated should be a dashed line and so noted);
    c. Names, locations, widths and dimensions of existing and proposed public street rights-of-way and easements and private access easements, parks and other open spaces, reservations and utilities;
    d. Location of sidewalks, street lighting, and street trees;
    e. Location, footprint and setbacks of all existing structures on the site;
    f. Lot area; lot line dimensions and average widths for each lot;
    g. Location of proposed new property lines and numbering of each lot;
    h. Location of proposed dedications;
    i. Existing and proposed topography at two-foot contour intervals extending to five feet beyond the project boundaries;
    j. Location of critical areas and critical area buffers. Indicate compliance with all applicable provisions of the critical areas legislation;
    k. Description, location and size of existing and proposed utilities, fire hydrants, storm drainage facilities and roads to serve the lots;
    l. Expected location of new buildings and driveways, including finished floor elevations of the buildings;
    m. Demonstrate that the parking calculations meet requirements of CMC Chapter 18.11;
    n. Proposed cross easement and maintenance agreement for shared parking, circulation, utility and landscaping improvements;
    o. Legal descriptions of all tracts located within the boundaries of the BSP; and
    p. Other items as may be required by code.

B. Review Procedures. An application for binding site plan shall be reviewed and acted upon in the same manner prescribed in Chapter 17.09 for short subdivisions.

C. Approval Criteria.

1. Prior to approval of any binding site plan, the public works director shall insure that the following improvements are provided to sufficiently service the anticipated uses throughout the proposed plan and meet the following decision criteria:
    a. Provisions have been made for water, storm drainage, erosion control and sanitary sewer disposal that are consistent with the Camas Design Standard Manual and other state adopted standards and plans;
    b. Provisions for road, utilities, street lighting, street trees, access to off street parking and loading and other improvements consistent with the six-year street plan, the Camas Design Standard Manual and other state adopted standards and plans;
    c. Street signs must be in place, fire apparatus access complete to Uniform Fire Code standards, and fire hydrants shall be flow tested by a Washington State licensed fire sprinkler contractor. Flow test results shall be submitted to the fire department. Fire hydrant locations shall be verified by the fire department;
    d. Provisions have been made for all public dedications, and/or easements; and
    e. Monumentation of all exterior site corners.
2. The site is zoned commercial or industrial and meets the definition of an integrated site.
3. Appropriate easements and maintenance agreements for shared facilities, including but not limited to, circulation, parking, utilities and landscaping, have been provided.
4. When taken as a whole, and not considering any interior lot lines, the integrated site

meets all the zoning and subdivision requirements.

5. Modifications to the minimum zoning standards for individual lots located within the integrated site, including setbacks, parking, landscaping, lot area and lot dimension are not detrimental to the public health, safety and welfare, do not adversely affect the rest of the integrated site or other properties in the vicinity.
6. Common improvements necessary to serve any particular phase of development must be sufficient for meeting the zoning and subdivision requirements for that phase.
7. The circulation system incorporates appropriate provisions for safe pedestrian activity to the site from the street and from building to building within the site.
8. The sign regulations shall be applied to the integrated site as a whole. For example, the number of freestanding signs allowed is based on one site within the binding site plan. Individual ownership within the integrated site are not considered to be separate sites in determining the number of freestanding signs allowed.
9. Comply with yard requirements of the Uniform Building Code. (Ord. 2375 § 1 (part), 2004)

17.15.040 Final approval of plan.

A. Prior to the plan being granted final approval a survey, prepared by a licensed surveyor to the standards contained in CMC 17.01.050, shall be submitted to the public works director with the final plan. The survey and plan shall be consistent with the preliminary approval.
B. Once the public works director determines the survey, plan and other documents for recording are consistent with the preliminary approval, it will be certified for filing by the public works director.
C. After being certified for filing by the public works director, binding site plans and survey shall be filed by the applicant with the Clark County department of records and elections. The applicant shall pay all costs associated with this filing.
D. A copy of the recorded documents shall be returned to the city planning department prior to issuance of any building permits for construction within the site. (Ord. 2375 § 1 (part), 2004)

17.15.050 Improvements.

Prior to the issuance of a building permit for construction within a binding site plan, all improvements required to adequately service that portion of the plan for which the building permit will be issued shall be installed or bonded in accordance with CMC 17.19 and 17.21. (Ord. 2375 § 1 (part), 2004)

17.15.060 Revision of plan.

Alteration of an approved and recorded binding site plan shall be accomplished by application to the public works director as set forth in CMC 18.55. (Ord. 2375 § 1 (part), 2004)

Chapter 17.19 DESIGN AND IMPROVEMENT STANDARDS

17.19.010 Applicability.

17.19.020 Improvements, supervision, inspections and permits required.

17.19.030 Tract, block and lot standards.

17.19.040 Infrastructure standards.

17.19.010 Applicability.

The standards set forth within this chapter are minimum standards applicable to land development. Based on the complexity or circumstances of the project or site conditions location (e.g. critical areas), the decision maker may require a land development to be designed to exceed the minimum standards or impose conditions deemed in the public interest.

17.19.020 Improvements, supervision, inspections and permits required.

A. Required Improvements.

1. Every developer shall be required to grade and pave streets and alleys, install curbs and gutters, sidewalks, monuments, sanitary and storm sewers, water mains, fire hydrants, street lights and street name signs, underground transmission lines, together with all appurtenances in accordance with specifications and standards in the Camas Design Standard Manual, the six-year street plan, the Puget Sound Storm Water Manual and other state and local adopted standards and plans as may be applicable.
2. Other improvements installed at the option of the developer shall conform to city requirements.
3. Existing wells, septic tanks and septic drain fields shall be abandoned, in accordance with state and county guidelines regardless of lots or properties served by such utility unless otherwise approved by public works director.

B. Supervision and Inspection.

The city engineering department shall be responsible for the supervision and inspection of all improvements required as a condition of a land use. All improvements shall be certified in writing as completed in accordance with plans and specifications.

C. Permits.

Prior to proceeding with any improvements, the applicant shall obtain those permits from the city as are necessary. The applicant is also responsible for complying with all applicable permit requirements of other federal, state and local agencies. (Ord. 2375 § 1 (part), 2004)

17.19.030 Tract, block and lot standards.

A. Environmental Considerations.

1. Critical Areas. Land that contains a critical area or its buffer as defined in Title 18 of this code, or is subject to the flood hazard regulations, shall be platted to show the standards and requirements of the critical areas.
2. Vegetation. In addition to meeting the requirements of CMC Chapter 18.31, Tree Regulations, every reasonable effort shall be made to preserve existing significant trees and vegetation, and integrate them into the land use design.
3. Density transfers may be applicable if developer preserves critical areas. See Chapter 18.09.

B. Blocks. Blocks shall be wide enough to allow two tiers of lots, except where abutting a major street or prevented by topographical conditions or size of the property, in which case the city council may approve a single tier.

C. Compatibility with Existing Land Use and Plans.

1. Buffer Between Uses. Where single-family residential lots are to be adjacent to multiple-family, commercial or industrial land use districts, and where natural separation does not exist, adequate landscape buffer strips and/or solid fences for purposes of buffering

sound, restricting access, pedestrian safety and privacy shall be provided.

2. Conformity with Existing Plans. The location of all streets shall conform to any adopted plans for streets in the city. The proposed land use shall respond to and complement city ordinances, resolutions, and comprehensive plans.
3. Other City Regulations. All land use shall comply with all adopted city regulations. In the event of a conflict, the more restrictive regulation shall apply.
4. Accessory Structures. If land development would result in an accessory structure remaining alone on a lot, the structure must be demolished before final plat approval.

D. Lots. The lot size, width, shape and orientation shall conform to zoning provisions and the following:

1. Each lot must have frontage and access onto a public street, except as may otherwise be provided (eg. approved private roads);
2. Side lot lines. The side lines of lots shall run at right angles to the street upon which the lots face, as far as practicable, or on curved streets they shall be radial to the curve;
3. Building envelopes. No lot shall be created without a building envelope of a size and configuration suitable for the type of development anticipated;
    a. For single-family detached housing, a suitable size and configuration generally includes a building envelope capable of siting a forty-foot by forty-foot square dwelling within the building envelope.
    b. Other factors in considering the suitability of the size and configuration of any residential lot include the presence of, or proximity to critical areas, adjoining uses or zones, egress and ingress, and necessary cuts and fills.
4. Where property is zoned and planned for commercial or industrial use, in conformance to the intent of the comprehensive plan, other lot dimensions and areas may be permitted at the discretion of the city council.
5. Flag lots and private roads may be permitted only when the community development director or designee finds the applicant meets the criteria listed hereinafter:
    a. The pole of a flag lot must be a minimum of twenty feet wide with a minimum of 12 feet of pavement and shall serve no more than one lot;
    b. The structure(s) accessed by a flag lot or private road will be required to furnish a minimum of two off-street parking spaces per residential unit. Under no circumstances will required parking be allowed along the flag pole lot;
    c. Primary structure accessed by flag lots or private roads are required to have automatic fire sprinklers;
    d. An approved address sign, in accordance with the Camas Municipal Code must be posted for each residence where the flat lot leaves the public road; and
    e. To protect the character of the immediate neighborhood, the city may impose special conditions, where feasible, including access configuration and separation, setbacks, fencing, and landscaping.
6. Double Frontage Lots. Residential lots which have street frontage along two opposite lot lines shall be avoided, except for lots which provide separation of a residential development from a traffic arterial, in which case additional lot depth of at least twenty feet will be provided to act as a buffer strip between the lot and the traffic arterial;
7. Corner Lots. Corner lots may be required to be platted with additional width to allow for the additional side yard requirements; and
8. Restricted Corner Lots. Corner lots restricted from access on side yard flanking street shall be treated as interior lots and conform to front, side and rear yard interior setbacks of CMC 18.09;
9. Redivision. In dividing tracts into large lots which at some future time are likely to be redivided, the location of lot lines and other details of the layout shall be such that redivision may readily take place without violating the requirements of these regulations

and without interfering with the orderly development of streets. Restriction of building locations in relationship to future street right-of-way shall be made a matter of record if the approval authority considers it necessary.

E. Tracts and Trails.

1. If land division is located in the area of an officially designated trail, in accordance with the parks and recreation comprehensive plan, provisions shall be made for reservation of the right-of-way or for easements to the city for trail purposes.
2. **Trails shall be shown as a separate layer on computer disk submitted with "as-builts"** prior to final acceptance.
3. Trails, which are dedicated to the city and part of the regional trail system, shall be surveyed and dedicated by the developer prior to final acceptance.
4. Tracts and trails that are not dedicated to the city and are located within the subdivision, short plat or planned development are the responsibility of the homeowners to maintain. Provisions must be in writing informing the homeowners of the responsibility and outlining the maintenance procedures in accordance with city standards.

F. Landscaping.

1. With the exception of flag lots, each dwelling unit within a new development shall be landscaped with at least one tree in the planting strip of the right-of-way, or similar location in the front yard of each dwelling unit. Required trees shall be a minimum two-inch diameter at breast height (dbh) to create a uniform streetscape (dbh is four and one-half feet above the ground as measured from upside of tree).
2. The City Council finds that the existing mature landscaping of trees, and shrubs provide oxygen, filter the air, contribute to soil conservation and control erosion, as well as provide the residents with aesthetic and historic benefits. For these reasons, the city encourages the retention of existing trees that are not already protected as significant trees under the Camas Municipal Code. Generally, the city may allow the tree requirements under (1) above to be reduced at the request of the developer, by a ration of two new trees in favor of one existing tree, provided such trees have been identified on approved construction plans.
3. Tree planting when required as a vegetative buffer, shall be according to city requirements and of a species approved in the Camas Design Standard Manual
4. The tree planting shall be the responsibility of the land developer and shall be installed or bonded for prior to final plat approval.
5. Landscaping shall conform to plant criteria in the Camas Design Standard Manual. Any planting of trees or shrubs within the right-of-way or vision clearance area must be shown on the construction drawings for approval.
6. Storm drainage facilities, pump stations and other visible facilities shall be setback a minimum of thirty feet from any street or accessory structure and be landscaped in accordance with criteria in the Camas Design Standard Manual.

G. Non-City Utility Easements. Easements for electric lines or other public utilities may be required. Easements for utilities shall be a minimum of six feet in width and centered on rear or side lot lines.

H. Watercourse Easements. Where a development is traversed by a watercourse, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for the purpose. Streets parallel to major watercourses may be required.

I. Street Signs. The developer shall be responsible for the initial cost of any street name or number signs, or street markings, including installation thereof, that public works finds necessary for the development.

J. Lighting. Street lighting shall conform to the Clark public utility standards and approved by the city. The developer shall bear the cost of the design and installation of the lighting system.

K. All residential streets shall conform to the guidelines and standards of the city neighborhood traffic management plan. (Ord. 2375 § 1 (part), 2004)

17.19.040 Infrastructure standards.

A. Private Access Roads.

1. May be authorized if:
    a. Allowing private access roads in the area being subdivided will not adversely affect future circulation in neighboring lots of property or conflict with an existing adopted street plan;
    b. Adequate and reasonable provisions are made for the future maintenance and repair of the proposed private access roads;
    c. The proposed private access roads can accommodate potential full (future) development on the lots created;
    d. The proposed private access road will not be a through street with access from two or more public or private streets or access ways; and
    e. Homes constructed on private roads less than twenty-eight feet wide shall have automatic fire sprinklers installed.
2. Shall satisfy access requirements for recycle and garbage service and emergency vehicles and shall conform to the private access road standards of the Camas Design Standard Manual and the Camas fire department standards of the Uniform Fire Code.
3. For commercial and industrial binding site plans, when private access roads are authorized, there shall be a minimum easement width of forty feet. With the exception of minimum easement widths, private access roads shall be designed and constructed in accordance with the Camas Design Standard Manual. Zoning setbacks shall be required as though the easement were a public right-of-way.
4. All privately owned roads that will serve four or fewer houses shall be designed and installed to full width improvement as provided below:
    a. Shall be graded as necessary to conform to public works department standards;
    b. Shall be of asphaltic concrete according to public works department standards.
5. Alleys when permitted as part of a planned development shall be constructed to street standards. Alleys shall be privately owned and maintained and meet conditions for planned residential development CMC 18.23.

B. Streets.

1. Half Width Improvement. Street improvements promote efficient performance of street sweeping, provide for safe bicycle travel and buffer pedestrian paths, manage storm water as well as control automobile traffic and capacity. Half width improvements shall include utility easements, pedestrian pathway, storm water drainage, street lighting and signage.
2. Streets abutting the perimeter of short plat, subdivision, planned development, binding site plan, commercial and industrial development, shall provide the half-street improvements along the street frontage adjacent to the site in compliance with Camas Standard Detail Manual and the Uniform Fire Code. Additional paving may be required to ensure safe and efficient roads exist to serve the land division and provide bike lanes.
3. The city may approve a delay of frontage street improvements for commercial, short plat, subdivision or planned residential development proposals under any of the following conditions:
    a. If the future grade or alignment of the adjacent public street is unknown and it is not feasible to establish the grade in a reasonable period;
    b. The immediate improvement of the street would result in a short, isolated segment of improved street;
    c. The frontage is part of an impending or eminent city street improvement project;

d. Street improvements in the vicinity are unlikely to occur within six years.

4. In the event the frontage improvement is delayed, the owner must provide an approved form of financial surety.
5. Streets abutting the perimeter of residential development may require sound walls as a sound mitigation measure for the residents of the development.
6. Extension. Proposed street systems shall extend existing streets at the same or greater width, unless otherwise approved by the public works department and authorized by the city council in approval of the plat.
   a. Where appropriate, streets shall be extended to the boundaries of the plat to ensure access to neighboring properties. The city's goal is to have an integrated system of local streets whenever practical. Where platted streets touch, they shall connect and show extension to adjoining street.
   b. Grading of steep topography may be necessary to achieve this objective.
   c. In critical areas, the layout and construction of streets shall follow the standards and procedures of the critical areas overlay zone.
   d. Dedication of additional right-of-way may be required for a short plat when it is necessary to meet the minimum street width standards or when lack of such dedication would cause or contribute to an unsafe road or intersection.
7. Names. All street names and street numbers shall be assigned by the fire marshal. Building numbers shall be assigned by the building official and comply with CMC 12.28.
8. Intersections. Any intersection of public streets or private street connecting to a public street, whatever the classification, shall be at right angles as nearly as possible and not be offset insofar as practical. All right-of-way lines at intersections with arterial streets shall have a corner radius of not less than twelve feet.
9. Street Layout. Street layout shall provide for the most advantageous development of the land division, adjoining areas, and the entire neighborhood. Evaluation of street layout shall take into consideration potential circulation solutions for vehicle, bicycle and pedestrian traffic and where feasible street sections shall be interconnected.
   a. While it is important to minimize the impact to the topography from creating an integrated road system, improved site development and circulation solutions shall not be sacrificed to minimize the amount of cut and fill requirements of the proposal.
   b. Where critical areas are impacted, the standards and procedures for rights-of-way in the critical areas overlay zone shall be followed.
10. Right-of-way and pavement widths for public roads shall be based as shown in the following table:

Table 17.19-1

Type of Street	Rights-of-Way	Roadway Pavement
Arterial (5 lanes)	100 feet	74 feet*
Arterial/Collector (3 lanes)	74 feet	48 feet
Collector/Local/Neighborhood (2 lanes)	60 feet	36 feet
Cul-de-sac		
• Roadway	60 feet	36 feet
• Turnaround	104 feet (dia.)	88 feet

* Includes 14 foot median

Table 17.19-2 Sprinklered Developments1

Type of Street	Rights-of-Way	Roadway Pavement
Local/Neighborhood2	52 feet	28 feet
Cul-de-sac2		
• Roadway	52 feet	28 feet
• Turnaround	86 feet (dia.)	70 feet (dia.)

1. Provisions within this table are subject to Engineering Department approval. All residences abutting a street designed and constructed to the standards of Table 17.19-2 must have automatic fire sprinkler systems installed that comply with National Fire Protection Association 13 D.
2. No parking on one side of the street and no parking in cul-de-sac. When the proposed developments average lot size is 7,400 feet or less, one additional parking space may be required for every five lots.

    a. When on the basis of topography, projected traffic usage or other relevant factors it is unfeasible to comply with the forgoing right-of-way and street width standards, the City Council may permit a deviation from such standards.
    b. For access roads the pavement and right-of-way width may be used unless the city engineer or engineering manager determines a wider width is necessary due to site circumstances, including but not limited to topography, traffic volume, street patterns, on-street parking, lot patterns, land use and bike and transit facilities, that justify an increase in width.
    c. When existing streets adjacent to or within land to be divided, are of inadequate width, additional right-of-way shall be provided at the time of land division.
    d. In a residential area, if the City requires a subdivision to install a street with pavement width greater than thirty-six feet that portion of the cost in excess of the cost of a thirty-six foot roadway will be TIF eligible.

11. Access Management.
    a. Access to all marginal access streets shall be restricted so as to minimize congestion and interference with the traffic carrying capacity of such streets, and to provide separation of through and local traffic. The restrictions imposed shall be in accordance with the design policies and standards set forth in the Institute of Transportation Engineers Transportation and Land Development Manual, the Institute of Transportation Engineers Residential Street Design and Traffic Control Manual and the Washington State Department of Transportation Design Manual.
    b. The city engineer may grant exceptions to the access restriction policies and standards for marginal access streets when due to topography or other unique circumstances; no other feasible access alternative exists.
    c. In addition to restricting access, where a residential subdivision abuts or contains and existing or proposed marginal street, the city may also require reverse frontage lots with suitable depth, screen planting or walls contained in a

nonaccess reservation along the real property line or such other treatment as may be necessary for adequate protection of residential properties and for the separation of through and local traffic.

12. Street Design. When interior to subdivision, planned development, or a short plat, publicly owned streets shall be designed and installed to full width improvement as a means of insuring the public health, safety and general welfare in accordance with the city comprehensive plans. Street improvements promote efficient performance of street sweeping, provide for safe bicycle travel and buffer pedestrians from traffic flow as well as control automobile traffic and capacity. Full width improvements shall include utility easements, sidewalks, and control of storm water runoff, street lighting and signage, as provided below:
    a. Shall be graded as necessary to conform to Camas Design Standard Manual.
    b. Grades shall not exceed six percent on major or secondary arterials, ten percent on collector streets or twelve percent on any other street. However, provided there are no vehicular access points, grades may be allowed up to fifteen percent when:
        i. Exceeding the grades would facilitate a through street and connection with the larger neighborhood;
        ii. The greater grade would minimize disturbance of critical slopes;
        iii. Automatic fire sprinklers are installed in all structures where the normal fire department response to the structure requires travel on the grade;
        iv. Tangents, horizontal curves, vertical curves, and right-of-way improvements conform to public works department standards, and;
        v. Full width improvement is required as a condition of the land use approval in accordance with city standards.

In flat areas allowance shall be made for finished street grades having a minimum slope of one-half percent. Centerline radii of curves shall be not less than three hundred feet on primary arterials, two hundred feet on secondary arterials or one hundred feet on other streets.

    c. Shall be of asphaltic concrete according to Camas Design Standard Manual.
    d. Shall have concrete curbs and gutters. Curb return radii shall be no less than thirty-five feet on arterial and collector streets and no less than twenty-five feet on all other streets. Larger radii may be required at the direction of the city engineer.
    e. Shall have storm drains consisting of the proper size pipe and catch basins; sizes to be approved by the public works department prior to the public hearing for the preliminary plat.

13. Sidewalk Design. Shall have sidewalks provided at a minimum width of five feet and constructed to city design and material specifications or as otherwise specified in Camas Design Standard Manual.
    a. Sidewalks shall be installed in any pedestrian ways within the development.
    b. All sidewalks constructed within the development shall be to the city standards and at grades established by the city engineer.
    c. All sidewalk areas shall be brought to subgrade by the developer at the time of improving streets.
14. Cul-de-sacs. A cul-de-sac greater than four hundred feet shall require special considerations to assure that garbage, recycle and emergency vehicles have adequate access. Buildings on all lots located more than four hundred feet from the centerline-to-centerline intersection shall have automatic fire sprinklers.

C. Utilities.

1. Generally. All utilities designed to serve the land division shall be placed underground and, if located within a critical area, shall be designed to meet the standards of the critical

areas ordinance.

a. Those utilities to be located beneath paved surfaces shall be installed, including all service connections, as approved by the public works department; such installation shall be completed and approved prior to application of any surface materials.
b. Easements may be required for the maintenance and operation of utilities as specified by the public works department.

2. Sanitary Sewers. Shall be provided to each lot at no cost to the city and designed in accordance with city standards.
    a. Each lot shall have its own sewer service and STEP or STEF or Conventional Gravity system as required.
    b. Duplex units may have up to two sewer services at the discretion of the engineering and public works departments.
    c. Multifamily units shall have one sewer lateral per building.
    d. Capacity, grade and materials shall be as required by the city engineer. Design shall take into account the capacity and grade to allow for desirable extension beyond the subdivision. The city will not require the developer to pay the extra cost of required oversize sewer mains or excessive depth of mains necessary to provide for extension beyond the subdivision.
    e. If sewer facilities mandated by this section will, without additional sewer construction, directly serve property outside the subdivision, equitable distribution of the costs thereof shall be made as follows:
        i. If the property outside the subdivision is in a stage of development wherein the installation of sewer facilities may occur, then the city council may require construction as an assessment project, with appropriate arrangements to be established with the developer to insure financing their proportional share of the construction.
        ii. In the event the sewer facility installation is not constructed as an assessment project, then the city shall reimburse the subdivider an amount estimated to be equal to the proportionate share of the cost for each connection made to the sewer facilities by property owners outside of the subdivision, limited to a period of ten years from the time of installation. At the time of the approval of the plat, the planning commission shall establish the actual amount of reimbursement, considering current construction costs.
3. Storm Drainage. The storm drainage collection system shall meet the requirements of the city's officially adopted storm water standards.
    a. Storm drainage facilities shall be placed on their own tract or within an open space tract and are to be maintained by the homeowners within the subdivision planned development or short subdivision in accordance with city standards. Provisions must be in writing informing the homeowners of the responsibility and outlining the maintenance procedures in accordance with adopted city standards.
    b. Drainage facilities shall be provided within subdivisions, short subdivisions and planned developments and connect to storm sewers outside of the development.
    c. Capacity, grade and materials shall be as provided by the city engineer. Design of drainage within the development shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the development and to allow extension of the system to serve such areas.
    d. All storm water generated by projects shall be treated, detained, and disposed of in accordance with the applicable standards set forth in the stormwater

management for Puget Sound Basin, February 1992. Any deviations from the aforementioned standards shall be submitted in writing to the director of public works for his review and approval.

4. Water System.
    a. Each lot within a proposed land division shall be served by a water distribution system designed and installed in accordance with city design standards. Locations of fire hydrants and flow rates shall be in accordance with city standards and the Uniform Fire Code. The distance between fire hydrants, as indicated in the fire code, is allowed to be doubled when automatic fire sprinklers are installed throughout the development.
    b. Each unit of a duplex shall have its own water service.
    c. Multifamily units shall have one service for each building.
    d. Landscaping in open space tracts must have a service for an irrigation meter. The owner of the tract is responsible for payment for all fees associated with the installation of the meter and the water usage.

D. Building Code Standards.

1. It shall be the responsibility of the developer to assure the city that no fill has been placed within the building envelope. Geotechnical reports may be required to verify the clean buildability within the building envelope.
2. All lots shall provide drainage for storm water runoff from roof drains to an approved storm drainage system. (Ord. 2375 § 1 (part), 2004)

Chapter 17.21 PROCEDURES FOR PUBLIC IMPROVEMENTS

17.21.010 Plans and permits required for public improvements.

17.21.020 Process for installing public improvements.

17.21.030 Land disturbing activities--Erosion prevention/sediment control.

17.21.040 Improvement agreements.

17.21.050 Bonds and other financial agreements.

17.21.010 Plans and permits required for public improvements.

A. Approval of a land division or binding site improvement plan or boundary line adjustment shall constitute approval for the applicant to develop construction plans and specifications, for all facilities and improvements, in substantial conformance to the preliminary approval, design standards, and any special conditions required by staff or the city council; to obtain permits and complete installation for such improvements; and to prepare a final plat, plans, surveys and other documents for recording.

B. Prior to installing improvements, the developer shall apply for all required permits for those improvements. The applications shall include development plans as specified on the application form. (Ord. 2375 § 1 (part), 2004)

17.21.020 Process for installing public improvements.

Improvements installed by the developer of the land division, either as a requirement or of the developer's own option, shall conform to the requirements of this title and improvement

standards, specifications, inspections and procedures as set forth by the Camas Design Standard Manual and shall be installed in accordance with the following procedures:
A. Work shall not be commenced until fees are paid and plans have been checked for adequacy and approved by public works to the extent necessary for the evaluation of the land division proposal. The plans may be required before approval of the final plat, if improvements are to be deferred. Plans shall be prepared in accordance with the requirements of the city.
B. Work shall not commence until public works has been notified in advance and if work has been discontinued for any reason, it shall not be resumed until public works has been notified.
C. Public improvements shall be constructed under the inspection and to the satisfaction of the director of public works. The city may require changes in typical sections and details if unusual conditions arise during construction to warrant the change.
D. All underground utilities, sanitary sewers, water, and storm drainage systems improvements installed in the streets by the developer of the land division shall be constructed prior to the surfacing of streets. Stubs for service connections and underground utilities, sanitary sewers, and water system improvements shall be placed to a length obviating the necessity for disturbing the street improvements when surface connections are made.
E. All regional, neighborhood and local trails shall be shown on a trail plan as constructed.
F. Plans showing all improvements as built shall be filed with the city upon completion of the improvements. (Ord. 2375 § 1 (part), 2004)

17.21.030 Land disturbing activities--Erosion prevention/sediment control.

Any person, company, corporation, group, entity or jurisdiction proposing to commence any land-disturbing activity, shall be required to meet the following standards:
A. Install all erosion prevention/sediment control measures required by the approved erosion prevention/sediment control plan prior to commencement of work.
B. Furnish to the city an approved form of security in the amount of two hundred percent of the estimated cost of the erosion prevention/sediment control measures, including associated labor, set forth in the approved erosion prevention/sediment control plan for all land-disturbing activities of an acre or more.
C. Construct any storm drainage facilities required to detain and dispose of stormwater generated by the project, prior to commencement of work on other portions of the project. The city may require the construction of a temporary storm drainage facility that would bypass and protect the permanent facility until such time as the rest of the project is complete and ready for the permanent facility to be brought online.
D. Implementation of erosion prevention/sediment control measures in addition to those measures approved on the erosion prevention/sediment control plan may be required to address weather-related problems and to assure compliance with local, state and federal requirements for water quality. Any proposed additional erosion prevention/sediment control measures must be approved by the city prior to use. The city shall have the right to issue a stop work order on all construction not related to erosion prevention/sediment control until such time as acceptable prevention and control measures are implemented. (Ord. 2375 § 1 (part), 2004)

17.21.040 Improvement agreements.

A. Required Improvements. Before any land division receives final plat approval, the land developer shall install required improvements and replace or repair any such improvements, which are damaged in the development of the land division. In lieu of installation of all required improvements, the developer may execute and file with the city an agreement guaranteeing completion of such improvements together with any needed replacement or repair. The agreement

shall:

1. Specify the period of time within which all work required would be completed. The time for completion shall not exceed two years from the date of final approval of the plat. The agreement may provide for reasonable extensions of time for completion of work. Extensions must be requested, approved by the city council, and properly secured in advance of the required initial completion date;
2. Require notice by the developer to the public works director promptly upon completion of all required improvements;
3. Provide for notice of approval or disapproval by the public works director of the improvement within a reasonable time after receiving notice of completion;
4. Require bond or other financial security to be provided by the subdivider pursuant to CMC 17.21.050;
5. Provide that if the developer fails to complete all required work within the period specified, the city may take steps to demand performance of the developer's obligation within a reasonable time not to exceed ninety days from the date of demand;
6. Provide that if the required improvements are not completed within that time, the city may take action to require the subdivider to forfeit the financial security;
7. Provide that the city shall be entitled to recover all costs of such action including reasonable attorney's fees;
8. Provide that following recovery of the proceeds of the financial security, those proceeds shall be used to complete the required improvements and pay the costs incurred; and
9. Provide that should the proceeds of the financial security be insufficient for completion of the work and payment of the costs, the city shall be entitled to recover the deficiency from the developer.

B. Maintenance Agreement. Regardless of whether all required improvements are completed prior to final plat approval of any subdivision of land, as a condition of such approval the developer shall execute an agreement to assure successful operation of the improvements. The agreement shall:

1. Require the land division developer to post a bond or other financial security in an amount equal to at least ten percent of the total cost of all required improvements to secure successful operation of all required improvements and full performance of the developer's maintenance obligation. Such financial security shall be effective for a two-year period following final acceptance of installation of all required improvements;
2. Require the developer of the land division to perform maintenance functions on drainage improvements for a period of time not to exceed two years from approval of their completion or final acceptance, whichever is later. It shall be the developer's responsibility to assure there is a functioning storm drainage system at the end of the two-year warranty period; and
3. Not relieve the developer of liability for the defective condition of any required improvements discovered following the effective term of the security given.
    a. Provide a waiver by the subdivider of all claims for damages against any governmental authority that may occur to the adjacent land as a result of construction, drainage and maintenance of the streets and other improvements. (Ord. 2375 § 1 (part), 2004)

17.21.050 Bonds and other financial agreements.

A. Bond Requirements. To assure full performance of the agreements required herein, the developer shall provide one or more of the following in a form approved by the city attorney:

1. A surety bond executed by a surety company authorized to transact business in the state of Washington. Surety bonds may be performance, maintenance/warranty bonds, erosion

control/wetland, or subdivision improvement bonds;

2. An assignment of account with a financial institution, which holds the money in an account until such time the city, signs a written release. The assignment of account will allow the city to withdraw the funds in the event the provisions of the agreement are not met; and
3. A cash deposit made with the city of Camas.

B. Amount of Financial Security.

1. For subdivision improvement or performance bonds, the financial security provided shall be at least one hundred five percent of the estimated cost of the improvements to be completed, all related engineering and incidental expenses, final survey monumentation and preparation of reproducible mylar or electronic records in a format approved by public works and meeting current public works drawing standards of the "as-built" improvements. The subdivider shall provide an estimate of these costs for acceptance by the public works director.
2. For warranty or maintenance bonds, the financial security provided shall be at least ten percent of the cost estimate provided in subsection (B)(1) of this section.
3. Erosion prevention and wetland bonds shall equal two hundred percent of the erosion prevention and sediment control items or wetland management items from the estimate provided in subsection (B)(1) of this section.

C. Defective Work. The acceptance of improvements by the city shall not prevent the city from making a claim against the developer for any defective work if such is discovered within two years after the date of completion of the work. (Ord. 2375 § 1 (part), 2004)

Chapter 17.23 EXCEPTIONS, PENALTIES, SEVERABILITY, LIABILITY

17.23.010 Exceptions.

17.23.020 Enforcement.

17.23.030 City not liable.

17.23.040 Severability.

17.23.010 Exceptions.

A. Exception Criteria.

1. Land Division. Except as provided in subsection (2) or (3) of this section, exceptions from the requirements of this title may be granted when undue hardship may be created as a result of strict compliance with the provisions of this title. Any authorization for exception may prescribe conditions deemed necessary or desirable for the public interest. An exception shall not be granted unless:
    a. There are special physical circumstances or conditions affecting the property, such that the strict application of the provisions of this code would deprive the applicant of the reasonable use or development of his land;
    b. The exception is necessary to insure such property rights and privileges as are enjoyed by other properties in the vicinity and under similar circumstances; and
    c. The granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity.

"**Flag lot**" is a lot that does not have full frontage on a public street and the "pole" of the flag lot is less than half the width of the average lot width. Flag poles shall be a minimum of 20' wide, provide a minimum of 12' wide pavement and extend no longer than 300'.
"**Floor area**" means the area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable are under the horizontal projection of the roof or floor above.
"**Grade (adjacent ground elevation)**" means the lowest point of elevation of the finished surface of the ground paving or sidewalk within the area between the building and the property line or, when the property line is more than five feet from the building, between the building and a line five feet from the building.
"**Gross area**" means the total usable area including accessory and common space dedication to such things as streets, easements and uses out of character with the principal use. but within a unit of area being measured.
"**Guest house**" means an accessory, detached dwelling without kitchen facilities, designed for and used to house transient visitors or guests of the occupants of the main building without compensation.
"**Half street**" See "street."
"**Hammerhead**" is a term used to describe a particular style of turnaround for emergency vehicles designed in accordance with guidelines in the Camas Design Standard Manual.
"**Hearings Examiner**" conducts quasi-judicial public hearings for land development applications and renders decisions based on regulations and policies as provided in Camas Municipal Code and other ordinances. See CMC 2.14
"**Height of building**" See "building height."
"**Home occupation**" means any occupation or profession conducted entirely within a dwelling unit by the inhabitants thereof which is clearly incidental and secondary to the use of the premises for dwelling purposes and does not change the residential character thereof.
"**Homeowner's association**" means an incorporated, nonprofit organization operating under recorded land agreements through which: (a) Each lot owner is automatically a member; and (b) each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property.
"**IBC**" means the International Building Code as adopted by City Council.
"**IFC**" means the International Fire Code as adopted by the City Council.
"**IRC**" means the International Residential Code as adopted by the City Council.
"**Infrastructure acreage**" means the total area of public improvements including any utility or private road outside of the lot area, street right-of-way, and storm drainage facilities.
"**Land development**" means any project subject to review under Titles 16, 17, or 18.
"**Lot**" means a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include parcels.
"**Lot area**" means the total square footage of a lot.
"**Lot coverage**" means the portion of a lot that is occupied by the principal and accessory buildings, including all projections except eaves, expressed as a percentage of the total lot area.
"**Lot depth**" means the horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line.
"**Lot interior**" means a lot other than a corner lot. See Figure 18.03-7.

"**Lot line**" means the property line bounding a lot.
"**Lot line, front**" "Front lot line" means the case of an interior lot, the lot line separating the lot from the street other than an alley, and in the case of a corner lot, the shortest lot line a street other than an alley. Se figure 18.03-8.

not considered dwelling units.
"**Dwelling, accessory unit**" "Accessory dwelling unit" means an additional, smaller, subordinate dwelling unit on a lot or attached to an existing or new house.
"**Dwelling, condominium**" "Condominium dwelling" means two or more units where the interior space of which are individually owned; but the balance of the property (both land and/or building) is owned in common by the collective owners of the building.
"**Dwelling, duplex or two-family**" "Duplex or two family dwelling" means a structure containing two dwelling units on one lot. See Figure 18.03-5.

Figure 18.03-5
Two-family Dwelling or Duplex

"**Dwelling, single-family attached (row house)**" "Single-family attached dwelling" means a single household dwelling attached to another single household dwelling by a common vertical wall, and each dwelling is owned individually and located on a separate lot. These are more commonly referred to as townhouses or rowhouses.
"**Dwelling, single-family**" "Single family dwelling" means a detached building containing one dwelling unit.
"**Easement**" means a grant of the right to use land for specific purposes.
"**Erosion control bond**" insures the satisfactory installation, maintenance, and operation of erosion control measures within an approved development. The developer/owner is the principle and the city is the obligee. The bond shall remain in full force and effect until released by the city.
"**Established grade**" means the curb line grade established by the city.
"**Facility, essential public**" "Essential public facilities" mean and include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, state and local correctional facilities including substance abuse facilities, mental health facilities, and group homes.
"**Facility, public**" "Public facilities" means streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, water towers, storm and sanitary sewer systems, parks and recreation facilities, and schools that are open to the general public and owned by or in trust for a government entity.
"**Family**" means an individual, or two or more persons related by blood or marriage, or two persons with functional disabilities as defined in this chapter, or a group of not more than five unrelated persons (excluding servants), living together in the same dwelling unit.
"**Fence**" means a structure, other than a building, designed, constructed and intended to serve as a barrier or as a means of enclosing a yard or other structure; or to serve as a boundary feature separating two or more properties. Landscaping plantings do not fall within this definition.
"**Fence, sight-obscuring**" "Sight-obstructing fence" means a fence so arranged as to obstruct vision.
"**Final acceptance**" means city council approval of the complete public improvements and acceptance of the warranty for the public improvements. The end of the warranty period signifies the city responsibility for maintenance and repair of any public improvements.
"**Final plat**" means the final drawing of the subdivision or short subdivision and dedication, prepared for filing for record with the county auditor and containing all elements and requirements set forth in this chapter and in state law.

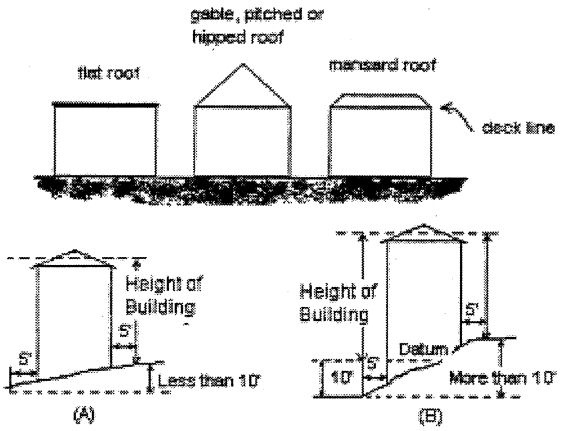

Figure 18.03-3 Building Height

"**Building line**" means a line on a plat indicating the limit beyond which buildings or structures may not be erected.
"**City**" means the city of Camas.
"**Collector**" See "street."
"**Commission**" means the planning commission of the city of Camas.
"**Comprehensive plan**" means the comprehensive plan for the city of Camas, comprising plans, maps or reports, or any combination thereof relating to the future economic and physical growth and development of the city.
"**Contractor**" means the person/firm hired by the applicant to perform work.
"**Council**" means the council of the city of Camas.
"**Court**" means a space open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls of a building.
"**Cul-de-sac**" See "street."
"**Dedication**" means the deliberate appropriation of land by an owner for any general and public uses, reserving to the owner no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.
"**Density bonus**" means a percentage of units allowed in a PRD over and above the number of units provided for in the zoning district absent a PRD proposal.
"**Density transfer**" means a transfer of dwelling units located on a site identified as sensitive lands or open space to the developable portion of land on the site. (Refer to Sections 18.09.060 and 18.09.070).
"**Developed acreage**" means the total acreage of a land use development exclusive of open space and critical areas. Developed acreage includes infrastructure, storm drainage facilities and lots and access easements.
"**Developer**" means the applicant for the proposed land use or development proposal.
"**Development agreement**" means a legal contract between the City and the developer relative to a specific project and piece of property. The agreement may specify and further delineate, and may include but is not limited to, findings of council, actions, requirements of the developer and city, benefits to the parties involved, conditions of approval, time frames, etc. A development agreement shall become binding upon the land.
"**Director**" means Community Development Director.
"**Driveway**" means the required traveled path to or through a parking lot for three or more vehicles. A "driveway" also refers to the vehicular access for single family dwelling.
"**Dwelling unit**" means an independent living unit within a dwelling structure designed and intended for occupancy by not more than one family and having its own housekeeping and kitchen facilities. Hotel, motel, and bed and breakfast that are primarily for transient tenancy are

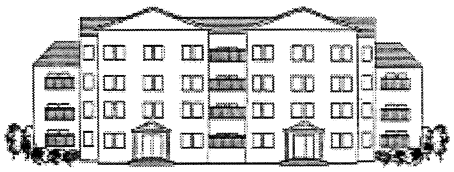

Figure 18.03-2 Apartment House

"**Arterial**" See "street."
"**Assessment project**" means the assessment may be a local improvement district (LID) or equitable reimbursement method.
"**Basement**" means any floor level below the first story in a building except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein.
"**Binding site plan**" means a drawing to scale which: (1) identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulations; (2) contains inscriptions or attachments setting forth limitations and conditions for the use of the land; and (3) contains provisions making any development be in conformity with the site plan.
"**Boundary line adjustment**" means an adjustment of boundary lines between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site or division.
"**Breezeway**" means a structure for the principal purpose of connecting the main building or buildings on a property with other main buildings or accessory buildings.
"**Building**" means any structure used or intended for supporting or sheltering any use or occupancy.
"**Building envelope**" means a delineated are identifying where a primary building may be established. See figure 18.03-4.

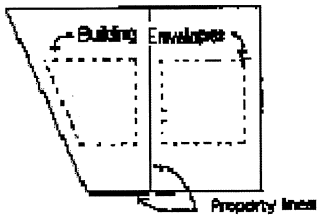

Figure 18.03-4 Building Envelopes

"**Building height**" means the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following , whichever yields a greater building height: a) The elevation of the highest adjoining sidewalk or ground surface within a five foot horizontal distance or the exterior wall of the building when such sidewalk or ground surface is not more than ten feet above the lowest grade; b) An elevation ten feet higher than the lowest grade when the sidewalk or ground surface described in subsection a) of this section is more than ten feet above the lowest grade. The height of a stepped or terraced building is the maximum height of segment of the building. See Figure 18.03-3.

least five but not more than fifteen people with functional disabilities, and that has not been licensed as an adult family home pursuant to RCW 70.128.175.
"Restaurant, fast food." "Fast food restaurant" means an establishment that offers quick food service, which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried, or grilled quickly, or heated in a device such as a microwave oven. Orders are not generally taken at the customer's table, and food is generally served in disposable wrapping of containers. The establishment may also offer drive-up or drive-through service.
"**Restaurant**" means an establishment that serves food and beverages primarily to persons seated within the building. This includes cafes, coffee shops, tearooms, and outdoor cafes.
"**Roadside produce stand**" means an establishment engaged in the retail sale of local fresh fruits and vegetables and having permanent or semi-permanent structures associated with such use.
"**Second-hand/consignment store**" means an establishment engaged in the retail sale of used clothing, sports equipment, appliances and other merchandise.
"**Social gathering hall**" means a building used primarily by community groups and organizations for meetings, celebrations, bingo and other events.
"**Tavern**" means an establishment primarily serving alcoholic beverages for consumption on site. Secondary activities may include dining, music, bottling, and sale of bottled beverages prepared on site.
"**Use**" means an activity or a purpose for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.
"**Veterinarian clinic**" means a facility established to provide examination, diagnostic, and health maintenance services for medical and services for medical and surgical treatment of companion animals on an outpatient basis. A veterinarian clinic operates during regular business hours and discharges all patient prior to closing time.
"**Veterinarian hospital**" means a facility established to provide examination, diagnostic and health maintenance services for medical and surgical treatment of companion animals and equipped to provide housing and nursing care for them during illness or convalescence.
"**Video rental store**" means an establishment engaged primarily in the business of renting video cassettes, DVD's, and games.
"Warehouse, bulk retail." "Bulk retail warehouse" means a building primarily used for the storage and retail sale of large quantities of goods and materials.
"Warehouse, wholesale and distribution." "Wholesale and distribution warehouse" means a use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

18.03.040 Definitions for development terms.
"**Abutting**" means adjoining.
"**Access easement**" See "street."
"**Access panhandle**" See "Flag lot."
"**Accessory structure or accessory use**" means a structure or use incidental and subordinate to the principal use or structure and located on the same lot or tract.
"**Alley**" means a narrow street primarily for vehicular service access to the rear or side of properties otherwise abutting on another street.
"**Annexation**" means the legal process in which a parcel or contiguous group of parcels in an unincorporated area become part of the city taking the action of incorporation.
"**Apartment house**" means a building containing three or more dwelling units on a lot or parcel. See Figure 18.03-2.

"**Motel**" means a building or group of buildings in which lodging is provided for a fee to guests for up to thirty consecutive nights and typically do not provide such things as restaurants, meeting rooms, and/or other auxiliary facilities and services.
"**Newspaper printing plant**" means a building housing a business to include the writing, layout, editing, and publishing of a newspaper.
"**Nursery, plant**." "Plant nursery" means an enterprise, establishment, or portion thereof that conducts the retailing or wholesaling of plants grown on the site, as well as accessory items (but not farm implements). The accessory items normally sold include items such as clay pots, potting soil, fertilizers, insecticides, hanging baskets, rakes, and shovels.
"**Nursing, rest or convalescent home**" means an establishment which provides full time care for three or more chronically ill or infirm persons. Such care shall not include surgical, obstetrical or acute illness services.
"**Office supply store**" means stores selling office products such as stationary, legal forms, writing implements, typewriters, computers, copiers, office furniture, and the like.
"**Pawn shop**" means establishments who lend money on goods deposited until redeemed.
"**Pet shop**" means establishments engaged in the retail sale of pets, pet food, supplies and the grooming of pets and other small animals.
"**Pharmacy**." See "drug store."
"**Photographic**" and "electronic stores" means establishments engaged in the retail sale of camera and photographic supplies and a variety of household electronic equipment.
"**Print shop**" means a retail establishment that provides duplicating services using photocopy, blueprint, and offset printing equipment, including collating of booklets and reports.
"**Public agency**" means any agency office for the administration of any governmental activity or program.
"**Professional offices**" means an office containing activities such as those offered by a physician, surgeon, dentist, lawyer, architect, engineer, accountant, artist or teacher, real estate or insurance sales.
"**Recreational vehicle (RV) park**" means any lot of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.
"**Recycling center**" means a building in which used material is separated and processed prior to shipment to others who will use those materials to manufacture new products.
"**Recycling collection point**" means a collection point for recoverable resources, such as newspapers, glassware, and metal cans, with processing of items occurring off site. See Figure 18.03-1.

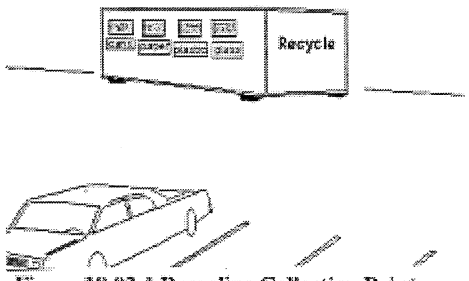

Figure 18.03-1 Recycling Collection Point

"**Recycling plant**" means a facility that is not a junkyard and in which recoverable resources, such as newspapers, glass, metal cans and other products are reprocessed and treated to return such products to a condition in which they may again be used for production.
"**Residential care facility**" means a facility, licensed by the state of Washington, that cares for at

snack foods and beverages are sold.
"**Golf course**" means a recreational facility, under public or private ownership, designed and developed for uses including, but not limited to a golf course, driving range, putt putt golf, and other auxiliary facilities such as a pro shop, caddy shack building, restaurant, meeting rooms, and storage facilities.
"Grocery, large scale". "Large scale grocery" means a retail business enclosed within a structure greater than thirty thousand square feet with the majority of sales relating to food for the consumption off-premises.
"Grocery, small scale." "Small scale grocery" means a retail business enclosed within a structure between six thousand square feet and thirty thousand square feet with the majority of sales relating to food for the consumption off-premises.
"Grocery, neighborhood." "Neighborhood grocery" means a retail business enclosed within a structure less than six thousand square feet with the majority of sales relating to food and associated items. Limited outdoor storage may be permitted; provided it complies with screening requirements. Where outdoor storage occurs, the use shall be defined as a small scale grocery.
"Hardware store." See "building, hardware and garden supply store."
"**Hazardous waste storage**" means the holding of dangerous waste for a temporary period, as regulated by state dangerous waste regulations, Chapter 173-303, Washington Administrative Code.
"Hazardous waste treatment and storage facility, **off-site**." "Off-site hazardous waste treatment and storage" means treatment and storage facilities of hazardous wastes generated on properties other than those on which the off-site facility is located.
"Hazardous waste treatment and storage facility, **on-site."** "On-site hazardous waste treatment and storage" means treatment and storage of hazardous wastes generated on site.
"**Hazardous waste treatment**" means the physical, chemical or biological processing of dangerous waste to make waste non-dangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.
"**Hazardous waste**" means all dangerous and extremely hazardous, as defined in RCW 70.105.010, except for moderate-risk waste.
"**Home occupation**" means any occupation or profession conducted entirely within a dwelling unit by the inhabitants thereof which is clearly incidental and secondary to the use of the premises for dwelling purposes and does not change the residential character thereof.
"**Hospital**" means an establishment that provides sleeping and eating facilities to persons receiving medical, obstetrical or surgical care and nursing service on a continuous basis.
"**Hotel**" means a building in which lodging is provided for a fee to guests for up to thirty consecutive nights and may provide such things as restaurants, meeting rooms, and/or other auxiliary facilities and services.
Junkyard. See "wrecking yard."
"**Kennel commercial/boarding**" means any premises or building in which four or more dogs or cats at least four months of age kept commercially for board, propagation or sale.
"Laundry, self-service." "Self-service laundry" means a business providing home type-washing, drying, and/or ironing is performed primarily by customers.
"Laundry/dry cleaning (retail)." "Retail laundry/dry cleaning" means a business providing drop off and pick up services of laundry and dry cleaning. On site laundry services is limited to spot cleaning.
"Laundry/dry cleaning (commercial)." "Commercial laundry/dry cleaning" means a business providing commercial laundry or dry cleaning services.
"**Meeting facility**" means a primary or secondary use in which a room or series of rooms are available for businesses purposes on an hourly or daily rate.
"**Ministorage facility**" means a building consisting of individual, small, self-contained units that are teased or owned for the storage of business and household goods or contractor's supplies.

Brew Pub. See "tavern."
"**Building and hardware and garden supply store**" means an establishment engaged in selling lumber and other building materials such as paint, glass, wallpaper, tools, seeds and fertilizer.
"**Bus station**" means an establishment for the storage, dispatching, repair and maintenance of coaches and vehicles of a transit system.
Child care. See "day care."
"**Church**" means a permanently located building commonly used for religious worship, fully enclosed with walls and roof. A memorial chapel is similar to a church, with the exception that no funeral home activities, such as embalming or casket display are permitted.
"**Clinic**" means a building or portion of a building containing offices and facilities for providing medical, dental and psychiatric services for outpatients only.
"**Community center**" means a facility owned and operated by a public agency or non-profit corporation; provided, that the principal use of the facility is for public assistance, recreation, community improvement, or public assembly.
Convenience store. See "grocery, neighborhood."
"**Convention center**" means an establishment developed primarily as a meeting facility; including facilities for recreation and related activities provided for convention participants, excluding overnight lodging.
"**Day-care center**" means a state licensed entity regularly providing care for thirteen or more children for periods of less than twenty-four hours. A day-care center is not located in a private family residence unless the portion of the residence to which the children have access is used exclusively for the children during the hours the center is open or is separate from the usual quarters of the family.
"Day-care, family home." "Family home day care" means an entity regularly providing care during part of the twenty-four hour day to six or fewer children in the family abode of the person(s) under whose direction the children are placed; or, a state licensed entity regularly providing care during part of the twenty-four hour day to between six and twelve children in the family abode of the person(s) under whose direction the children are placed.
"Day-care, mini-center." "Mini-center day care" means a state licensed entity providing care during part of the twenty-four hour day period for twelve or fewer children in a facility other than the family abode of the person or persons under whose direct care the children are placed, or for the care of seven through twelve children in the family abode of such person or persons.
"**Delicatessen (deli)**" means retail food stores selling ready-to-eat food products such as cooked meats, prepared salads or other specialty food items. This definition includes seafood, health food and other specialty foods.
"**Drug store**" means an establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, and related supplies.
"**Fitness center/sports club**" means an establishment engaged in operating physical fitness facilities, sports and recreation clubs.
"**Florist shop**" means establishments engaged in the retail sale of flowers and plants.
"Food delivery business" means a business in which food is primarily prepared and sold from a vehicle rather than a site specific building. Restaurants or fast food restaurants with a fixed authorized location are not included in this definition.
"**Funeral home**" means a building where services and/or ceremonies are held in conjunction with human burial or cremation. Crematories may be an accessory use to a funeral home.
"**Furniture store**" means establishments engaged in the retail sale of household furniture and furnishings for the home.
"**Gas/fuel station**" means establishments engaged primarily in the sale of automobile gasoline or other auto fuel to the general public.
"**Gas/fuel station with mini market**" means establishments engaged in the sale of gasoline or other auto fuel together with a minor incidental building in which incidental items including

18.03.030 Definitions for land uses.

"**Adult entertainment facility**" means any adult bookstore, adult massage parlor, adult movie theater, adult retail store, adult sauna, adult video store, live adult entertainment establishment, or any combination of the above.
"**Adult family home**" means the regular family abode of a person or persons who are providing personal care, room and board to more than one but not more than four adults who are not related by blood or marriage to the person or persons providing the services; except that a maximum of six adults may be permitted if the Washington State Department of Social and Health Services determines that the home and the provider are capable of meeting standards and qualifications provided for by law. Adult family homes are a permitted use in all areas zoned for residential use.
"**Animal kennel**." See "kennel."
"**Antique shop**" means an establishment engaged in the sale of collectibles, relics or objects of an earlier period than the present.
"**Appliance sales and incidental service**" means an establishment engaged in the sale and repair of household or office tools or devices operated by gas or electric current. Such tools or devices may include stoves, fans, refrigerators, etc.
"**Assisted living**" means any group residential program that provides personal care and support services to people who need help with daily living activities as a result of physical or cognitive disability. Assisted living communities usually offer help with bathing, dressing, meals, and housekeeping. The amount of help provided depends on individual needs, however, full time (twenty-four hours a day) care is not needed. Assisted living communities go by a variety of names: adult homes, personal care homes, retirement residences, etc.
"**Automobile repair garage**" means a building designed and used for the storage, care repair, or refinishing of motor vehicles including both minor and major mechanical overhauling, paint, and body work.
"**Automobile sales, new or used**" means an establishment that provides for the sale of motorized vehicles as its primary use.
"**Automobile service station**" means any premises used primarily for supplying motor fuel, oil, minor servicing, excluding body and fender repair, and for sale of accessories as a secondary service for automobiles at retail direct to the customer.
"**Automobile wrecking**" means the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts when screened from view from a public roadway and adjoining properties.
"**Bakery (wholesale)**." "Wholesale bakery" means an establishment where breads, cakes, pies, pastries, etc. are baked or produced primarily for wholesale rather than retail sale.
"**Bakery (retail)**." "Retail bakery" means an establishment where the majority of retail sale is of products such as breads, cakes, pies, pastries, etc., which are baked or produced and for sale to the general public.
Bar. See "tavern."
"**Bed and breakfast inn**" means a dwelling or portion thereof, where short-term lodging rooms and meals are provided. The operator of the inn shall live on the premises or in adjacent premises. A bed and breakfast which includes six or more guest rooms shall be classified and defined as a hotel.
"**Boat sales, repair, and rental**" means a business primarily engaged in sales, repair and/or rental of new and used motorboats, sailboats, and other watercraft. Also includes businesses primarily engaged in the sale of supplies for boating.
"**Book, stationary, and art supply store**" means an establishment engaged in the retail sale of books and magazines, stationery, record and tapes, video and art supplies, including uses.

18.01.050 Severability.

The provisions of this title are declared to be severable. If any section, sentence, clause or phrase of this title is adjudged by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this code. (Ord. 2295 § 1 (part), 2001)

Chapter 18.03 DEFINITIONS*

*Note to Chapter 18.03

18.03.010 Purpose.

18.03.020 Interpretation of terms.

18.03.030 Definitions for land uses.

18.03.040 Definitions for development terms.

*Note to Chapter 18.03

* Prior ordinance history: Ord. 2295.

18.03.010 Purpose.

The purpose of the definitions chapter is to carry out the intent of the city's zoning regulations. The terms defined in this chapter are the minimum necessary to resolve questions of interpretation. Terms not defined shall hold their common and generally accepted meaning, unless specifically defined otherwise in this code. (Ord. 2312 § 1 (part), 2002)

18.03.020 Interpretation of terms.

A. Terms in this title that are not defined in this chapter hold their common and accepted meaning.
B. The following terms shall be interpreted as follows:

1. Words used in the present tense include the future;
2. The plural includes the singular and vice-versa;
3. The words "will" and "shall" are mandatory;
4. The word "may" indicates that discretion is allowed;
5. The word "used" includes designed, intended, or arranged to be used;
6. The masculine gender includes the feminine and vice-versa;
7. The word "person" may be taken for persons;
8. The word "building" includes a portion of a building or a portion of the lot on which it stands;
9. Distances shall be measured horizontally unless otherwise specified;
10. The word "occupied" includes designed or intended to be used. (Ord. 2312 § 1 (part), 2002)

Title 18 ZONING

Chapter 18.01 GENERAL PROVISIONS

18.01.010 Title.

18.01.020 Purpose.

18.01.030 Standards designated.

18.01.040 Interpretation.

18.01.050 Severability.

18.01.010 Title.

The ordinance codified in this title shall be known and cited as the "zoning code of the city of Camas." (Ord. 2295 § 1 (part), 2001)

18.01.020 Purpose.

A. The purposes of this title are: to implement the comprehensive plan for the city; to encourage the most appropriate use of land; to conserve and stabilize the value of property; to aid in rendering of fire and police protection; to provide adequate open space for light and air; to lessen the congestion on streets; to give an orderly growth to the city; to prevent undue concentration of population; to improve the city's appearance; to facilitate adequate provisions for community utilities and facilities such as water, sewerage, and electrical distribution system, transportation, schools, parks, and other public requirements; and in general to promote public health safety and general welfare.
B. Since the public health, safety and general welfare is superior to the interests and pecuniary gains of the individual, this title may limit the use of property and prevent its most profitable gain. If some reasonable use of property is allowed by this title and the effect is not confiscatory, the city is exercising a proper use of police power. (Ord. 2295 § 1 (part), 2001)

18.01.030 Standards designated.

The standards established by this title are determined to be the minimum requirements in the interest of public health, safety and general welfare. (Ord. 2295 § 1 (part), 2001)

18.01.040 Interpretation.

Where the conditions imposed by any provision of this title upon the use of land or building or upon the size, location, coverage or height of buildings are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this title or of any ordinance, resolution or regulation, the provisions which are more restrictive shall govern. (Ord. 2295 § 1 (part), 2001)

2. Easements. The city council may approve an easement of way to be established by deed without full compliance with these regulations provided such an easement is the only reasonable method by which a portion of a lot large enough to warrant partitioning into two parcels may be provided with access. If the existing lot is large enough so that two or more parcels not having frontage on an existing street may be created, an easement of way will not be acceptable and a street must be dedicated.
3. Streets. The city council may approve the creation of a street to be established by deed without full compliance with these regulations provided such conditions as are necessary to preserve to objectives of the standards of this title are accepted, and provided either of the following conditions exists:
    a. The establishment of such street is initiated by the city council and is declared essential for the purpose of general traffic circulation and the partitioning of land is an incidental effect rather than the primary objective of the creation; and
    b. The tract in which the street is to be dedicated is an isolated ownership of one acre or less.

B. Procedures. An application for any exception from this code shall be submitted in writing by the subdivider, as part of the application for land division or, binding site plan, and substantiating facts and evidence pertinent to the request.

1. Short Subdivision. A short subdivision or binding site plan exception shall be reviewed by the community development director and/or the fire chief in conjunction with review of the short subdivision or binding site plan application. The decision of the community development director and/or the fire chief shall be final and conclusive unless appealed in accordance with the appeal procedure for type II decisions set forth in CMC 18.55.
2. Preliminary Plat. A preliminary plat exception shall be considered by the hearings examiner at the same time the public hearing is conducted for the preliminary plat.

17.23.020 Enforcement.

Any violation of any provision or failure to comply with any of the requirements of this title, or a violation of or failure to comply with any of the terms and conditions of any approval issued under the provisions of this title, shall be subject to the enforcement provisions of CMC 18.55.400 through 18.55.460. (Ord. 2375 § 1 (part), 2004)

17.23.030 City not liable.

This code shall not be construed to relieve from or lessen the responsibility of any person owning any land or building, constructing or modifying any land use in the city for damages to anyone injured or damaged either in person or property by any defect therein; nor shall the city or any agent thereof beheld as assuming such liability by reason of any preliminary or final approval or by issuance of any permits or certificates authorized in this chapter. (Ord. 2375 § 1 (part), 2004)

17.23.040 Severability.

If any section, subsection, clause or phrase of this code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code. (Ord. 2375 § 1 (part), 2004)

"**Lot line, rear**" "Rear lot line" means a lot line which is opposite and most distant from the front lot line. In the case of a triangular or irregular shaped lot a line ten feet in length within the lot parallel to and at the maximum distance from the front lot line. See Figure 18.03-6 and 18.03-8.

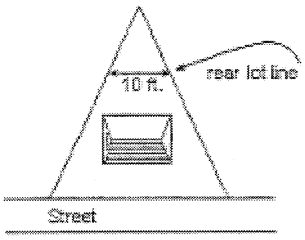

Figure 18.03-6
Rear Lot Line in the Case of a Triangular Lot

"**Lot line, side**" "Side lot line" means any lot line not a front or rear lot line. See Figure 18.03-8.
"**Lot width**" means the horizontal distance between the side lot lines at the front of the building envelope.
"**Lot, corner**" "Corner lot" means a lot abutting on two intersecting streets other than an alley provided that the streets do not intersect at an angle greater than one hundred thirty-five degrees. See Figure 18.03-7.

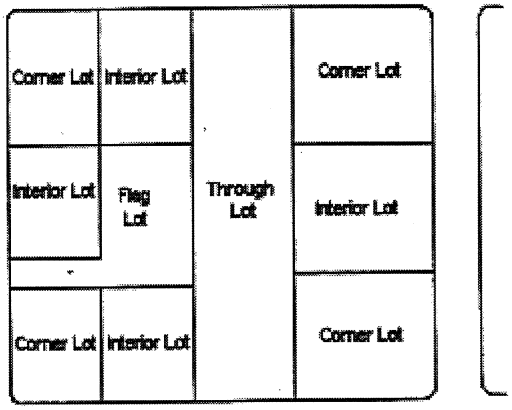

Figure 18.03-7 Lot Configuration

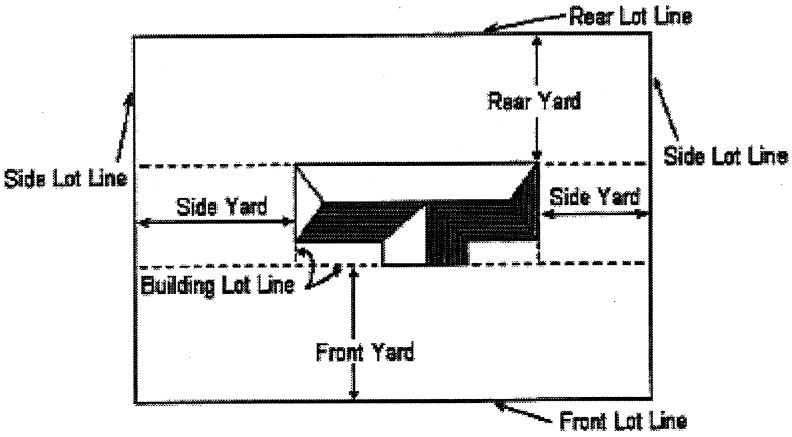

Figure 18.03-8 Yard and Lot Lines

"**Lot, through**" "Through lot" means a lot having frontage on two parallel or approximately parallel streets. See Figure 18.03-7.

"**Manufactured homes**" "Manufactured home" means a single family residence constructed after June 15, 1976, in accordance with the US Department of Housing and Urban Development (HUD) requirements for manufactured housing, and bearing the appropriate insignia indicating such compliance.

"Manufactured home park" means any property meeting the minimum standards established in Chapter 18.29 "Manufactured home parks," which would be divided into individual spaces for sale, lease or rent for the accommodation of occupied manufactured/mobile homes.

"Mobile home" means a single family residence transportable in one or more sections that are eight feet or more in width and thirty-two feet or more in length, built on a permanent chassis, designed to be used as a permanent dwelling and constructed before June 15, 1976. Such home shall be installed in accordance with applicable WAC rules and regulations.

"Modular home" means a structure constructed in a factory in accordance with the Uniform Building Code and bearing the appropriate insignia indicating such compliance. This definition includes "prefabricated," "panelized," and "factory built" units. Such home shall be installed in accordance with applicable WAC rules and regulations.

"**Marginal access street**" See "street."

"**Minor street**" See "street."

"**Master plan**" means a planned proposal for development that includes and illustrates the division of land into lots, the location and sizes of streets, road and access ways, pedestrian circulation, landscaping, parking areas and the location of and types and densities of uses. A master plan further identifies the dimensions, height , location, and setbacks of all such buildings to the extent necessary to comply with the purpose and intent set forth in this chapter.

"**Nonconforming building or use**" means any lawful use or activity involving a building or land occupied or in existence on the effective date of the code, or any amendment thereto, which does not conform to the principal, accessory or conditional uses permitted in or to the density provisions of the zoning district in which located.

"**Open space**" means land that is set aside and maintained in a natural state, providing air, light, and habitat for wildlife, and/or containing significant trees and vegetation. Open space may also contain environmentally sensitive lands, which include but are not limited to steep slopes and areas with unstable soils, wetlands, and streams and watercourses. Open space may also provide for active and passive recreation use. There are two general categories of open space:

A. Natural open space is land that is devoted to protecting environmentally sensitive lands as defined in this code. Natural open space generally has no developed areas, with the exception of trails as identified in the comprehensive parks, recreation, and open space plan, or by a condition of development approval.

B. Recreational open space is land that is set aside and shall include development for recreational opportunities such as trails, sports fields, playgrounds, swimming pools, tennis courts, and picnic areas. Recreational open space is generally limited in size and intensity, proportionate to the development, and is intended for the enjoyment of the residents of the development.

"**Owner**" means the persons/organization who hold legal right to the property. The owner may also serve as applicant, developer and contractor.

"**Pawn shop**" means establishments who lend money on goods deposited until redeemed.

"**Pedestrian way**" means a right-of-way for pedestrian traffic connecting two streets other than at an intersection.

"**People with functional disabilities**" means a person who, because of a recognized chronic physical or mental condition or disease, is functionally disabled to the extent of:

1. Needing care, supervision or monitoring to perform activities of daily or instrumental

activities of daily living; or

2. Needing supports to ameliorate or compensate for the effects of the functional disability so as to leas as independent a life as possible; or

3. Having a physical or mental impairment which substantially limits one or more of such person's major life activities; or

4. Having a record of having such an impairment, but such term does not include current, illegal use of or active addiction to a controlled substance.

"**Performance bond**" means a pledge, guarantee or bond, usually to back the performance of an individual or company. The bond guarantees the contractor's performance. A performance bond is generally used to ensure that a particular obligation will be completed at a certain date or that a contract will be performed as stated. It has no end date, but terminates upon successful completion of obligation.

"**Peripheral yard**" means those areas which form the boundary between a planned unit or planned residential development district and any other zoning district, planned unit, or planned residential development.

"**Person**" means an individual, firm, partnership, corporation, company, association, syndicate or any legal entity, including any trustee, receiver, assignee or other similar representative thereof.

"**Phase**" means a group of lots, tracts or parcels within well identified and fixed boundaries. The term shall include blocks. Phases shall be consecutively numbered.

"**Planned residential development**" (hereinafter referred to as a PRD) means a development constructed on land of at least ten acres in size, designed and consistent with an approved master plan. A PRD is comprised of two components; single-family and multifamily units. (Ord. 2364 § 1, 2004; Ord. 2299 § 1 (part), 2001).

"**Planning commission**" means the planning commission of the city of Camas.

"**Planning control area**" means an area in a state of incomplete development within which special control is to be exercised over land partitioning.

"**Plat**" means a map or representation of a subdivision, showing thereon the division for a tract or parcel of land into lots, blocks, streets, and alleys, or other divisions and dedications.

"**Preliminary plat**" means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, tracts and other elements of a land division consistent with the requirements of this chapter. The preliminary plat shall be the basis of the approval or disapproval of the general layout of the land division.

"**Punch list**" means a term used by the engineering department to designate items still to be completed per conditions of approval and city standards for the land use to reach substantially complete and/or final acceptance phase of the approval process.

"**Right-of-way**" (hereinafter referred to as ROW) means the area between boundary lines of a street or other easement.

"**Roadway**" means the portion of a street right-of-way developed for vehicular traffic.

"**Rowhouse**" See "dwelling, single family attached."

"**Sensitive areas and open space**" For related definitions see Section 18.31.040 "Definitions" in Chapter 18.31 "Sensitive Areas and Open Space."

"**Shorelines**" Fore related definitions see Section 18.33.030 "Definitions" in Chapter 18.33 "Shoreline Management."

"**Short plat**" means a map or representation of a short subdivision.

"**Short subdivision**" means the division of land into four or fewer lots, sites or divisions for the purpose of sale or lease.

"**Sidewalk**" means a pedestrian walkway with permanent surfacing to city standards.

"**Sidewalk area**" means the portion of a street right-of-way between proposed curb line and adjacent lot line.

"**Signs**" For related definitions see Section 18.15.030 "Definitions" in Chapter 18.15 "Signs."

"**Story**" means the space between two successive floors in a building. The top floor shall be the

space between the floor surface and the underside of the roof framing. A basement shall be counted as a story if over fifty percent of its ceiling is over six feet above the average finished grade of the adjoining ground surface.

"**Story, first**" "First story" means the lowest story in a building which qualifies as a story, as defined in this chapter, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than eight feet below grade, as defined in this chapter, at any point.

"**Story, half**" "Half-story" means a space under a roof which has the line of intersection of roof decking and exterior wall face not more than four feet above the top floor level. A half-story containing one or more dwellings shall be counted as a full story.

"**Street**" means the entire width between the boundary of property or lot lines, for the purpose of vehicular and pedestrian traffic. See Table 17.19-1.

1. "Access easement" refers to "Private road."
2. "Alley" means a narrow street primarily for vehicular service access to the back or side of properties otherwise abutting on another street.
3. "Arterial" means a street of considerable continuity that is primarily a traffic artery for intercommunication among large areas. There are usually 3 to 5 lanes of traffic.
4. "Collector" means a street supplementary to the arterial street system and a means of intercommunication between this system and smaller areas; used to some extent for through traffic and to some extent for access to abutting properties. There are usually 2 to 3 lanes of traffic.
5. "Cul-de-sac (dead-end street)" means a short street having one end open to traffic and being terminated by a vehicle turnaround. See Design Standards Manual for required right-of-way, pavement, curb and gutters.
6. "Driveway" see "Private road."
7. "Half street" means a portion of the width of a street usually along the edge of a subdivision where the remaining portion of the street could be provided in another subdivision.
8. "Marginal access street" means those streets whose primary function is the circulation of through traffic and shall include all major and secondary arterials and all collector streets identified in the city comprehensive plan.
9. "Minor street" means a street intended exclusively for access to abutting properties. Also referred to as a neighborhood street. This type of street has only 2 lanes of traffic.
10. "Private road" means a strip of land that provides access to a lot, tract, or parcel. This road is privately maintained but is designed and installed per Table 17.9-1 and with approval of the Engineering Manager.

"**Structural alteration**" means any change to the supporting members of a building including foundations, bearing walls or partitions, columns, beams or gliders, or any structural change in the roof.

"**Structure**" means that which is built or constructed. An edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner.

"**Subdivision**" means a division or redivision of land into five or more lots, tracts, sites or divisions for the purpose of sales, lease or transfer of ownership.

"**Subdivision improvement bond**" means a guarantee that improvements to an approved residential development will be completed in accordance with city standards, and code as stated in conditions of approval. The owner is the principle and the city is the obligee. There is no expiration date on this type of bond but it terminates upon acceptance of improvements by the city. The bond is issued in the amount equal to one hundred five percent of the cost of all public improvements and any improvements required as part of the conditions of approval per CMC 17.21.050.

"**Substantially complete subdivision**" means improvements necessary to support occupied

dwelling units have been constructed to city standards and specifications and have been inspected and approved by all appropriate city departments. A substantially complete certificate has been issued to the developer signed by the city planning manager.

"**Supported living arrangement**" means a living unit owned or rented by one or more persons with functional disabilities who receive assistance with activities of daily living, instrumental activities of daily living, and/or medical care from and individual or agency licensed and/or reimbursed by a public agency to provide such assistance.

"**Telecommunications**" For related definitions see Section 18.35.020 "Definitions" in Chapter 18.35 "Telecommunications Ordinance."

"**Tract**" means an area dedicated to such things as streets, easements and uses out of character with the principal use, but within a unit of area being measured. Tracts may include critical areas, storm ponds, and forestlands, parkland and other open space. Tracts shall now be considered lots for the purpose of determining short plat or subdivision status. Tracts shall not be considered buildable lots of record.

"**Turn-arounds**" are any location identified by the city engineering manager as necessary to be improved for emergency and other vehicles to turn around.

"**UBC**" See "IBC" or "IRC."

"**Utility facilities, minor**" "Minor utility facilities" means those facilities which have a local impact on surrounding properties and are necessary to provide essential services such as;

1. Substations (transmission and distribution);
2. Pump stations;
3. Outfalls;
4. Water towers and reservoirs;
5. Public wells;
6. Cable television receiver and transmission facilities, excluding wireless communications facilities as defined in CMC Section 18.35.020;
7. Catch basins, retention ponds, etc.;
8. Water treatment facilities.

"**Vision clearance area**" means a triangular area on a lot at the intersection of two streets, or a street and an alley, or a street and a railroad, two sides of which are lot lines measured from their corner intersection for a distance specified in the code. The third side of the triangle is a line across the corner of the lot adjoining the ends of the other two sides. Where the lot lines at intersections have rounded corners, the lot lines will be extended in a straight line to a point of intersection. See Section 18.17.030 "Vision clearance areas" along with Figures 18.17(1) and 18.17(2).

"**Warranty bond**" is referred to as a function and maintenance bond, it is generally used to insure the satisfactory operation to public improvements within an approved development. The developer is the principle and the city is the obligee. The warranty bond has a beginning and ending date in amount specified per CMC 17.21.040(B)(1). At the end of the warranty period, the city will assume responsibility for the maintenance and repair of the public improvement.

"**Wetland bond**" insures the satisfactory installation, maintenance, and monitoring of wetland creation or enhancement as may be required as part of the SEPA or wetland mitigation plans. The bond has a beginning and ending date shall be in the amount as specified in CMC 17.21.050(B)(3). (Ord.2375 § 1 (part), 2004).

"**Wireless**" For related definitions see Chapter 18.35 "Telecommunication Ordinance."

"**Yard**" means an open space, other than a court or accessory structure, unobstructed from the ground to the sky, except where specifically provided by this code, on the lot on which a building is situated. See Figure 18.03-8.

"**Yard, front**" "Front yard" means an open space between the side lot lines and measured horizontally from the front lot line at right angles to the front lot line to the nearest point of the building. See Figure 18.03-8 and 18.03-6.

"**Yard, rear**" "Rear yard" means an open space between side lot lines and measured horizontally, at right angles from the rear lot line to the nearest point of the main building. See Figures 18.03-8 and 18.03-6.
"**Yard, side**" "Side yard" means an open space between a building and the side lot line measured horizontally and at right angles from the side lot line to the nearest point of the main building. See Figure 18.03-8.

Chapter 18.05 ZONING MAP AND DISTRICTS

18.05.010 Zoning maps administration.

18.05.020 Districts designated.

18.05.030 Boundary determination.

18.05.040 Residential and multifamily zones--Supplemental standards for "Area E" overlay district.

18.05.050 Commercial, industrial and high technology zones.

18.05.060 Overlay zones/special planning areas.

18.05.010 Zoning maps administration.

A. This title shall consist of the text titled the "City of Camas Zoning Code", and that certain map or books of maps identified by the approving signatures of the mayor and the city clerk, and marked and designated as "The Zoning Map of the city of Camas", which map or book of maps shall be placed on file in the offices of the city clerk, county auditor, and other city departments. This title, and each and all of its terms and map details, is to be interpreted in light of the context of the book of maps in relationship to the comprehensive plan. In any conflict between the maps and the text of this code, the text shall prevail.
B. Amendments. Amendments may be proposed by City Council on its own motion or may be proposed by the Planning Commission on its own motion, or such an amendment may be proposed my an applicant or city staff pursuant to Chapter 18.55
C. Administration and Procedures. A correct copy of each amendment to the text or to the map established by this Title shall be maintained on file in the offices of the City Clerk and the planning official.
D. Site Specific Rezones. Site Specific rezone involves an application of an owner of a specific parcel or set of contiguous parcels that does not require modification of the comprehensive plan. Site specific rezones are decided by the hearings officer after public hearing. The criteria for reviewing and approving a site specific rezone are as follows:

1. 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.
2. The proposed zone change shall be compatible with the existing established development pattern of the surrounding area in terms of lot sizes, densities and uses.

E. Timing and responsibility for updating official Zoning Map. All amendments hereafter made to the Zoning Map by ordinance shall be shown on such map(s) and it shall be the responsibility of the planning official to keep the maps up to date at all times. Any amendments to the zoning map shall be made in accordance with the Comprehensive Plan Map, as amended.

18.05.020 Districts designated.

For the purpose of the code, the city is divided into zoning districts designated as follows:

District	Symbol	Comprehensive Plan Designation
Residential - 20,000	R-20	Single-family Low
Residential - 15,000	R-15	Single-family Low
Residential - 12,000	R-12	Single-family Medium
Residential - 10,000	R-10	Single-family Medium
Residential - 7,500	R-7.5	Single-family Medium
Residential - 6,000	R-6	Single-family High
Residential - 5,000	R-5	Single-family High
Multifamily - 10	MF-10	Multifamily Low
Multifamily - 18	MF-18	Multifamily High
Multifamily - 24	MF-24	Multifamily High
Neighborhood Commercial	NC	Commercial
Community Commercial	CC	Commercial
Regional Commercial	RC	Commercial
Downtown Commercial	DC	Commercial
Light Industrial	LI	Industrial
Light Industrial/Business Park	LI/BP	Light Industrial/Business Park
Heavy Industrial	HI	Industrial

(Ord. 2368 § 1 (part), 2004: Ord. 2295 § 3 (part), 2001)

18.05.030 Boundary determination.

Unless otherwise specified or shown on the zoning map, district boundaries are lot lines or the centerlines of streets, alleys, railroad and other rights-of-way:
A. Where boundaries are other than lot lines or centerlines of streets, alleys, railroad and other rights-of-way, they shall be determined by dimensions shown on the zoning map;
B. Where actual streets or other features on the ground vary from those shown on the zoning map interpretations or adjustments shall be made by the planning commission;
C. Where a district boundary line, as shown on the zoning map, divides a lot in single ownership at the time of passage of the code, the zoning district classification that has been applied to the greater than fifty percent of such lot shall apply. (Ord. 2368 § 1 (part), 2004: Ord. 2295 § 3 (part), 2001)

18.05.040 Residential and multifamily zones--Supplemental standards for "Area E" overlay district.

All residential development within Area E (as identified on the city's zoning map) shall, in addition to meeting other applicable development regulations, be master planned; such master plan shall specifically address utilities, transportation, landscaping, lighting, signage, setbacks, critical areas and other factors materially affecting the development and the surrounding area.

A. R-20 Residential-20,000. This zone is intended to ensure that the rural character of certain portions of the city is maintained. Residential development is expected to consist of large custom single-family dwellings on uniquely configured lots which are designed to be sensitive to topographic and environmental considerations. The average lot size is twenty thousand square feet at densities of one to two dwellings per acre.

B. R-15 Residential-15,000. This zone is intended for single-family dwellings with a minimum density of two to three dwellings per acre. This zone will permit the rural character of a number of existing neighborhoods to be maintained. The average lot size is fifteen thousand square feet.

C. R-12 Residential-12,000. This zone is intended for single-family dwellings with densities of three to four dwelling units per acre. This zone is designated for areas with steep topography for greater flexibility in site layout and where potential hazards do not exist. The average lot size is twelve thousand square feet.

D. R-10 Residential-10,000. This zone is intended for single-family dwellings with densities of four to five dwellings per acre. This zone is intended to be zoned near low density residential districts and where potential natural hazards do not exist. The average lot size is ten thousand square feet.

E. R-7.5 Residential-7,500. This zone is intended for single-family dwellings with densities of five to six dwellings per acre. This zone should have less slope than lower density zones and be adjacent to existing high density residential districts. The average lot size is seven thousand five hundred square feet.

F. R-6 Residential-6,000. This zone is intended for single-family dwellings with densities of six to seven dwellings per acre. The slope of property is less than other lower density residential zones. This zone serves a transition to multifamily or commercial zones. The average lot size is six thousand square feet.

G. R-5 Residential-5,000. This zone is intended for single-family dwellings, either attached or detached, with densities of up to eight and one-half dwellings per acre. The slope of property is less than other medium density residential zones. Like the R-6 district, this zone serves as a transition to multifamily or commercial zones. The average lot size is five thousand square feet.

H. MF-10 Multifamily Residential-10. This zone provides for a diversity of attached dwellings such as duplexes, triplexes, fourplexes, rowhouses and apartment complexes with a density of up to ten units per acre.

It is desirable for this zone to be adjacent to parks and multi-modal transportation systems. This zone can also serve as a transition between commercial and residential zones.

I. MF-18 Multifamily Residential-18. This zone is intended to provide for attached dwellings such as duplexes, triplexes, fourplexes, rowhouses and apartment complexes with a density of eighteen units per acre. It is desirable for this zone to be adjacent to parks and multi-modal transportation systems. This zone also serves as a transition between commercial and residential zones.

J. MF-24 Multifamily Residential-24. This zone is intended to provide for attached dwellings such as duplexes, triplexes, fourplexes, rowhouses and apartment complexes with a density of twenty-four units per acre. It is desirable for this zone to be adjacent to parks and multi-modal transportation systems. This zone also serves as transition between commercial and residential zones. (Ord. 2368 § 1 (part), 2004: Ord. 2295 § 3 (part), 2001)

18.05.050 Commercial, industrial and high technology zones.

The purpose of the commercial, industrial and high technology zones are to provide services and employment primarily to residents. These areas are zoned according to the services they provide, as a result, each zone has different characteristics as summarized below.

A. NC Neighborhood Commercial. This zone provides for the day-to-day needs of the immediate neighborhood. This zone is intended to be small, but fairly numerous throughout the city. Convenience goods (e.g., food, drugs and sundries), along with personal services (e.g., dry cleaning, barbershop or beauty shop), are common goods and services offered.

B. CC Community Commercial. This zone provides for the goods and services of longer-term consumption, and tend to be higher-priced items than the neighborhood commercial zone district. Typical goods include clothing, hardware and appliance sales. Some professional services are offered, e.g., real estate office or bank. Eating and drinking establishments may also be provided. This zone tends to vary in size, but is larger than the neighborhood commercial zone.

C. RC Regional Commercial. This zone provides apparel, home furnishings and general merchandise in depth and variety, as well as providing services for food clusters and some recreational activities. Regional commercial is the largest of the commercial zones and is designed to serve the region or a significant portion of the region's population.

D. DC Downtown Commercial. This zone is designated as a large community commercial area, providing a large range of goods and services. This area is designed to promote commercial diversification to serve the immediate residential and office uses in the surrounding areas. Compact development is encouraged that is supportive of transit and pedestrian travel, through higher building heights and floor area ratios than those found in other commercial districts.

E. LI Light Industrial. This zone provides for uses that are more compatible with commercial, residential or multifamily uses. Typical uses in this zone include assembly and manufacturing of electronic and precision instruments. More intensive industry, e.g., metal fabrication, is excluded.

F. LI/BP Light Industrial/Business Park. This zone provides for uses such as, offices related to industrial usage, research and development, limited commercial, and associated warehousing uses, including the provision of employee recreation opportunities. Development in campus-like setting with generous landscaping, well designed buildings and near major traffic corridors is anticipated.

G. HI Heavy Industrial. This zone provides for a wide range of industrial and manufacturing uses. Types of activities in this zone include, assembly, manufacturing, fabrication, processing, bulk handling and storage, research facilities, associated warehousing and heavy trucking. (Ord. 2368 § 1 (part), 2004: Ord. 2295 § 3 (part), 2001)

18.05.060 Overlay zones/special planning areas.

Overlay zones implement the goals and values expressed in the comprehensive plan or special planning areas such as the North Dwyer Creek master plan. Uses within this area may be subject to standards which deviate from those in the primary zone. (Ord. 2368 § 1 (part), 2004: Ord. 2295 § 3 (part), 2001)

Chapter18.07 USE AUTHORIZATION*

*Note to Chapter18.07

18.07.010 Establishment of uses.

18.07.020 Interpretation of land use tables.

18.07.030 Table1--Commercial, industrial and high technology land uses.

18.07.040 Table 2--Residential and multifamily land uses.

*Note to Chapter18.07

* Prior ordinance history: Ord. 2295.

18.07.010 Establishment of uses.

The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained. The use is considered permanently established when that use will or has been in continuous operation for a period exceeding sixty days. A use which will operate for less than180 days is considered a temporary use, and shall be governed by Chapter18.47 "Temporary Use Permits." All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located in the city.
(Ord. 2408)

18.07.020 Interpretation of land use tables.

The land use tables in this chapter determine whether a specific use is allowed in a zone district. The zone district is located on the vertical column and the specific use is located on the horizontal rows of these tables.
A. If the letter "X" appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for certain temporary uses.
B. If the letter "F" appears in the box at the intersection of the column and the row, the use is allowed in that district subject to review procedures in accordance with Chapter18.55 "Development Code Administration."
C. If the letter "C" appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review procedures specified in Chapter18.43 "Conditional Use Permits" and the general requirements of the Camas Municipal Code.
D. If the letter "T" appears in the box at the intersection of the row, the use is temporarily permitted under the procedures of Chapter18.47 "Temporary Use Permits." Other temporary use not listed, may be authorized as provided in Chapter18.47.
E. If a number appears in a box at the intersection of the column and the row, the use is subject to the requirements specified in the note, corresponding with the number, immediately following the table.
F. Uses accessory to a use permitted or conditionally permitted in any zone may be authorized subject only to those criteria and/or processes deemed applicable by the head of the planning department.
G. If a use is not listed under either Section18.07.030 Table1 or18.07.040 Table 2 and not an accessory or temporary use, then the use shall be governed by Chapter18.49 "Unclassified Use Permits," and other applicable requirements, or whatever review process is deemed more applicable by the head of the planning department. (A use listed in one table but not the other shall be consider a prohibited use in the latter). (Ord. 2312 § 2 (part), 2002)

18.07.030 Table1--Commercial, industrial and high technology land uses.

KEY: P = Permitted Use
C = Conditional Use
X = Prohibited Use
T = Temporary Use

	NC	DC	CC	RC	LI/BP	LI	HI
Commercial							
Adult entertainment facility1, 6	X	X	X	X	X	X	C
Animal kennel, commercial/boarding 6	X	X	X	C	X	X	X
Animal shelter 6	X	X	X	C	X	C	P
Antique shop 6	P	P	P	P	X	X	P
Appliance sales and service 6	X	P	P	P	X	C	P
Automatic teller machines (ATM) 6	P	P	P	P	P5	P	P
Automobile repair (garage) 6	X	C	C	P	X	P	P
Automobile sales, new or used 6	X	C	X	P	X	P	P
Automobile service station 6	X	C	C	P	X	P	P
Automobile wrecking 6	X	X	X	X	X	X	C
Bakery (wholesale) 6	X	X	X	P	P5	P	P
Bakery (retail) 6	P	P	P	P	P5	P	P
Banks, savings and loan associations 6	X	P	P	P	P5	P	P
Barber and beauty shops 6	P	P	P	P	P5	P	P
Boat building 6	X	X	X	C	X	C	P
Boat repair and sales 6	X	C	X	P	X	P	P
Book store 6	C	P	P	P	P5	P	P
Bowling alley/billiards 6	X	P	X	P	X	P	P
Building, hardware and garden supply store 6	X	C	C	P	X	P	P
Bus station 6	X	P	C	P	X	P	P
Cabinet and carpentry shop 6	X	C	C	P	P5	P	P
Candy and confectionery store 6	P	P	P	P	P5	P	P
Cart vendors 6	C	P	C	P	P5	P	P

Cemetery 6	X	X	X	C	X	C	P
Clothing store 6	C	P	P	P	X	P	P
Coffee shop or cafe 6	P	P	P	P	P5	P	P
Convention center 6	X	C	X	C	P	C	X
Day-care center 6	C	P	P	C	P5	C	C
Day-care, family home 6	P	P	P	P	P5	P	X
Day-care, mini-center 6	P	P	P	P	P5	P	X
Delicatessen (deli) 6	P	P	P	P	P5	P	P
Department store 6	X	P	C	P	X	P	X
Commercial - continued							
Equipment rental 6	C	C	C	C	P5	P	P
Feed store 6	X	X	X	P	X	P	P
Fitness center/sports club 6	X	P	P	P	P5	P	P
Funeral home 6	X	P	C	P	X	X	X
Florist shop 6	P	P	P	P	P5	P	X
Food delivery business 6	X	P	C	P	X	P	X
Furniture repair and upholstery 6	X	P	C	P	X	P	P
Furniture store 6	X	P	C	P	X	P	X
Gas/fuel station 6	X	C	C	P	X	P	P
Gas/fuel station with mini market 6	X	C	C	P	X	P	P
Grocery, large scale 6	X	P	C	P	X	P	P
Grocery, small scale 6	X	P	C	P	X	P	P
Grocery, neighborhood scale 6	P	P	P	P	P5	P	X
Hospital, emergency care 6	X	C	P	P	X	P	X
Hotel, motel 6	X	C	C	P	X	P	X
Household appliance repair 6	X	C	C	P	X	P	P
Industrial supplies store 6	X	C	X	C	X	C	P
Laundry/dry cleaning (commercial)	X	X	X	P	X	P	P
Laundry/dry cleaning (retail) 6	P	P	P	P	P5	P	P
Laundry (self serve)	P	P	P	P	X	P	P
Liquor store 6	X	C	C	P	X	C	C
Machine shop 6	X	X	X	C	P5	C	P
Medical or dental clinics (out patient) 6	C	P	P	P	P5	P	P
Mini-storage/vehicular storage 6	X	X	C	C	X	P	P

Manufactured home sales lot 6	X	X	X	P	X	P	P
Newspaper printing plant 6	X	P	C	C	X	P	P
Nursery, plant 6	X	C	C	C	X	C	P
Nursing, rest or convalescent home 6	C	P	P	P	X	X	X
Office supply store 6	X	P	P	P	P5	P	P
Pawn shop 6	X	X	X	X	X	C	C
Parcel freight depots 6	X	C	X	P	P5	P	P
Pet shops 6	X	P	P	P	X	P	C
Pharmacy 6	X	P	P	P	P5	P	P
Photographic/electronics store 6	X	P	P	P	P5	P	P
Plumbing, or mechanical service 6	X	X	X	P	X	P	P
Printing, binding, blue printing 6	C	P	P	P	P5	P	P
Professional office(s) 6	C	P	P	P	P	P	P
Public agency 6	C	P	P	P	P	P	P
Real estate office 6	C	P	P	P	T	P	P
Recycling center 6	X	X	X	X	X	P	P
Commercial - continued							
Recycling collection point 6	T or C	T or C	T or C	T or C	P5	P	P
Recycling plant 6	X	X	X	X	X	C	P
Research facility 6	X	C	C	C	P	P	P
Restaurant 6	C	P	P	P	P5	P	P
Restaurant, fast food 6	X	P	C	P	P5	P	P
Roadside produce stand 6	T	T	T	T	T	T	T
Sand, soil, gravel sales and storage 6	X	X	X	X	X	C	P
Second-hand/consignment store 6	C	P	P	P	X	P	P
Shoe repair and sales 6	P	P	P	P	X	P	P
Taverns 6	X	C	C	P	X	P	P
Theater, except drive-in 6	X	P	C	P	X	P	P
Truck terminals 6	X	C	X	C	X	C	P
Veterinary clinic 6	X	C	C	P	X	P	P
Video rental store 6	P	P	P	P	X	P	X
Warehousing, wholesale and	X	X	X	C	P5	P	P

trade 6							
Warehousing, bulk retail 6	X	X	X	C	X	P	P
Manufacturing and/or processing of the following:							
Cotton, wool, or other fibrous material	X	X	X	X	X	P	P
Food production or treatment	X	X	X	C	X	P	C
Foundry	X	X	X	X	X	C	C
Furniture manufacturing	X	X	X	X	X	P	P
Gas, all kinds (natural, liquefied,...)	X	X	X	X	X	X	C
Gravel pits/rock quarries	X	X	X	X	X	C	P
Hazardous waste treatment--off-site	X	X	X	X	X	X	P
Hazardous waste treatment--on-site	X	X	X	X	X	X	P
Junkyard/wrecking yard	X	X	X	X	X	X	C
Metal fabrication and assembly	X	X	X	X	X	X	P
Paper, pulp or related products	X	X	X	X	X	X	P
Signs or other advertising structures	X	X	X	C	P	C	P
Electronic equipment	X	X	X	X	P	P	P
Heavy Industry							
High-tech industry	X	X	X	X	P2	X	X
Musical instruments, toys, novelties	X	X	X	X	X	C	P
Optical goods	X	C	C	C	P5	P	P
Packaging of prepared materials	X	X	C	P	P5	C	P
Scientific and precision instruments	X	X	X	X	P	P	P
Recreational/Religious/Cultural							
Auditorium 6	C	P	P	P	X	P	P
Community club 6	C	P	P	P	X	P	P
Church 6	P	P	P	P	X	P	P
Recreational/Religious/Cultural - continued							
Golf course/driving range 6	P	X	P	P	P5	P	P
Library 6	C	P	P	P	X	P	P
Museum 6	C	P	P	P	X	P	P
Recreational vehicle park 6	X	X	X	C	X	P	P

Open space 6	P	P	P	P	P	P	P
Park or playground 6	P	C	P	P	P	P	P
Sports fields 6	C	X	P	P	X	P	P
Trails	P	P	P	P	P	P	P
Educational							
College/university 6	P	P	P	P	X	P	P
Elementary school 6	P	P	P	P	X	P	P
Junior or senior high school 6	P	P	P	P	X	P	P
Private, public or parochial school 6	P	P	P	P	X	P	P
Trade, technical or business college 6	P	P	P	P	P	P	P
Residential Uses							
Adult family home	C	P	P	X	X	P	X
Assisted living	C	P	P	X	X	X	X
Bed and breakfast	P	P	P	X	X	P	X
Boarding house	C	P	P	X	X	P	X
Designated manufactured home	X	X	X	X	X	X	X
Duplex or two-family dwelling	X	C	X	X	X	P	X
Group home	C	P	P	X	X	P	X
Home occupation	P	P	P	X	X	P	X
Housing for the disabled	P	P	P	X	X	X	X
Apartment	X	P	X	X	X	P	X
Nursing homes/convalescent homes	X	P	P	X	X	P	X
Residence accessory to and connected with a business	P	P	P	X	X	P	X
Single-family attached (e.g. rowhouses)	X	C	X	X	X	X	X
Single-family dwelling	X	X	X	X	X	X	X
Communication, Utilities and Facilities							
Major telecommunication facility 6	X	X	X	X	X	X	C
Minor telecommunication facility	P	P	P	P	P	C	P
Wireless communications facility3, 6							
Facilities, minor public	P	P	P	P	P	C	P
Facility, public (excludes	P	P	P	P	P	C	P

schools) 6							
Facility, essential 6	X	X	C	C	P	C	C
Railroad tracks and facilities 6	C	C	C	C	X	C	C
Temporary Uses							
Temporary sales office for a development4	T	T	T	T	T	T	T

1. See CMC Chapter18.37 "Adult Entertainment" for additional regulations for siting adult entertainment facilities.
2. Similar uses are permitted in the zone district only at the discretion of the city planner.
3. See CMC Chapter18.35 "Telecommunication Ordinance" for wireless communication uses permitted according to the zone district.
4. See CMC Chapter18.47 "Temporary Uses" for additional regulations.
5. See secondary use provisions of LI/BP zone.
6. See CMC Chapter18.19 "Design Review" for additional regulations. CMC Chapter18.19 is not applicable to development in the LI/BP zone. (Ord. 23 69 §1, 2004: Ord. 2312 § 2 (part), 2002)

18.07.040 Table 2--Residential and multifamily land uses.

KEY: P = Permitted Use
C = Conditional Use
X = Prohibited Use
T = Temporary Use

Authorized Uses in Residential and Multifamily Zones

	R	MF
Residential Uses		
Adult family homes	P	P
Boarding house	X	C
Designated manufactured homes	P	P
Duplex or two-family dwelling	C	P
Group homes	P	P
Manufactured home	X	X
Manufactured home park	X	C
Apartments	P2	P
Assisted Living1	C	P
Retirement center/convalescent home1	C	P
Single-family attached (eg. rowhouses)	P2	P
Single-family dwelling (detached)	P	P

1. See Chapter 18.19 "Design Review" for additional regulations.
2. Permitted in the R zones as part of a planned development only. (Ord. 2312 § 2 (part), 2002)

Chapter 18.09 DENSITY AND DIMENSIONS*

*Note to Chapter 18.09

18.09.010 Purpose.

18.09.020 Interpretation of tables.

18.09.030 Table 1--Density and dimensions--Commercial and industrial zones.

18.09.040 Table 2--Density and dimensions--Single-family residential zones.

18.09.050 Table 3--Density and dimensions--Multifamily residential zones.

18.09.060 Calculating maximum residential density with sensitive lands.

18.09.080 Lot sizes.

18.09.090 Reduction prohibited.

18.09.100 Lot exception.

18.09.110 Height--Exception.

18.09.120 Roof overhang permitted.

18.09.130 Setback--Exception.

18.09.140 Front yard--Exception.

18.09.150 Side yard--Exception.

18.09.160 Side yard--Flanking street.

18.09.170 Rear yard--Exception.

18.09.180 Elevated decks.

*Note to Chapter 18.09

* Prior ordinance history: Ord. 2295.

Residential Uses - continued		
Adult family home, residential care facility, supported living arrangement, or housing for the disabled1	P	P
Incidental Uses		
Accessory dwelling unit	P	P
Daycare center1	C	P
Daycare, family home	P	P
Daycare, minicenter1	C	P
Gardening and horticulture activities	P	P
Home occupation	P	P
Bed and breakfast1	C	C
Recreation/Religious/Cultural		
Church1	C	C
Community clubs, private or public1	C	C
Library1	C	C
Museum1	C	C
Open Space1	P	P
Public or semi-public building1	C	C
Park or playground1	C	C
Sports fields1	C	C
Trails	P	P
Educational Uses		
Private, public, or parochial school1	C	C
Trade, technical, business college1	X	X
College/university1	X	X
Communication and Utilities		
Major communication facility1	X	X
Minor communication facility	C	C
Wireless communication facility1	C	C
Facilities, minor public	C	C
Public utilities, minor	C	C
Pumping station1	C	C
Railroad tracks and facilities1	C	C
Temporary Uses		
Sales office for a development in a dwelling	C	C

18.09.010 Purpose.

The purpose of this chapter is to establish requirements for development relative to basic dimensional standards, as well as specific rules for general application. The standards and rules are established to provide flexibility in project design, and maintain privacy between adjacent land uses, and promote public safety. Supplementary provisions are included to govern density calculations for residential districts and specific deviations from general rules. (Ord. 2312 § 3 (part), 2002)

18.09.020 Interpretation of tables.

A. The Camas Municipal Code 18.09.030, 18.09.040 and 18.09.050 (Tables) contain general density and dimension standards of the particular zone districts. Additional rules and exceptions are stated in Sections 18.09.060 through 18.09.180.
B. The density and dimension tables are arranged in a matrix format on three separate tables and are delineated into three general land use categories:

1. Commercial and industrial;
2. Single family residential; and
3. Multifamily residential.

C. Development standards are listed down the left side of both tables, and the zones are listed across the top. Each cell contains the minimum or maximum requirement of the zone. Footnote numbers identify specific requirements found in the notes immediately following the table. Additional dimensional and density exceptions are included in the Sections 18.09.060 through 18.09.180 following the tables.

18.09.030 Table 1--Density and dimensions--Commercial and industrial zones.

Density and Dimensions for Commercial and Industrial Zones

	NC	DC	CC	RC	LI/BP4	LI	HI
Bulk regulations							
Minimum lot area (square feet)	5,000	1	1	1	10 (acres)	10,000	1
Minimum lot width (feet)	40	1	1	1	Not specified	100	1
Maximum lot depth (feet)	40	1	1	1	Not specified	1	
Setbacks							
Minimum front yard (feet)3	15	5	5	5	5' per 1 foot of building height (200' minimum)	Not specified	1

Minimum side yard (feet)	1 10'2	1	1	1	100' for building; 25' for parking	15' 25' if abutting a residential area	1
Minimum rear yard (feet)	1	1	1	1	100' for building; 25' for parking area	25	1
Lot coverage							
Lot coverage (percentage)	85%	1	1	1	1 story (30%) 2 stories (40%) 3 stories (45%)	70%	1
Building height							
Maximum building height (feet)	2.5 stories; or 35	1	1	1	60	acre or less: 35 1 to 2 acres: 45 2 acres or more: 60	1

1. No limitation.
2. If along a flanking street of corner lot.
3. On corner parcels, (parcels bordered by two or more streets), the setback requirements shall be the same for all street frontages. Front setback restrictions shall apply.
4. The densities and dimensions in the LI/BP zone may be reduced under a planned industrial development. See Chapters 18.20 and 18.21.

18.09.040 Table 2--Density and dimensions--Single-family residential zones.

Density and Dimensions for Single-family Residential Zones1

	R-5	**R-6**	**R-7.5**	**R-10**	**R-12**	**R-15**	**R-20**
A.) Standard New Lots							
Maximum density (dwelling units/gross acre)	8.7	7.2	5.8	4.3	3.6	2.9	2.1
Average lot area (square feet)[5]	5,000	6,000	7,500	10,000	12,000	15,000	20,000
Minimum lot size (square feet)	4,000	4,800	6,000	8,000	9,600	12,000	16,000

Maximum lot size (square feet)[4]	6,000	7,200	9,000	12,000	14,400	18,000	24,000
Minimum lot width (feet)	50	60	70	80	90	100	100
Minimum lot depth (feet)	80	90	90	100	100	100	100
Maximum building lot coverage	45%	40%	40%	35%	30%	30%	30%
Maximum building height (feet)[3]	35	35	35	35	35	35	35
B.) Density Transfer Lots 1.							
Maximum density (dwelling units/gross acre	8.7	7.2	5.8	4.3	3.6	2.9	2.1
Minimum lot size (square feet)	3,500	4,200	5,250	7,000	8,400	10,500	14,000
Maximum lot size (square feet)[4]	6,000	7,200	9,000	12,000	14,400	18,000	24,000
Minimum lot width (feet)[1]	40	50	60	60	70	80	90
Minimum lot depth (feet)[1]	80	80	80	90	90	100	100
Maximum building lot coverage	45%	40%	40%	40%	35%	35%	30%
Maximum building height (feet)[3]	35	35	35	35	35	35	35
C.) Setbacks based on average lot sizes (not zone specific)[2]	Up to 4,999 sq. ft.	5,000 to 7,499 sq. ft.	7,500 to 9,999 sq. ft.	10,000 to 11,999 sq. ft.	12,000 to 14,999 sq. ft.	15,000 to 19,999 sq. ft.	20,000 or more sq. ft.
Minimum front yard (feet)	15	20	20	20	25	30	30
Minimum side yard and corner lot rear yard (feet)	5	5	5	5	10	15	15
Minimum side yard flanking a street (feet)	15	20	20	20	25	30	30
Minimum rear yard (feet	20	25	25	25	30	35	35
Minimum lot frontage on a cul-de-sac or curve (feet)	25	30	30	30	35	40	40

1. For additional density provisions, see CMC Sections 18.09.060 through 18.09.190.
2. Setbacks may be reduced to be consistent with average lot sizes of the development in which it is located. Notwithstanding the setbacks requirements of this chapter, setbacks and/or building envelopes clearly established on an approved plat or development shall be applicable.

3. Maximum building height: three stories and a basement, not to exceed height listed.
4. For parcels greater than (1) one acre in size, a one time variance shall be allowed to partition from the parent parcel a lot that exceeds the maximum lot size permitted in the underlying zone. Any further partitioning of the parent parcel or the oversized lot must comply with the lot size requirements of the underlying zone.
5. Average lot area is based on the square footage of all lots within the development or plat. The average lot size may vary from the stated standard by no more than 500 square feet.

18.09.050 Table 3--Density and dimensions--Multifamily residential zones.

Density and Dimensions for Multifamily Residential Zones1

	MF-10	**MF-10 attached**	**MF-18**	**MF-18 attached**	**MF-24**	**MF-24 attached**
Density						
Maximum density (dwelling units per gross acre)	10	14	18	20	24	24
Standard lots						
Minimum lot area (square feet)	5,000	3,000	5,000	2,100	5,000	1,800
Minimum lot area per dwelling unit (square feet)	4,350	3,000	2,420	2,100	1,815	1,800
Minimum lot width (feet)	50	20	50	20	50	20
Minimum lot depth (feet)	90	75	90	70	90	65
Setbacks						
Minimum front yard (feet)	15	15	15	10	15	10
Minimum side yard (feet)2	10	5	10	5	10	5
Minimum side yard, flanking a street (feet)	15	15	15	15	15	15
Minimum rear yard3	10	10	10	10	10	10
Lot coverage						
Maximum building lot coverage	45%	55%	55%	65%	65%	75%
Building height						
Maximum building height (feet)4	35	35	45	45	45	45

1. For single-family attached housing, the setback for the nonattached side of a dwelling unit shall be five feet.
2. For single-family attached housing, the R zone property setback for the nonattached rear of a dwelling unit shall be ten feet, except abutting MF, where the rear yard may be no less than ninety percent of the adjacent zone.
3. Maximum building height: three stories and a basement but not to exceed height listed above.
(Ord. 2363 § 2, 2004: Ord. 2312 § 3 (part), 2002)

18.09.060 Density Transfers.

A. Purpose. To achieve the density goals of the comprehensive plan with respect to the urban area, while preserving environmentally sensitive lands and the livability of the single-family residential neighborhoods, while also maintaining compatibility with existing residences.
B. Scope. This section shall apply to new development in all residential (R) zoning districts.
C. Where a land division proposes to set aside a tract for the protection of a critical area, natural open space network or network connector (identified in the City of Camas Parks Plan), or approved as a recreational area, lots proposed within the development may utilize the density transfer standards under CMC 18.09.040 Table-2.
D. Where a tract under "C" above, includes ½ acre or more of contiguous acreage, the City may provide additional or negotiated flexibility in lot sizes, lot width, depth or setback standards. In no case shall the maximum gross density of the overall site be exceeded.

18.09.080 Lot sizes.

A. In planned residential developments with sensitive lands and the required recreational open space set aside, a twenty percent density bonus on a unit count basis is permitted. Density may be transferred for sensitive areas but the total lot count shall never exceed the number of lots established in the density standards established in CMC Section 18.23.040 "Density Standards."
B. Newly created lots, via short plats or subdivisions, adjacent to existing single-family lots shall use a "beveling" technique when platting new lots, unless lots are designated as open space/park. New lots on the perimeter shall, to the greatest extent possible, emulate the size of adjacent platted lots provided that the newly platted lots would not be required to exceed twenty thousand square feet. Setbacks from the property lines of the new development shall be comparable to, or compatible with, those of any existing development on adjacent properties. The applicant may transfer the unused density to the interior balance of the project in a manner that allows the proposed development to achieve the density established for the zoning district in question. This standard shall not be applied to the extend that it precludes the development from achieving the average lot area requirement of the underlying zone under CMC 18.09.040 Table 2 or CMC 18.09.050 Table 3.

18.09.090 Reduction prohibited.

No lot area, yard, open space, off-street parking area, or loading area existing after the effective date of the ordinance codified in this chapter shall be reduced below the minimum standards required by the ordinance codified in this chapter nor used as another use, except as provided in Chapter 18.41 "Nonconforming Lots, Structures, Uses." (Ord. 2312 § 3 (part), 2002)

18.09.100 Lot exception.

If at the time of passage of the code, a lot has an area or dimension which does not conform with

the density provisions of the zoning district in which it is located, the lot may be occupied by any use permitted outright in the district, subject to the other requirements of the district. The person claiming benefits under this section shall submit documentary proof of the fact that the lot existed by title at the time of passage of the code. See Section 18.41.040 "Buildable lot of record." (Ord. 2312 § 3 (part), 2002)

18.09.110 Height--Exception.

The following type of structures or structural parts are not subject to the building height limitations of the code: tanks, church spires, belfries, domes, monuments, fire and hose towers, observation towers, transmission towers, chimneys, flag poles, radio and television towers, masts, aerials, cooling towers, and other similar structures or facilities. The heights of telecommunication facilities are addressed in Chapter 18.35. (Ord. 2312 § 3 (part), 2002)

18.09.120 Roof overhang permitted.

The maximum roof over hang may intrude into for yard setbacks shall be as follows:

Yard Setback	Maximum Roof Overhang
5 feet	2 feet
10 feet	3.5 feet
15 feet	5 feet
15 feet or greater	5 feet

(Ord. 2312 § 3 (part), 2002)

18.09.130 Setback--Exception.

A. Cornices, eaves, chimneys, belt courses, leaders, sills, pilasters or other similar architectural or ornamental features (not including bay windows or vertical projections) may extend or project into a required yard not more than two feet.
B. Open balconies, unenclosed fire escapes or stairways, not covered by a roof or canopy, may extend or project into a required front yard, or a required rear yard along a flanking street of a corner lot, or into a required side yard not more than three feet.
C. Open, unenclosed patios, terraces, roadways, courtyards, or similar surfaced areas, not covered by a roof or canopy and not more than thirty inches from the finished ground surface may occupy, extend or project into a required yard provided that such areas are not used for off-street parking or other purposes not in conformance with the requirements of this code.
D. Cantilevered floors, bay windows or similar architectural projections not wider than twelve feet may extend or project into the required side yard along a flanking street of a corner lot not more than two feet. The total of all projections for each building elevation shall not exceed fifty percent of each building elevation.
E. Detached accessory buildings or structures may be established in a side or rear yard provided such structure maintains a minimum setback of five feet from side and rear lot lines and a minimum six feet setback from any building. In no event shall an accessory building(s) occupy more than thirty percent of a rear yard requirement.
F. On sloping lots greater than fifty percent, only uncovered stairways and wheelchair ramps that lead to the front door of a building may extend or project into the required front yard setback no more than five feet in any R1 or MF zone.
G. Flag poles may be placed within any required yard but shall maintain a five foot setback from

any lot line.

18.09.140 Front yard--Exception.

A. Commercial and Industrial Districts. For a lot in a NC, CC, RC, LI, or HI district proposed for commercial or industrial development which is across a street from a residential (R) zone, the yard setback from the street shall be fifteen feet.
B. Sloping Lot in any Zone. If the natural gradient of a lot from front to rear along the lot depth line exceeds an average of twenty percent, the front yard may be reduced by one foot for each two percent gradient over twenty percent. In no case under the provisions of this subsection shall the setback be less than ten feet. (Ord. 2312 § 3 (part), 2002)

18.09.150 Side yard--Exception.

For a lot in a NC, CC, or RC district containing a use other than a dwelling structure and adjoining a residential zoning district; minimum side yard along a side lot line adjoining a lot in a residential zoning district shall be fifteen feet. In the case of a lot in a LI, or HI district the side yard setbacks shall be twenty feet. If the adjoining residential district is within an area shown in the comprehensive plan for future commercial or industrial use or expansion, no minimum side yard shall be required. (Ord. 2312 § 3 (part), 2002)

18.09.160 Side yard--Flanking street.

For a corner lot in a NC, CC, RC, LI, or HI district proposed for commercial or industrial development which is across a street from a residential (R) zone, the yard setback from the street shall be fifteen feet. (Ord. 2312 § 3 (part), 2002)

18.09.170 Rear yard--Exception.

For a lot in a NC, CC, or RC district containing a use other than a dwelling structure and adjoining a residential zoning district: minimum rear yard along a rear lot line adjoining a side or rear yard of a lot in a residential zoning district shall be fifteen feet. In the case of a lot in a LI, or HI district, the rear yard setback shall be twenty feet. If the adjoining residential district is within an area shown in the comprehensive plan for future commercial or industrial use or expansion, no minimum rear yard shall be required. (Ord. 2312 § 3 (part), 2002)

18.09.180 Elevated decks.

Rear Yard Setback. The rear yard setback for an elevated deck shall be fifteen feet. As used herein, an elevated deck shall mean a deck thirty inches or more above ground level that is physically attached to a residential structure. The areas covered by an elevated deck shall be counted when calculating the maximum lot coverage permitted under the applicable density provisions. (Ord. 2312 § 3 (part), 2002)

Chapter 18.11 PARKING*

*Note to Chapter 18.11

18.11.010 Policy designated.

18.11.020 Design.

18.11.030 Location.

18.11.040 Units of measurement.

18.11.050 Change or expansion.

18.11.060 Unspecified use.

18.11.070 Joint use.

18.11.080 Plan submittal.

18.11.090 Landscaping.

18.11.100 Residential parking.

18.11.110 Parking for the handicapped.

18.11.120 Additional requirements.

18.11.130 Standards.

18.11.140 Loading standards.

*Note to Chapter 18.11

* Prior ordinance history: Ord. 2295.

18.11.010 Policy designated.

In all districts except for projects one-half block or less in size in the DC district there shall be provided minimum off-street parking spaces in accordance with the requirements of Section 18.11.020. Such off-street parking spaces shall be provided at the time of erecting new structures, or at the time of enlarging, moving or increasing the capacity of existing structures by creating or adding dwelling units, commercial or industrial floor space, or seating facilities. Under no circumstances shall off-street parking be permitted in the vision clearance area of any intersection. Off-street parking will only qualify if located entirely on the parcel in question and not on city-owned right-of-way or privately owned streets less than twenty feet in width. Covered parking structures shall not be permitted within the front yard setback or side yard setback along a flanking street. (Ord. 2312 § 4, (part), 2002)

18.11.020 Design.

The design of off-street parking shall be as follows:
A. Ingress and Egress. The location of all points of ingress and egress to parking areas shall be subject to the review and approval of the city engineer.

B Backout Prohibited. In all commercial and industrial developments and in all residential buildings containing five or more dwelling units, parking areas shall be so arranged as to make it unnecessary for a vehicle to back out into any street or public right-of-way.
C. Parking Spaces--Access and Dimensions. Adequate provisions shall be made for individual ingress and egress by vehicles to all parking stalls at all times by means of unobstructed maneuvering aisles. The city engineer is directed to promulgate and enforce standards for maneuvering aisles and parking stall dimensions, and to make such standards available to the public.
D. Small Car Parking Spaces. A maximum of thirty percent of the total required parking spaces may be reduced in size for the use of small cars, provided these spaces shall be clearly identified with a sign permanently affixed immediately in front of each space containing the notation "compacts only." Spaces designed for small cars may be reduced in size to a minimum of seven and one-half feet in width and fifteen feet in length. Where feasible, all small car spaces shall be located in one or more contiguous areas and/or adjacent to ingress/ egress points within parking facilities. Location of compact car parking spaces shall not create traffic congestion or impede traffic flows. (Ord. 2312 § 4, (part), 2002)

18.11.030 Location.

Off-street facilities shall be located as hereafter specified. Such distance shall be the maximum walking distance measured from the nearest point of the parking facility to the nearest point of the building that such facility is required to serve:
A. For single family or two-family dwelling and motels: On the same lot with the structure they are required to serve.
B. For multiple dwelling, rooming or lodging house: two hundred feet.
C. For hospital, sanitarium, home for the aged, or building containing a club: three hundred feet.
D. For uses other than those specified above: four hundred feet. (Ord. 2312 § 4, (part), 2002)

18.11.040 Units of measurement.

A. In a stadium, sports arena, church, or other place of assembly, each twenty inches of bench seating shall be counted as one seat for the purpose of determining requirements for off-street parking facilities.
B. For purposes of determining off-street parking as related to floor space of multilevel structures and building, the following formula shall be used to compute gross floor area for parking determination:

Main floor	100%
Basement and second floor	50%
Additional stories	25%

(Ord. 2312 § 4, (part), 2002)

18.11.050 Change or expansion.

Except in a DC district, whenever a building is enlarged or altered, or whenever the use of a building or property is changed, off-street parking shall be provided for such expansion or change of use. The number of off-street parking spaces required shall be determined for only the square footage of expansion not the total square footage of the building or use; however, no additional

off-street parking space need be provided where the number of parking spaces required for such expansion, enlargement or change in use since the effective date of the code is less than ten percent of the parking space specified in the code. Nothing in this provision shall be construed to require off-street parking spaces for the portion and/or use of such building existing at the time of passage of the code. (Ord. 2312 § 4, (part), 2002)

18.11.060 Unspecified use.

In case of a use not specifically mentioned in Section 18.11.130, the requirements for off-street parking facilities shall be determined by the city engineer or planning commission in accordance with a conditional use permit. Such determination shall be based upon the requirements for the most comparable use listed. (Ord. 2312 § 4, (part), 2002)

18.11.070 Joint use.

The planning commission may authorize the joint use of parking facilities for the following uses or activities under conditions specified:
A. Up to fifty percent of the parking facilities required by the code for a theater, bowling alley, tavern, or restaurant may be supplied by the off-street parking facilities provided by certain types of buildings or uses herein referred to as "daytime" uses in subsection D of this section.
B. Up to fifty percent of the off-street parking facilities required for any building or use specified in subsection D of this section, "daytime" uses, may be supplied by the parking facilities provided by uses herein referred to as "nighttime or Sunday" uses in subsection E of this section.
C. Up to one hundred percent of the parking facilities required for a church or for an auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities provided by uses herein referred to as "daytime" uses in subsection D of this section.
D. For the purpose of this section, the following and similar uses are considered as primary daytime uses: banks, offices, retail, personal service shops, household equipment or furniture stores, clothing or shoe repair shops, manufacturing or wholesale buildings and similar uses.
E. For the purpose of this section, the following and similar uses are considered as primary nighttime or Sunday uses: auditorium incidental to a public or parochial school, churches, bowling alleys, theaters, taverns, or restaurants.
F. Owners of two or more buildings or lots may agree to utilize jointly the same parking space, subject to such conditions as may be imposed by the commission. Satisfactory legal evidence shall be presented to the commission in the form of deeds, leases or contracts to establish the joint use. Evidence shall be required that there is no substantial conflict in the principal operating hours of the buildings or uses for which joint off-street parking is proposed. (Ord. 2312 § 4, (part), 2002)

18.11.080 Plan submittal.

Every tract or lot hereafter used as public or private parking area, having a capacity of five or more vehicles, shall be developed and maintained in accordance with the requirements and standards of this chapter.
The plan of the proposed parking area shall be submitted to the city engineer at the time of the application for the building for which the parking area is required. The plan shall clearly indicate the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping, and other features and appurtenances required. The parking facility shall be developed and completed to the required standards before an occupancy permit for the building may be issued. (Ord. 2312 § 4, (part), 2002)

18.11.090 Landscaping.

Landscaping requirements for parking areas shall be provided under Chapter 18.13 "Landscaping." (Ord. 2312 § 4, (part), 2002)

18.11.100 Residential parking.

Residential off-street parking space shall consist of a parking strip, driveway, garage, or a combination thereof and shall be located on the lot they are intended to serve. (Ord. 2312 § 4, (part), 2002)

18.11.110 Parking for the handicapped.

Off-street parking and access for the physically handicapped persons shall be provided in accordance with the uniform building code. (Ord. 2312 § 4, (part), 2002)

18.11.120 Additional requirements.

In addition to the basic standards and requirements established by other sections of this chapter, the planning commission or city engineer may make such other requirements or restrictions as shall be deemed necessary in the interests of safety, health and general welfare of the city, including, but not limited to, lighting, jointly development of parking facilities, entrances and exits, accessory uses, and conditional exceptions. Further, performance bonds may be required in such cases where the commission or council determines that such shall be necessary to guarantee proper completion of improvements within time periods specified. (Ord. 2312 § 4, (part), 2002)

18.11.130 Standards.

The minimum number of off-street parking spaces for the listed uses shall be shown in Table 18.11-1, Off-Street Parking Standards. The city engineer shall have the authority to request a parking study when deemed necessary.

Use	Required Number of Off-Street Parking Spaces
Residential	
Single-family dwelling, duplex, rowhouse	2 per unit
Studio apartment	1
Apartment 1 bedroom/2+ bedrooms	1.5/2
Housing for elderly (apartment/ unassisted)	.33 per unit
Retirement dwellings	2 per unit
Residential care facility/assisted living	1 per 2 beds + 1 per day shift employee

Home occupation	none
Lodging	
Hotel or motel	1 space per unit plus additional for bars, restaurants, assembly rooms
Bed and breakfast	1 space per room
Recreation	
Marina	1 space per 2 slips
Miniature golf	1 space per hole
Golf course	6 spaces per hole and 1 per employee
Golf driving range	1 space per 15 feet of driving line
Theater, auditorium	1 space per 4 seats maximum occupancy
Stadium, sports arena	1 space per 4 seats or 1 for each 8 feet of benches plus 1 space per 2 employees
Tennis, racquetball, handball, courts/club	3 spaces per court or lane, 1 space per 260 square feet of gross floor area (GFA) of related uses, and 1 space per employee
Basketball, volleyball court	9 spaces per court
Bowling, bocce ball center, billiard hall	5 spaces per alley/lane, and/or table
Dance hall, bingo hall, electronic game rooms, and assembly halls without fixed seats	1 space per 75 square feet of gross floor area (GFA)
Use	Required Number of Off-Street Parking Spaces
Recreation - continued	
Sports club, health, spa, karate club	1 space per 260 square feet of gross floor area plus 1 space per employee
Roller rink, ice-skating rink	1 space per 100 square feet of gross floor area
Swimming club	1 space per 40 square feet of gross floor area
Private club, lodge hall	1 space per 75 square feet of gross floor area
Institutional	
Church/chapel/synagogue/temple	1 space per 3 seats or 6 feet of pews
Elementary/middle/junior high school	1 space per employee, teacher, staff and 1 space per 15 students

Senior high school	1 space per employee, teacher and staff member and 1 per 10 students
Technical college, trade school, business school	1 space per every 2 employees and staff members and 1 per every full-time student or 3 part-time students
University, college, seminary	1 per every 2 employees and staff members and either 1 per every 3 full-time students not on campus or 1 for every 3 part-time students, whichever is greater
Multi-use community centers	1 per 4 seats maximum occupancy
Museum, art gallery	1 space per 500 square feet of gross floor area
Library	1 per employee and 1 per 500 square feet of gross floor area
Post office	1 per 500 square feet of gross floor area plus 1 space per each 2 employees
Use	Required Number of Off-Street Parking Spaces
Medical care facilities	
Hospitals	1 per 2 beds
Veterinary clinic/hospital	1 space per 250 square feet of gross floor area
Medical/dental clinic/office	1 per employee plus 1 per 300 square feet of gross floor area
Office	
General offices	1 per employee, 1 per 400 square feet of gross floor area
General office (no customer service)	1 per 250 square feet of gross floor area
Office park	1 space per 400 square feet of gross floor area
Meeting rooms	1 per 4 person occupancy load, and 1 per 2 employees
Commercial/service	
Automobile sales new/used	1 per 400 square feet of gross floor area
Auto repair accessory to auto sales	2 spaces per auto service stall

Automobile repair shop, automobile service station, automobile specialty store, automobile body shop	4 per bay
Gas station	1 per 2 fuel pumps
Gas station with mini-market	1 per nozzle plus 1 per 250 square feet of gross floor area
Car wash or quick service lubrication facilities	2 spaces per stall and 1 space per 2 employees
Beauty parlor, barber shop	1 per 300 square feet of gross floor area
Massage parlor	1 per 300 square feet of gross floor area
Exhibition halls, showrooms, contractor's shop	1 space per 900 square feet of gross floor area
Use	Required Number of Off-Street Parking Spaces
Commercial/service - continued	
Photographic studio	1 space per 800 square feet of gross floor area
Convenience market, supermarket	1 space per 250 square feet of gross floor area
Multi-use retail center	1 per 250 square feet of gross floor area
Finance, insurance, real estate office	1 per employee plus 1 per 400 square feet of gross floor area
Bank	1 per employee plus 1 per 400 square feet of gross floor area
Drug store	First 5000 square feet = 17 spaces plus 1 per add 1500
Furniture/appliance store	1 per 500 square feet of gross floor area
Clothing store	1 per 400 square feet of gross floor area
Lumber yard, building material center	1 space per 275 square feet of indoor sales area plus 1 space per 5,000 square feet of warehouse/storage
Hardware/paint store	1 per 400 square feet of gross floor area
Restaurant	1 per 100 square feet of gross floor area

Restaurant, carry-out	1 space per 225 square feet of gross floor area
Fast food restaurant	1 space per 110 square feet of gross floor area plus 6 stacking spaces for drive-through lane
Repair shop	1 per 400 square feet of gross floor area
Laundromats, coin-operated dry cleaners	1 space per every 3 washing or cleaning machines
Mortuary	1 space per 150 square feet of gross floor area
Express delivery service	1 space per 500 square feet of gross floor area plus 1 space per employee
Retail stores in general	Less than 5000 equals 1 per 300 square feet. Greater than 5000, 17 plus 1 per 1500
Use	Required Number of Off-Street Parking Spaces
Industrial	
Industrial, manufacturing	1 per 500 square feet of gross floor area
Warehousing, storage	1 per 1000 square feet of gross floor area
Public or private utility building	1 per 1000 square feet of gross floor area
Wholesaling	2 plus 1 per 1000 square feet of gross floor area
Research and development	1 per 500 square feet of gross floor area
LI/BP General office	1 per employee peak plus 15%
LI/BP Research	1 per employee peak + 10%

(Ord. 2313 § 4 (part), 2002)

18.11.140 Loading standards.

In all districts except the DC districts, buildings or structures to be built or substantially altered which receive and distribute material and merchandise by trucks shall provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular case.
The following standards in Tables 18.11-2 and 18.11-3, shall be used in establishing the

minimum number of berths required:

Table 18.11-2 Berth Standards for Commercial and Industrial Buildings

Number of Berths	Gross Floor Area of the Building in Square Feet
1	Up to 20,000
2	20,000 - 50,000
3	50,000 - 100,000
* One additional berth is required for each 50,000 in excess of 100,000	

Table 18.11-3 Berth Standards for Office Buildings, Hotels, Hospitals and Other Institutions

Number of Berths	Gross Floor Area of the Building in Square Feet
1	Up to 100,000
2	100,000 to 300,000
3	300,000 to 600,000
* One additional berth is required for each 300,000 in excess of 600,000	

No loading berth shall be located closer than fifty feet to a lot in any residential zoning district unless wholly within a completely enclosed building or unless screened from such lot in the residential district by a wall, fence, or sight-obscuring evergreen hedge not less than six feet in height. (Ord. 2312 § 4 (part), 2002)

Chapter 18.13 LANDSCAPING

18.13.010 Purpose.

18.13.020 Scope.

18.13.030 Expansion.

18.13.040 Procedure.

18.13.050 Landscaping standards.

18.13.060 Parking areas.

18.13.070 Assurance device.

18.13.010 Purpose.

The purpose of this chapter is to establish minimum standards for landscaping in order to provide screening between incompatible land uses, minimize the visual impact of parking areas, provide

for shade, minimize erosion, and to implement the comprehensive plan goal of preserving natural beauty in the city. (Ord. 2295 § 16 (part), 2001)

18.13.020 Scope.

Landscaping standards shall apply to all new multifamily, commercial, industrial and governmental uses, including change of use, and parking lots of four spaces or more. (Ord. 2295 § 16 (part), 2001)

18.13.030 Expansion.

In a case where a site expands, landscaping shall be provided only for the percentage of expansion. (Ord. 2295 § 16 (part), 2001)

18.13.040 Procedure.

Detailed plans for landscaping shall be submitted with plans for building and site improvements. Included in the plans shall be type and location of plants and materials. (Ord. 2295 § 16 (part), 2001)

18.13.050 Landscaping standards.

A. The property owner shall be responsible for any future damage to a street, curb or sidewalk caused by landscaping.
B. Landscaping shall be selected and located to deter sound, filter air contaminants, curtail erosion, minimize storm water run-off, contribute to living privacy, reduce the visual impacts of large buildings and paved areas, screen, and emphasize or separate outdoor spaces of different uses or character.
C. Plants that minimize upkeep and maintenance shall be selected.
D. Plants shall complement or supplement surrounding natural vegetation.
E. Plants chosen shall be in scale with building development.
F. Minimum landscaping as a percent of gross site area shall be as follows:

Zone	Percent of Landscaping Required
HI	20%
RC, LI	15%
CC	10%
NC	5% on lots less than 10,000 square feet; 10% on lots greater than 10,000 square feet
LI/BP	(see Section 18.21.070 "Landscaping standards")
Parking lots	(see Section 18.13.060 of this chapter)

G. Deciduous trees shall have straight trunks, be fully branched, have a minimum caliper of one and one-half inches, be equivalent to a fifteen gallon container size, and be adequately staked for planting.

H. Evergreen trees shall be a minimum of five feet in height, fully branched and adequately staked for planting.
I. Shrubs shall be a minimum of five-gallon pot size. Upright shrubs shall have a minimum height at planting of eighteen inches. Spreading shrubs at planting shall have a minimum width of eighteen inches (smaller shrub sizes may be approved where it is more appropriate within a particular landscape plan).
J. Ground cover, defined as living material and not including bark chips or other mulch, shall at planting, have a maximum spacing of twelve inches on center for flats and a maximum twenty-four inches on center between mature plants from containers of one gallon or larger.
K. Appropriate measures shall be taken, e.g., installations of watering systems, to assure landscaping success. If plantings fail to survive, it is the responsibility of the property owner to replace them.
L. Trees shall not be planted closer than 25 feet from the curb line of the intersections of streets or alleys, and not closer than ten feet from private driveways (measured at the back edge of the sidewalk), fire hydrants, or utility poles.
M. Street trees shall not be planted closer than twenty feet to light standards. Except for public safety, no new light standard location should be positioned closer than ten feet to any existing street tree, and preferably such locations will be at least twenty feet distant.
N. Trees shall not be planted closer than two and one-half feet from the face of the curb except at intersections, where it should be five feet from the curb in a curb return area.
O. Where there are overhead power lines, tree species that will not interfere with those lines shall be chosen.
P. Trees shall not be planted within two feet of any permanent hard surface paving or walkway. Sidewalk cuts in concrete for trees shall be at least four feet by four feet; however, larger cuts are encouraged because they allow additional area and water into the root system and add to the health of the tree. Space between the tree and such hard surface may be covered by permeable nonpermanent hard surfaces such as grates, bricks on sand, paved blocks, cobblestones, or ground cover.
Q. Trees, as they grow, shall be pruned to their natural form to provide at least eight feet of clearance above sidewalks and twelve feet above street roadway surfaces.
R. Existing trees may be used as street trees if there will be no damage from the development which will kill or weaken the tree. Sidewalks of variable width and elevation may be utilized to save existing street trees, subject to approval by the city engineer.
S. Vision clearance hazards shall be avoided. (Ord. 2295 § 16 (part), 2001)

18.13.060 Parking areas.

A. Parking areas are to be landscaped at all perimeters.
B. All parking areas shall provide interior landscaping for shade and visual relief.
C. Parking lots shall have a minimum ratio of one tree per six double-loaded stalls or one tree per three single-loaded stalls (See Figure 18.13-1.)

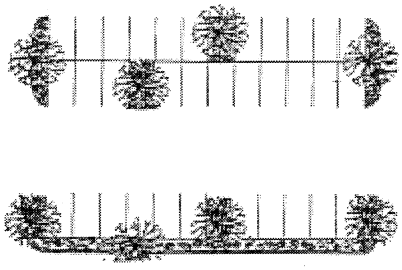

Figure 18.13-1 Parking Lot Planting Islands

D. Planter strips (medians) and tree wells shall be used within parking areas and around the perimeter to accommodate trees, shrubs and groundcover.
E. Planter areas shall provide a five-foot minimum width of clear planting space.
F. Wheel stops should be used adjacent to tree wells and planter areas to protect landscaping from car overhangs.
G. Curbed planting areas shall be provided at the end of each parking aisle to protect parked vehicles.
H. No more than fifteen parking spaces shall be located in a row without a landscaped divider strip (See Figure 18.13-2).

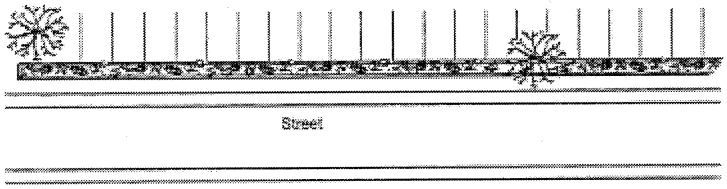

Figure 18.13-2 Parking Lot Landscape Divider Strip

(Ord. 2295 § 16 (part), 2001)

18.13.070 Assurance device.

In appropriate circumstances, the city planner 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 chapter and the approved landscaping plan. (Ord. 2295 § 16 (part), 2001)

Chapter 18.15 SIGNS*

*Note to Chapter 18.15

18.15.010 Purpose.

18.15.020 Scope.

18.15.030 Definitions.

18.15.040 Compliance with code required.

18.15.050 Permit required for signs.

18.15.060 Procedures.

18.15.070 Administration.

18.15.080 Compliance with building code.

18.15.090 Signs permitted in commercial and industrial zones.

18.15.100 Signs permitted and regulated in residential and multifamily zones.

18.15.110 Entrance structures sign standards.

18.15.120 Freestanding sign standards.

18.15.130 Wall sign standards.

18.15.140 Projecting and monument sign standards.

18.15.150 Signs prohibited.

18.15.160 Exempt signs.

18.15.170 Temporary signs--Permit exemptions.

18.15.180 Determination of number of signs.

18.15.190 Computation of sign area.

18.15.200 Sign illumination.

18.15.210 Maintenance of signs.

18.15.220 Determination of legal nonconforming signs.

18.15.230 Loss of legal nonconforming status.

18.15.240 Maintenance and repair of nonconforming signs.

*Note to Chapter 18.15

* Prior ordinance history: Ord. 2295

18.15.010 Purpose.

The city council finds that: the manner of the construction location and maintenance of signs affects the public health, safety and welfare of the people; the safety of motorists, and other users of the public streets is affected by the number, size, location, lighting and movement of signs that divert attention of such users. Uncontrolled and unlimited signs may degrade the aesthetic attractiveness of the natural and man made attributes of the community that could undermine economic value of tourism, visitation, and economic growth. The regulations in this chapter are found to be the minimum necessary to achieve these purposes. (Ord. 2312 § 5 (part), 2002)

18.15.020 Scope.

The primary intent of this chapter shall be to regulate signs of a commercial nature intending to be viewed from any vehicular or pedestrian right of way. This chapter shall not apply to building design, to official traffic or government signs, or to any sign authorized or permitted by any other ordinance or resolution of the city. This section shall further not apply to the display of street numbers or to any display or construction not defined herein as a sign. (Ord. 2315 § 1, 2002: Ord. 2312 § 5 (part), 2002)

18.15.030 Definitions.

"**Abandoned sign**" means a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.
"**Animated sign**" means any sign which uses movement or change of lighting to depict action or create a special effect or scene. An animated sign shall not mean an "electric message board sign."
"**Awning**" means a shelter projecting from and supported by the exterior wall of a building, constructed of non-rigid materials on a supporting framework. See Figure 18.15.030-1.

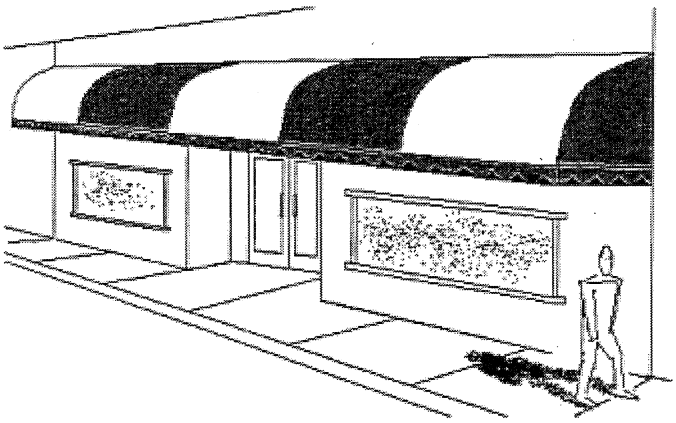

Figure 18.15.030-1 Typical Awning

"**Construction sign**" means a temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participation in construction on the property on which the sign is located.
"**Date of adoption**" means the date the ordinance codified in this chapter was originally adopted, or the effective date of an amendment to it if the amendment makes a sign nonconforming.
"**Electric message board sign**" means an incidental sign that uses changing lights to form a sign

message or messages in sequence, e.g., time, temperature, or written message. An "electronic message board sign" shall not be confused with an "animated sign."
"**Incidental sign**" means a small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, e.g., a credit card sign or sign indicating hours of business.
"**Informational sign**" means an on premises sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment, e.g., parking or exit and entrance signs.
"**Internally illuminated signs**" means signs where the source of the illumination is inside the sign and light emanates through the message of the sign, rather than being reflected off the surface of the sign from an external source. Neon signs are considered internally illuminated signs.
"**Multiple building complex**" means a group of structures housing at least one retail business, office, commercial venture or independent or separate part of a business which shares the same lot.
"**Off-premise sign**" means any sign that draws attention to or communicates information about business establishment (or any other enterprise) that exists at a location other than the location of the establishment.
"**Portable sign**" means any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building. See Figure 18.15.030-2.

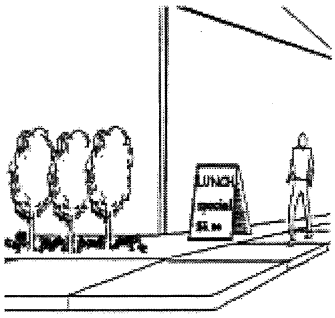

Figure 18.15.030-2 Typical Portable Sign

"**Real estate sign**" means a temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.
"**Roof sign**" means any sign erected over or on the roof of a building.
"**Sign**" means any device, structure, or placard using graphics, logos, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any establishment, product, goods, or services.
"**Temporary sign**" means a sign that is: (1) used in connection with a circumstance, situation, or event that is designed, intended, or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, or (2) is intended to remain on the location where it is erected or placed for a period of not more than fifteen days, or a shorter period of time if specified in Section 18.15.170. If a sign display area is subject to periodic changes, that sign shall not be regarded as temporary.
"**Vehicular sign**" means a vehicle parked along a vehicular right away for the principle purpose of displaying advertising. See Figure 18.15.030-6. (Ord. 2312 § 5 (part), 2002)

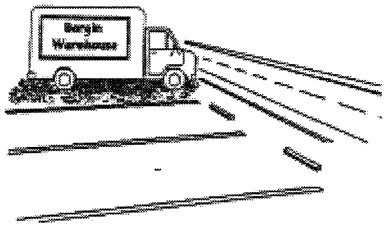

Figure 18.15.030-6 Vehicular Sign

18.15.040 Compliance with code required.

It is hereafter unlawful for any person to erect, place, or substantially alter a sign in the city except in accordance with the provisions in this chapter. (Ord 2312 § 5 (part), 2002)

18.15.050 Permit required for signs.

Except as otherwise provided in this chapter, no sign may be erected, placed or substantially altered in the city without securing a permit as provided herein. No permit is required for mere repainting; changing the message of a sign, or routine maintenance shall not in and of itself be considered a substantial alteration. (Ord. 2312 § 5 (part), 2002)

18.15.060 Procedures.

The following procedures shall govern sign permit applications for all signs:
A. Any person desiring to install, erect, or place a sign shall first submit to the public works department a plan and profile for such sign. The plan and profile shall also contain a signature line for the applicant containing the promise of the applicant to construct the sign only in accordance with an approved plan and profile.
B. The public works department shall review all plans and profiles of this chapter. In granting approval of any sign application, the public works department may impose such modifications and conditions as may be necessary to achieve the purposes of this section, and to satisfy the criteria set forth herein.
C. Any person aggrieved by a denial of an application for a sign or seeking relief from the strict application of the requirement or the imposition of modifications and conditions by the public works department may appeal such decision to the zoning board of appeals.
D. All variance requests shall be processed in accordance with the procedures of Chapter 18.45. (Ord. 2312 § 5 (part), 2002)

18.15.070 Administration.

If plans submitted for a conditional use permit or design review include sign plans in sufficient detail to determine compliance with the provisions of this chapter, then issuance of such conditional use or design review may constitute approval of the proposed placement of sign or signs (other structural/mechanical permits may be required). Sign permit applications and sign permits shall be governed by the same provisions of this chapter applicable to Title 18, "Zoning" and Title 15, "Building and Construction."
In case of a lot occupied or intended to be occupied by multiple-building complex (i.e., shopping center), sign permits shall be issued in the name of the lot owner or his agent rather than in the name of the individual business enterprise requesting a particular sign. (Ord. 2312 § 5 (part),

2002)

18.15.080 Compliance with building code.

All signs shall be constructed in accordance with the requirements of the Uniform Building Code, current adopted edition. (Ord. 2312 § 5 (part), 2002)

18.15.090 Signs permitted in commercial and industrial zones.

The following signs allowed in the NC, DC, CC, RC, LI/BP, LI, and HI zoning districts:
A. Entrance structures subject to Section 18.15.110;
B. Two informational sign(s) per entrance/exit per lot, not to exceed six square feet in sign area;
C. One freestanding, projecting or monument sign is permitted per street frontage subject to the provision of Section 18.15.120 or Section 18.15.140, as applicable. In addition to the requirements of Section 18.15.120, freestanding signs shall have a setback of five feet from all property lines and shall not be located in the vision clearance area, a minimum clearance of fourteen feet over any vehicular use area, and eight feet over any pedestrian use area;
D. No more than two wall signs are permitted per building face and not to exceed ten percent of wall area.
E. Incidental signs. Total sign surface area shall not exceed five percent of the primary building face, nor shall the signs cover more than twenty-five percent of any window area. Where a wall is composed largely of glass and is transparent, the total incidental sign surface area shall not exceed five percent of the primary building face. An incidental sign located on or as part of another permitted sign, shall be less than fifty percent of the size of the primary sign;
F. Each multi-building complex, shall be permitted one freestanding directory sign not to exceed one hundred square feet. The directory sign shall identify two or more establishments and/or the complex as a whole. The directory sign shall be considered an additional permitted sign, allowed beyond the regulations provided elsewhere in this chapter. If a tenant in a multi-building complex has a sign on the freestanding directory sign, then the tenant shall not have an individual freestanding sign;
G. On a business or multi-building complex with total frontage on the main street of more than three hundred feet, the business or multi-building complex shall be allowed one additional freestanding directional sign for each three hundred feet of frontage, not to exceed one hundred square feet. Each sign shall be placed not less than one hundred fifty feet apart;
H. One nonelectric portable sign is permitted per business establishment, not to exceed six square feet in sign area. No permit is required for the placement of the portable sign, except if the sign is placed in the public-right-of way an encroachment permit is required and can be obtained at the public works department;
I. In commercial and industrial zones roof signs shall be permitted, provided that the top of the signs do not exceed above the roof line or parapet wall and do not exceed the maximum building height for the zoning district in which the building is located. (Ord. 2312 § 5 (part), 2002)

18.15.100 Signs permitted and regulated in residential and multifamily zones.

The following signs area allowed in Residential (R) and Multifamily (MF) zones:
A. Entrance structures as specified in Section 18.15.110.
B. All freestanding signs for residential uses (e.g. single family home), shall have a maximum height limit of six feet, and maximum sign area of six square feet, and shall have a setback of five feet from any property line.
C. For conditional uses permitted residential and multifamily districts such as churches, schools,

and civic organizations etc., the standards for signs shall be the same as the standards for signs permitted in commercial and industrial zones. (Ord. 2312 § 5 (part), 2002)

18.15.110 Entrance structures sign standards.

An entrance structure is defined as a structure placed at the entrance of a subdivision, planned development, business park, housing complex, or commercial development that contains the name of the development. See Figure 18.15.110-01 and 18.15.100-02.

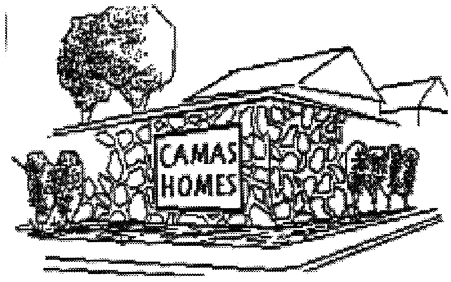

Figure 18.15.110-1 Entrance Structures

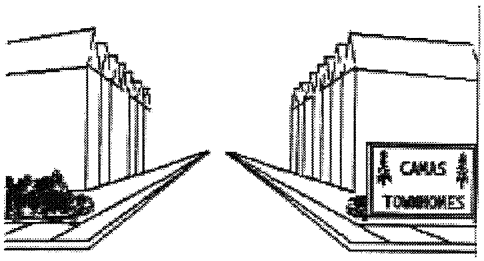

Figure 18.15.110-2 Entrance Structures

All entrance structures must conform to the following requirements:
A. Location. An entrance structure may be located on one side or both sides of the entrance intersection. If located on both sides of the entrance intersection, each side of the entrance structure shall be proportionate in size and location to the other. No entrance structure or any portion thereof may be erected within any vision clearance area. All entrance structures shall be constructed so that the vision of motorists is not impaired or obstructed in any way.
B. Height and Size. No entrance structure shall exceed six feet in height or fifteen feet in length, nor square feet in area;
C. Permitted. No residential development shall be allowed to have an entrance structure unless it consists of ten or more dwelling units. No commercial development or business park shall have an entrance structure unless it consists of five or more commercial lots or exceeds five acres in size;
D. Lighting. An entrance structure shall be illuminated with ground-mounted indirect lighting with a maximum light fixture height of two feet;
E. Design. All entrance structures must be designed so as to be compatible with adjacent architecture and landscaping, and must be constructed with materials conductive to abutting structures and the surrounding area;
F. Liability. Adequate provisions must be made for ownership and maintenance of the entrance structure by a homeowners association, the developer, the property owner, or some other person or entity acceptable to the city.

G. Review. Entrance structures shall be reviewed in accordance with any landscaping plans or design review of the development. (Ord. 2312 § 5 (part) 2002)

18.15.120 Freestanding sign standards.

A freestanding sign that is attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of or attached to a building or other structure whose principal function is something other than the support of a sign. See Figure 18.15.120-1.

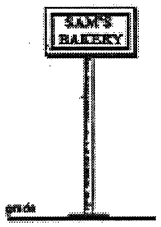

Figure 18.15.120-1
Typical Freestanding Sign

A. Number. Only one freestanding sign shall be permitted per street frontage per entity with the exception of a multi-building complex with street frontage that exceeds three hundred feet as addressed in Section 18.15.090 "Signs permitted in commercial and industrial zones." A freestanding sign is not permitted in combination with a projecting or monument.
B. Size. Freestanding sign surface area shall not exceed ten percent of the primary building face occupied by the entity. Window areas are to be included in calculating primary building face area.
C. Height. Freestanding sign height shall not exceed twenty-five feet from the ground to the top of sign in any zone, except for billboard signs which are addressed in Section 18.15.090.
D. Lighting. A freestanding sign may be illuminated or indirectly illuminated.
E. Location. A freestanding sign (all portions) shall be set back five feet from any property lines.

18.15.130 Wall sign standards.

A wall sign is any sign that is attached parallel to and extending not more than six inches from the wall of a building. This definition includes painted, individual letter, and cabinet signs, and signs on a mansard roof. See Figure 18.15.120-1.

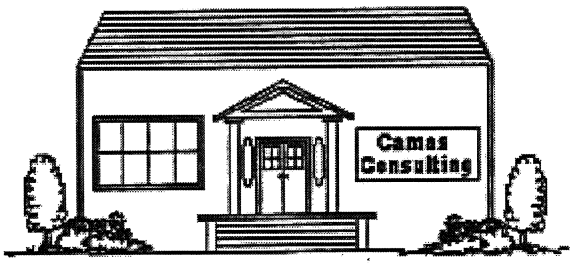

Figure 18.15.130-1 Wall Sign

Wall signs are subject to the following:
A. Area. The total area of signs located on the wall, or other side surface area such as a canopy, may not exceed ten percent of the area of the wall or other side surface on which the sign is located;
B. Number. No more than two wall signs are permitted per building face. Two wall signs in combination shall not exceed ten percent of building face area.
C. Location. No sign shall extend above the parapet wall or be placed upon any roof surface except that the roof surfaces constructed at an angle of seventy-five degrees or more from horizontal shall be regarded as wall space;
D. Design. No sign shall project more than twelve inches from the wall or structure surface. (Ord. 2312 § 5 (part), 2002)

18.15.140 Projecting and monument sign standards.

A projecting sign is a sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall. See Figure 18.15.140-1. A monument sign is a freestanding sign not more than six feet in height, which is attached to the ground by means of a wide base of solid appearance. See Figure 18.15.140-2.

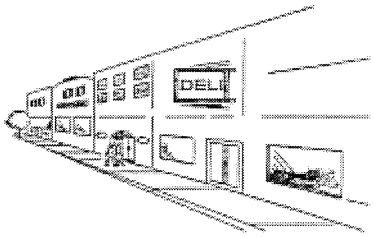

Figure 18.15.140-1 Projecting Sign

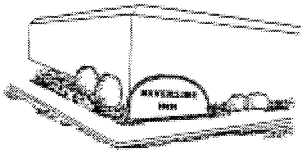

Figure 18.15.040-2
Typical Monument Sign

Projecting and monument signs are subject to the following:
A. Size. Projecting and monument sign surface area shall not exceed ten percent of the primary building face occupied by the entity.
B. Number. Only one projecting or monument sign is permitted per street frontage (either one or the other) and neither is permitted in combination with a freestanding sign.
C. Safety. A projecting or monument sign shall not be placed as to obstruct the vision or mobility of a motorist or pedestrian using the streets and sidewalks. No sign shall be placed in the vision clearance area.
D. Location. No sign shall be hung so that the bottom is less than ten feet above the sidewalk and

all signs that come within three feet of vertical line with the outside edge of the curb shall be fourteen feet above the sidewalk. (Ord. 2312 § 5 (part), 2002)

18.15.150 Signs prohibited.

The following signs are specifically prohibited in the city:
A. Signs attached to any telephone, telegraph or electric light pole, or placed in a public right-of-way unless approved by the city planner;
B. Displays of banners, clusters of flags, posters, pennants, ribbons, streamers, strings of lights, twirlers or propellers, flashing, rotating or blinking lights, flares or balloons or inflated signs over twenty-four inches in diameter, and similar devices of carnival nature; provided, that certain signs of this nature are permitted on a temporary or limited basis pursuant to Section 18.15.170;
C. Any sign that is dangerous because of insecure construction or fastening with resultant danger of falling as determined by the building official, or because it is an extreme fire hazard as determined by the fire marshall;
D. Abandoned sign;
E. Roof sign;
F. Animated sign;
G. Vehicular sign;
H. Signs located in such a manner as to substantially interfere with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public streets or private roads and driveways;
I. Signs erected or placed so that by location, color, size, shape, nature would tend to obstruct the view or be confused with official traffic signage. (Ord. 2312 § 5 (part), 2002)

18.15.160 Exempt signs.

The following signs are exempt from regulation under this chapter:
A. Signs not exceeding six square feet in area that are customarily associated with residential use and that are not of a commercial nature, such as: signs giving property identification names or numbers or names of occupants; signs on mail boxes or newspaper tubes; and signs posted on private property, or warning the public against trespassing or danger from animals;
B. Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain letters, trademarks, moving parts or lights;
C. Bulletin boards, identification signs and directional signs associated with a public use, school, church, or other community based organization that does not exceed one per abutting street on any given lot and sixteen square feet in area and that are not internally illuminated;
D. Signs painted on or other wise permanently attached to currently licensed motor vehicles that are not primarily used as signs;
E. Public service signs, not exceeding two square feet in area, placed in the interior of an establishment's building window or glass door, such as "open or closed," "vacancy," "will return," "no smoking," and other noncommercial messages;
G. Signs that constitute an integral part of a vending machine, telephone booth or similar facilities, provided the sign does not interfere with the vision clearance area. (Ord. 2312 § 5 (part), 2002)

18.15.170 Temporary signs--Permit exemptions.

The following temporary signs shall not require a permit and, where erected, such temporary signs shall not be counted toward limitations in total sign area and numbers of signs as provided

elsewhere in this chapter for permanent signs. However, these temporary signs shall be subject to the specific number, size and time limitation provisions in this section as well as any other specifically applicable requirements of this chapter:

A. One political sign per candidate per street frontage. Sign surface area shall not exceed six square feet for residential zoning districts and shall not exceed thirty-two square feet for commercial, industrial, and high technology zones. Political signs may not be placed in public right-of-ways public easements, or any property without the permission of the property owner. Such signs shall be removed fourteen days following such election or referendum;

B. One real estate sign, as defined, per property frontage, not exceeding four square feet in area. Properties with frontage in excess of four hundred feet along any public right-of-way may be permitted two real estate signs. Such signs must be removed seven days following sale rental or lease;

C. One construction sign, as defined, per lot, not exceeding thirty-two square feet in area. Construction signs shall not be allowed or erected prior to the issuance of a preliminary plat or other approval, and must be removed within ten days after the issuance of the certificate of the occupancy for building or use on the lot;

D. Holiday lights, displays and decorations;

E. Special event signs, such as a grand opening, fair, carnival, circus, festival, or similar event is to take place on the lot where the sign is located. Such signs may be erected not sooner than two weeks before the event and must be removed not hater than three days after the event;

F. Community event sign on or off site;

G. One temporary sign not otherwise specified in this section, per lot, not exceeding four square feet in area, and not displayed for more than three consecutive days nor more than ten days during any three hundred sixty-five day period;

H. On-premises garage sale signs. (Ord. 2312 § 5 (part), 2002)

18.15.180 Determination of number of signs.

For the purpose of determining the number of signs permitted, a sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, each element shall be considered a single sign. A two-sided or multi-sided sign shall be regarded as one sign. (Ord. 2312 § 5 (part), 2002)

18.15.190 Computation of sign area.

The sign area is defined as the area of the surface or surfaces, which displays letters or symbols identifying the business or businesses occupying the parcel together with any allowable electronic message board. In calculating the sign area, the following apply:

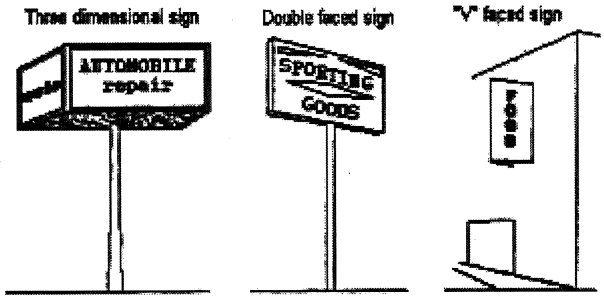

Figure 18.15.190-1 Sign Surface Areas

A. The sign area shall not include the base or pedestal to which the sign is mounted.
B. The sign surface area of a double-faced sign shall be calculated by using the area of only one side of such sign. See Figure 18.15.190-1.
C. The sign surface area of a double-faced sign constructed in a "V" shall be calculated by using the area of only one side of such sign. See Figure 18.15.190-1.
D. The sign surface area of three dimensional signs shall be computed by including the total of all sides designed to attract attention or communicate information that can be seen at any one time by a person from one vantage point. See Figure 18.15.190-1. (Ord. 2312 § 5 (part), 2002)

18.15.200 Sign illumination.

Unless otherwise prohibited by this chapter, signs may be illuminated if such illumination is in accordance with this section.
A. No sign within one hundred-fifty feet of a residential district may be illuminated between the hours of midnight and six a.m., unless the impact of such lighting beyond the boundaries of the lot where it is located is entirely inconsequential.
B. Lighting directed toward a sign shall be hooded or shielded so that it illuminates only the face of the sign and does not shine directly onto a public right-of-way or a residential property.
C. Except as herein provided, internally illuminated signs are not permitted in residential districts. Where permitted, internally illuminated signs may not be illuminated during hours that the business or enterprise advertised by such sign is not open for business or in operation. (Ord. 2312 § 5 (part), 2002)

18.15.210 Maintenance of signs.

A. All signs and all components thereof, including supports, braces and anchors, shall be kept in a state of good repair. With respect to freestanding signs, components not bearing a message shall be constructed of materials that blend with the surrounding environment.
B. Abandoned signs and all supporting structural components shall be removed by the sign owner, owner of the property where the sign is located, or other party having control over the sign. Each being individually and severally responsible for removing such sign within thirty days after abandonment, unless such sign is replaced with a conforming sign. (Ord. 2312 § 5 (part), 2002)

18.15.220 Determination of legal nonconforming signs.

Existing signs which do not conform to the specific provisions of the chapter may be eligible for

the designation "legal nonconforming;" provided that:
A. The building department determines that such signs are properly maintained and do not in any way endanger the public;
B. The sign was covered by a permit deemed valid by the city or complied with all applicable laws on the date on which it was established. (Ord. 2312 § 5 (part), 2002)

18.15.230 Loss of legal nonconforming status.

A legal nonconforming sign may lose this designation if:
A. The sign is relocated or replaced;
B. The structure or size of the sign is altered in any way except toward compliance with this chapter. This does not refer to change of copy or normal message;
C. The business, use, or product for which the sign is directed has been abandoned (has not occurred on the property for a period of six consecutive months). The burden of demonstrating non-abandonment shall be on the owner. (Ord. 2312 § 5 (part), 2002)

18.15.240 Maintenance and repair of nonconforming signs.

The legal nonconforming sign is subject to all requirements of this code regarding safety, maintenance, and repair. However, if the sign suffers more than fifty percent damage or deterioration as determined by the building official, it must be brought into conformance with this code or removed. (Ord. 2312 § 5 (part), 2002)

Chapter 18.17 SUPPLEMENTAL DEVELOPMENT STANDARDS

18.17.010 Purpose.

18.17.020 Scope.

18.17.030 Vision clearance area.

18.17.040 Accessory structures.

18.17.050 Fences.

18.17.060 Retaining walls.

18.17.010 Purpose.

It is the purpose of this chapter to establish development standards that supplement those established within various zone districts. These supplemental standards are intended to address certain unique situations that may cross district boundaries, and to implement related policies of the Camas comprehensive plan. (Ord. 2295 § 8 (part), 2001)

18.17.020 Scope.

The provisions contained in the following sections are of both general application to the zoning districts and supplemental to specific districts established by the Camas Municipal Code. (Ord. 2295 § 8 (part), 2001)

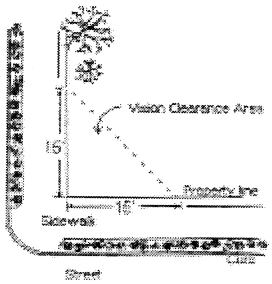

Figure 18.17.030-1 Vision Clearance

18.17.030 Vision clearance area.

Vision clearance areas shall be maintained in all zoning districts except in the DC, CC, RC, and HI zoning districts. Within these zoning districts, vision clearance areas shall be maintained on the corners of all property adjacent to the intersection of two streets, a street and a railroad, or a private street entering a public street. Driveways **and alleys are excluded from the provisions in this section.**

A. On all corner lots, no vehicle, fence, wall, hedge or other obstructive structure or planting shall impede visibility between a height of forty-two inches and ten feet above the existing grade. See Figure 18.17.030-2.

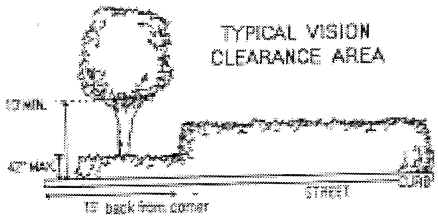

Figure 18.17.030-2 Vision Clearance Area

B. The triangular area shall be formed by measuring fifteen feet along both street property lines beginning at their point of intersection. The third side of the triangle shall be a line connecting the end points of the first two sides of the triangle. See Figures 18.17.030-1 and 18.17.030-2. (Ord. 2295 § 8 (part), 2001)

18.17.040 Accessory structures.

In an R or MF zone, accessory structures on each lot shall conform to the following requirements:

A. Definition. An "accessory" structure is a subordinate structure detached from but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure;

B. Height. Not to exceed one story or fourteen feet in height, except on a lot having a minimum area of one acre;

C. Placement. Not project beyond the front building line. See Figure 18.17.040-1;

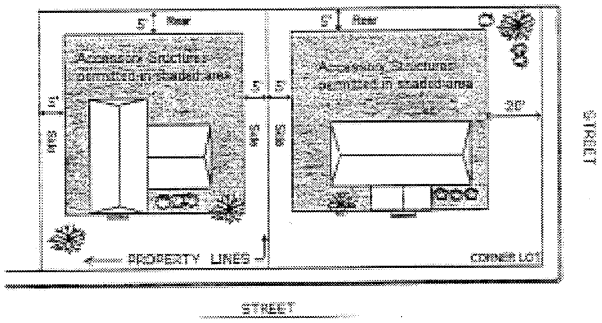

Figure 18.17.040-1 Accessory Structure Placement

D. Coverage. Not occupy altogether more than thirty percent of the required rear yard, provided that total lot coverage shall not be exceeded;
E. Placement. Not be located closer than five feet to a side or rear lot line within a rear yard not closer than twenty feet to a side lot line within a rear yard along a flanking street of a corner lot; provided, that in case of a manufactured home park accessory structures shall not be located closer than twenty-five feet to a side lot line within a rear yard along a flanking street of a corner lot. See Figure 18.17.040-1;
F. Placement. Not be located closer than five feet to a rear lot line where such rear lot line coincides with the side lot line of an adjoining lot. See Figure 18.17.040-1;
G. Fire Protection. Accessory structures placed less than six feet away from an existing building require fire protection of exterior walls according to the uniform building code. (Ord. 2295 § 8 (part), 2001)

18.17.050 Fences.

A. Purpose. The purpose of this section is to provide minimum regulations for fences with the desired objectives of privacy and security for residents, and safety for motorists and pedestrians using the streets and sidewalks.
B. Heights. Fences not more than six feet in height may be maintained along the side yard or rear lot lines; provided that such wall or fences does not extend into the front yard area. The front yard area is the distance between the front property line and the nearest point of the building specified in the zone districts under this title. See Figure 18.17.050-1.

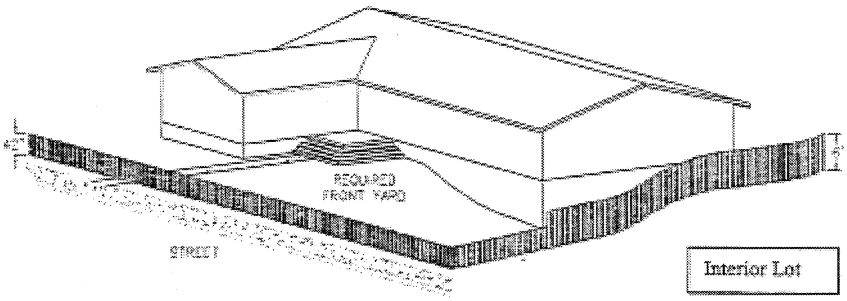

Figure 18.17.050-1 Interior Lot

C. A fence shall not exceed three and a half feet (forty-two inches) in height in the front yard.
D. Access. No fence shall be constructed so as to (1) block or restrict vehicular access to a dedicated alley, access, or way, or (2) create a traffic hazard by impairing or obstructing vision clearance from any driveway, alley, or access. Fences over three and a half feet shall not be placed in the vision clearance area on corner lots.
E. Prohibited Materials. Fiberglass sheeting, barbed wire, razor ribbon or other similar temporary material shall not be permitted as a fencing material.
F. Temporary Fences. Vacant property and property under construction may be fenced with a maximum six-foot high, non-view obscuring fence.
G. Measurement of Fence and Wall Height. The height of a fence or wall shall be measured at the highest average ground level within three feet of either side of said wall or fence. In order to allow for variation in topography, the height of a required fence or wall may vary an amount not to exceed six inches; provided, however, that in no event shall the average height of such wall or fence exceed the maximum height permitted for that location.
H. A/R Exception. 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.
I. Security fencing may be permitted with the following limitations:

1. The security fencing shall consist of not more then four strands of barbed wire located on the top of a six-foot high fence, and
2. The security fencing shall be associated with a commercial or industrial development. (Ord. 2320 § 3, 2002; Ord. 2295 § 8 (part), 2001)

18.17.060 Retaining walls.

A. Where a retaining wall protects a cut below the natural grade and is located within a required yard, such retaining wall may be topped by a fence or wall of the same height that would otherwise be permitted at that location if no retaining wall existed. See Figure 18.17.060-1(A) Retaining Walls.

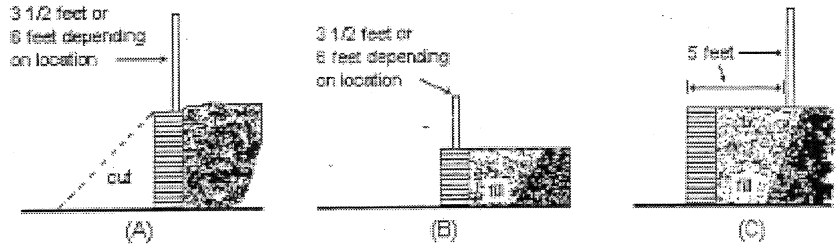

Figure 18.17.060-1 Retaining Walls

B. Where a retaining wall contains a fill above the natural grade and is located within a required yard, the height of the retaining wall shall be considered as contributing to the permissible height of a fence or wall at that location. A nonsight obscuring fence up to three and one-half feet in height may be erected at the top of the retaining wall for safety. See Figure 18.17.060-1(B) Retaining Walls.
C. Where a wall or fence is located in a required yard adjacent to a retaining wall containing a fill, such wall shall be setback a distance of one foot for each one foot in height of such wall or fence. The area between the wall or fence and the retaining wall shall be landscaped and continuously maintained. See Figure 18.17.060-1(C) Retaining Walls. (Ord. 2295 § 8 (part),

2001)

Chapter 18.18 SITE PLAN REVIEW

18.18.010 Intent.

18.18.020 Applicability.

18.18.030 Site plans and review procedures.

18.18.040 Submittal and contents of a complete application.

18.18.050 Application open for public inspection.

18.18.060 Criteria for approval.

18.18.070 Duration of approval.

18.18.080 Amendments to a site plan.

18.18.010 Intent.

This chapter is intended to provide procedures for the review of site plan applications. Site plan review is intended to ensure that development projects carried out in given zoning districts are executed in a manner consistent with existing ordinances concerning public utilities, traffic, facilities and services and provide unified site design, access, landscaping, screening, building placement and parking lot layout. The site plan review process is not intended to review and determine the appropriateness of a given use on a given site. It is intended to insure that development of a site will provide the features necessary to protect the health, safety and general welfare of the citizens of the city. (Ord. 2378 § 1 (part), 2004)

18.18.020 Applicability.

A. General. Site plan review and approval shall be required prior to issuance of a building permit when provided under this chapter. Site plan review shall be required for the following:

1. All new nonresidential uses for the location of any building(s);
2. Any multifamily development in which more than two dwelling units would be contained;
3. The expansion of any building or development as defined in CMC 18.18.020(A) exceeding twenty percent of the existing floor or site area, or any one thousand-square foot addition or increase in impervious coverage thereto, whichever is lesser.

B. Exemptions. The following developments and land use categories shall be exempt from site plan review:

1. Planned unit developments, land divisions, binding site plans and boundary line adjustments pursuant to CMC Titles 17 and 18;
2. Light industrial/business park development applications pursuant to CMC 18.20 and 18.21;
3. Normal or emergency repair or maintenance of public or private buildings, structures, landscaping or utilities;

4. Interior remodeling and tenant improvements to buildings previously reviewed and approved; and
5. Unless otherwise required, proposals that are subject to type I procedures under CMC 18.55. (Ord. 2378 § 1 (part), 2004)

18.18.030 Site plans and review procedures.

Any use that is subject to the requirements for a site plan review prior to issuance of building permits shall be processed in accordance with the procedures established under CMC 18.55 for type II project permit applications. (Ord. 2378 § 1 (part), 2004)

18.18.040 Submittal and contents of a complete application.

In addition to the submittal requirements under CMC 18.55, each application for site plan review shall contain the following information:
A. A written description addressing the scope of the project, the nature and size in gross floor area of each use, and the total amount of square feet to be covered by impervious surfaces;
B. A vicinity map showing site boundaries and existing roads and accesses within and bounding the site;
C. A topographic map based upon a site survey delineating contours, existing and proposed, at no less than five-foot intervals and which locates existing streams, marshes and other natural features;
D. Site plans drawn to a scale no smaller than one inch equals fifty feet showing location and size of uses, buffer areas, proposed areas of disturbance or construction outside of the building footprint, yards, open spaces and landscaped areas and any existing structures, easements and utilities;
E. A circulation plan drawn to a scale acceptable to the public works director illustrating all access points for the site, the size and location of all driveways, streets and roads with proposed width and outside turning radius, the location, size and design of parking and loading areas, and existing and proposed pedestrian circulation system. If a project would generate more than one hundred average daily trips either based on the latest edition of the International Transportation Engineer's (ITE) Trip Generation Manual or evidence substantiated by a professional engineer licensed in the state of Washington with expertise in traffic engineering, a traffic impact study shall be submitted;
F. A preliminary drainage and stormwater runoff plan;
G. A utility plan;
H. A plot plan of all proposed landscaping including the treatment and materials used for open spaces, and the types of plants and screening to be used; and
I. Typical building elevation and architectural style. (Ord. 2378 § 1 (part), 2004)

18.18.050 Application open for public inspection.

From the time of the filing of the application until the time of final action by the city, the application, together with all plans and data submitted, shall be available for public inspection at the planning division. (Ord. 2378 § 1 (part), 2004)

18.18.060 Criteria for approval.

The city shall consider approval of the site plans with specific attention to the following:
A. Compatibility with the city's comprehensive plan;

B. Compliance with all applicable design and development standards contained in this title and other applicable regulations;
C. Availability and accessibility of adequate public services such as roads, sanitary and storm sewer, and water to serve the site at the time development is to occur, unless otherwise provided for by the applicable regulations;
D. Adequate provisions are made for other public and private services and utilities, parks and trails;
E. Adequate provisions are made for maintenance of public services; and
F. All relevant statutory codes, regulations, ordinances and compliance with the same. The review and decision of the city shall be in accordance with the provisions of CMC 18.55. (Ord. 2378 § 1 (part), 2004)

18.18.070 Duration of approval.

Construction on the project must commence within twenty-four months from the date of final action by the city; otherwise, the approval of the project becomes null and void. (Ord. 2378 § 1 (part), 2004)

18.18.080 Amendments to a site plan.

A. Minor adjustments may be made and approved when a building permit is issued. Any such alteration must be approved by both the planning manager and the public works director. Minor adjustments are those which may affect the precise dimensions or siting of building (i.e., lot coverage, height, setbacks) but which do not affect the basic character or arrangement and number of buildings approved in the plan, nor the density of the development or the amount and quality of open space and landscaping. Such dimensional adjustments shall not vary more than ten percent from the original, but shall not exceed the standards of the applicable district.
B. Major amendments are type II permit applications and are processed in accordance with CMC 18.55. Major amendments are those that substantially change the character, basic design, density, open space or other requirements and conditions of the site plan. When a change constitutes a major amendment, no building or other permit shall be issued without prior review and approval by the city. (Ord. 2378 § 1 (part), 2004)

Chapter 18.19 DESIGN REVIEW*

*Note to Chapter 18.19

18.19.010 Purpose.

18.19.020 Scope

18.19.030 Design review manual adopted.

18.19.040 Design review committee.

18.19.050 Design principles.

18.19.060 Guidelines.

18.19.070 Application requirements.

18.19.090 Deviations to design review guidelines.

18.19.100 Enforcement.

*Note to Chapter 18.19

* Prior ordinance history: Ord. 2312 § 6 (part), 2002: Ord. 2291.

18.19.010 Purpose.

This chapter is intended to provide for orderly and quality development consistent with the design principles of the Camas design review manual: Gateways, Commercial, Mixed-Use and Multi-Family Uses, hereafter referred to as design review manual (DRM). The design review process is not intended to determine the appropriateness of a given use on a given parcel. The design review process is intended to produce a meaningful integration of building, landscaping and natural environment. This will protect the general health, safety and welfare of the community by making efficient use of the land, which is consistent with the visual character and heritage of the community. (Ord. 2332 § 1 (part), 2003)

18.19.020 Scope

Design review is required for all new commercial, mixed-use or multi-family developments, redevelopment (including change in use, e.g. residential to commercial), or major rehabilitation (exterior changes requiring a building permit or other development permit). Commercial uses in the context of design review include both traditional uses listed as commercial under the zoning code as well as recreational, religious, cultural, educational and governmental buildings and associated properties. Additionally, design review is applicable to all new developments or redevelopments within a gateway area as defined in the design review manual. (Ord. 2332 § 1 (part), 2003)

18.19.030 Design review manual adopted.

The city's design standards are primarily contained in the design review manual, which is hereby adopted by the city. (Ord. 2332 § 1 (part), 2003)

18.19.040 Design review committee.

A. The city council shall establish a seven-person design review committee (DRC) for the purposes of reviewing specific proposals and recommending conditions and or other actions necessary for consistency with the principles of the DRM. The DRC members serve at the pleasure of the city council. The DRC shall consist of six members appointed by the city council, including two from the development community, one council member, one planning commissioner, and two citizens at large. A seventh member shall be a neighborhood representative of the surrounding neighborhood to a specific proposal or a United Camas Association of Neighborhoods member.

B. The DRC will hold a public meeting to consider a design review application when:

1. The city planner determines that the issues related to a specific proposal are complex

enough to warrant a review by the DRC;

2. The proposal varies from the guidelines of the DRM; or,
3. When an administrative decision on a design review application is appealed with no prior review by the DRC.

C. The DRC shall not issue a decision, but shall prepare a written recommendation together with findings to support the recommendation to the approval authority within ten days of a public meeting held for that purpose (RCW 36.70.020(5)). (Ord. 2332 § 1 (part), 2003)

18.19.050 Design principles.

The principles are mandatory and must be demonstrated to have been satisfied in overall intent in order for approval of a design review application to be granted. Standard principles are applied to all commercial, mixed use, or multifamily uses. Where applicable, the specific principles are used in addition to standard principles.

A. Standard Principles.

1. Landscaping shall be done with a purpose. It shall be used as a tool to integrate the proposed development into the surrounding environment.
2. All attempts shall be made at minimizing the removal of significant natural features. Significant natural features shall be integrated into the overall site plan.
3. Buildings shall have a "finished" look. Any use of panelized materials shall be integrated into the development in a manner that achieves a seamless appearance.
4. A proposed development shall attempt to incorporate or enhance historic/heritage elements related to the specific site or surrounding area.

B. Specific Principles.

1. Gateways.
    a. Gateways shall be devoid of freestanding signs. Pre-existing freestanding signs will be subject to removal at the time of any new development, redevelopment, or major rehabilitation on the site. Exemptions include approved directional or community information signage as approved by the city.
    b. Business signage not placed on buildings shall be integrated into the landscaping/streetscaping of the subject property.
    c. Permanent signage within a gateway shall be standardized in a manner that creates a consistent look within the gateway in question.
    d. The surface of pedestrian walkways within intersections shall be accentuated with a unique character.
    e. A consistent streetscape lighting scheme shall be used.
2. Commercial and mixed uses.
    a. On-site parking areas shall be placed to the interior of the development unless site development proves prohibitive. All on-site parking areas along adjacent roadways shall be screened with landscaping. Downtown commercial and mixed-use areas shall not be required to provide on-site parking.
    b. Buildings shall be used to define the streetscape unless site conditions prove prohibitive.
    c. Structures abutting, located in, or located near less intensive uses or zoned areas (such as commercial developments next to residential areas) shall be designed to mitigate size and scale differences.
    d. Developments containing a multiple of uses/activities shall integrate each use/activity in a manner that achieves a seamless appearance or creates a cohesive development.
    e. Mixed-use developments that place uses throughout the site (horizontal development) shall organize elements in a manner that minimizes their impact on

adjacent lower intensity uses.

f. Walls shall be broken up to avoid a blank look and to provide a sense of scale.

g. Outdoor lighting shall not be directed off site.

3. Multi-family.

a. Stacked housing.

i. All on-site parking areas shall be screened with landscaping. Parking spaces shall be clustered in small groups of no more than six to ten spaces.

ii. Stacked houses abutting or located in single family residentially zoned areas shall be designed to mitigate size and scale differences.

iii. Walls shall be articulated in order to avoid a blank look and to provide a sense of scale.

iv. Detached garages shall be located to the rear of stacked unit(s) so as not to be directly viewable from a public street.

v. Attached garages shall account for less than fifty percent of the front face of the structure. Garages visible from the street shall be articulated by architectural features, such as windows, to avoid a blank look.

b. Townhomes and rowhouses.

i. All on-site parking areas (excluding driveways and garages) shall be screened with landscaping.

ii. Buildings shall be used to define the streetscape unless site conditions prove prohibitive.

iii. When appropriate, structures abutting or located in single family residentially zoned areas shall be designed to mitigate size and scale differences.

iv. Walls shall be articulated in order to avoid a blank look and to provide a sense of scale.

v. Detached garages shall be located to the rear of the townhouse or rowhouse unit(s) so as not to be directly viewable from a public street.

vi. Attached garages shall account for less than fifty percent of the front face of the structure. Garages visible from the street shall be articulated by architectural features, such as windows, to avoid a blank look.

c. Duplex, triplex, and four-plex.

i. Garages shall account for less than fifty percent of the front face of the structure. Garages visible from the street shall be articulated by architectural features, such as windows, to avoid a blank look. (Ord. 2332 § 1 (part), 2003)

18.19.060 Guidelines.

A. The guidelines include five major guideline categories:

1. Landscaping and screening;
2. Architecture;
3. Massing and setbacks;
4. Historic and heritage preservation; and
5. Circulation and connections.

B. Each of the major guidelines include subcategories. Compliance with the guideline categories and subcategories demonstrate compliance with the principles. However, not every guideline may be deemed applicable, and therefore required, by the approval authority. Additionally, the approval authority may approve a variance from one or more guidelines provided the overall intent of the principles is satisfied.

C. A copy of the design manual is on file with the department of public works. (Ord. 2332 § 1 (part), 2003)

18.19.070 Application requirements.

Application for design review shall be submitted on the most current forms provided by and in a manner set forth by the planning manager. The application shall include such drawings, sketches and narrative as to allow the approval authority review of the specific project on the merits of the city's design review manual and other applicable city codes. An application shall not be deemed complete unless all information requested is provided. (Ord. 2332 § 1 (part), 2003)

18.19.090 Deviations to design review guidelines.

A design review application that includes a deviation from any of the five major guidelines of the DRM shall be subject to review and recommendations from the design review committee. The DRC shall base its recommendation upon findings setting forth and showing that all of the following circumstances exist:
A. Special conditions or circumstances exist which render a specific requirement of the DRM unreasonable, given the location and intended use of the proposed development;
B. The special conditions and circumstances are characteristic of the proposed general use of the site and not of a specific tenant;
C. The specific conditions and circumstances are not representative of typical development which may be allowed within the zoning district;
D. The requested deviation is based upon functional consideration rather than economic hardship, personal convenience or personal design preferences;
E. Variation from a guideline(s) has sufficiently been compensated by other site amenities; and
F. The requested deviation will not result in a project that is inconsistent with the intent and general scope of the DRM principles. (Ord. 2332 § 1 (part), 2003)

18.19.100 Enforcement.

Failure to comply with the requirements of this chapter or a decision resulting from this Chapter are enforceable under Article VIII of CMC 18.55. (Ord. 2332 § 1 (part), 2003)

Chapter 18.20 NORTH DWYER CREEK RESIDENTIAL OVERLAY AND PLANNED INDUSTRIAL DEVELOPMENT OVERLAYS

18.20.010 North Dwyer Creek residential overlay-- Purpose.

18.20.020 North Dwyer Creek residential overlay-- Applicability.

18.20.030 North Dwyer Creek residential overlay-- Standards.

18.20.035 Supplement use and performance standards for specific areas of the North Dwyer Creek subarea.

18.20.040 Establishing a planned industrial development.

18.20.050 PID--Application requirements.

18.20.060 PID--Establishment of a design team.

18.20.070 Review of PID by design committee.

18.20.080 PID--Use authorization.

18.20.090 PID--Use limitations.

18.20.100 Lot area and dimensional requirements.

18.20.110 Development plan-- General requirements.

18.20.120 Criteria for preliminary development plan approval.

18.20.010 North Dwyer Creek residential overlay-- Purpose.

The purpose of the North Dwyer Creek residential overlay is to encourage appropriate development of the residential portion of the North Dwyer Creek master plan area. The North Dwyer Creek master plan, a subarea plan of the city of Camas 1994 comprehensive plan, designates the residential portion of the planning area for single-family residential medium, and the zoning as R-10 (one dwelling unit per ten thousand square feet). Without a special overlay, the existing small-lot configuration and critical areas constrain development at the targeted density of R-10. The overlay allows more flexible residential development through "clustering" smaller lots on constrained sites, leaving the constrained areas as open space. (Ord. 2295 § 9 (part), 2001)

18.20.020 North Dwyer Creek residential overlay-- Applicability.

The residential overlay zone applies to the area zoned R-10 within the North Dwyer Creek subarea as shown on "The Map of the Zoning Ordinance of the City of Camas 2001." (Ord. 2295 § 9 (part), 2001)

18.20.030 North Dwyer Creek residential overlay-- Standards.

A. Residential subdivisions in the master plan area can only be approved in accordance with the following criteria:

1. Subdivisions in the overlay area that contain new lots under ten thousand square feet shall provide evidence of the existence of sensitive lands such as steep slopes, unstable land, historical or archaeological sites, wetlands, and wetland buffers on the parent parcel.
2. Permissible uses within the R-10 zone shall include single-family detached dwellings.
3. The maximum density will be determined by the following formula: gross square footage of the site divided by ten thousand square feet.
4. The minimum lot size for new lots shall be five thousand square feet.
5. Where lots are ten thousand square feet or larger, lot dimensions are the same as for the R-10 district. For lots smaller than ten thousand square feet, the minimum width is fifty and the minimum depth is eighty feet. (Ord. 2295 § 9 (part), 2001)

18.20.035 Supplement use and performance standards for specific areas of the North Dwyer Creek subarea.

It is the intent of the following use and performance standards to identify and encourage broader market opportunities and diverse community needs in specific areas of the North Dwyer Creek subarea. It is further the intent to provide a balance of housing and employment opportunities in these specific areas and to limit the non-residential uses thereby providing for smaller scale commercial, retail, service and office developments.

A. Specific Areas Designated. There are hereby-designated two specific mixed use overlays of the North Dwyer Creek subarea. These areas shall be shown on the zoning plan map and will be known as North Dwyer Creek residential mixed use (NDC RMXD) and North Dwyer Creek employment mixed use (NDC EMXD). The uses identified herein are additive to the use regulations currently provided for in the LI/BP zone and the subarea plan.

B. Use Standards.

1. North Dwyer Creek Residential Mixed Use (NDC-RMXD). Due to limited access and the surrounding natural environment, this area shall develop primarily with attached residential units, with no less than ninety-five and no more than two hundred dwelling units. Between ten and twenty-five percent of secondary LI/BP uses are allowed, provided that the use(s) are supportive of the residential uses. Secondary uses such as recreational uses, home business occupational uses, and daycare facilities shall be allowed so long as they are compatible with the surrounding residential uses and natural environment.
2. North Dwyer Creek Employment Mixed Use (NDC EMXD). This area is intended to meet both the community's employment and housing needs consistent with the city's comprehensive plan goals and policies. No more than fifty percent of the area shall be developed for housing at a minimum density of ten units per net acre and at a maximum of twenty-four units per net acre. No residential development will be allowed in stand-alone buildings or on the ground floor of mixed-use buildings along Camas Meadows Drive. Ground floor residential development in mixed-use buildings is permitted in areas not fronting Camas Meadows Drive. The residential component of a development shall occur concurrent with or after the employment component of the development. The balance may be either primary LI/BP uses or a combination of primary and secondary LI/BP uses, provided that the cumulative of all secondary commercial development on site has a maximum floor area equal to twenty-five percent of the gross floor area of all the uses. The employment portion of the development shall provide a comparable number of employment opportunities per developable acre of employment area as would have occurred under the LI/BP base zone.

C. Performance Standards for North Dwyer Creek Mixed Use Overlays. Except as otherwise provided above, a development proposal in these areas shall comply with the following standards:

1. All development must be master planned; and such master plan shall specifically address utilities, transportation, landscaping, lighting, signage, setbacks, critical areas and other factors materially affecting the development and the surrounding area provided, however, that nothing in this provision shall be construed as allowing greater impact to critical areas than would otherwise be allowed under this code.
2. All residential shall be multifamily or single-family attached. (Ord. 2365 § 1, 2004)

18.20.040 Establishing a planned industrial development.

As provided in Chapter 18.21.110, a planned industrial development (PID) may be established in the LI/BP zone subject to the establishment of a final development plan approved pursuant to the

procedures for a binding site plan found in Chapter 18.55 and consistent with the provisions of this chapter and other applicable section of the Camas Municipal code. The intent of the PID is to establish a development plan for the specific area that establishes:

1. The specific type of uses that may occur consistent with this chapter;
2. An overall landscape design for common areas and open spaces;
3. An architectural style for consistency of development within the PID and compatible with the surrounding uses;
4. Road and vehicular and pedestrian access improvements for the PID addressing connectivity and consistent with the comprehensive plan or other transportation plans;
5. Establishes minimum lot sizes for new lots with the PID, consistent with this chapter;
6. Establishes setbacks and site development limitations regarding bulk, lot area requirements and other standards. (Ord. 2295 § 9 (part), 2001)

18.20.050 PID--Application requirements.

Application for a planned industrial development shall be submitted on forms provided and in a manner set forth by the planning manager. The application shall include such drawings, sketches and narrative as to allow the planning commission and city council review of the proposal on the merits of the applicable city code. (Ord. 2295 § 9 (part), 2001)

18.20.060 PID--Establishment of a design team.

Because of the special nature of a PID, the expertise of qualified and licensed professionals, working as a team, is required for the planning, development and construction of any PID to ensure fulfillment of the purposes and objectives of Chapter 18.21 and this chapter.
A. The design team shall include, at a minimum, an architect, and/or a landscape architect, and/or a civil engineer. The architect and civil engineer shall be registered to practice in the state.
B. One of the above professionals shall be designated by the applicant to be responsible for submitting materials to and communicating with the public works department with respect to the concept and details of the development plan. This designated professional shall act as a liaison between the public works department, the design team and the applicant. The selection of this liaison shall not prevent the applicant or any member of the design team from conferring with the public works staff or presenting material to the planning commission and/or city council. The planning commission or city council may require that the expertise of other professionals be used in the planning and development of the PID if it is determined that the site merits special consideration due to particularly unusual or adverse features or conditions. (Ord. 2295 § 9 (part), 2001)

18.20.070 Review of PID by design committee.

A complete application for a preliminary PID and plan shall be submitted to a design committee, prior to the planning commission, for review. Such committee shall include, at a minimum, one member from the planning commission, one member from the city council, public works staff, and any other qualified professional(s) the committee deems necessary for each individual application. The committee shall review each application for compliance with the objectives and standards contained in this chapter and applicable sections of the Camas Municipal Code, and shall make recommendations to the planning commission for its consideration. (Ord. 2295 § 9 (part), 2001)

18.20.080 PID--Use authorization.

Based upon a development plan approved by the city, the following uses may be permitted in the PID overlay:
A. Primary and secondary permitted uses in the LI/BP zone, as listed in Section 18.07.030 subject to the conditions and performance standards as required. As part of the PID approval, the city council may further specify what uses listed under Section 18.07.030 (LI/BP) may be allowed outright, subject to additional review, or prohibited. (Ord. 2295 § 9 (part), 2001)

18.20.090 PID--Use limitations.

Under no conditions shall the amount of the land designated for commercial use within the PID exceed twenty-five percent of the gross developed area within the PID, nor shall secondary uses be allowed to solely be established on parcels greater than five acres in size. (Ord. 2295 § 9 (part), 2001)

18.20.100 Lot area and dimensional requirements.

A. Minimum Area. The minimum area for a development within the PID overlay shall be two acres of contiguous land. The city council may allow development in the PID overlay on a site smaller than two acres if findings can be made to satisfy the following criteria:

1. The size, configuration and physical characteristics of the site are suitable for the innovative, high quality design called for in a PID;
2. There is evidence that specific limitations or constraints of the site could hinder or prevent its development for industrial purposes in accordance with the LI/BP zone.

B. Minimum Setback and Access Requirements.

1. Discrete setback restrictions contained in Section 18.09.030 Table 1 may be reduced for a development in the PID overlay, provided that the intent and objectives of Section 18.21.010 are complied with in the total development plan as determined by the city council. Building separation shall be maintained in accordance with requirements of the Uniform Fire Code and other safety codes of the city and in accordance with good design principles.
2. Every industrial or commercial building shall have access to a public and/or private street and/or walkway in compliance with ADA requirements.
3. Perimeter Requirements. If topographical or other barriers within the development do not provide reasonable privacy for existing nonindustrial uses adjacent to the development, the city council shall impose either of the following requirements or both:
    a. Structures located on the perimeter of the development must be set back in accordance with the provisions of the LI/BP zone; and/or
    b. Structures located on the perimeter of the development must be screened in a manner approved by the city council. (Ord. 2295 § 9 (part), 2001)

18.20.110 Development plan-- General requirements.

In addition to any requirements identified by the planning manager, a proposed development plan shall include the following:
A. Circulation Plan. A comprehensive and detailed vehicular and pedestrian plan, including public transit services, shall be provided as part of the PID application and shall be approved by the city council. The circulation plan shall include the following:

1. Public and private vehicular access to and from adjacent streets;
2. Methods of adequately separating vehicular and pedestrian circulation patterns;
3. Pedestrian access patterns to various pedestrian-oriented areas of the development overlay from parking areas and public transit stops or terminals, if any; and
4. Separation of service and delivery areas for customer and employee parking areas as well as from other vehicular and pedestrian circulation patterns.

B. Common Landscaped Areas. For purposes of creating common areas, landscaped areas shall be configured, where possible, to be contiguous to adjacent landscaped areas. Such landscaped areas shall be clearly shown on the preliminary plan, shall be physically situated so as to be readily accessible, available to, and usable by all occupants of the development; and such landscaped areas shall be maintained by the occupants of the development in accordance with Chapter 18.13 and Section 18.21.070.

C. Recycling and Trash Receptacle Areas. All industries and businesses established within the city shall provide an adequately sized recycling and trash storage area designed to accommodate all recycling and trash generated by the same industry or business. All recycling and trash storage areas shall be screened from public view, using either a six-foot nontransparent wooden fence, masonry wall, or other appropriate means approved by the public works director or his designee, and shall be accessible to recycling and trash collection vehicles.

D. Architectural Design. Within a PID overlay, all buildings, structures and other architectural features shall be of compatible architectural design, materials and appearance, including signing, throughout so as to give a unified appearance to the development therein. An application for a PID shall specify the general architectural design, materials and appearance, and signage design which will be binding on future development within the PID.

E. Utilities. A development within a PID overlay shall provide for underground installation of utilities, including electrical distribution lines, in public ways, private easements, and extensions thereof. Utility installation and maintenance of facilities shall be in accordance with requirements and regulations of the appropriate public and/or private utility and shown on the development plan. (Ord. 2295 § 9 (part), 2001)

18.20.120 Criteria for preliminary development plan approval.

A preliminary development plan for a PID may be authorized if findings are made that each of the following criteria is satisfied:

A. Public facilities serving the proposed development, including but not limited to, sanitary sewers, water, streets, storm sewers, electrical power facilities, parks, public safety and schools shall be adequate and meet current city standards; or it is guaranteed that inadequate or nonexistent public facilities will be upgraded or constructed by the applicant prior to occupancy of the project.

B. The impact of the proposed development on public facilities shall not exceed the impact anticipated for the site in the formulation of the public facilities master plans contained in the comprehensive plan.

C. The proposal shall provide adequate open space, landscaping and design features to minimize significant adverse effects on adjacent properties and uses.

D. The location, shape, size and character of common open space areas shall be suitable and appropriate to the scale and character of the project, considering its size, density, expected population, topography, and the number, type and location of buildings to be provided.

E. The proposed development shall not result in creation of any nuisance, including but not limited to air, land or water degradation, noise, glare, heat, vibration or other conditions which may be injurious to public health, safety and welfare.

F. The proposal shall meet the intent and objectives for a PID as expressed in Section 18.21.110. (Ord. 2295 § 9 (part), 2001)

Chapter 18.21 LIGHT INDUSTRIAL/BUSINESS PARK*

18.21.010 Purpose.

18.21.020 Primary uses.

18.21.030 Secondary uses.

18.21.040 Development application.

18.21.050 Development standards.

18.21.060 Site development criteria.

18.21.070 Landscaping standards.

18.21.080 Building design.

18.21.090 Variances.

18.21.100 Amendments and minor adjustments.

18.21.110 Planned industrial development overlay—Creation, purpose.

*Note to Chapter 18.21

* Prior ordinance history: Ord. 2295.

18.21.010 Purpose.

The LI/BP district is intended to provide for employment growth in the city by protecting industrial areas for future light industrial development. Design of light industrial facilities in this district will be "campus-style", with ample landscaping, effective buffers, and architectural features compatible with and not offensive to surrounding uses. Commercial development in the LI/BP district is limited to those uses necessary to primarily serve the needs of the surrounding industrial area and is restricted in size to discourage conversion of developable industrial land to commercial uses. (Ord. 2312 § 7 (part), 2002)

18.21.020 Primary uses.

Primary uses in the Ll/BP district are those listed as permitted under Chapter 18.07.030 and not identified as a secondary permitted use. Primary uses under this chapter are processed as a Type III decision pursuant to Chapter 18.55. (Ord. 2312 § 7 (part), 2002)

18.21.030 Secondary uses.

Commercial development listed as a secondary permitted use under Section 18.07.030 may be allowed subject upon findings that the applicable provisions of this chapter are met. Secondary uses under this chapter are processed as a Type III decision pursuant to Chapter 18.55. (Ord. 2312

§ 7 (part), 2002)

18.21.040 Development application.

Any person desiring to establish or significantly modify a primary or secondary use on land zoned at LI/BP shall submit an application in the manner and form required by the community development director and shall address the applicable provisions of this chapter. (Ord. 2312 § 7 (part), 2002)

18.21.050 Development standards.

A. Definitions.
"**Maximum floor area ratio**" means the maximum permitted ratio of the gross square footage of a building or buildings on a parcel to the total parcel area. The gross square footage of a building or buildings shall be the sum of the area of each floor measured horizontally to the outside faces of the exterior walls. Parcels containing more than one building shall have a maximum floor area ratio based upon the average of all buildings.
"**Minimum parking ratio**" means the minimum permitted ratio of the number of parking spaces on a parcel to the gross square footage of a building or buildings on a parcel.
"**Maximum building height**" means height is to be measured to the midpoint of the exterior wall having the greatest change in elevation, to the highest point of the roof or mechanical screen.
B. Maximum floor area ratios are applicable to the lot coverage requirement set forth in Table 18.09.030 Table 1.
C. Setbacks. Setbacks shall be as set forth in Chapter 18.09.030 Table 1.

1. Setbacks may be reduced by the approval authority based on site or development constraints, such as wetlands, topography, or the amount of cut and fill required.
2. On corner parcels (parcels bordered by two or more streets), there shall be one front yard established and the remaining sides shall be side yards. The minimum setbacks shall follow the front and side requirements.

D. Parking. Parking shall be provided as per Chapter 18.11.
E. Signs. Signage shall be as provided in Chapter 18.15 or as provided in a development specific signage program proposed by an applicant and approved as part of the conditional use permit for the use. (Ord. 2312 § 7 (part), 2002)

18.21.060 Site development criteria.

A. Site improvements are to be designed to result in a natural appearance that will blend with surroundings and be compatible with neighboring developments.
B. Grading and Drainage. Site grading and drainage are to be designed by a licensed civil engineer. Grading and slopes are to be compatible with landscaping materials, shall not permit erosion and shall minimize use of retaining walls to control slopes. Plans submitted for building permits shall include a construction phase mitigating procedure to control temporary situation runoff, erosion, sedimentation or other objectionable effects.
C. Traffic and Parking.

1. All traffic and parking areas shall be paved with asphaltic concrete or portland cement concrete in conformance with approved design standards. The perimeter of all paving areas or landscaped areas shall have portland cement concrete curbs throughout.
2. No public parking is to be allowed on public streets within this zone.
3. All parking areas, loading areas shall be located to minimize viewing from adjacent properties and roadways. They shall be screened from horizontal view with the use of

dense landscaping, mounds, view screen fencing or other approved means.

4. Truck docks and loading areas are not permitted on the front elevation of the property and are to be screened from the front view if located within the side yards.

D. Refuse/Storage. Refuse areas and service/storage areas are to be located under cover.

E. Utilities. All utility service lines are to be located underground. All pad-mounted equipment and other visible utility and service equipment are to be carefully located to minimize appearance and shall be appropriately screened consistent with required access and safety requirements.

F. Fencing. Perimeter fencing shall be so constructed as to minimize visual impact. Walls or fences separating adjoining parcels may be located at the property line. No wall or fence taller than three feet shall be placed within the landscape setbacks along side or rear lot lines and no wall or fence exceeding three feet in height shall be located on the property except for security fencing. Security fencing shall blend into and be compatible with landscaping. Fencing shall have earth tone colors of brown, tan, gray or green. Walls shall be constructed of materials compatible with the building architecture.

G. Lighting. Site and building lighting shall be designed to minimize glare or objectionable effects to the adjacent properties. Residential neighborhoods are of particular concern. Site lighting poles shall not exceed twenty feet in height and shall direct the light downward. Lighting sources viewed from above or below on adjacent property shall be shielded. Building lighting is to be concealed and indirect. Lighting in service areas is to be contained to conceal visibility of light sources from street and adjacent property. Site lighting is to be designed to provide uniform distribution and the light levels shall be adequate for reasonable security and safety on the premises.

H. Primary uses. All primary uses permitted in the LI/BP district shall have no negative or undesirable atmospheric or environmental impacts. All such primary uses shall be developed in a campus-type setting featuring landscaping, off-street parking, architectural designs tending to minimize the industrial nature of the development, buffers between other uses, and such other amenities as are consistent with a campus setting.

I. Secondary uses. All secondary commercial uses are subject to the following:

1. The commercial use is demonstrated to be clearly subordinate to industrial uses in the vicinity, and will primarily serves the daily retail and service needs of the surrounding industrial area.
2. On parcels over ten acres, secondary commercial uses shall be subordinate to a primary uses on the parcel, and the cumulative of all secondary commercial development on site has a maximum floor area equal to twenty-five percent of the gross floor area of the primary uses.
3. Proof is provided, demonstrating the need for such use to serve other existing uses within the LI/BP district.
4. The development satisfies the parking, design and other development standards identified in this chapter. (Ord. 2312 § 7 (part), 2002)

18.21.070 Landscaping standards.

In addition to the landscaping requirements of Chapter 18.13, all proposed development in this zone shall generally comply with the following standards. Variations may be authorized by the approval authority where reasonable factors such as topography, other site constraints, or proposed improvements offset the need for strict compliance.

A. The entire street frontage will receive street trees/landscaping that will create a unifying effect throughout the area. Tree groupings shall be located for interest and variety. Plantings shall conform to the approved selection list available from the city, if available.

B. Entry areas and driveways shall be landscaped to create a feeling of identification and continuity of plant materials related to the foundation plantings around the buildings and parking

areas. The entry areas shall be landscaped for a minimum distance of fifty feet on either side of the curb breaks. Landscape a minimum of twenty-five feet of width on either side of drives for their full length. Long drives would benefit from landscaped divider islands ten to fifteen feet wide.

C. Temporary parking areas shall have twenty-five feet of landscaping at all perimeters. Permanent parking areas are to have horizontal sight screening from streets and adjacent properties and shall have fifty feet of landscaping on street sides and twenty-five feet of landscape otherwise.

D. A fifty foot minimum landscaped planting strip shall be required adjacent to building facades facing any street and a twenty-five foot minimum planting strip shall be required elsewhere. Curvilinear design is encouraged to create interest and variety.

E. Areas used for storage, loading, etc., which would make landscaping inappropriate or superfluous will not require landscaping. Those areas have their own requirements for screening. Walls and fences that extend out from the main structure for purposes of screening shall also have a minimum of twenty-five feet of landscape strip adjacent to the exterior facing side of the wall.

F. Site development plans shall be submitted showing the final intended, maximum development. Areas reserved for future expansion beyond the foundation planting described above may be allowed to remain natural growth native to the area, but shall be maintained in conformance with local requirements for fire control. Areas between any wall of a building and any street may be landscaped or disced to create an appearance of a controlled natural state. Native species of plants should be maintained where possible.

G. Large site areas that are intended to remain undeveloped shall be improved with landscape materials that relate to the natural environment and the particular site. Tree clusters, mounding and native undergrowth combined with employee recreational uses should result in an esthetically pleasing effect.

H. Large, more mature plant materials are encouraged to ensure that some immediate effect on the project's appearance will be attained within two years of planting. The following minimum sizes and spacing are recommended for plant materials at time of installation. Exceptions can be made to these standards when areas are not visible to the general public and installation and maintenance specifications insure successful establishment of introduced plantings.

I. Notwithstanding Sections 18.13.050(G) and (H), street trees shall have a minimum caliper size of two inches. Trees located along drives and in the street side of planting areas adjacent to parking areas or buildings shall have a minimum caliper size of one and one-half inches. Trees located elsewhere are to have a minimum caliper size of one inch and equivalent to a fifteen gallon container size.

J. Shrubs should be a minimum of five-gallon pot size and upright shrubs should have a minimum height of eighteen inches with a minimum spread of eighteen inches. Spreading shrubs should have a minimum of eighteen to twenty-four inches (smaller shrub sizes may be approved where it is more appropriate within the particular landscape plan).

K. Ground covers planted from flats should have a maximum spacing of twelve inches on center or, when planted from one gallon cans, a maximum spacing of twenty-four inches on center.

L. Preservation of existing stands of mature, native and naturalized vegetation should be a primary goal in site plan development and site preparation. Special techniques, such as fencing, should be used to protect trees from grading and other construction period activities. A tree protection program should be submitted for projects in areas with substantial amounts of existing tree growth.

M. Earth berms are convenient devices for providing variation in the ground plane and for screening interior portions of the site. Care must be taken in their construction to avoid creating an artificial appearing landscape. The bermed areas should be as long, as gradual and as graceful as space will allow, and should have a minimum height above surrounding grade of three feet. Maximum slopes for bermed areas should be 3:1 for turf areas and 2:1 for groundcover areas.

Earth berms shall comply with vision clearance standards in Chapter 18.17.
N. All landscaped areas shall have an automated irrigation system to insure that plantings are adequately watered. Irrigation systems shall be designed to minimize water runoff onto sidewalks or streets.
O. Large land parcels may be developed in phases over time resulting in large areas that will not justify final landscaping installation of portion(s) of the parcel, commensurate with the proposed development in the early phase(s). (Ord. 2312 § 7 (part), 2002)

18.21.080 Building design.

A. All structures should be designed to be harmonious with the local setting and with neighboring developments, while contributing to the overall architectural character of the area. The building design should appear as an integrated part of the design concept. All facilities should be designed by a licensed architect and reflect a high standard of architectural design. Buildings should be either reinforced concrete and steel, masonry or wood frame construction. Prefabricated metal buildings or sheet metal sided structures are not permitted, unless an exception is made by the staff review based upon meritorious design.
B. Building design should consider existing views and vistas from the site and from adjacent roadways; solar orientation; orientation toward major streets and thoroughfares; vehicular and pedestrian flow patterns; the character of neighboring development; expression of the facilities functional organization and individual character; and the satisfaction of the physical, psychological, social and functional needs of facility users.
C. Design features that can contribute to the design character of a project include entrance drives; enhanced visitor parking areas; highlighted visitor entrances and entry plazas; decorative pedestrian plazas and walkways; focal landscape treatments and site sculptures; employee lunch areas (with amenities such as outdoor seating, garden areas, etc.); atriums and interior courts; dynamic building and roof forms; distinctive window patterns; shade and shadow patterns; surface treatments; and accent lighting and landscaping.
D. Long, straight building facades are generally uninviting and visually uninteresting. Building setbacks shall be varied and all facades articulated to add visual variety, distinctiveness and human scale. Space created by the varied setbacks of the building facades can accommodate landscaping and pedestrian/employee areas that contribute visual interest.
E. Exterior building colors shall be compatible with the surrounding manmade and natural environments, and not in competition with surrounding elements for attention (i.e., building color should not, in any way, become signing for the site). Generally, building colors should be subdued. Primary colors or other bright colors should generally be used only as accents to enliven the architecture. Repetition and overuse of a single approach to the use of color, such as horizontal stripes/ bands, can result in the treatment losing its effectiveness. Brighter, more distinctive color palettes may be approved by the city design review, based upon meritorious design.
F. Reflective glass is not permitted for glazing.
G. Roof-mounted equipment that is visible from adjacent, elevated property should be painted a compatible color with the roof screen.
H. All rooftop or outdoor mechanical equipment shall be fully screened from public view in a manner which is architecturally integrated with the structure. Screening shall be constructed to a finished standard using materials and finishes consistent with the rest of the building. Building designs should consider potential visibility of equipment from elevated rights-of-way or adjoining property.
I. All vents, flues or other protrusions through the roof less than sixteen inches in diameter need not be screened from view, but must be painted or treated to blend with the color of the background. All such vents, flues or other protrusions through the roof more than sixteen inches

in diameter shall be considered mechanical equipment and shall be screened from view. (Ord. 2312 § 7 (part), 2002)

18.21.090 Deviations.

Whenever there are practical difficulties that result from peculiarities of specific property which make it difficult to implement the standards and requirements of the light industrial/business park zone, the approval authority shall have the authority as part of the review process to grant a deviation from strict compliance with specific standards or requirements. Such deviation may alter the literal enforcement of any standard, requirement, or regulation of the light industrial/business park zone so long as such deviation is not inconsistent with the purpose of the light industrial/business park zone and does not adversely impact the public health, safety, and welfare. Any such deviation so granted shall be specifically identified in the approval authority decision of a development application.

18.21.100 Amendments and minor adjustments.

Approval of the application for a development within the LI/BP district shall be binding on the applicant, his heirs, successors and assigns, and any changes in the approved application are subject to the following provisions relating to minor adjustments and amendment of the approved application:

A. Minor Adjustments. Inherent in flexible zones is the need to provide for minor adjustment in the size, shape, location and elevation of structures, the patterns for traffic ingress and egress, the parking lot configurations, the landscaping and buffers, and the other matters approved in the developer's application. The community development director has discretion to approve those minor adjustments that do not significantly or materially alter the application as approved by the approval authority.

B. Amendment of Approved Application. Any change in the approved application that would materially or significantly impact traffic patterns, water requirements, production of waste products, volumes and kinds of stored chemicals and gases, atmospheric emissions, solid waste volumes, expected employment levels, or other matters approved in the application must be reviewed by the approval authority and recorded in the minutes of the hearing. Upon approval of such changes by the approval authority, the approved application shall be considered amended to that extent.

C. Unauthorized Changes. Unauthorized changes or substantial deviations from the approved application may be subject to a stop-work order by the city engineer. If not corrected, this will result in the refusal to issue any occupancy permits until the development is brought into conformance with the approved application. (Ord. 2312 § 7 (part), 2002)

18.21.110 Planned industrial development overlay—Creation, purpose.

There is created under this chapter the planned industrial development (PID) overlay. The PID overlay is intended to accommodate creative and imaginative small industrial development based on an approved comprehensive development plan for the site which is designed to insure compatibility between the industrial operations therein and the existing conditions of the surrounding area.

In order to accomplish this purpose, it is the intent of these overlay regulations to:

A. Permit a PID to be established within the LI/BP zone after approval of final plans as set forth in Chapter 18.20 of this code;

B. To allow the use of those innovations in the technology of land development which are in the

best interest of the city; and
C. To encourage industrial development on existing smaller industrial lots in areas B and C in the North Dwyer Creek area as identified in the North Dwyer Creek Master Plan.
A plan approved pursuant to the provisions of the PID overlay zone shall constitute a binding site plan, and shall allow for the division of land as an alternative to subdivision and short subdivision approval. (Ord. 2312 § 7 (part), 2002)

Chapter 18.22 MIXED USE

18.22.010 Purpose.

18.22.020 Applicability.

18.22.030 Definitions.

18.22.040 Allowed uses.

18.22.050 Required mix of uses.

18.22.060 Process.

18.22.070 Criteria for master plan approval.

18.22.080 Landscape standards.

18.22.090 Transition design criteria.

18.22.100 Incentives.

~~18.22.010 Purpose~~.

The city recognizes that opportunities for employment may be increased through the development of master-planned, mixed-use areas. Consistent with this, the city has created the mixed-use zone (MX) to provide for a mix of compatible light industrial, service, office, retail, and residential uses. Standards for development in the mixed-use zone are intended to achieve a pedestrian friendly, active, and interconnected environment with a diversity of uses. (Ord. 2383 § 1 (part), 2004)

18.22.020 Applicability.

The provisions of this chapter shall apply to parcels designated with mixed-use zoning. (Ord. 2383 § 1 (part), 2004)

18.22.030 Definitions.

"**Development agreement**" means a binding agreement between the city and a developer relative to a specific project and piece of property. The agreement may specify and further delineate, and may include, but is not limited to, development standards; vesting; development timelines; uses and use restrictions; integration within or outside of the subject development; construction of

transportation, sewer and water facilities; and allocation of capacity for transportation, sewer and water facilities. The agreement shall clearly indicate the mix of uses and shall provide a general phasing schedule, as reviewed and approved by city council, so as to ensure that the commencement of construction of the commercial, industrial, and/or office uses occur within a reasonable time frame of the construction of the overall project. Amendments to an approved development agreement may only occur with the approval of the city council and the developer or its successor(s).

"**Master plan**" as used in this chapter a master plan means a proposal for development that describes and illustrates the proposed project's physical layout; its uses; the conceptual location, size and capacity of the urban service infrastructure necessary to serve it; its provision for open spaces, landscaping, trails or other public or common amenities; its proposed building orientation; its internal transportation and pedestrian circulation plan; and the integration of utility, transportation, and pedestrian aspects of the project with surrounding properties.

"**Site plan**" means a detailed drawing to scale, accurately depicting all proposed buildings, parking, landscaping, streets, sidewalks, utility easement, stormwater facilities, wetlands or streams and their buffers and open space areas. (Ord. 2383 § 1 (part), 2004)

18.22.040 Allowed uses.

A. The mix of uses may include residential, commercial, retail, office, light industrial, public facilities, open space, wetland banks, parks and schools, in stand alone or in multi-use buildings.

B. Residential uses are allowed either:

1. In buildings with ground floor retail shops or offices below the residential units; or
2. As single-family attached units, as provided for in Section 18.22.070(A) of this code.

C. Commercial and retail uses are permitted, but not required, on the ground floor of multi-use buildings throughout this district.

D. Uses as authorized under CMC Section 18.07.030. (Ord. 2383 § 1 (part), 2004)

18.22.050 Required mix of uses.

The master plan must provide a mix of uses. No single use shall comprise less than twenty-five percent of the development area (i.e. residential, commercial, industrial) and no more than fifty percent of the net acreage of the master plan shall be residential, that is not otherwise contained within a mixed-use building. The remaining master plan may be a mix of employment uses as allowed in Section 18.22.040 of this code. The minimum use percentage shall not apply to public facilities, schools, parks, wetland banks or open space. (Ord. 2383 § 1 (part), 2004)

18.22.060 Process.

A. General. The applicant for a development in the MX zone shall be required to submit a proposed master plan, as defined in Section 18.22.030 of this code, and a proposed development agreement as authorized under RCW Chapter 36.70B.

B. Contents. The proposed master plan shall include the following information:

1. Boundaries. A legal description of the total site proposed for development is required.
2. Uses and Functions. The master plan must include a description of present uses, affiliated uses, and proposed uses. The description must include information about the general amount and type of functions of the use, the hours of operation and the approximate number of member employees, visitors and special events. For projects that include residential units, densities, number of units and building heights must be indicated.
3. Critical Areas. All critical areas shall be identified on the master plan (that is available

per Clark County GIS mapping and any other known sources [professional studies performed on the site, prior applications, etc.]). Critical areas shall include, but are not limited to, wetlands, floodplains, fish and wildlife habitat areas, geologically hazardous areas, and aquifer recharge areas.

4. Transportation. The master plan shall include information on projected transportation impacts for each phase of the development. This includes the expected number of trips (peak and daily), an analysis of the impact of those trips on the adjacent street system, and the proposed mitigation measures to limit any projected negative impacts. Mitigation measures may include improvements to the street system or specific programs to reduce traffic impacts, such as encouraging the use of public transit, carpool. A transportation impact study may be substituted for these requirements.
5. Circulation. The master plan shall address on-site and integration with off-site circulation of pedestrians, bicycles and vehicles. All types of circulation on and off the site shall be depicted in their various connections throughout the project and their linkages to the project and adjacent properties.
6. Phases. The master plan shall identify proposed development phases, probable sequence of future phases, estimated dates and interim uses of the property awaiting development. In addition, the plan shall identify any proposed temporary uses or locations of uses during construction periods.
7. Density. The master plan shall calculate the proposed residential density for the development, which shall include the number and types of dwelling units.
8. Conceptual Utility Plans. Utility plans should generally address stormwater treatment and detention areas on the site, existing utilities, proposed utilities and where connections are being made to existing utilities.

C. Approval. The master plan and development agreement must be approved by the city council after a public hearing. Once approved, the applicant may submit individual site plans for various portions or phases of the master plan which will provide engineering and design detail and which will demonstrate consistency with the originally approved master plan and other applicable engineering standards. Site plans shall comply with design review requirements in Chapter 18.19 of this code. It is the intent of this section that site plans shall not be required to reanalyze the environmental and other impacts of the site plan, which were previously analyzed in the master plan and development agreement processes.

D. Building Permits Required. Approval of a master plan and development agreement does not constitute approval to obtain building permits or begin construction of the project. Building permits shall be issued only after a site plan has been submitted demonstrating compliance with the master plan, development agreement and other applicable city standards, and has been approved by the city. (Ord. 2383 § 1 (part), 2004)

18.22.070 Criteria for master plan approval.

The following criteria shall be utilized in reviewing a proposed master plan:

A. Residential Densities and Employment Targets. Unless otherwise provided for in a transition area to mitigate impacts of increasing density, the minimum average density of eight dwelling units per net acre of residentially developed area is required. The maximum average density shall be an average of twenty-four dwelling units per net acre. For employment generating uses, the master plan shall provide an analysis of how many jobs will be produced, the timing of those jobs, and the phasing of the employment and nonemployment portions of the proposal. For estimate purposes, the target employment figures shall generally be consistent to the number of jobs produced that would otherwise occur in commercial and industrial zoning districts. The minimum number of jobs should be no less than six jobs per developable acre for the nonresidential portion of the project. The city may authorize a development with less than six

jobs per developable acre based upon a finding that appropriate measures have been taken to achieve six jobs per developable acre to the extent practicable. "Appropriate measures" may be demonstrated based upon the following:

1. The six jobs per developable acre cannot be achieved due to special circumstances relating to the size, shape, topography, location or surroundings of the subject property;
2. The likely resultant jobs per developed acres ratio would not adversely affect the implementation of the comprehensive plan;
3. The proposed development would not commit or clearly trend the zoning district away from job creation.

B. Setback and Height Requirements. Building setbacks shall be established as part of the master planning process. Setbacks in all future site plans shall be consistent with those established in the master plan. Landscape and setback standards for areas adjacent to nonmixed-use property shall meet or exceed those provided for in Table 18.22.080A.

The applicant may propose standards that will control development of the future uses that are in addition to or substitute for the requirements of this chapter. These may be such things as height limits, setbacks, landscaping requirements, parking requirements, or signage.

C. Landscape Requirements and Buffering Standards. See CMC Section 18.22.080 for standards that apply to landscaping and screening on mixed-use property adjacent to nonmixed-use property.

D. Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with Chapter 18.11, Table 18.11-1, Table 18.11-2 and Table 18.11-3 of this code.

E. Utilities. Utilities and other public services sufficient to serve the needs of the proposed development shall be made available, including open spaces, drainage ways, streets, alleys, other public ways, potable water, transit facilities, sanitary sewers, parks, playgrounds, sidewalks and other improvements that assure safe walking conditions for students who walk to and from school.

F. Environmental Impacts. The probable adverse environmental impacts of the proposed development, together with any practical means of mitigating adverse impacts, have been considered such that the proposal shall not have a probable significant adverse environmental impact upon the quality of the environment, in accordance with CMC Title 16 and RCW Chapter 43.21C.

G. Access. The proposed development shall provide at least two access points (where a mixed-use development does not have access to a primary or secondary arterial) that distribute the traffic impacts to adjacent streets in an acceptable manner.

H. Professional Preparation. All plans and specifications required for the development shall be prepared and designed by engineers and/or architects licensed in the state of Washington.

I. Engineering Standards. The proposed development satisfies the standards and criteria as set forth in this chapter and all engineering design standards that are not proposed for modification.

J. Design Review. The proposed development satisfies the standards and criteria as set forth in the Building Design from Camas Design Review Manual: Gateways, Commercial, Mixed Use and Multi-Family Uses, unless otherwise proposed for modification. (Ord. 2383 § 1 (part), 2004)

18.22.080 Landscape standards.

A. Minimum landscaping or open space, as a percent of gross site area, shall be fifteen percent. All landscaping shall comply with the applicable landscape provisions in Chapter 18.13 of this code. The entire street frontage will receive street trees/landscaping that will create a unifying effect throughout the area. Tree groupings shall be located for interest and variety. Plantings shall conform to the approved selection list available from the city, if available.

B. Landscape buffers shall be in compliance with the below referenced table:

TABLE 18.22.080A
Landscaping Buffering Standards
Zoning of Land Abutting Development Site

	Single-Family		Multi-Family		Commercial		Office/ Campus		Industrial	
Proposed Mix of Uses on Development Site	**Not Separated by a Street**	**Separated by a Street**	**Not Separated by a Street**	**Separated by a Street**	**Not Separated by a Street**	**Separated by a Street**	**Not Separated by a Street**	**Separated by a Street**	**Not Separated by a Street**	**Separated by a Street**
Residential Single-Family	5' L1	5' L1	5' L2	10' L1	10' L3	10' L2	10' L2	10' L2	10' L2 w/ F2 Fence	10' L3
Residential Multi-Family	5' L2	5' L1	10' L1	5' L1	10' L3	5' L2	5' L2	10' L2	10' L2 w/ F2 Fence	10' L3
Commercial	10' L3	5' L2	10' L3	5' L1	5' L1	5' L2	5' L2	5' L2	10' L3	10' L2
Industrial	10' L2 w/ F2 Fence	L2	L4	L2	L3	L2	10' L3	L2	5' L2	5' L1

C. Landscaping and Screening Design Standards.

1. L1, General Landscaping.
    a. Intent. The L1 standard is intended to be used where distance is the principal means of separating uses or development, and landscaping enhances the area between them. The L1 standard consists principally of groundcover plants; trees and high and low shrubs also are required.
    b. Required Materials. There are two ways to provide trees and shrubs to comply with an L1 standard. Shrubs and trees may be grouped. Groundcover plants, grass lawn or approved flowers must fully cover the landscaped area not in shrubs and trees.
2. L2, Low Screen.
    a. The standard is applied where a low level of screening sufficiently reduces the impact of a use or development, or where visibility between areas is more important than a greater visual screen.
    b. Required Materials. The L2 standard requires enough low shrubs to form a continuous screen three feet high and ninety-five percent opaque year-round. In addition, one tree is required per thirty lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area. A three-foot high masonry wall or fence at an F2 standard may be substituted for shrubs, but the trees and groundcover plants are still required.
3. L3, High Screen.
    a. The L3 standard provides physical and visual separation between uses or development principally using screening. It is used where such separation is warranted by a proposed development, notwithstanding loss of direct views.

b. Required Materials. The L3 standard requires enough high shrubs to form a screen six feet high and ninety-five percent opaque year-round. In addition, one tree is required per thirty lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area. A six-foot high wall or fence that complies with an F1 or F2 standard may be substituted for shrubs, but the trees and groundcover plants are still required. When applied along street lot lines, the screen or wall is to be placed along the interior side of the landscaped area.

4. Fences.
   a. F1, Partially Sight-Obscuring Fence.
      i. Intent. The F1 fence standard provides partial visual separation. The standard is applied where a proposed use or development has little impact, or where visibility between areas is more important than a total visual screen.
      ii. Required Materials. A fence or wall that complies with the F1 standard shall be six feet high and at least fifty percent sight-obscuring. Fences may be made of wood, metal, bricks, masonry or other permanent materials.
   b. F2, Fully Sight-Obscuring Fence.
      i. Intent. The F2 fence standard provides visual separation where complete screening is needed to protect abutting uses, and landscaping alone cannot provide that separation.
      ii. Required Materials. A fence or wall that complies with the F2 standard shall be six feet high and one hundred percent sight obscuring. Fences may be made of wood, metal, bricks, masonry or other permanent materials.
5. The applicant may provide landscaping and screening that exceeds the standards in this chapter provided:
   a. A fence or wall (or a combination of a berm and fence or wall), may not exceed a height of six feet above the finished grade at the base of the fence or wall (or at the base of a berm, if combined with one) unless the approval authority finds additional height is necessary to mitigate potential adverse effects of the proposed use or other uses in the vicinity; and landscaping and screening shall not create vision clearance hazards as provided in Chapter 18.13 of this code.
   b. The planning director may approve use of existing vegetation to fulfill landscaping and screening requirements of this chapter if that existing landscaping provides at least an equivalent level of screening as the standard required for the development in question.
   c. Landscaped areas required for stormwater management purposes may be used to satisfy the landscaping area requirements of this chapter, even though those areas may be inundated by surface water.
   d. Required landscaping and screening shall be located on the perimeter of a lot or parcel. Required landscaping and screening shall not be located on a public right-of-way or private street easement. (Ord. 2383 § 1 (part), 2004)

18.22.090 Transition design criteria.

In addition to the design standards in this chapter, all developments and uses shall comply with the following transitional design standards:
A. Vehicular accesses should be designed and located so that traffic is not exclusively directed through a nearby neighborhood area;
B. Loading and refuse collection areas should be located away from bordering protected zones. Loading and refuse collection areas shall not be located within a front yard setback;
C. Landscape buffers on proposed projects should comply with those identified in Section

18.22.080 of this code. (Ord. 2383 § 1 (part), 2004)

18.22.100 Incentives.

A. Traffic Impact Fee (TIF) Reduction. A reduction of the TIF may be granted pursuant to this section with the implementation and maintenance of the corresponding action in Table 2 upon approval of the director.

Table 2
Incentives

Action	TIF Reduction
Construction of direct walkway connection to the nearest arterial	1%
Installation of on-site sheltered bus-stop (with current or planned service) or bus stop within 1/4 mile of site with adequate walkways if approved by C-TRAN	1%
Installation of bike lockers	1%
Connection to existing or future regional bike trail	1%
Direct walk/bikeway connection to destination activity (such as a commercial/retail facility, park, school, etc.) if residential development, or to origin activity (such as a residential area) if commercial/retail facility	1% if existing 2% if constructed
Installation of parking spaces which will become paid parking (by resident or employee)[1]	3%
Installation of preferential carpool/vanpool parking facilities[1]	1%
Total if all strategies were implemented	10%

[1] Automatic reduction for developing within the mixed-use overlay.
(Ord. 2383 § 1 (part), 2004)

Chapter 18.23 PLANNED RESIDENTIAL DEVELOPMENT (PRD)

18.23.010 Purpose.

18.23.020 Definitions.

18.23.030 Scope.

18.23.040 Density standards.

18.23.050 Density bonus.

18.23.060 Permitted uses.

18.23.070 Preliminary master plan -- Requirements

18.23.080 Professional preparation.

18.23.100 Approval standards.

18.23.110 Relationship to adjacent areas.

18.23.120 Amendments.

18.23.130 Procedure.

18.23.010 Purpose.

The purpose of this chapter is to promote the public health, safety and general welfare of the citizens of the city of Camas in accordance with state law and the city's comprehensive plan; to facilitate the innovative development of land; and to provide for greater flexibility in the development of residential lots in medium and high density districts.
A further purpose of this chapter is to allow for the modification of certain regulations when it can be demonstrated that such modification would result in a development which would not increase the density and intensity of land use (except as provided for in Section 18.23.040 of this code); would preserve or create features or facilities of benefit to the community such as, but not limited to, open space or active recreational facilities; would be compatible with surrounding development; and would conform to the goals and policies of the city of Camas' comprehensive plan. (Ord. 2299 § 1 (part), 2001)

18.23.020 Definitions.

The following terms are defined as follows:
"**Density bonus**" means a percentage of units allowed in a PRD over and above the number of units provided for in the zoning district absent a PRD proposal.
"**Density transfer**" means a transfer of dwelling units located on a site identified as sensitive lands or open space to the developable portion of land on the site. (Refer to Sections 18.09.060 and 18.09.070)
"**Development agreement**" means a legal contract between the "City" and the "**Developer**" relative to a specific project and piece of property. The agreement may specify and further delineate, and may include but is not limited to, findings of council, actions, requirements of the developer and city, benefits to the parties involved, conditions of approval, time frames, etc. A development agreement shall become binding upon the land.
"**Master plan**" means a planned proposal for development that includes and illustrates the division of land into lots, the location and sizes of streets, roads and accessways, pedestrian circulation, landscaping, parking areas and the location of and types and densities of uses. A master plan further identifies the dimensions, height, location, and setbacks of all such buildings to the extent necessary to comply with the purpose and intent set forth in this chapter.
"**Open space**" means land that is set aside and maintained in a natural state, providing air, light, and habitat for wildlife, and/or containing significant trees and vegetation. Open space may also

contain environmentally sensitive lands, which include but are not limited to steep slopes and areas with unstable soils, wetlands, and streams and watercourses. Open space may also provide for active and passive recreation use. There are two general categories of open space:
A. Natural open space is land that is devoted to protecting environmentally sensitive lands as defined in this code. Natural open space generally has no developed areas, with the exception of trails as identified in the comprehensive parks, recreation, and open space plan, or by a condition of development approval.
B. Recreational open space is land that is set aside and shall include development for recreational opportunities such as trails, sports fields, playgrounds, swimming pools, tennis courts, and picnic areas. Recreational open space is generally limited in size and intensity, proportionate to the development, and is intended for the enjoyment of the residents of the development.
"**Peripheral yard**" means those areas which form the boundary between a planned unit or planned residential development district and any other zoning district, planned unit, or planned residential development.
"**Planned residential development**" (hereinafter referred to as a PRD) means a development constructed on land of at least ten acres in size, designed and consistent with an approved master plan. A PRD is comprised of two components: single-family and multifamily units. The single-family component shall contain only single-family detached residences on lots equal to or greater than four thousand square feet. The multifamily component may contain either attached or detached single-family residences on lots smaller than four thousand square feet, or it may contain, but may not be limited to, duplexes, rowhouses, apartments, and designated manufactured homes, all developed in accordance with subsection 18.23.030(A). (Ord. 2364 § 1, 2004; Ord. 2299 § 1 (part), 2001)

18.23.030 Scope.

Planned residential developments (PRD's) shall be established under the following criteria:
A. A PRD may be allowed in all R and MF zoning districts.
B. The minimum land area necessary to apply for a PRD shall be ten acres of contiguous land.
C. All land in which a PRD is to be developed shall be held and maintained in a single ownership, including but not limited to an individual, partnership, corporation, or homeowner's association. Evidence of such ownership shall be provided to the planning commission and city council before PRD approval.
D. Permissible uses within a PRD include any use listed as a permitted use or conditional use in the applicable zone as per CMC Section 18.07.040 Table 2, when approved as part of a master plan. Notwithstanding an approved master plan, incidental accessory buildings, incidental accessory structures, and home occupations may be authorized on a case by case basis.
E. A minimum of fifty percent to a maximum of seventy percent of the overall permitted density of the PRD must be single-family homes.
F. The multifamily component (two or more attached dwelling units) of a PRD shall ideally be developed toward the interior of the tract rather than the periphery to ensure compatibility with existing single family residences that border the surrounding properties. Deviation from this requirement shall be requested during the preliminary master plan review and specifically approved by the planning commission and city council.
G. Density standards and bonuses for a PRD shall be in accordance with CMC Sections 18.23.040 and 18.23.050.
H. An equivalent amount of up to twenty percent of the developable area shall be set aside and developed as recreational open space in a PRD, and shall include the following:

1. Passive or active recreation concentrated in large usable areas;
2. Provide trails and open space for connection and extension with the city's open space and trail plan, if feasible; and

3. Be held under one ownership and maintained by the ownership; or be held in common ownership by means of homeowners' association, and maintained by the homeowners' association. The open space and recreation areas shall be dedicated for public use and be maintained by the ownership or homeowners' association. (Ord. 2364 §§ 2, 3, 2004; Ord. 2299 § 1 (part), 2001)

18.23.040 Density standards.

A. Density standards for a PRD shall be based on the gross area of the parcel being considered. Open space, greenways, sensitive areas, parks and recreation areas set aside within the tract shall be used in the computation of the gross development area. The maximum number of dwelling units in the PRD shall be determined as follows:
Divide the gross land area (in square feet) by the minimum lot size (in square feet) of the underlying zoning district.
B. The minimum lot size for a single-family dwelling within the single-family component of the PRD shall be four thousand square feet. The minimum lot width, depth and setback requirements, and maximum lot coverage requirement shall be established for each PRD as part of the approval process. The minimum lot size for the dwellings within the multifamily component of the PRD shall be established as part of the master plan approval.
C. If more than one zoning district is included within the PRD area, the number of dwelling units allowed in each zoning district shall be computed and then combined to determine the total number of dwelling units within the entire development. (Ord. 2364 § 4, 2004: Ord. 2299 § 1 (part), 2001)

18.23.050 Density bonus.

A density bonus of no more than twenty percent may be granted by the city council for a PRD as demonstrated by site design and layout. For example: ten acres in an R1-10 zone yields four hundred thirty-five thousand six hundred square feet. This is then divided by ten thousand square feet. Using this example, the maximum number of units equals forty-three and one-half units, and with a twenty percent density bonus the maximum number of units allowed would be fifty-two. (Ord. 2364 § 5, 2004: Ord. 2299 § 1 (part), 2001)

18.23.060 Permitted uses.

Permitted or conditional uses currently listed in the applicable zoning classification shall be considered permitted within a PRD. All proposed uses shall be reviewed in conjunction with the preliminary master plan review. (Ord. 2299 § 1 (part), 2001)

18.23.070 Preliminary master plan -- Requirements

A. Initial Conference. Schedule a conference with the planning manager, with invitations extended to the city engineer, fire marshal, police chief and building official to discuss and resolve conceptual problems prior to submission of the preliminary master plan related to said application.
B. Contents. The preliminary master plan shall include the following information:

1. The legal description of the total site proposed for development;
2. The existing and proposed land uses within the development and the existing and proposed location of buildings and other structures;
3. The proposed residential density for the development which shall include the number and

types of dwelling units;

4. The proposed lot sizes and building envelopes. Approved building envelopes will establish the setbacks for each lot or parcel in which development may occur;
5. A site plan drawn to scale and depicting the following:
    a. The location of all areas to be conveyed, dedicated, or maintained as public or private streets; access and egress to the development showing proposed traffic circulation, parking areas and pedestrian walks;
    b. The proposed location of any residential buildings and any other structures, including identification of all buildings as single family, duplex, townhouse, apartment, condominium, designated manufactured home, or otherwise;
    c. The location of areas to be maintained as common open space, and a description of the proposed use of those areas;
    d. The location of areas to be maintained as open space network, if applicable;
    e. Proposed lot or boundary lines for residential, open space, parks and recreational areas, management or allocation purposes;
6. An accurate survey of the property showing the topography in five foot contours identifying slopes above fifteen percent all existing, isolated trees six inches or more in diameter, all wooded areas, all existing streets, utility easements, drainage patterns, structures and other improvements, the location of all easements and rights of way for utilities, including, but not limited to water, sanitary sewers, storm sewer, and electricity, gas, telephone and cable TV lines;
7. A document containing agreements, provisions, and covenants regarding the establishment of a homeowner's association which provides for the permanent ownership, maintenance, protection and use of the planned development including streets (if privately owned), storm drain facilities, utilities, common areas (e.g. storage areas, parking areas, and landscaping) open spaces, greenways, parks and recreational areas;
8. A landscaping plan drawn to scale and demonstrating compliance with Chapter 18.13. Additionally, the landscape plan shall indicate the landscaping features such as screening, fences, lighting and signing;
9. A development schedule outlining the expected schedule and phases of development;
10. The calculation of all applicable impact fees. This shall be coordinated with the city prior to submission of the preliminary master plan.

C. Effect of Approval. Approval by the city council of a preliminary master plan shall constitute provisional approval of the PRD. This approval is contingent upon the applicant submitting a final development plan and development agreement, if required, that complies with the provisions of this chapter. (Ord. 2299 § 1 (part), 2001)

18.23.080 Professional preparation.

A. The applicant for a proposed PRD shall certify that one or more of the following have been involved with the preparation of the preliminary master plan:

1. An architect licensed in the state of Washington; and/or
2. A landscape architect licensed in the state of Washington; and/or
3. A registered civil engineer or a registered land surveyor licensed in the state of Washington; and/or
4. A certified arborist, if a vegetation management plan is required.

B. All plans and specifications required for the development shall be prepared and designed by engineers and/or architects licensed in the state of Washington. (Ord. 2299 § 1 (part), 2001)

18.23.100 Approval standards.

Approval for a PRD shall be based on the following standards:
A. The proposed PRD conforms to:
1. The city of Camas' comprehensive plan;
2. All provisions of the Camas zoning code which are not proposed for modification;
3. All engineering design standards; and
4. Any other applicable city, state, federal regulations, policies or plans, except those standards proposed for modification.

B. Utilities and other public services necessary to serve the needs of the proposed development shall be made available, including open spaces, drainage ways, streets, alleys, other public ways, potable water, transit facilities, sanitary sewers, parks, playgrounds, schools, sidewalks and other improvements that assure safe walking conditions for students who walk to and from school.
C. The probable adverse environmental impacts of the proposed development, together with any practical means of mitigating adverse impacts, have been considered such that the proposal shall not have an unacceptable adverse effect upon the quality of the environment, in accordance with CMC Title 16 and 43.21C RCW.
D. Approving the proposed development shall serve the public use and interest and adequate provision has been made for the public health, safety, and general welfare.
E. The proposed development satisfies the standards and criteria as setforth in this chapter.
F. The proposed development shall be superior to or more innovative than conventional development and shall provide greater public benefit without additional probable adverse impacts to public health, safety or the environment, than available through the use of conventional zoning and/or development standards.
G. The proposed development shall provide at least two access points (where a PRD does not have access to a primary or secondary arterial) that distribute the traffic impacts to adjacent streets in an acceptable manner.
H. Preliminary approval does not constitute approval to obtain any building permits or begin construction of the project. (Ord. 2299 § 1 (part), 2001)

18.23.110 Relationship to adjacent areas.

The design and layout of a planned development shall take into account the integration and compatibility of the site to the surrounding areas. The perimeter of the planned development shall be so designed as to minimize any undesirable impact on adjacent properties. Setbacks from the property lines of the planned development shall be comparable to, or compatible with, those of any existing development on adjacent properties. Or, if adjacent properties are undeveloped, then setbacks shall conform to the type of development that may be permitted. (Ord. 2299 § 1 (part), 2001)

18.23.120 Amendments.

A. Minor Amendments. In issuing building permits for construction of a PRD, the city engineer may approve minor adjustments provided that such adjustments shall not:
1. Increase the number of dwelling units;
2. Decrease the amount of parking spaces, loading spaces, or open space;
3. Permit structures to be located closer to any property line;
4. Change any points of ingress or egress to the development as set forth in the final development plan;
5. Conflict with any conditions or statements within a development agreement;

6. Increase the height of buildings beyond the limits of the underlying zone.

B. Amendment of Final Development Plan. Any change in the final development plan, other than those minor adjustments specifically authorized in writing by the city engineer at the time building permits are issued, must be reviewed by the planning commission and recorded in the minutes thereof. The recommendation of the planning commission regarding any change in the final development plan, together with its reasons therefor, shall be submitted to the city council for its approval. Upon approval of such changes by the city council, the final development plan shall be considered amended to that extent.

C. Unauthorized Changes. Unauthorized changes or substantial deviations from the final development plan shall be subject to a stop work order by the city engineer. If not corrected, no occupancy permits shall be issued until the development is brought into compliance with the approved final development plan. (Ord. 2299 § 1 (part), 2001)

18.23.130 Procedure.

An application for a PRD shall be processed pursuant to Chapter 18.55 of this code. A public hearing before the planning commission and review by city council is required for both preliminary and final master plan approval. The applicant shall be deemed to have abandoned an application for a PRD if not substantially complete within one year from the application date. (Ord. 2299 § 1 (part), 2001)

Chapter 18.25 ROWHOUSES

18.25.010 Purpose.

18.25.020 Application.

18.25.040 Procedures.

18.25.050 Design standards.

18.25.060 Dimensional standards.

~~18.25.010 Purpose~~.

To provide opportunities for individual home ownership in the multifamily zoning districts and/or to provide for variety in housing opportunities within a PRD by allowing rowhouse developments consistent with density requirements of the base zones. This chapter provides alternative dimensional standards and additional requirements which allows for the division of land into small lots in conjunction with the construction of attached single family units commonly referred to as rowhouses or townhouses. (Ord. 2295 § 11 (part), 2001)

18.25.020 Application.

An application is required for rowhouse developments and shall be reviewed in accordance with Title 17 "Subdivisions," of the Camas Municipal Code. If land is subdivided development proposals must receive approval of a site plan demonstrating how the proposal complies with this

chapter and all other requirements identified on the application. (Ord. 2295 § 11 (part), 2001)

18.25.040 Procedures.

A. Preliminary plats may not be approved without approval of the submitted site plan. Both the site plan and preliminary plat must be fully consistent with standards of this and all other applicable ordinances.
B. Preliminary plats may be approved only where conditions of approval are established to ensure that subsequent or existing development on the resultant parcels shall occur consistent with the approved site plan.
C. Building permits may only be approved where fully consistent with the approved site plan and land division or all units with common walls. (Ord. 2295 § 11 (part), 2001)

18.25.050 Design standards.

A. No more than forty percent of the total square footage of the front facade of each unit may be garage door area.
B. One parking space is required per unit, and shall be provided either on the same lot as the dwelling, or in shared parking areas located primarily to the rear of or beneath the units. Parking is encouraged to be located behind the dwelling unit with access to the alley. If an alley is utilized, pedestrian access from the alley to the dwelling shall be provided for each lot. On-site and shared parking shall be the primary parking location, off-site parking may be used if approved by the city engineer.
C. Detached garages are allowed, provided, they are accessed from an alley or driveway and do not exceed eighteen feet in height.
D. Impact fees for rowhouses on individual lots shall be assessed at the multifamily rate.
E. Only one dwelling unit may occupy an individual lot. Each attached dwelling may occupy no more than one lot.
F. No more than eight attached dwellings are permitted in a row or single group of structures. (Ord. 2295 § 11 (part), 2001)

18.25.060 Dimensional standards.

Dimensional standards shall be determined by Table 3 of Section 18.09.050. (Ord. 2295 § 11 (part), 2001)

Chapter 18.27 ACCESSORY DWELLING UNITS

18.27.010 Purpose.

18.27.020 Scope.

18.27.030 Definition.

18.27.040 Establishing an accessory dwelling unit.

18.27.050 Development standards.

18.27.060 Design guidelines.

18.27.010 Purpose.

Accessory dwelling units are intended to:
A. Provide for a range of choices of housing in the city;
B. Provide additional dwelling units, thereby increasing densities with minimal cost and disruption to existing neighborhoods;
C. Allow individuals and smaller households to retain large houses as residences; and
D. Enhance options for families by providing opportunities for older or younger relatives to live in close proximity while maintaining a degree of privacy. (Ord. 2295 § 12 (part), 2001)

18.27.020 Scope.

Accessory dwelling units shall meet the requirement of this chapter and may be allowed in the residential (R) and multifamily (MF) zones. (Ord. 2295 § 12 (part), 2001)

18.27.030 Definition.

An "accessory dwelling unit (ADU)" means an additional smaller, subordinate dwelling unit on a lot with, or in an existing or new house. These units are intended to provide for a greater range of choices of housing types in single family and multifamily residential districts. An ADU is not a duplex because the intensity of use is less due to the limitations of size and number of bedrooms. See Figure 18.27-1.

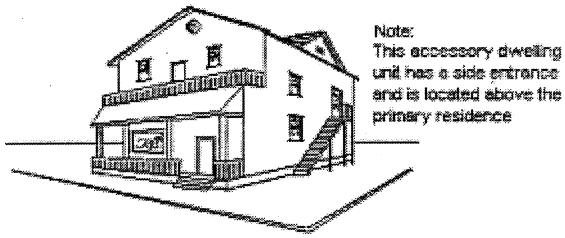

Figure 18.27-1 Typical Accessory Dwelling Unit

(Ord. 2295 § 12 (part), 2001)

18.27.040 Establishing an accessory dwelling unit.

Accessory dwelling unit may be created through:
A. Internal conversion within an existing dwelling;
B. The addition of new square footage to the existing house or to a garage and any addition thereto is located at least forty feet back from the front property line;
C. Conversion of an existing garage if the garage is setback at least forty feet back from the front property line;
D. Inclusion in the development plans for, or as part of, the construction of a new single family detached dwelling unit; or
E. A separate detached dwelling unit on the same lot as the primary dwelling unit when the accessory unit is located at least ten feet behind the most distant back or side wall or other structural element of the primary dwelling unit structure.
Manufactured homes or recreational vehicles are not considered an accessory structure for the

purposes of this chapter. (Ord. 2295 § 12 (part), 2001)

18.27.050 Development standards.

A. Number. No more than one accessory dwelling unit per legal lot is permitted and it must be accessory to a single-family residence. A lot of record lawfully occupied by two or more single-family residences shall not be permitted to have an accessory dwelling unit, unless the lot is short platted under Title 17 of this code. If a short plat is approved, an accessory dwelling unit for each dwelling unit is permitted only if all dimensional standards of the underlying zone and all other provisions of this chapter are met.
B. Lot Area. No accessory dwelling unit shall be permitted on a lot of less than five thousand square feet.
C. Compliance. The applicant must apply for a building permit for an accessory dwelling unit. An ADU shall comply with applicable building, fire, and health and safety codes. Addressing of the ADU shall be assigned by the building department with approval by the fire department. An ADU cannot be occupied until a certificate of occupancy is issued by the building department.
D. Height. An accessory dwelling unit shall conform to existing requirements for the primary residence, including, but not limited to lot coverage, front, side and rear yard setbacks. Building height is limited to twenty-five feet for a detached ADU. Building height requirements of the underlying zone do apply to the ADU for internal conversion or structural addition to the existing primary dwelling.
E. Conformance to Zoning. The addition of an accessory dwelling unit shall not make any lot, structure or use nonconforming within the development site. All setbacks, including height limitations for the zone shall be met except as allowed in Chapter 18.45 "Variances."
F. Outbuilding Size. For purposes of this section, an accessory structure (such as a garage or other outbuilding, but not a detached accessory dwelling unit) which contains an accessory dwelling unit may not cover more than ten percent of the total site area.
G. Total Floor Area. The total gross floor area of an accessory dwelling unit shall not exceed forty percent of the area of the primary dwelling's living area. The living area of the primary unit excludes uninhabitable floor area and garage or other out building square footage whether attached or detached.
H. Number of bedrooms. An accessory dwelling unit shall not contain more than one bedroom.
I. Parking. An accessory dwelling unit shall have a minimum of one on-site parking space, in addition to the primary dwelling unit's designated parking spaces.
J. Architectural Design. The exterior appearance of an addition or detached accessory dwelling unit shall be architecturally compatible with the primary residence. Compatibility includes coordination of architectural style, exterior building materials and color, roof material, form and pitch, window style and placement, other architectural features and landscaping. See Section 18.27.050 "Development standards" of this chapter.
K. Entrances. For an accessory dwelling unit created by internal conversion or by an addition to an existing primary dwelling, only one entrance may be located on the front of the house, unless the house contained additional front doors before the conversion. Secondary entrances should be located on the side or rear of the primary residence to the extent possible.
L. Utilities. An accessory dwelling unit shall connect to public sewer and water. A home or lot not connected to public sewer and water, which adds an accessory dwelling unit shall connect to public sewer and water.
M. Nonconformity. A home or lot which has an accessory dwelling unit which was established prior to adoption of this chapter may be approved for a building permit subject to the provisions of Chapter 18.41 "Nonconforming Uses."
N. Impact Fees. Accessory dwelling units shall be subject to impact fees at the following rates: Twenty-five percent of the single-family rate for internal conversions and thirty-five percent for

external conversions.
O. Owner Occupancy. Prior to the issuance of a building permit establishing and accessory dwelling unit, the applicant shall record the ADU as a deed restriction with the Clark County auditor's office. Forms shall be provided by the city stating that one of the dwelling units is and will continue to be occupied by the owner of the property as the owner's principal and permanent residence for as long as the other unit is being rented or otherwise occupied. The owner shall show proof of ownership and shall maintain residency for at least six months out of the year, and at no time receive rent for, the owner occupied unit. Falsely certifying owner occupancy shall be considered a violation of the zoning ordinance and is subject to the enforcement actions. (Ord. 2295 § 12 (part), 2001)

18.27.060 Design guidelines.

A. Exterior Finish Materials. Exterior finish materials must duplicate or reflect the exterior finish material on the primary dwelling unit.
B. Roof Slopes. For buildings over fifteen feet in height, the slope of the accessory dwelling unit roof must be the same as that of the predominate slope of the primary dwelling structure.
C. Historic Structures. If an accessory dwelling unit is on the same lot as or within an historic structure which has been designated on the national, state or local historic register, the following design guidelines are applicable:

1. Exterior materials shall be of the same type, size and placement as those of the primary dwelling structure.
2. Trim on edges of elements of an ADU shall be the same as those of the primary structure in type, size and placement.
3. Windows in any elevation which faces a street shall match those in the primary structure in proportion, i.e., same height, width, and orientation (horizontal or vertical).
4. Pediment and Dormers. Each accessory dwelling unit over twenty feet in height shall have either a roof pediment or dormer if one or the other of these architectural features are present on the primary dwelling. (Ord. 2295 § 12 (part), 2001)

Chapter 18.29 MANUFACTURED HOME PARKS

18.29.010 Purpose.

18.29.020 Procedures.

18.29.040 Application requirements.

18.29.050 Dimensional standards.

18.29.060 Park development standards.

18.29.070 Manufactured home space standards.

18.29.080 Operation and maintenance.

18.29.010 Purpose.

The purpose of this chapter is to establish procedure to accommodate manufactured home park developments where individual spaces are leased or rented and not sold to the occupants; to provide performance standards for such a park; to provide standards for diverse and affordable housing as a goal expressed in the comprehensive plan. (Ord. 2295 § 13 (part), 2001)

18.29.020 Procedures.

Where manufactured home parks are required to receive conditional use approval, the planning commission and city council shall be guided by the following criteria in addition to the criteria in Section 18.43.050 "Criteria" of the Conditional Use Permits chapter in making a decision:
A. The park design, including site layout, street configuration, landscaping, and community space, are compatible with the surroundings and the community character goals of the comprehensive plan; and
B. The park is consistent with the comprehensive plan; and
C. The park makes adequate provision for sanitary sewers, drainage, water, streets, parks and open space. (Ord. 2295 § 13 (part), 2001)

18.29.040 Application requirements.

All applications submitted for approval of a manufactured home park shall consist of a development plan, including:

A. Name of the person who prepared the plan;
B. Names of all persons owning and managing the land proposed for the development;
C. Name and address of the proposed manufactured home park;
D. Scale of the plan and north arrow;
E. Boundaries and dimensions of the manufactured home park, and number of acres included;
F. Vicinity map showing uses on adjacent properties and the relationship of the development to such uses;
G. Location and dimensions of each space, with each space designated by number or other designation;
H. Location and dimensions of each existing or proposed building;
I. Location, width and design standards of streets and pedestrian ways;
J. Location, size and design details of all utilities serving the site, if the manufactured park is permitted outright in the underlying zoning designation;
K. Location of lighting fixtures for exterior lighting;
L. Location of recreational and other common areas;
M. Location and type of landscaping, fences, walls, and other screening structures;
N. Location, arrangement, and design of all parking facilities;
O. Location of fire hydrants;
P. Enlarged plot plan of a typical space, showing location of foundation base, storage space, parking, setbacks to property lines, utility connections, and other improvements;
Q. Topography of the park site with contour intervals of not more than two feet, and a drainage plan;
R. A survey plat of the property, plans of structures to be constructed, public water systems and sewage approved by appropriate governmental agencies, and garbage disposal provisions;
S. Any additional information relevant to determining if the proposal meets the application

approval criteria. (Ord. 2295 § 13 (part), 2001)

18.29.050 Dimensional standards.

Minimum density provisions for manufactured home parks and park spaces are shown in Table 18.29-1.

Table 18.29-1

Manufactured Home Park	Standards
Minimum lot area	5 acres
Minimum lot width	200 feet
Minimum lot depth	200 feet
Minimum landscape buffer	20 feet (along a public street or residential (R) zone) 10 feet (along any other boundary)
Manufacture Home Space Within Park	
Minimum individual space size	4,800 square feet
Maximum building height	1 story
Maximum lot coverage	50%
Minimum Internal Setbacks	
from another home or accessory building	10 feet
from another home space line	5 feet
from a roadway lot line	10 feet
from the exterior site boundary	10 feet
from any exterior landscaping	5 feet
from the exterior site boundary abutting a public street	20 feet

(Ord. 2295 § 13 (part), 2001)

18.29.060 Park development standards.

The following standards apply to all manufactured home parks.
A. Size. The minimum lot size for a manufactured home park shall be five acres.
B. Minimum right-of-way. A manufactured home park shall front an improved collector or arterial street.
C. Density. Spaces within manufactured home parks shall be a minimum of four thousand eight hundred square feet.
D. Buffers. A manufactured home park shall provide and maintain a minimum landscaped buffer of twenty feet along any property line abutting upon a public street or residential (R) zone and at least a ten-foot landscaped buffer from any other boundary line defining the outside limits of the

park. In addition, manufactured home parks shall submit a landscaping plan in compliance with the provisions in the Chapter 18.13 "Landscaping." For buffer widths, see Figure 18.29-1 "Landscape Buffer Widths."

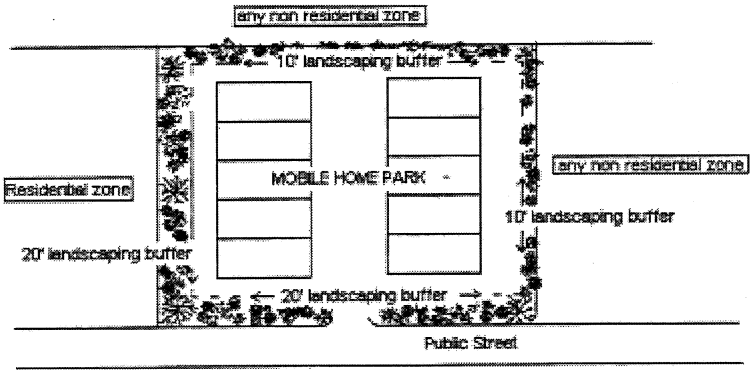

Figure 18.29-1 Landscape Buffer Widths

E. Street Lighting. Street lighting shall be provided according to city standard.
F. Underground Utilities. All utilities shall be installed underground.
G. Swimming Pools. Community swimming pools shall meet the standards of the Clark County health district and Uniform Building Code.
H. Signs. Signs identifying the manufactured home park shall comply with regulations in Section 18.15.110 "Entrance structures sign standards.""
I. Streets. Within manufactured home parks all streets shall be constructed to city of Camas standards for private streets (or public streets as determined by the city engineer), including width, sidewalks, paving depth and base, curve radii and curbs; except sidewalks may be a minimum of four feet wide. The width of right-of-way required of public streets and planting strips are not required. The responsibility of maintenance for private roads shall be with the park management.
J. Recreational Vehicle Storage. Common storage areas for recreational vehicles, boats or trailers shall be provided as part of the manufactured home park design at the rate of fifty square feet for each site in the park. Such storage shall be interior to the park and shall be screened by a six foot-high sight-obscuring fence with a lockable gate. Parking of recreational vehicles shall not be allowed other than in approved storage areas. (Ord. 2295 § 13 (part), 2001)

18.29.070 Manufactured home space standards.

The following standard shall be satisfied for manufactured home sites within manufactured home parks.
A. One home per space. Notwithstanding Chapter 18.07 "Use Authorization," one manufactured home or one designated manufactured home shall be allowed on a manufactured home space within a manufacture home park.
B. Internal Setback. A manufactured home or attached accessory building shall not be located closer than ten feet from any other manufactured home or attached accessory building; closer than ten feet from any road way lot line or five feet from any other manufactured home space line; ten feet from any exterior boundary of the site; and twenty feet if abutting a public street. Manufactured home accessory structures, when not attached to the manufactured home, shall not be closer than six feet from such home and shall not be closer than five feet to a manufactured home space line and ten feet to a roadway lot line. Detached accessory structures, when less than one hundred twenty square feet may disregard setbacks from manufactured home space lines

field studies required by this section and shall be defined with reference to lists, categories and definitions of species promulgated by the appropriate federal and state agencies; or as designated by the city. Such studies shall contain:
A. An inventory and mapping of plants and animals species/communities on and in the immediate area of the site proposed for development, including a cover type map based on cover type classifications established by the city;
B. A list of plant and animal species found or that could be expected to be found on and in the immediate area of the site, including identification of any species listed or identified as threatened, endangered, sensitive, monitor, priority or of special concern;
C. An analysis of potential adverse impacts from proposed development of the subject property including those resulting from fragmentation of habitat and potential cumulative impacts;
D. A management plan identifying measures designed to mitigate identified impacts.
E. The required study may be submitted in conjunction with an environmental checklist for the proposal, as required by Chapter 16.16, and shall be used by the city's responsible official to help make the appropriate threshold determination. In making its determination, and in evaluating the required study, the city shall consult with state and federal agencies with expertise.
F. After review of the required studies, the planning manager shall propose conditions of approval designed to preserve identified wildlife and habitat to the extent possible. (Ord. 2312 § 8 (part), 2002)

18.31.110 Mandatory preservation.

A. As a condition of development approval for any development application set forth in Section 18.31.020(A), the applicant shall set aside and preserve all sensitive areas, except as otherwise permitted by this chapter. To insure that such areas are adequately protected, the applicant shall cause a protective mechanism acceptable to the city to be put in place.
B. For property zoned single family residential or multifamily residential, the applicant shall receive a density transfer to the remainder parcel that is equal to the density lost due to the property set aside, except that the density transfer shall not exceed thirty percent of the allowable density for the entire development if it were not encumbered with sensitive lands. (Ord. 2312 § 8 (part), 2002)

18.31.120 Negotiated preservation.

A. The city and a landowner may negotiate an agreement whereby property is set aside and preserved with a protective mechanism. A negotiated preservation may be done incidental to a development proposal or may be done independently of any development proposal.
B. To be eligible for a negotiated preservation, the property to be set aside must be (1) part of the open space network, (2) an open space connector identified in the parks, recreation and open space comprehensive plan, (3) land satisfying the open space criteria of Section 4.4 of the parks, recreation and open space comprehensive plan, or (4) a park site identified in the parks, recreation, and open space comprehensive plan.
C. The city may as part of any negotiated preservation provide the landowner with:

1. Density transfer;
2. A density bonus;
3. A credit against park and open space impact fees;
4. Cash from the parks and open space impact fee fund or the general fund; or
5. Any combination of the above. (Ord. 2312 § 8 (part), 2002)

D. Vegetation management plan as part of vegetation removal permit.

1. Not required. For those application that the public works director determines a permit is necessary, the public works director shall make a further determination of whether a vegetation management plan shall be required. If the proposed vegetation removal is minor in nature, and, if in the opinion of the public works director, adverse environmental impacts can be mitigated without requiring a vegetation management plan, then the public works director may issue a permit with mitigating conditions as may be appropriate.
2. Required. For those applications that the public works director determines a permit is necessary and which are determined not to be minor in nature, a vegetation management plan shall be required prior to issuance of the permit.

E. Vegetation Management Plan--Standards. Vegetation management plans shall meet the following standards:

1. Vegetation management plans shall be prepared by a qualified arborist;
2. If the proposed vegetation removal impacts a steep slope or area with potentially unstable soils, the vegetation management plan shall contain a certification by a qualified geotechnical engineer that the removal of vegetation in accordance with the vegetation management plan will not cause erosion or increase the likelihood of a landslide;
3. Where possible, proposed vegetation removal activities proximate to environmentally sensitive areas should be configured in a manner which avoids impacts;
4. Where possible, limbing, pruning or thinning should be utilized in lieu of removal of vegetation;
5. Vegetation removal should normally be mitigated through vegetation enhancement in the form of additional plantings;
6. Vegetation management should be done in the manner that takes into consideration stormwater runoff, slope stability, view enhancement, and wildlife habitat;
7. The schedule for removal and planting should be done in such a manner as to optimize the survival of the modified vegetation and new plantings;
8. Monitoring of vegetation survival may be required, and should normally include reports and photographs to the public works director or his designee.
9. Vegetation removal for purposes of view enhancement shall be limited to view corridors, as opposed to removal of vegetation over a larger area;
10. Vegetation management plans shall bear the certification of the qualified arborist and any other registered professional involved in its preparation or implementation;
11. Vegetation management plans should contain a provision requiring thirty days written notice to the city prior to any removal or replanting of vegetation.

F. Bonding. A bond may be required to insure proper maintenance, replacement or repair of areas altered under a vegetation removal permit. The bond amount shall be not less than 1.25 times the value of the plantings to be planted following removal of vegetation.

G. Incorporation. The provisions of an approved vegetation management plan shall be incorporated into the covenants, conditions and restrictions of any approved development, the conditions of approval and referenced on the plat of an approved subdivision or planned development, or conditions of any other type of development permit.

H. Process. Vegetation removal permits shall be processed as an administrative review subject to notice pursuant to Chapter 18.55. (Ord. 2312 § 8 (part), 2002)

18.31.100 Wildlife habitat.

Report Required. Applicants for proposals listed under Section 18.31.020 shall submit a study, prepared by a qualified biologist, to determine the presence or absence of unique, sensitive, or valuable wildlife and habitat. The presence or absence of such species shall be determined by the

classification(s) consistent with the definitions of WAC 222-16-030.
F. The city will develop appropriate conditions to mitigate potential impacts to streams based in the report submitted in subsection E of this section. (Ord. 2312 § 8 (part), 2002)

18.31.080 Tree retention.

A. A tree survey, conducted by a qualified biologist, shall be conducted for all lands proposed to be developed and listed under Section 18.31.020. A survey shall not be required for lands proposed to be retained as undeveloped open space. "Significant trees" shall mean evergreen trees eight inches in diameter or greater, as measured four feet above existing grade, and deciduous trees, other than red alder or cottonwood, twelve inches in diameter or greater, measured one foot above the root crown.
B. To the extent possible, existing healthy significant trees shall be retained. Preservation of groups of significant trees rather than individual trees shall be preferred. All grading shall take place outside the drip line of those significant trees to be retained except that the city engineer may approve grading within the drip line if it can be demonstrated that such grading can occur without damaging the tree or trees. (Ord. 2312 § 8 (part), 2002)

18.31.090 Vegetation removal in environmentally sensitive areas.

A. Exceptions. This section shall not apply to:

1. Removal of vegetation outside of environmentally sensitive areas;
2. Removal of trees four inches or less in diameter, as measured at the base;
3. Annual removal of vegetation from an area under one thousand square feet;
4. Removal of three or fewer trees over four inches in diameter, as measured at the base;
5. Removal of dead, diseased or dying vegetation and trees;
6. Normal maintenance associated with residential properties, including mowing, rototilling, and pruning;
7. Removal of nonnative invasive plant species, such as Himalayan blackberries and ivy;
8. Removal of vegetation associated with land surveys and environmental surveys;
9. Removal of vegetation related to the construction, installation, and maintenance of public utilities.

B. Vegetation removal permit required. All persons seeking to remove vegetation from an environmentally sensitive area shall first obtain a permit from the city. An application for such permit shall be filed with the public works department and shall contain information relating to the proposed removal of vegetation, including but not limited to the location and species of plants and vegetation proposed to be removed, the contours of the subject property, soils information, the proposed schedule of removal, and any other information required by the public works director.

C. Preliminary Review.

1. Upon receipt of an application for a vegetation removal permit, the public works director or his/her designee shall conduct a preliminary review. If the public works director finds that the proposed vegetation removal is exempt, or will have no adverse environmental impact, then the public works director shall issue a letter stating that the provisions of this section do not apply and that no permit is required.
2. If the public works director finds that the proposed vegetation removal is not exempt, and there is potential for an adverse environmental impact, then a vegetation removal permit shall be required. Any uncertainty regarding the degree of environmental impact shall be resolved in favor of finding an adverse impact.

in terms of function and value. A one hundred foot buffer shall be applied to wetlands determined to be of generally high quality as measured by function and value.

3. Identified wetlands and their associated buffers shall be protected and preserved through a permanent protective mechanism acceptable to the city. This may include placing the wetland/buffer in separate tract; execution of a protective easement; dedication to a public agency or public or private land trust. The mechanism or agreement shall provide for maintenance of the wetland/ buffer.
    a. The establishment of required buffers shall not deprive a property owner of all reasonable use of his/her property. A variance from buffer width requirements may be granted by the city council upon the following showing by the applicant:
    a. That there are special circumstances applicable to the subject property or to the intended use such as shape, topography, location or surrounding that do not apply generally to other properties and which support the granting of a variance from the width requirements;
    b. That such buffer width variance is necessary for the preservation and enjoyment of substantial property right or use possessed by other similarly situated property but which because of special circumstances is denied to the property in questions;
    c. That the granting of such buffer width variance will not be materially detrimental to the public welfare or injurious to the property or improvement; and
    d. That the granting of the buffer width variance will not materially affect the subject wetland.

E. Coordination with Affected Agencies. To the extent possible, the applicant shall coordinate implementation of these standards and regulations with any required review and approval processes required by state and/or federal agencies with jurisdiction.

F. Savings Provision. The regulations of this section shall not be construed or applied to prevent all reasonable use of property. Any relief granted in an individual case shall constitute the minimum necessary to allow reasonable use of and to avoid a taking of the affected property. (Ord. 2312 § 8 (part), 2002)

18.31.070 Streams and watercourses.

A. All proposals adjacent to streams or watercourses shall provide a buffer/setback area sufficient to protect stream water quality, wildlife and habitat.

B. Buffers/setbacks shall be measured from the top of bank or high water mark, whichever is discernible in the field and shall be as follows:

Stream Class*	Buffer
Class I	100 feet
Class II	50 feet
Class III	25 feet
Class IV	25 feet
Class V	25 feet

*As determined by WAC 222-16-030

C. The stream buffer shall be protected by execution of a protective easement or by another mechanism available to the city.

D. Degraded streams or water courses shall be revegetated with appropriate native plantings.

E. The applicant shall submit a report prepared by a qualified biologist identifying the stream

intervals;

f. Delineated wetland boundary, as identified using the Corps of Engineers Wetland Delineation Manual, Environmental Laboratory, 1987;

g. Hydrologic mapping showing patterns of surface water movement into, through, and out of the site area; and

h. Location of all test holes and vegetation sample sites, numbers to correspond with flagging in the field and field data sheets.

i. For large and/or complex projects, an aerial photo with overlays displaying the site boundaries and wetland delineation may be required. Generally, an ortho-photograph at a scale of one inch equals four hundred feet or greater, such as one inch equals two hundred feet should be used. If an ortho-photograph is not a available, the center of a small scale (e.g., one inch equals forty thousand feet to one inch equals sixty thousand feet aerial photograph enlarged to one inch equals four hundred feet may be used.

3. The wetland report shall describe the following:

a. Location information including legal description and address;

b. Delineation methodology, with special emphasis on whether the approach used was routine, intermediate, or comprehensive, as described in the Corps of Engineers Wetland Delineation Manual, Environmental Laboratory, 1987, or most recent edition.

c. General site conditions, including topography, acreage, and surface areas of wetlands and water bodies;

d. Specific description of plant communities, soils, and hydrology; and

e. Field data sheets from the Federal Manual, numbered to correspond with sample site locations staked and flagged in the field.

f. The report shall include a summary of significant adverse impacts to the wetland or buffer. Potential impacts may include (but are not limited to) loss of flood storage potential, loss of wildlife habitat, any expected decrease in species diversity or quantity, changes in water quality, any increase in human intrusion, and impacts on associated wetland or water resources.

g. The report shall contain an analysis of recommended measures to avoid significant adverse impacts to wetlands and their associated buffers and an identification of impacts that cannot be avoided or reduced. Such measures to avoid or reduce impacts may include but are not limited to:

h. Limiting the degree or magnitude of the proposed activity;
ii. Limiting the implementation of the proposed activity;
iii. Using appropriate and best available technology;
iv. Taking affirmative steps to avoid or minimize impacts; and
v. Design, siting, or construction of proposed activities so as to avoid potential impacts to wetlands and their associated buffers.

D. Wetland Buffers.

1. Wetland buffer zones shall be required for all development proposals and activities adjacent to wetlands to protect the integrity, function and value of the wetland. All buffers shall be measured from the wetland edge as marked in the field and shall consist of an undisturbed area of native vegetation which shall be protected from human intrusion.

2. The width of the required buffer shall be established by the planning manager based on the wetland report and other available information. Buffer width shall reflect the sensitivity of the wetland, and the type and intensity of human activity proposed to be conducted near the wetland. Required buffer width shall generally be fifty feet; the buffer may be reduced to twenty-five feet for wetlands determined to be of generally low quality

surrounding wetland that is part of a wetland ecosystem and protect a wetland from adverse impacts to its function, integrity and value. Wetland buffers serve to moderate runoff volume and flow rates; reduce sediment, chemical nutrient and toxic pollutants; provide shading to maintain desirable water temperatures; provide habitat for wildlife; and protect wetland resources from human activities.

"**Wildlife habitat**" means areas that provide food, protective cover, nesting, breeding, or movement for threatened, endangered, sensitive, monitor or priority species of wildlife, or other wildlife species of special concern. Wildlife habitat shall also mean areas that are the location of threatened, endangered, sensitive, monitor or priority species of plants, or other plant species of special concern. (Ord. 2312 § 8 (part), 2002)

18.31.050 Wetland standards.

A. Intent. It is the intent of these regulations that adverse impacts to wetlands and wetland buffers shall be avoided except where it can be demonstrated that such impacts are unavoidable and necessary or that all reasonable economic uses of the property would be denied.

B. Regulated Activities/Development Limitations.

The following activities within a wetland and its associated buffer shall be avoided to the extent practicable:

1. Removing, excavating, disturbing or dredging soil, sand, gravel, minerals, organic matter or materials of any kind;
2. Dumping, flooding, or disturbing the water level or water table;
3. Draining, flooding, or disturbing the water level or water table;
4. Driving, piling or placing obstructions;
5. Constructing, reconstructing, demolishing or altering the size of any structure or infrastructure;
6. Destroying or altering vegetation through clearing, harvesting, shading or planting vegetation that would alter the character of a wetland; or
7. Activities that result in significant changes in water temperature, physical or chemical characteristics of wetland water sources, including quantity and pollutants.

C. Wetland Report. Prior to the issuance of a SEPA threshold determination for any proposal within identified wetland areas, a wetland identification and delineation report must be submitted to the city for review. The purpose of the report is to determine the presence, extent and function of wetlands on a site that could be affected by a proposed action. The report, and supporting field investigation, shall be performed by a qualified biologist with experience in performing wetland identification, delineation and evaluation in accordance with the requirements of this section.

1. Wetland boundaries shall be staked and flagged in the field; field flagging must be distinguishable from other survey flagging on site. The field flagging must be accompanied by a wetland delineation report including the following information:
1. Site designated on a National Wetland Inventory (NWI) Map by the U.S. Fish and Wildlife Service;
2. Vicinity map, to include:
    a. The wetland boundary must be accurately drawn at an appropriate engineering scale such that information shown is not cramped or illegible. Generally, a scale of one inch equals four hundred feet or larger should be used. Existing features must be distinguished from proposed features;
    b. Site boundary property lines and roads;
    c. Internal property lines, rights-of-way, easements, etc.;
    d. Existing physical features of the site including buildings, fences, and other structures, roads, parking lots, utilities, water bodies, etc.;
    e. Contours at the smallest readily available intervals, preferably at two-foot

exception of trails as identified in the comprehensive parks, recreation, open space plan or by a condition of development approval.

2. "Recreational open space" means land set aside for recreational opportunities, which may contain trails, sports fields, playgrounds, swimming pools, tennis courts, and picnic areas. Recreational open space is generally limited in size and intensity, proportionate to the development, and is intended for the enjoyment of the residents of the development.

"**Open space connectors**" means tracts of land with typically no sensitive lands that connect parcels of land to form the open space network.

"**Open space network**" means a network of open space composed of mostly wooded areas, steep slopes, ravines, streams and waterways, as areas identified in the comprehensive parks, recreation, and open space plan.

"**Protective mechanism**" means a method of providing permanent protection to open space, and shall include conservation easements, dedication to the city, conveyance to a public or private land trust, conveyance to a homeowners association, restrictive covenants, or any combination of such mechanisms.

"**Ravine sidewall**" means a steep slope which abuts and rises from the valley floor of a stream and which was created by the wearing action of the stream. Ravine sidewalls contain slopes predominantly in excess of forty percent, although portions may be less than forty percent. The toe of a ravine sidewall is the steam valley floor. The top of a ravine sidewall is typically a distinct line where the slope abruptly levels out. Where there is no distinct break in slope, the top is where the slope diminishes to less than fifteen percent. Minor natural or man-made breaks in the slope of ravine sidewalls shall not be considered as the top. Benches with slopes less than fifteen percent and containing developable areas shall be considered as the top.

"**Sensitive areas**." See "environmentally sensitive areas."

"**Sensitive area(s) map(s)**" means those maps adopted and/or incorporated by reference by the city to identify the general location of environmentally sensitive or valuable areas. In case of questions as to map boundaries or mapping errors, the presence or absence of a sensitive area shall be determined in field by a qualified professional, experienced in a discipline appropriate to evaluation of the appropriate feature, and shall determine the applicability of this chapter.

"**Significant trees**" means evergreen trees eight inches in diameter or greater, as measured four feet above existing grade, and deciduous trees, other than red alder or cottonwood, twelve inches in diameter or greater, measured one foot above the root crown.

"**Steep slopes**" or "area with potential unstable soils" means any land potentially subject to landslides, severe erosion or seismic activity (earthquake faults). Steep slopes are generally characterized by slopes of fifteen percent or greater, impermeable subsurface material (sometimes interbedded with permeable subsurface material), and/or springs or seeping groundwater during the wet season. Seismic areas are those lying along or adjacent to identified earthquakes faults.

"**Stream**" or "**watercourse**" means those areas where surface waters produce a defined channel or bed. The channel or bed need not contain water year-round. This definition does not include irrigation ditches, canals, storm or surface water conveyance devices or other entirely artificial watercourses. Streams are further categorized as Class 1 through 5 in accordance with the classifications used by WAC 222-16-030.

"**Wetlands**" means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities. However, wetlands include those artificial wetlands intentionally created to mitigate conversions of wetlands.

"**Wetland buffer**" means a naturally vegetated and undisturbed, enhanced or revegetated area

such lands or areas. (Ord. 2312 § 8 (part), 2002)

18.31.040 Definitions.

"**Adverse environmental impact**" means an impact caused by vegetation removal which creates a risk of landslide or erosion, or which alters or damages wetlands, wetland buffers, wildlife habitat, streams or watercourses.

"**Buffer**" means either (1) an area adjacent to hillsides which provides the margin of safety through protection of slope stability, attenuation of surface water flows and landslide, seismic, and erosion hazards reasonably necessary to minimize risk to the public from loss of life, well-being or property damage resulting from natural disasters; or (2) an area adjacent to a stream or wetland which is an integral part of the stream or wetland ecosystem, providing shade; input of organic debris and coarse sediments; room for variation in stream or wetland boundaries; habitat for wildlife; impeding the volume and rate of runoff; reducing the amount of sediment, nutrients, and toxic materials entering the stream or wetland; and protection form harmful intrusion to protect the public from losses suffered when the functions and values of stream and wetland resources are degraded.

"**Drainage facility**" means the system of collecting and storing surface and stormwater runoff. Drainage facilities shall include but not be limited to all surface and storm water runoff conveyance and containment facilities including streams, pipelines, channels, ditches, wetlands, closed depressions, infiltration facilities, retention/detention facilities, and other drainage structures and appurtenances, both natural and man-made.

"**Environmentally sensitive area(s)**" or "sensitive lands" means areas within the city are characterized by or support unique, fragile or valuable natural resources, or that are subject to natural hazards. Sensitive areas include wetlands and wetland buffers, streams and watercourses, steep slopes, and areas with potentially unstable soils, as those areas are defined and identified pursuant to this chapter.

"**Hillsides**" means geological features of the landscape having slopes of fifteen percent or greater. To differentiate between levels of hillside protection and the application of development standards, the city categorizes hillsides into four groups: hillsides of at least fifteen percent but less than forty percent; hillsides with unstable slopes; hillsides of forty percent slope and greater; hillsides which are ravine sidewalls or bluffs.

"**Mitigation**" means the use of any combination or all of the following actions:

1. Avoid impacts to environmentally sensitive areas by not taking a certain action or parts of an action;
2. Minimize impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environmentally sensitive area;
4. Reducing or eliminating the impact over time by reservation and maintenance operations during the life of the development proposal;
5. Compensating for the impact by replacing or enhancing environmentally sensitive areas, or providing substitute resources.

"**Open space**" means land set aside and maintained in a natural state, providing air, light, and habitat for wildlife, and/or containing significant trees and vegetation. Open space may contain environmentally sensitive lands, which include but are not limited to steep slopes and areas with unstable soils, wetlands, and streams and watercourses. Open space may also provide for active and passive recreation use. There are two general categories of open space, which are as follows:

1. "Natural open space" means land devoted to protecting environmentally sensitive lands as defined in this code. Natural open space generally has no developed areas, with the

18.31.010 Purpose.

The guidelines, criteria, standards, special studies, and open space requirements in this chapter are intended to identify, protect, and preserve lands and areas within the city which are characterized by the presence of environmentally sensitive or valuable features and resources. These areas may include: steep slopes and areas of unstable soils; wetlands; and streams and watercourses. Certain activities such as vegetation removal and the addition of impervious surfaces within these areas, unless regulated by the city, pose a potential threat to life, property and public health and welfare. Unregulated activities also pose a significant threat to important environmental features and communities, and to the functions and values they perform.
This chapter is also intended to implement the goals and policies of the comprehensive plan; to protect critical areas within the city as required by state policies, guidelines and rules; to provide property owners and members of the public with notice as to the location and distribution of sensitive areas within the city; and to require special studies to help identify environmentally sensitive and valuable areas within the city. Such plans and studies shall be prepared by qualified professionals. (Ord. 2312 § 8 (part), 2002)

18.31.020 Scope.

Land proposals below are subject to the criteria, guidelines, conditions, performance standards and procedural requirements contained in this chapter:

A. Rezone;
B. Conditional use permit;
C. Variance;
D. Shoreline substantial development permit;
E. Planned development;
F. Subdivision;
G. Short subdivision;
H. Commercial development;
I. Business park development; or
J. Any grading, filling or clearing of land or logging or removal of timber on land characterized by or adjacent to (within three hundred feet of) an environmentally sensitive area.
K. Open space designation standards and requirements shall apply to any application proposals involving a subdivision or planned development.
L. The standards and requirements of this chapter shall apply in addition to any other regulations of the city applicable to the underlying zone. In case of any conflict between these and any other regulation(s), the stricter regulations(s) shall apply. (Ord. 2312 § 8 (part), 2002)

18.31.030 Administration.

The planning manager shall determine, based on the city's sensitive area overlay maps, environmental information provided by the applicant, and field reconnaissance as necessary, whether a property for which development approval is requested, contains the types of lands or areas subject to this chapter. If property for which development approval is requested does contain sensitive lands, a development application must be accompanied by wetland studies, detailed geotechnical studies, tree retention and vegetation removal plans and wildlife habitat assessments. The planning manager may waive or modify the study and reporting requirements of this section if it is determined that the subject property does not contain substantial amounts of

provided the structure is separated from the manufactured home and all other structures by six feet. No structures are allowed in park buffers.
C. Lot coverage. A manufactured home and all accessory structures shall not cover more than fifty percent of the area of a manufactured home space.
D. Parking. Two off-street parking spaces shall be provided for each manufactured home space. In addition guest parking shall be provided in every manufactured home park, based on a ratio of one parking space for each four manufactured home spaces.
E. Trailers and Recreational Vehicles. No travel trailer or recreational vehicle shall be utilized except as temporary living quarters and accessory to an existing manufactured home, which use shall not exceed a maximum of ten days per year.
F. Height. Structures within manufactured home parks shall be no greater than one story in height. (Ord. 2295 § 13 (part), 2001)

18.29.080 Operation and maintenance.

The owner or a designated agent shall be available and responsible for the direct management of the manufactured home park and responsible for any penalties for the violations in this chapter and other applicable sections of the Camas Municipal Code. (Ord. 2295 § 13 (part), 2001)

Chapter 18.31 SENSITIVE AREAS AND OPEN SPACE*

18.31.010 Purpose.

18.31.020 Scope.

18.31.030 Administration.

18.31.040 Definitions.

18.31.050 Wetland standards.

18.31.070 Streams and watercourses.

18.31.080 Tree retention.

18.31.090 Vegetation removal in environmentally sensitive areas.

18.31.100 Wildlife habitat.

18.31.110 Mandatory preservation.

18.31.120 Negotiated preservation

*Note to Chapter 18.31

* Prior ordinance history: Ord. 2295.

Chapter 18.35 TELECOMMUNICATION ORDINANCE

18.35.010 Purpose.

18.35.020 Findings.

18.35.030 Definitions.

18.35.040 Abbreviations.

18.35.050 Scope.

18.35.060 Use authorization.

18.35.070 Exemptions/nonconforming uses.

18.35.080 Height limitations.

18.35.090 General provisions.

18.35.100 Antennas and add-on antennas.

18.35.110 Wireless communications--Conditional use permits.

18.35.120 Landscaping and screening standards.

18.35.130 Federal requirements.

18.35.140 Application requirements.

18.35.150 Permitting process--Waiver of fees for collocation.

18.35.160 Removal of antennas and support structures.

18.35.170 Periodic review.

18.35.180 Best available technology (BAT) employment.

18.35.010 Purpose.

The purpose of this chapter is to minimize the exposure to potential adverse impacts of radio frequency radiation, to preserve the aesthetics of residential, commercial and light industrial areas, and to minimize interference by telecommunication transmissions and radio frequency signals with manufacturing and industrial processes and with emergency and residential communication equipment.

The purpose of this chapter is to set forth the regulations for the placement, development, permitting, and removal of wireless communication facilities, support structures, and antennas.

The goals of this chapter is to:

A. Establish clear and objective standards for the placement, design and maintenance of wireless

communication facilities in order to minimize adverse visual, aesthetic and safety impacts.
B. Ensure that such standards do not unreasonably discriminate among providers of functionally equivalent services.
C. Encourage the design of such facilities to be aesthetically and architecturally compatible with the surrounding built and natural environment.
D. Encourage the location of wireless communication support structures in nonresidential areas.
E. Encourage the collocation and clustering of wireless communication support structures and antennas to help minimize the total number of such facilities throughout the community.
F. Encourage competition in the provision of wireless communication services for the benefit of the entire community. (Ord. 2299 § 2 (part), 2001)

18.35.020 Findings.

The council makes the following findings:
A. Radio and television broadcasts, wireless and other communication facilities provide public benefits.
B. These facilities can be incompatible with the character of residential, commercial and light industrial areas due to their size and appearance.
C. These facilities can result in interference with public safety communications. This interference usually manifests when a cell tower is placed too close to a police or fire station, or consequently, when a public safety radio comes within close proximity to one of these structures.
D. These facilities may result in interference with industrial and manufacturing processes and with residential communications equipment.
E. The city is authorized to adopt regulations to promote the public health, safety, and general welfare of its citizens. (Ord. 2299 § 2 (part), 2001)

18.35.030 Definitions.

As used in this chapter, the following terms shall have the following meaning:
"**Accessory equipment structure**" means an unstaffed structure used to house and protect the electronic equipment necessary for processing wireless communications signals. Associated equipment may include air conditioning and emergency generators.
"**Add-on antenna**" means an additional antenna(s) placed on an existing wireless communication support structure or other existing building or structure and does not include the originally approved antenna(s).
"**Antennas**" mean the specific device used to capture an incoming and/or transmitting an outgoing radio-frequency signal. This definition shall include directional (panel) antennas, omnidirectional (whip) antennas, parabolic (microwave dish) antennas, and ancillary antennas. All other transmitting or receiving equipment not specifically described herein shall be regulated in conformity with the type of antenna described herein which most closely resembles such equipment.

1. Directional antenna (also known as a panel antenna) is an antenna array designed to transmit and receive signals in a directional pattern.
2. Omni-directional antenna (also known as a whip antenna) is an antenna that transmits signals in a three hundred sixty degree pattern.
3. Dish antennas (also known as a parabolic antenna) is a bowl shaped device that receives and transmits signals in a point to point pattern.

"**City**" means the city of Camas.
"**Clustering**" is the placement of more than one wireless communication support structure on a single site.

"**Collocation**" is the use of a single wireless communication support structure, by more than one wireless communication provider or the use of a site by more than one wireless communication provider.
"**Earth station**" means a facility that transmits signals to and/or receives signals from orbiting satellite. Satellite dish antennas less than twenty-five feet in diameter shall not be considered earth stations.
"**Lattice support structure**" is a support structure which consists of a network of crossed metal braces, forming a tower which is usually triangular or square in cross-section and is anchored at the base by a concrete foundation.
"**Leased area**" is the specified area of the parent parcel upon which a wireless communication facility is located and is subject to specific lease provisions.
"**Major telecommunication facility**" means a utility use in which the means for transfer of information is provided. These facilities, because of their size, typically have impacts beyond their immediate site. Major telecommunication facilities shall include, but not be limited to, FM and AM radio transmission towers, UHF and VHF television transmission towers and earth stations. Major telecommunication facilities do not include communication equipment accessory to residential uses nor the studios of broadcasting companies such as radio or television stations.
"**Minor telecommunication facility**" means a telecommunication facility in which the transfer of information is provided but which generally does not have significant impacts beyond the immediate location of the facility. These facilities are smaller in size than a major telecommunication facility.
"**Monopole support structure**" is a support structure or tower consisting of a single pole which is either sunk into the ground and/or attached to a foundation.
"**Satellite dish antenna**" means an instrument or device designed or used for the reception and transmission of television or other electronic communication signals broadcast or relayed from an earth satellite. It may be a solid, open-mesh or a bar-configured structure. Satellite dish antennas shall be considered major telecommunication facilities.
"**Transmission tower**" means a broadcasting facility that is constructed above ground or water or is attached to or on top of another structure and is intended to support an antenna and accessory equipment or which is itself an antenna and whose principal use is to transmit telecommunication signals.
"**Wireless communication facilities**" is the site, structures, equipment and appurtenances used to transmit, receive, distribute, provide or offer wireless telecommunications services. This includes, but is not limited to antennas, poles, towers, cables, wires, conduits, ducts, pedestals, vaults, buildings, electronics and switching equipment.
"**Wireless communication support structure**" is a structure erected to support wireless communications antennas and connecting appurtenances. The primary purpose is to elevate an antenna above the surrounding terrain or structures and may be attached to an existing building or other permanent structures or as a free-standing structure which may include, but are not limited to monopole support structures and lattice support structures, and may have supporting guyed wires and ground anchors.
"**Wireless communication systems**" is the sending and receiving of radio frequency transmissions and the connection and/or relaying of these signals to land lines and other sending and receiving stations (cell sites), and including, but not limited to cellular radiotelephone, personal communications services (PCS), enhanced/specialized mobile radio, and commercial paging services, and any other technology which provides similar services. (Ord. 2299 § 2 (part), 2001)

18.35.040 Abbreviations.

As used in this chapter, the following abbreviations shall stand for the following terms or entities:

A. FAA. FAA shall mean the Federal Aviation Administration established pursuant to the "Federal Aviation Act of 1958", as amended.
B. FCC. FCC shall mean the Federal Communications Commission established pursuant to the "Communications Act of 1954", as amended. (Ord. 2299 § 2 (part), 2001)

18.35.050 Scope.

The following facilities shall be subject to the regulations set forth in this chapter:
A. All wireless communication support structures, antennas, equipment structures and uses accessory to an antenna.
B. Any modification to a wireless communication support structure, antenna, equipment structure or uses accessory to an antenna.
C. Major and minor telecommunication facilities, earth stations, transmission towers. (Ord. 2299 § 2 (part), 2001)

18.35.060 Use authorization.

Major and minor telecommunication facilities may be authorized as provided under Chapter 18.07. Wireless Communications structures and antennas shall be permitted, prohibited or conditionally allowed as indicated in Table 18.35-1.

Table 18.35-1

KEY:		P=Permitted				C=Conditional Use			
		X=Prohibited							
Use	NC	DC	CC	RC	LI/BP	LI	HI	R	MF
Wireless Communication-Support Structures (no lattice)	C	C	C	C	P	P	P	C	C
Lattice Support Structures	X	X	X	X	X	X	C	X	X
Antenna and Add-on Antennas	P	P	P	P	P	P	P	P	P

(Ord. 2299 § 2 (part), 2001)

18.35.070 Exemptions/nonconforming uses.

The following shall be exempt from requirements in this chapter:
A. Wireless telecommunication support structures, antennas and equipment structures for which a permit has been issued prior to the effective date of this ordinance codified in this chapter shall be allowed to continue their previously permitted use under the development standards in effect at the time of permitting.
B. The following shall be permitted outright for existing wireless communication support structures, antenna, equipment or uses which are nonconforming, provided that there is no increase in excess of twenty-five percent of the cross-sectional diameter of any wireless communication support structure and there is compliance with FCC radio frequency radiation

standards:

1. Structural alterations to meet safety requirements;
2. Replacement on-site;
3. Routine or emergency maintenance, renovation or repair;
4. Addition of new antennas to an existing wireless communication support structure to permit collocation provided that no more than a total of three antennas over six feet in any dimension may be located on any existing wireless communication support structure.

C. The operation of industrial, scientific and medical equipment at frequencies designed for that purpose by the Federal Communications Commission.
D. Machines and equipment that are designed and marketed as consumer products, such as computers, telephones, microwave ovens and remote-control toys.
E. Hand held, mobile and marine radio transmitters and/or receivers and portable radio frequency sources.
F. Two-way communication transmitters utilized on a temporary basis for experimental or emergency service communications.
G. Licensed amateur radio frequency facilities including, but not limited to, amateur (ham) radio stations and citizen band stations.
H. Satellite dish antenna systems normally used for television reception and internet connections at home or place of business.
I. Emergency or routine repair, reconstruction or routine maintenance of previously approved telecommunication facilities, or replacement of transmitters, antennas, or other components or previously approved facilities, replacement of transmitters, antennas, or other components of previously approved facilities which does not increase the power output of the facility by more than ten percent. (Ord. 2299 § 2 (part), 2001)

18.35.080 Height limitations.

A. The height of a wireless communications facility shall mean to include the support structure and any antennas proposed at the time of application. A lightning rod, not to exceed ten feet or FAA required lighting shall not be included within the height limitations.
B. The maximum height of wireless communications support structures and their antennas may vary from the standards of the underlying zone.
C. The allowable overall height of a structure associated with a wireless communication facility or major telecommunication facility shall be no greater than the distance from any point at the base of the support structure to any point of a residential building, located on or off site and existing on the date of application, unless the owner of said residential building(s) consent in writing to such tower location.
D. A variance to the height standard shall be subject to Chapter 18.45. In addition to the criteria of Chapter 18.45, the application must demonstrate the variance is necessary for wireless coverage to exist in a specific identifiable area that could not feasibly be covered by locating at a different location in the vicinity. (Ord. 2299 § 2 (part), 2001)

18.35.090 General provisions.

The following general provisions shall apply to all wireless communications facilities:
A. All wireless communications support structures and required fencing shall be equipped with appropriate anti-climbing devices.
B. All wireless communication support structures and antennas which are located at a wireless communication facility shall be identified with a sign not exceeding four square feet. The sign shall list the wireless service provider's name and emergency telephone number and shall be

posted in a place visible to the general public.
C. Wireless communication support structures and antennas locating on any site or existing building that is on a historic register or in a historic district shall require a conditional use permit. If the proposed site or existing building is on the local historic register, the wireless communication support structure and antenna design shall be subject to the applicable design standards prescribed by the Clark County historic preservation commission. If the site is on the national historic register, the wireless communication support structure and antenna shall be subject to the applicable design standards prescribed by the Secretary of the Interior.
D. Wireless communication support structures not regulated by the FAA shall have a finished surface that minimizes the visibility of the structure.
E. Wireless communication support structures shall not be illuminated except when required by the FAA. (Ord. 2299 § 2 (part), 2001)

18.35.100 Antennas and add-on antennas.

Antennas and add-on antennas shall be permitted as a Type I review in any zone and further subject to the applicable provisions of the uniform building code and the following conditions and exceptions:
A. Shall add no more than twenty feet to the height of an existing structure as measured at the point of attachment to the existing structure.
B. Shall be painted or finished in a manner that blends with dominant color of the background, unless required to be marked by the FAA.
C. Shall be affixed to structures with mounting apparatus which produces the least visual impact and blends with the dominant background color.
D. Individual add-on antennas shall be limited to the following size restrictions:

1. A whip antenna shall not be more than three inches in diameter and fifteen feet in length.
2. A panel, dish or microwave antenna shall have not more than fifteen square feet.
3. Multiple add-on antennas proposed for a single wireless communication support structure or existing building which increase the existing cumulative cross-sectional diameter of antennas by more than twenty-five percent shall require a conditional use permit. (Ord. 2299 § 2 (part), 2001)

18.35.110 Wireless communications--Conditional use permits.

Wireless communications support structures shall be subject to the conditional use permit provisions of Chapter 18.43 CMC except within an industrial or light industrial zone where they shall be subject to a Type I decision subject to notice, be submitted on application forms and in the manner setforth by the city with the following additional requirements:
A. Collocation feasibility evaluation as prescribed by CMC 18.35.130, "Application Requirements" conditions. In addition to the conditions of approval of Chapter 18.43, the permit may include requirements which:

1. Require the use of concealment technology, including, but not limited to fencing, landscaping, strategic placement adjacent to existing buildings or vegetation, and "stealth" designs to minimize adverse aesthetic and visual impacts;
2. Require compatibility with key design elements in the surrounding area; for example, in single family residential zones, use of peaked roof lines, painted surfaces, and wooden fences;
3. Minimize the cumulative aesthetic, visual or safety impacts of additional wireless communication facilities in the surrounding area. (Ord. 2299 § 2 (part), 2001)

18.35.120 Landscaping and screening standards.

The following landscaping and screening standards shall apply to all wireless communication support structures, major or minor telecommunication facilities, and accessory equipment structures and any other accessory facilities located on the ground:
A. The perimeter of the wireless communication support structure and any guyed wires and anchors shall be enclosed by a fence or wall subject to Section 18.18.050. A partially sight-obscuring fence or wall shall be landscaped around the outside perimeter of the fence or wall with six foot high evergreen shrubs that provide a screen that is seventy-five percent opaque year around.
B. A five foot landscaped buffer shall be located around the perimeter of the fence or wall.
C. Landscaping shall be installed in compliance with Chapter 18.13.
D. Add-on antennas to existing structures that requires the ground installation of equipment structures and accessory equipment shall be landscaped with a five foot buffer around the perimeter of the facility. (Ord. 2299 § 2 (part), 2001)

18.35.130 Federal requirements.

All wireless communications support structures must meet or exceed current standards and regulations of the FAA, the FCC and any other agency of the federal government with the authority to regulate wireless communications support structures and antennas. If such standards and regulations are changed, owners of the wireless communication support structure, antennas and electronic equipment governed by this chapter shall bring such wireless communication support structure, antennas and electronic equipment into compliance with such revised standards and regulations within the compliance schedule of the regulatory agency. Failure to bring wireless communications support structures and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the wireless communication support structure, antenna or electronic equipment at the owner's expense. The owners of such wireless communications support structures, antennas and electronic equipment shall provide the city with copies of all environmental assessments (EA's) required to be submitted to the FCC or FAA regarding locations within the city simultaneously with any filing with the federal agencies pursuant to 47 CFR Part I. (Ord. 2299 § 2 (part), 2001)

18.35.140 Application requirements.

In addition to the requirements of CMC, the applicant shall provide the following:
A. A copy of the applicant's collocation evaluation study consisting of the following:

1. Certification that the following notice was mailed to all other wireless providers licensed to provide service within the city of Camas:

"Pursuant to the requirements of CMC 18.35, (wireless provider) is hereby providing you with notice of our intent to apply to the City of Camas to construct a wireless communication support structure that would be located at (address). In general, we plan to construct a support structure of_____ feet in height for the purpose of providing (cellular, PCS, etc.) service.
Please inform us whether you have any wireless facilities located within (distance) of the proposed facility, that may be available for possible collocation opportunities. Please provide us with this information within _____ days after the date of this letter. If no response is received within that time, we shall assume you do not wish to pursue collocation at such site. Sincerely, (pre-application applicant, wireless provider)."

2. Certification from a licensed radio engineer indicating whether the necessary service is technically feasible if provided by collocation at the identified site(s) by the other provider(s).
3. If applicable, evidence that the lessor of the site(s) identified by the other provider(s) agrees to collocation on their property.
4. Certification by a licensed radio engineer that adequate site area exists or does not exist at the site(s) identified by the other provider(s) to accommodate needed equipment and meet all of the site development standards.
5. If applicable, evidence that adequate access does exist at the possible collocation site(s) identified by the other provider(s).
6. A copy of the applicant's license issued by the FCC.
7. A copy of the findings from the FAA's "Aeronautical Study Determination" regarding the proposed wireless communication support structure.
8. A report from a licensed professional engineer indicating the anticipated capacity of the wireless communication support structure, including the number and types of antennas which can be accommodated.
9. Proof of liability insurance coverage for the proposed wireless communication support structure or antenna. Liability insurance shall be maintained until the wireless communication support structure or antenna is dismantled. Failure to maintain insurance coverage shall constitute a violation of this chapter and grounds for revocation of a permit.
10. In the case of a leased site, a lease agreement which shows on its face that it does not preclude the site owner from entering into leases of the site with other providers. (Ord. 2299 § 2 (part), 2001)

18.35.150 Permitting process--Waiver of fees for collocation.

If the wireless communication support structure and originally approved antennas required a conditional use permit, and attaching add-on antenna(s) does not require any additional wireless communication support structure expansion except for normal mounting hardware, the add-on antennas shall only be subject to fees for being permitted outright. The site plan and SEPA fee shall be waived. (Ord. 2299 § 2 (part), 2001)

18.35.160 Removal of antennas and support structures.

Any antenna or wireless communication support structure that is not operated for a continuous period of twelve months shall be removed by the owner of the property on which the wireless communication support structure or antenna is situated or by the owner or lessee of the wireless communication support structure or antenna within ninety days of receipt of notice to remove from the city. If the antenna and/or wireless communication support structure is not removed within said ninety days, the city may remove the antenna or wireless communication support structure at the owner's expense. If there are two or more wireless communications providers on a single wireless communication support structure, this provision shall not become effective until all providers cease using the wireless communication support structure for a continuous period of twelve months. The provider shall submit a notice to the city informing the city that the antenna or wireless communication support structure is no longer in use or in operation. Said notice shall be submitted within thirty days that the facility becomes unused or inoperable. (Ord. 2299 § 2 (part), 2001)

18.35.170 Periodic review.

The city recognizes that communication technologies are subject to rapid change. Future innovations may result in reducing the impacts of individual facilities and render specific portions of this chapter obsolete. Additionally, this chapter may not address new technologies as they develop. Therefore, periodic review and revision of this chapter shall occur at least every two years or at the request of the planning commission or city council. (Ord. 2299 § 2 (part), 2001)

18.35.180 Best available technology (BAT) employment.

At the time of application for a new or revised permit subject to the provisions of this chapter, best available technology (BAT) shall be employed. Further, the city strongly encourages the communication industry to review and replace outdated facilities with (BAT). (Ord. 2299 § 2 (part), 2001)

Chapter 18.37 ADULT ENTERTAINMENT

18.37.010 Definitions.

18.37.020 Location requirements.

18.37.030 Enforcement.

18.37.010 Definitions.

For definitions not included below, see Ordinance No. 1950.
"Sensitive land uses" as used in this chapter means those land uses which are incompatible with the effects of adult entertainment uses, and shall include churches or other religious facilities or institutions, playgrounds, public and private parks, public and private schools including day care institutions, and all lands zoned for single-family residential use. (Ord. 2295 § 15 (part), 2001)

18.37.020 Location requirements.

Adult entertainment facilities may be authorized as provided in Chapter 18.07 "Use Authorization." No adult entertainment use shall be permitted within six hundred feet of any sensitive land use. Such distance shall be measured by following a straight line between the nearest point on a boundary line upon which there is located any adult entertainment use to the nearest point of the property classified as a sensitive land use. (Ord. 2295 § 15 (part), 2001)

18.37.030 Enforcement.

Notwithstanding any other provisions of the zoning code, any violation of any of the provisions of this chapter is declared to be a public nuisance, and shall be abated by way of civil abatement procedures only, and not by criminal prosecution. (Ord. 2295 § 15 (part), 2001)

Chapter 18.39 HOME OCCUPATIONS*

18.39.010 Purpose.

18.39.020 Definitions.

18.39.030 Types distinguished.

18.39.040 Criteria for approval--Type B home occupation.

18.39.050 Complaints/enforcement

*Note to Chapter 18.39

* Prior ordinance history: Ord. 2299.

18.39.010 Purpose.

The purpose of the home occupation chapter is to address the need for small scale home based businesses and to ensure they are suitable to the characteristic of the surrounding neighborhood or the area. The regulations are designed to:
A. Protect the individual characteristics of neighborhoods in the city of Camas and maintain the quality of life for all residents of the city.
B. Join in an effort to reduce vehicle miles traveled, traffic congestion and air pollution in the state of Washington. (Ord. 2312 § 9 (part), 2002)

18.39.020 Definitions.

"**Employee**" means one full or part time participant, resident or non-resident, in the business shall constitute one employee.
"**Normal deliveries**" means the home occupation shall not involve the use, parking, or storage of any vehicle exceeding a gross vehicle weight of eleven thousand pounds except deliveries by parcel post, United Parcel Service, or similar in-town delivery service trucks. These deliveries or pick-ups of supplies or products, associated with business activities are allowed at the home only between seven a.m. and six p.m.
"**Headquarters**" means a business operation where employees come to the site at any time.
"**Vehicles or motors**" means vehicles or equipment with internal combustion engines (such as autos, motorcycles, scooters, snowmobiles, outboard marine engines, lawn mowers, chain saws, and other engines). (Ord. 2312 § 9 (part), 2002)

18.39.030 Types distinguished.

A. Type A Home Occupation. A home occupation where the residents use their dwelling as a place of work. Type A home occupations may be established subject to the filing of a statement on forms provided by the director indicating the occupants understanding of and agreement to satisfy all of the following:

1. No non-resident employees;
2. With the exception of horticultural activities, the home occupation is conducted wholly within an existing enclosed dwelling or structure;
3. No dwelling or accessory structure shall be constructed, modified or altered to accommodate a home occupation in such a way as to alter the residential character of the property or to render its appearance incompatible with neighboring residences;
4. Deliveries shall be limited to "normal deliveries" as defined in this chapter.
5. No outdoor storage or displays shall occur (including vehicle parking associated with the

home occupation);

6. No signage shall be allowed;
7. No noise above fifty dba (decibels adjusted) at the property lines shall be permitted;
8. The primary function of the home occupation shall not be based on the maintenance, repair or assembly of any vehicles or motors associated with any vehicle, yard equipment, or construction/ demolition equipment;
9. A Type A home occupation may not serve as headquarters or dispatch where employees come to the site;
10. The occupant of the home in which the occupation will take place completes and submits to the city a Type A notification form indicating an understanding of the limitations to the use.

B. Type B Home Occupation. A home occupation where the residents use their dwelling as a place of work but exceeds the standards of the Type A home occupation. Type B home occupations shall be processed as per Sections 18.55.040 and 18.55.200. Type B home occupations shall be filed on forms provided by and in the manner set forth by the city planner. (Ord. 2312 § 9 (part), 2002)

18.39.040 Criteria for approval--Type B home occupation.

Administrative approval shall be guided by the following criteria:
A. The home occupation employs no more than one non-resident employee;
B. No dwelling or accessory structure shall be constructed, modified or altered to accommodate a home occupation in such a way as to alter the residential character of the property or to render its appearance incompatible with neighboring residences;
C. No dwelling or accessory structure shall be used for a Type B home occupation, nor constructed, modified or altered to accommodate a Type B home occupation without the appropriate review and approval of the building official;
D. The site has adequate on site parking to accommodate any additional traffic resulting from the use;
E. Traffic generated by the home occupation shall not noticeably effect the residential character of the neighborhood;
F. Deliveries shall be limited to "normal deliveries" as defined in this chapter;
G. No outdoor storage or display;
H. Signage limited to one sign not to exceed four square feet. The sign shall be affixed to the dwelling and be non-illuminated and non-mechanized;
I. No noise above fifty dba at the property lines;
J. The primary function of the home occupation shall not be based on the maintenance, repair or assembly of any vehicles or motors associated with any vehicle, yard equipment, or construction/ demolition equipment;
K. Each approval shall be specific for the particular home occupation and reference the number of employees allowed, the hours of operation, frequency and type of deliveries, the type of business and any other specific information for the particular application. (Ord. 2312 § 9 (part), 2002)

18.39.050 Complaints/enforcement.

Any complaint made that a home occupation is being conducted in violation of this chapter shall be enforced pursuant to Article VII of Chapter 18.55. (Ord. 2312 § 9 (part), 2002)

Chapter 18.41 NONCONFORMING LOTS, STRUCTURES AND USES*

18.41.010 Purpose.

18.41.020 Scope.

18.41.030 Definitions.

18.41.040 Buildable lot of record.

18.41.050 Continuance.

18.41.060 Discontinuance.

18.41.070 Nonconforming structures.

18.41.080 Nonconforming land uses.

18.41.085 Nonconforming dwelling units.

18.41.090 Nonconforming landscaping.

18.41.100 Nonconforming parking lots.

18.41.110 Mobile homes--Replacement--Manufactured homes.

18.41.120 Signs.

18.41.130 Conversion--Removal.

18.41.140 Agriculture/ranching (A/R)--Nonconforming permitted use.

*Note to Chapter 18.41

* Prior ordinance history: Ord. 2290.

18.41.010 Purpose.

The purpose of this chapter is to establish limitations on the expansion of nonconforming uses and structures. (Ord. 2312 § 10 (part), 2002)

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. (Ord. 2312 § 10 (part), 2002)

18.41.030 Definitions.

"**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.
"**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.
"**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. (Ord. 2312 § 10 (part), 2002)

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 fifty feet by one hundred feet (five thousand square 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.) (Ord. 2312 § 10 (part), 2002)

18.41.050 Continuance.

A. A nonconforming use or building may be continued, provided it complies with the following Sections: 18.41.070 and 18.41.080.
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. (Ord. 2312 § 10 (part), 2002)

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 twelve 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 twelve months.
D. The city planner shall have the discretion to extend the time limitations of subsections A, B, and C of this section due to special circumstances beyond the control of the owner or occupant of the nonconforming use or nonconforming structure. Examples of special circumstances include but are not limited to disputes over insurance settlements in the case of fire or other casualty, delay in transferring title due to probate proceedings, litigation that impacts continuation of a nonconforming use or nonconforming structure, labor strikes, war, and acts of God. The decision of the city planner denying any request for an extension may be appealed to the city council pursuant to Section 18.55.280. (Ord. 2312 § 10 (part), 2002)

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 18.41.080E. (Ord. 2312 § 10 (part), 2002)

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 underlying zone 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. (Ord. 2312 § 10 (part), 2002)

18.41.085 Nonconforming dwelling units.

A. Structural alterations of a dwelling unit necessary to comply with public health or safety issues, as determined by the planning manager or building official may be permitted without review.
B. Notwithstanding other provisions of this chapter, nonconforming dwelling units may be enlarged, replaced or structurally altered when at the discretion of the planning manager, the following are satisfied:

1. The proposed enlargement or structural alteration will not result in additional dwelling units on the site;
2. The proposed enlargement or structural alterations will generally result in improvements to the subject property and character of the surrounding area.

3. In the case of enlargement, the enlarged portion of the dwelling unit conforms to the dimensional requirements of the zone. (Ord. 2312 § 10 (part), 2002)

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. (Ord. 2312 § 10 (part), 2002)

18.41.100 Nonconforming parking lots.

Nothing in Chapter 18.11 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 shall be complied with for the additional parking area. (Ord. 2312 § 10 (part), 2002)

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 three inch rise for each twelve inches of run, or about twenty-five percent.
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. (Ord. 2312 § 10 (part), 2002)

18.41.120 Signs.

For nonconforming signs, see the applicable regulations in Sections 18.15.220 through 18.15.240. (Ord. 2312 § 10 (part), 2002)

18.41.130 Conversion--Removal.

A. Conversion or removal of a nonconforming structure or use shall be commenced not later than sixty 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 ninety 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. (Ord. 2312 § 10 (part), 2002)

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 ten 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 fifty 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 (and lot clearing regulations will apply to a fifteen 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 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. (Ord. 2312 § 10 (part), 2002)

Chapter 18.43 CONDITIONAL USE PERMITS

18.43.010 Purpose.

18.43.020 Scope.

18.43.030 Application.

18.43.050 Criteria.

18.43.070 Expiration and renewal.

18.43.090 Performance bond or security.

18.43.100 Resubmittal of application.

18.43.115 Special conditions and criteria for licensed liquor establishments in the downtown commercial zone.

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. (Ord. 2290 § 2 (part), 2001)

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 will be considered for a conditional use permit. (Ord. 2290 § 2 (part), 2001)

18.43.030 Application.

Application for a conditional use permit shall be filed with the community development 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. (Ord. 2290 § 2 (part), 2001)

18.43.050 Criteria.

The hearings examiner shall be guided by all of the following criteria in granting or denying 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, density, 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.
F. Any special conditions and criteria established for the proposed use have been satisfied.
In granting a conditional use permit the hearings examiner may stipulate additional requirements to carry out the intent of the Camas Municipal Code and comprehensive plan. (Ord. 2306 § 6, 2002: Ord. 2290 § 2 (part), 2001)

18.43.070 Expiration and renewal.

A conditional use permit shall automatically expire one year after the date it was granted, unless a building permit conforming to the plans for which the CUP was granted is obtained within that period of time. A CUP shall automatically expire unless substantial construction of the proposed development is completed within two years from the date the CUP is granted. The hearing examiner may authorize longer periods for a CUP if appropriate for the project. The hearing

officer may grant a single renewal of the CUP if the party seeking the renewal can demonstrate extraordinary circumstances or conditions not known or foreseeable at the time the original application for a CUP was granted, which would warrant such a renewal of a CUP.

18.43.090 Performance bond or security.

A performance bond or other adequate and appropriate security may be required by the hearing examiner 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 one hundred percent 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 the disapproval.

18.43.115 Special conditions and criteria for licensed liquor establishments in the downtown commercial zone.

A. As used herein, "licensed liquor establishment" shall mean a bar, tavern, cocktail lounge, or any other establishment where alcohol, spirits, beer, wine, or any other alcoholic beverage is served for consumption on premises.
B. Licensed liquor establishments where persons under twenty-one years of age are permitted in all areas open to the public during all hours the establishment is open for business do not require a conditional use permit in the downtown commercial zone.
C. Licensed liquor establishments where persons under twenty-one years of age are not allowed, or where persons under twenty-one years of age are not permitted to enter some portion of the establishment otherwise open to members of the public either during all or a portion of the hours the establishment is open for business, shall satisfy the following conditions in the downtown commercial zone:

1. No such establishment shall be permitted within two hundred fifty feet of a church, public school, private school, or licensed daycare facility.
2. There shall be no more than one such establishment per block frontage. Block frontage shall mean one side of the street between intersecting cross streets.
3. There shall be a maximum of six such establishments permitted in the downtown commercial zone.
4. The approval authority may impose additional conditions on live entertainment, outside lounge areas, noise levels, litter and trash, and such other matters as may be necessary to promote the public health, safety and general welfare. (Ord. 2306 § 2, 2002)

Chapter 18.45 VARIANCES*

18.45.010 Purpose.

18.45.020 Approval Process.

18.45.030 Criteria for granting a variance.

18.45.040 Conditions for granting--extension.

18.45.050 Application requirements.

18.45.080 Prohibited variance.

*Note to Chapter 18.45

* Prior Ordinance history: Ord. 2290

18.45.010 Purpose.

General. A variance to any development standard contained in this Title other than density and lot area may be granted when practical difficulties, unnecessary hardship or results inconsistent with the general purposes of CMC Title 18 would result from the literal enforcement of its requirements. The sole purpose of any variance shall be to prevent such difficulties, hardship or results, and no variance shall be granted which would have the effect of granting a special privilege not shared by other property in the same vicinity and zone except when necessary to avoid such difficulties, hardship or results.

18.45.020 Approval Process.

A. Minor Variance: A minor variance is one that results in the modification of up to 10% of a numerical development standard (other than lot area or density) that shall be subject to at Type I procedure, pursuant to CMC 18.55, subject to the approval criteria contained in CMC 18.45.030 (A).
B. Major Variance: A major variance is one that results in the modification of a numerical development standard by more than 10%. The board of adjustment is generally the decision maker regarding major variances. Where a variance is consolidated with an application for a Type III decision, the decision maker shall be the same as that for the Type III application. A major variance shall not be approved unless findings are made by the approval authority that all of the approval criteria under CMC 18.45.030 are satisfied.

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. Minor Variance. The community development director may grant a Minor Variance upon demonstration by the applicant of compliance with all of the following approval criteria:

1. Unusual circumstances or conditions apply to the property and/or the intended use that do not apply generally to other property in the same vicinity or district.
2. The variance requested is the minimum necessary to relieve the unusual circumstances or conditions identified in Subsection (1) above.
3. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which property is located.
4. The proposed variance does not exceed 10% of the requested dimensional standard in which the variance is requested.

B. Major Variance: A major variance shall not be authorized without findings demonstrating compliance with all of the following criteria:

1. The variance shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property on

behalf of which the application was filed is located;
2. That such variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, 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;
3. 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 situated.

18.45.040 Conditions for granting--extension.

In authorizing the variance, the approval authority 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 approval authority action, if no building permit has been issued in accordance with the plans for which such variance was authorized, except that the approval authority may extend the period of variance authorization without a public hearing for a period not to exceed twelve 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 for 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. (Ord. 2312 § 11 (part), 2002)

18.45.080 Prohibited variance.

Under no circumstances shall the approval authority 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. (Ord. 2312 § 11 (part), 2002)

Chapter 18.47 TEMPORARY USE PERMITS*

18.47.010 Purpose.

18.47.020 Permit required.

18.47.030 Application.

18.47.040 Exemptions.

18.47.050 Criteria for approval.

18.47.060 Time limitation.

18.47.070 Limitation on activity.

18.47.080 Removal of a temporary use.

18.47.090 Abatement.

18.47.100 Assurance device.

*Note to Chapter 18.47

* Prior ordinance history: Ord. 2290.

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. (Ord. 2312 § 12 (part), 2002)

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.
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. (Ord. 2312 § 12 (part), 2002)

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." (Ord. 2312 § 12 (part), 2002)

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.);
C. Fireworks stands operating under a permit issued by the fire marshal's office;
D. Christmas tree lots; (Ord. 2312 § 12 (part), 2002)

18.47.050 Criteria for approval.

A. The planning manager 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;"
3. The temporary use is compatible in intensity and appearance with existing land uses in the immediate vicinity;
4. 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;
5. 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.
6. Hours of operation of the temporary use are specified;
7. The temporary use will not cause noise, light, or glare which adversely impacts surrounding land uses.

B. The planning manager may authorize a temporary use permit for a use not specifically listed in Chapter 18.07 "Use Authorization." (Ord. 2312 § 12 (part), 2002)

18.47.060 Time limitation.

A temporary use is valid for up to one hundred eighty calendar days from the effective date of the permit, however, the planning manager may establish a shorter time frame. The planning manager may grant one extension not to exceed sixty days, upon the applicant showing compliance with all conditions of permit approval. (Ord. 2312 § 12 (part), 2002)

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 sixty days following the expiration of an approval permit applying to that property. (Ord. 2312 § 12 (part), 2002)

18.47.080 Removal of a temporary use.

The planning manager 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. (Ord. 2312 § 12 (part), 2002)

18.47.090 Abatement.

Prior to the approval of a temporary use permit, the applicant shall submit to the planning manager 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. (Ord. 2312 § 12 (part), 2002)

18.47.100 Assurance device.

In appropriate circumstances, the planning manager 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. (Ord. 2312 § 12 (part), 2002)

Chapter 18.49 UNCLASSIFIED USE PERMITS

18.49.010 Purpose.

18.49.020 Uses requiring an unclassified use permit (UUP).

18.49.030 Area and dimensional requirements.

18.49.040 Application requirements.

18.49.050 Notice and hearing requirements.

18.49.060 Criteria.

18.49.070 Expiration and renewal.

18.49.080 Revocation of permit.

18.49.090 Performance bond or security.

18.49.100 Resubmittal of application.

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." (Ord. 2290 § 5 (part), 2001)

18.49.020 Uses requiring an unclassified use permit (UUP).

Uses not listed in Chapter 18.07 require an unclassified use permit processed as provided in this chapter. (Ord. 2290 § 5 (part), 2001)

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. (Ord. 2290 § 5 (part), 2001)

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. (Ord. 2290 § 5 (part), 2001)

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. 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. (Ord. 2290 § 5 (part), 2001)

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;
B. 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;
C. The proposed use shall be compatible generally with the surrounding land uses;
D. The proposed use shall be in keeping with the goals, objectives, and policies of the comprehensive plan;
E. 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. (Ord. 2290 § 5 (part), 2001)

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. (Ord. 2290 § 5 (part), 2001)

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.
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. (Ord. 2290 § 5 (part), 2001)

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 one hundred percent of the cost of the installation or construction of the applicable improvements. (Ord. 2290 § 5 (part), 2001)

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. (Ord. 2290 § 5 (part), 2001)

Chapter 18.51 COMPREHENSIVE PLAN AMENDMENTS

18.51.010 Application and criteria therein.

18.51.020 Application review.

18.51.030 Notification and hearing.

18.51.040 Staff report.

18.51.050 Council consideration and decision.

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;
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; and
H. The application shall include an environmental checklist in accordance with the State Environment Policy Act (SEPA). (Ord. 2290 § 6 (part), 2001)

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.
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). 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 sixty days from the closing of the application period (January thirty-first) to complete the initial review of proposals. Environmental determination requirements associated with an application may lengthen this period. (Ord. 2290 § 6 (part), 2001)

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 cityin accordance with CMC 18.55.320. the hearing may be continued from time to time at the discretion of the planning commission, but no additional notices need be published.

18.51.040 Staff report.

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.
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. (Ord. 2290 § 6 (part), 2001)

Chapter 18.55 ADMINISTRATION AND PROCEDURES*

Article I. General Procedures

18.55.010 Procedures for processing development permits.

18.55.020 Determination of proper procedure type.

18.55.030 Summary of decision making processes.

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Note to Chapter 18.55

* Prior ordinance history: Ords. 2290, 2298, 2312, 2322 and 2338.

18.55.010 Procedures for processing development permits.

For the purpose of project permit processing, all development permit applications shall be classified as one of the following: Type I, Type II, Type III, BOA, SEPA, Shoreline, or Type IV. (Ord. 2389 § 1 (part), 2004)

18.55.020 Determination of proper procedure type.

A. Determination by Director. The public works director or designee (hereinafter the "director"), shall determine the proper procedure for all development applications. If there is a question as to the appropriate type of procedure, the determination shall be at the director's discretion.
B. Optional Consolidated Permit Processing. An application that involves two or more project permits may be submitted concurrently and processed with no more than one open record hearing and one closed record appeal. If an applicant elects this process upon submittal and in writing, the determination of completeness, notice of application, and notice of decision or final decision shall include all project permits reviewed through the consolidated permit process.

18.55.030 Summary of decision making processes.

The following decision making process table provides guidelines for the city's review of the indicated permits:

Table 1 - Decision Making Process

APPROVAL PROCESS							
Permit Type	**I**	**II**	**III**	**Shore**	**SEPA**	**BOA**	**IV**
Archaeological		X	X				
Site Plan Review		X					
Conditional Use			X (3)				
Design Review	X	X					

LI/BP		X (1)	X (4)				
Home Occupations	X (type A)	X (type B)					
Sensitive Areas/OS		X	X				
Temporary Uses	X						
Minor Modifications	X						
SEPA Threshold Determination					X		
Shorelines Permit				X			
Boundary Line Adjustment	X						
Short Plat		X					
Preliminary Subdivision Plat			X (3)				
Final Plats (2)							
Binding Site Plans		X					
Planned Developments			X (4)				
Variance (Minor)	X						
Variances (Major)						X	
Zone Change/Single Tract			X (3)				
Plan/Zone Change							X
Zone Code Text Changes							X
Building Permits	X					X	
Certificate of Occupancy	X						
Sign Permits	X						

(1) For development proposals subsequently submitted as part of an approved master plan, subarea plan, or binding site plan.
(2) Section 18.55.345 for final plat approval.
(3) Hearing and final decision by hearings examiner.
(4) Planning Commission hearing and City Council decision.
Permit Types.

A. Type I Decisions. The public works director or designee shall render all Type I decisions. Type I decisions do not require interpretation or the exercise of policy or legal judgment in evaluating approval standards. Type I decisions include, but are not limited to, site plan approval of building or other specialty permits and final subdivision and planned unit development plans where there are no material deviations from the approved preliminary plans. The process requires no public notice. The approval authority's decision is generally the final decision of the city. Type I decisions by the building division may be appealed to the board of adjustment.
B. Type II Decisions. The community development director or designee shall render the initial decision on all Type II permit applications.
Type II decisions involve the exercise of some interpretation and discretion in evaluating approval criteria. Applications evaluated through this process are assumed to be allowable in the underlying zone. City review typically focuses on what form the use will take, where it will be located in relation to other uses and natural features and resources, and how it will look. However, an application shall not be approved unless it is or can be made to be consistent through conditions with the applicable siting standards and in compliance with approval requirements. Upon receipt of a complete application, the director determines completeness, issues a notice of application (consolidated review only), reviews and renders a notice of decision. The director's decision shall become final at the close of business on the fourteenth day after the date on the decision unless an appeal is filed. If an appeal is received, the hearings examiner will review the decision based on the record and render the city's final decision.
C. Type III Decisions. Type III decisions involve the greatest amount of discretion and/or evaluation of approval criteria. Applications evaluated through this process commonly involve conditional uses, subdivisions and development within the city's light industrial/business park. Upon receipt of a complete application, notice of public hearing is mailed to the owners of record of the subject property, the applicant and owners of real property within three hundred feet of the subject tract, based upon Clark County assessment records. The notice of public hearing is issued at least fourteen days pre-hearing, and the staff report is generally made available five days pre-hearing. If a SEPA threshold determination is required, the notice of hearing shall be made at least fifteen days pre-hearing and indicate the threshold determination made as well as the timeframe for filing an appeal.
Type III hearings are subject to either a hearing and city final decision by the hearings examiner, or subject to a hearing and recommendation from the Planning Commission to the City Council who in a closed record meeting makes the final city decision.
D. Shoreline (SMP, Shore). The public works director acts as the "administrator." A shoreline management review committee reviews a proposal and either determines to issue a permit or forward the application along to the planning commission or hearings examiner, as appropriate. The shoreline procedures are specified in Chapter 18.88 of this code.
E. SEPA (State Environmental Policy Act). When the city of Camas is the lead agency, the public works director shall be the responsible official. The procedures for SEPA are generally provided for under Title 16 of this code as well as Sections 18.55.160 and 18.55.165.
F. Board of adjustment decisions are the final decision of the city except as provided in Section 18.45.020.
G. Type IV Decisions. Type IV decisions are legislative actions which involve the adoption or amendment of the city's land use regulations, comprehensive plan, map inventories and other

policy documents that affect the entire city, large areas, or multiple properties. These applications involve the greatest amount of discretion and evaluation of subjective approval criteria, and must be referred by majority vote of the entire planning commission onto the city council for final action prior to adoption by the city. The city council's decision is the city's final decision. (Ord. 2389 § 1 (part), 2004)

18.55.050 Initiation of action.

Except as otherwise provided, Type I, II, III or BOA applications may only be initiated by written consent of the owner(s) of record or contract purchaser(s). Legislative actions may be initiated at the request of citizens, the city council, planning commission, or department director or division manager. (Ord. 2389 § 1 (part), 2004)

18.55.060 Pre-application conference meeting—Type II, Type III.

A. Prior to submitting an application for a Type II or Type III application, the applicant shall schedule and attend a pre-application conference with city staff to discuss the proposal. The pre-application conference shall follow the procedure set forth by the director.
B. To schedule a pre-application conference, the applicant shall contact the planning division. The purpose of the pre-application conference is for the applicant to provide a summary of the applicant's development proposal to staff and in return, for staff to provide feedback to an applicant on likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal. The director may provide the applicant with a written summary of the pre-application conference within ten days after the pre-application conference.
C. Notwithstanding any representations by city staff at a pre-application conference, staff is not authorized to waive any requirements of the city code. Any omission or failure by staff to recite to an applicant all relevant applicable code requirements shall not constitute a waiver by the city of any standard or requirement.
D. A pre-application conference shall be valid for a period of one hundred eighty days from the date it is held. If no application is filed within one hundred eighty days of the conference or meeting, the applicant must schedule and attend another conference before the city will accept a permit application. Any changes to the code or other applicable laws which take effect between the pre-application conference and submittal of an application shall be applicable.
E. The director may waive the pre-application requirements if, in the director's opinion, the development does not warrant these steps. (Ord. 2389 § 1 (part), 2004)

18.55.100 Application requirements for Type II or Type III applications.

All Type II, or Type III applications must be submitted at the planning division office on the most current forms provided by the city, along with the appropriate fee and all necessary supporting documentation and information, sufficient to demonstrate compliance with all applicable approval criteria. The applicant has the burden of demonstrating, with evidence, that all applicable approval criteria are, or can be met. (Ord. 2389 § 1 (part), 2004)

18.55.110 Application-required information.

A Type II, or Type III application includes all the materials listed in this subsection. The director may waive the submission of any of these materials if not deemed to be applicable to the specific

review sought. Likewise, the director may require additional information, beyond that listed in this subsection or elsewhere in the city code, such as a traffic study or other report prepared by an appropriate expert, where needed to address relevant approval criteria. In any event, the applicant is responsible for the completeness and accuracy of the application and all of the supporting documentation. Unless specifically waived by the director, the following must be submitted at the time of application:
A. One copy of a completed city application form(s) and required fee(s);
B. A complete list of the permit approvals sought by the applicant;
C. A current (within thirty days prior to application) mailing list of owners of real property within three hundred feet of the subject parcel, certified as based on the records of the Clark County assessor;
D. A complete and detailed narrative description that describes the proposed development, existing site conditions, existing buildings, public facilities and services and other natural features. The narrative shall also explain how the criteria are or can be met, and address any other information indicated by staff at the pre-application conference as being required;
E. Necessary drawings in the quantity specified by the director;
F. Copy of the pre-application meeting notes (Type II and Type III);
G. SEPA checklist, if required.
(Ord. 2389 § 1 (part), 2004)

18.55.120 Signage—Development notice—Type III.

Signage—Development Application. Prior to an application being deemed complete and scheduled for public hearing, the applicant shall post, one four-foot by eight-foot sign per road frontage. The sign shall be attached to the ground with a minimum two four-inch by four-inch posts or better. The sign shall be clearly visible from adjoining rights-of-way and generally include the following:
A. Description of proposal;
B. Types of permit applications on file and being considered by the city of Camas;
C. Site plan;
D. Name and phone number of applicant and city of Camas contact for additional information;
E. A statement that a public hearing is required and scheduled as follows:
1. Hearing date and time;
2. Hearing location.

Adequate space shall be provided for the date and location of the hearing to be added upon scheduling by the city.
The development sign shall remain posted and in reasonable condition until a final decision of the city is issued and shall be removed by the applicant within fourteen days of the notice of decision by the city. (Ord. 2389 § 1 (part), 2004)

18.55.130 Letter of completeness Type II, Type III or SMP.

A. Upon submission of a Type II, Type III, or SMP application, the director should date stamp the application form and verify that the appropriate application fee has been submitted. The director will then review the application and evaluate whether the application is complete. Within twenty-eight days of receipt of the application, the director shall complete this initial review and issue to the applicant a completeness letter indicating whether or not the application is complete. If not complete, the director shall advise the applicant what information must be submitted to make the application complete.
B. If the director does not issue a letter of completeness or incompleteness within twenty-eight

days, the application will be presumed complete on the twenty-eight day after submittal.
C. Upon receipt of a letter indicating the application is incomplete, the applicant has one hundred eighty days from the original application submittal date within which to submit the missing information or the application shall be rejected and all materials returned to the applicant. If the applicant submits the requested information within the one hundred eighty day period, the director shall again verify whether the application, as augmented, is complete. Each such review and verification should generally be completed within fourteen (14) days.
D. Once the director determines the application is complete, or the applicant refuses in writing to submit any additional information, the city shall declare the application complete and generally take final action on the application within one hundred twenty days of the date of the completeness letter. The timeframe for a final decision may vary due to requests by the city to correct plans, perform required studies, provide additional required information, extensions of time agreed to by the applicant and the city, or delays related to simultaneous processing of Shoreline's or SEPA reviews.
E. The approval criteria and standards which control the city's review and decision on a complete application are those which were in effect on the date the application was first submitted or as prescribed by a development agreement. (Ord. 2389 § 1 (part), 2004)

18.55.150 Notice of application—Type III or Type IV.

A. Notice of Application Required. A notice of application will be required for all Type III applications. The Notice of Application may be combined with a Notice of Public Hearing.
B. Contents. The notice of a Type III application shall include:

1. The date of application, the date of the notice of completeness, and the date of the notice of application;
2. A description of the proposed project action and a list of project permits included in the application, and, if applicable, a list of any studies requested.
3. The identification of other permits not included in the application, to the extent known by the city;
4. The identification of existing environmental documents that evaluate the proposed project, and, if not otherwise stated on the document providing notice of application, the location where the application and any studies can be reviewed;
5. A statement of the limits of the public comment period, which shall be fifteen days following the date of notice of application, and statements of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights;
6. The date, time, and place of hearing, if applicable and known;
7. A statement of the preliminary determination of consistency, if one has been made at the time of notice, and of those development regulations that will be used for project mitigation and consistency as provided in Title 16 of this code;
8. Any other information determined appropriate by the city, such as the city's threshold determination.

C. Time frame for issuance of notice of application.

1. Within fourteen days after the city has made a determination of completeness of a project permit application, the city shall issue a notice of application.
2. If any open record pre-decision hearing is required for the requested project permit(s), the mailed notice of application shall be provided at least fifteen days prior to the open record hearing.

D. Published. The notice of application shall be published in the city's official newspaper of general circulation in the general area where the proposal is located.
E. Mailed. The notice of application shall be mailed to all owners of record of the subject

property and all owners of real property generally located within three hundred feet of the subject property based on Clark County GIS records.

F. Preliminary Plat Actions. In addition to the notice of application requirements above for preliminary plats and proposed subdivisions, additional notice shall be provided as follows:

1. Notice of the filing of a preliminary plat adjacent to or within one mile of the municipal boundaries of the city, or which contemplates the use of any city or town utilities shall be given to the appropriate city or town authorities.
2. Notice of the filing of a preliminary plat of a proposed subdivision adjoining the city limits shall be given to the appropriate county official.
3. Notice of the filing of a preliminary plat of a proposed subdivision located adjacent to the right-of-way of a state highway or within two miles of the boundary of a state or municipal airport shall be given to the secretary of transportation, who must respond within fifteen days of such notice.
4. If the owner of the real property which is proposed to be subdivided owns another parcel or parcels of real property which lie adjacent to the real property proposed to be subdivided, notice under this section shall be given to owners of real property located within three hundred feet of any portion of the boundaries of such adjacently located parcels of real property owned by the owner of the real property proposed to be subdivided. (Ord. 2389 § 1 (part), 2004)

18.55.165 SEPA threshold determinations and consolidated review.

A. Notice of Threshold Determinations. Under a consolidated review, notice of a threshold determination will be mailed to those agencies, individuals or entities submitting comment within the comment period and to all owners of record of the subject property and all owners of real property generally located within three hundred feet of the subject property based on Clark County GIS records. Where a notice of public hearing is required, the threshold determination may be combined with such notice. An applicant is responsible for submitting a certified list of the property owners to be notified and mailing labels of this list.

B. Public Hearing on Project Permit. If an open record pre-decision hearing is required for the underlying project permit application, the city shall issue its threshold determination at least fifteen days prior to the open record pre-decision hearing.

C. Consolidated Appeals. All SEPA related appeals, other than a DS, shall be consolidated with the open record hearing, or appeal, if any, on the underlying project application.

D. DS appeals shall be heard in a separate open record hearing prior to the open record hearing, if applicable, on the underlying project application. The purpose for this early separate appeal hearing is to resolve the need for an environmental impact statement (EIS) and to permit administrative and judicial review, prior to preparation of and EIS.

E. Notice of Appeal—Timing and Content.

1. All SEPA appeals shall be filed in writing with the city of Camas clerk accompanied by the required filing fee.
2. The notice of appeal shall identify the appellant, establish standing, and set principal points of the appeal.
3. The notice of appeal shall be filed no later than fourteen days after the threshold determination has been issued. (Ord. 2389 § 1 (part), 2004)

18.55.170 Optional public notice.

As optional methods of providing public notice of any project permit(s), the city may utilize one or more of the following:

A. Notify the public or private groups with known interest in a certain proposal or in the type of proposal being considered;
B. Notify the news media;
C. Place notices in appropriate regional, local, or neighborhood newspapers or trade journals;
D. Publishing notice in city newsletters or sending notice to agency mailing lists, either general lists or lists for specific proposals or subject areas;
E. Mailing to neighboring property owners; and
F. Placing notice on the city of Camas official web site.
The city's failure to provide the optional notice as described in this section shall not be grounds for invalidation of any permit decision. (Ord. 2389 § 1 (part), 2004)

18.55.180 Hearings Process- Type III applications.

All public hearings on a Type III application shall be quasi-judicial and comply with the procedure of this section.
A. Once the director determines that an application for a Type III decision is complete a hearing shall be scheduled.
B. Notice of the hearing shall be issued in accordance with CMC 18.55.190.
C. The director or designee shall prepare a staff report on the application which lists the applicable approval criteria, describes the application and the applicant's proposal, summarizes all relevant City department, agency and public comments, describes all other pertinent facts as they relate to the application and the approval criteria, and makes a recommendation as to whether each of the approval criteria are met.
D. At the beginning of the initial public hearing authorized under these procedures, a statement shall be announced to those in attendance that:

1. Lists the applicable substantive criteria;
2. The hearing will proceed in the following general order: staff report, applicant's presentation, testimony in favor of the application, testimony in opposition to the application, rebuttal, record closes, deliberation and decision;
3. That all testimony and evidence submitted, orally or in writing, must be directed toward the applicable approval criteria. If any person believes that other criteria apply in addition to those addressed in the staff report, those criteria must be listed and discussed on the record. The decision maker may reasonably limit oral presentations in length or content depending upon time constraints. Any party may submit written materials of any length while the public record is open;
4. Any party wishing a continuance or to keep open the record must make that request while the record is still open;
5. That the decision maker shall disclose any ex parte contacts, conflicts of interest or bias before the beginning of each hearing item and provide an opportunity for challenge. Advised parties must raise challenges to the procedures of the hearing at the hearing and raise any issue relative to ex parte contacts, conflicts of interest or bias, prior to the start of the hearing.
6. Requests for continuances and to keep open the record. The decision maker(s) may continue the hearing form time to time to allow the submission of additional information or for deliberation without additional information. New notice of a continued hearing need not be given so long as the decision maker(s) established a time certain and location for the continued hearing, Similarly, the decision maker may close the hearing but keep open the record for the submission of additional written material or other documents and exhibits. The decision maker(s) may limit the factual and legal issues that may be addressed in any continued hearing or open-record period.
7. Denial by a hearings examiner or city council of a Type III permit application, shall

result in denial of all associated Type II decisions applied or at the same time that are subject to some part of the Type III decision. The Type III decisions for which this applies include, but are not limited to Design Review, Variances, Critical Areas.

18.55.190 Hearings notice.

A. A notice of public hearing is required for all open record quasi-judicial hearings for which a scheduled hearing date was not included in a notice of application.

1. Mailed Notice. At least fifteen days prior to a hearing prepare and send by mail, notice of hearing to all owners of record of the subject property and all owners of real property generally located within three hundred feet of the subject property based on Clark County GIS records. An applicant is responsible for submitting a certified list of the property owners to be notified and mailing labels of this list.
2. Published Notice. At least fourteen days prior to a hearing, publish the notice of hearing in a newspaper of general circulation within the city.
3. Content of notice under subsection (A)(1) or (A)(2) of this section:
    a. The time, date and location of the public hearing;
    b. A general description of the proposed project;
    c. The street address or other easily understood location of the subject property and city assigned case file number;
    d. A timeframe for submitting written comments for inclusion in the planning commission packet;
    e. If a SEPA threshold determination is required, notice under subsection (A)(1) of this section, may include the notice of the threshold determination;
    f. A description of other project administrative decisions or determinations and appeal periods.
4. Failure to satisfy the notice requirements of this section shall not invalidate the proceeding. (Ord. 2389 § 1 (part), 2004)

18.55.200 Appeals—Generally.

Appeals of any decisions of the city must be filed in the manner and on forms provided by the city and comply with the requirements of this section.

A. Type I decisions are not appealable to any other decision maker within the city.

B. A notice of appeal of a Type II or SMP or SEPA decision must be received in writing by the City Clerk within fourteen calendar days of the date on the decision. Type II appeals are subject to the requirements of CMC 18.55.210

C. Type III—Type III applications are processed in one of two distinct manners.

1. Those applications subject to planning commission recommendations are not appealable. However, any party may submit written arguments based on the record to refute the planning commission recommendation no later than seven days prior to the city council meeting on the matter.
2. A decision issued by the hearings examiner is a final decision of the city and therefore not appealabe to any other decision maker within the City.

D. BOA decisions are not appealable to any other decision maker within the city, except as provided in Section 18.45.020. The actions of the board of adjustment in granting or denying an application, shall be final and conclusive, unless within twenty-one days from the date of the BOA's action, the original applicant or an aggrieved party petitions the Superior Court of Clark County under the Land Use Petition Act. (Ord. 2389 § 1 (part), 2004)

18.55.210 Appeals—Type II, SMP.

All Type II or SMP appeals not part of a consolidated review shall be conducted in a closed record meeting before the city council and comply with the procedures of this section.
A. Timing. Appeals under this section shall be made no later than the close of business on the fourteenth day after the date on the notice of decision.
B. Content of Appeal. Appeals shall be in writing, be accompanied by an appeal fee, and contain the following information:

1. Appellant's name, address and phone number;
2. Appellant's statement describing his or her standing to appeal;
3. Identification of the application which is the subject of the appeal;
4. Appellant's statement of grounds for appeal and the facts upon which the appeal is based;
5. The relief sought, including the specific nature and extent;
6. A statement that the appellant has read the appeal and believes the contents to be true, following by the appellant's signature.

C. Once the director determines that an application an appeal of a director's decision or determination has been properly filed, the director shall schedule a closed record hearing before the city council.
D. Notice of an appeal under this section shall be made to those entitled to notice of the decision or determination. (Ord. 2389 § 1 (part), 2004)

18.55.220 Conditions of approval.

A. All city decision makers have the authority to impose reasonable conditions of approval designed to ensure that all applicable approval standards are, or can be met.
B. The applicant retains the burden of demonstrating that applications comply with the approval criteria or can and will comply with the approval criteria through the imposition of conditions of approval. Further, the applicant must file evidence demonstrating that approval criteria can be met with the imposition of conditions as well as demonstrate a commitment to comply with conditions of approval.
C. Failure to comply with any condition of approval shall be grounds for revocation of the permit(s) and grounds for instituting code enforcement proceedings pursuant to the city code. (Ord. 2389 § 1 (part), 2004)

18.55.235 Reconsideration by the hearings examiner.

Any party of record believing that a decision of the hearings examiner is based on erroneous procedures, errors of law or fact, or the discovery of new evidence which could not be reasonably available at the public hearing, may make a written request to the examiner, filed with the City Clerk, to be accompanied by an appeal fee, for reconsideration by the examiner.
A. Time frame. The request for reconsideration shall be filed within fourteen calendar days of the date the decision was rendered.
B. Content. The request for reconsideration shall contain the following:

1. The case number designated by the City and the name of the applicant,
2. The name and signature of each petitioner,
3. The specific aspect(s) of the decision being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied on to prove the error. It the petitioner wants to introduce new evidence in support of the appeal, the written appeal must explain why such evidence should be considered.

C. The hearings examiner may after review of the materials submitted in conjunction with the reconsideration request, and review of the open record hearing transcript, take further action as he or she deems proper; including, but not limited to, denying the request, modifying the decision or affirming the decision.

18.55.240 Judicial appeals.

The city's final decision on an application may be appealed by a party of record with standing to file a land use petition in Clark County Superior Court. Such petition must be filed within twenty-one days after issuance of the decision, as provided in Chapter 36.70C RCW. (Ord. 2389 § 1 (part), 2004)

18.55.250 Reapplication limited.

If an application is denied, or withdrawn following the close of the public hearing, no reapplication for the same or substantially similar proposal may be made for one year following the date of final decision denying the permit or the date of withdrawal. (Ord. 2389 § 1 (part), 2004)

18.55.260 Expiration of a Type II, or Type III decisions.

A. Type II or Type III approvals automatically become void, if no timeframe is specified in the approval, and if any of the following events occur:

1. If, within two years of the date of the final decision, all necessary building permit(s) have not been issued, if required; or
2. If, within two years of the date of the final decision, the development action or activity approved in the decision is not initiated.

B. Notwithstanding subsection A of this section, subdivision plats and short plats, must be recorded within five years of final plat approval.
C. New Application Required. Expiration of an approval shall require a new application for any use on the subject property that is not otherwise allowed outright.
D. Deferral of the Expiration Period Due to Appeals. If a permit decision is appealed beyond the jurisdiction of the city, the expiration period shall not begin until review before the appellate courts has been completed, including any remand proceedings before the city. The expiration period provided for in this section will begin to run on the date of final disposition of the case (the date when an appeal may no longer be filed). (Ord. 2389 § 1 (part), 2004)

18.55.280 Modification of conditions.

Any request to modify a condition of permit approval shall be processed in the same manner, and shall be subject to the same standards, as was the original application provided the standards and criteria used to approve the decision are consistent with the current code. However, the decision maker may at its sole discretion, consider a modification request and limit its review of the approval criteria to those issues or aspects of the application that are proposed to be changed from what was originally approved. (Ord. 2389 § 1 (part), 2004)

18.55.290 Minor amendments or modifications.

Minor amendments are modifications to approved developments or permits. Minor amendments are those modifications 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, (iii) decrease the quality or amount of open space, or (iv) vary from specified dimensional standards of this title. Minor amendments are Type I decisions. (Ord. 2389 § 1 (part), 2004)

18.55.300 Joint public hearings.

A. Decision to Hold Joint Hearing. The director may combine any public hearing on a project permit application with any hearing that may be held by another jurisdiction, state, regional, federal, or other agency, on the proposed action, as long as: (1) the hearing is held within the city limits; and (2) the requirements of subsection C of this section are met.
B. Applicants Request for a Joint Hearing. The applicant may request that the public hearing on a permit application be combined as long as the joint hearing can be held within the time periods set forth in this title. In the alternative, the applicant may agree to a particular schedule if that additional time is needed in order to complete the hearings.

1. **C.** Prerequisites to Joint Public Hearing. A joint public hearing may be held with another local, state, regional, federal or other agency and the city, as long as:
1. The other agency is not expressly prohibited by statute from doing so;
2. Sufficient notice of the hearing is given to meet each of the agencies' adopted notice requirements as set forth in statute, ordinance, or rule; and
3. The agency has received the necessary information about the proposed project from the applicant in enough time to hold its hearing at the same time as the city of Camas hearing.
4. The hearing is held within the Camas city limits. (Ord. 2389 § 1 (part), 2004)

18.55.320 Type IV—Legislative hearing process.

A. Purpose. Legislative actions involve the adoption or amendment of the city's Municipal Code, comprehensive plan, map inventories and other policy documents that affect the entire city or large portions of it. Legislative actions that affect land use must begin with a public hearing before the planning commission.
B. Notice of Legislative Hearings. Notice of the date, time, place and subject of an initial legislative hearing before the planning commission shall be published in a newspaper of general circulation within the city at least six days prior to the hearing.
C. Planning Commission Review.

1. Hearing Required. The planning commission shall hold a public hearing before recommending action on a legislative proposal. Recommendations by the planning commission shall be by majority vote of the entire planning commission.
2. Director's Report. Once the planning commission's hearing has been scheduled and notice provided under this section, the director shall prepare and make available a staff report on the legislative proposal at least five days prior to the hearing.
3. Planning Commission Recommendation. At the conclusion of the initial hearing or a continued, the planning commission shall forward a recommendation on the proposal to the city council.

D. City Council Review. Upon a recommendation from the planning commission, the city council may hold a public hearing on the proposal or consider the proposal at a regular meeting of the council. The city council may adopt, modify or reject the proposal, or it may remand the matter to the planning commission for further consideration. If the decision is to adopt at least some form of the proposal, and thereby amend the city's land use regulations, comprehensive plan, official

zoning maps or some component of any of these documents, the city council decision shall be enacted as an ordinance or resolution. (Ord. 2389 § 1 (part), 2004)

18.55.330 Shoreline master program permits.

The process and procedures regarding shoreline master program permits are found in Chapter 18.88 of this code. Where a permit under Chapter 18.88 of this code is submitted under concurrent review, the final decision by the city council shall occur at the same time as any other required permit or decision. (Ord. 2389 § 1 (part), 2004)

18.55.340 Development agreements.

A. Development Agreements—Authorized. The city may enter into a development agreement with a person having ownership or control of real property within its jurisdiction. The city may enter into a development agreement for real property outside its boundaries as part of a proposed annexation or a service agreement. A development agreement must set forth the development standards and other provisions that shall apply to and govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement. A development agreement shall be consistent with applicable development regulations adopted by the city.

B. Development Agreements—Effect. Unless amended or terminated, a development agreement is enforceable during its term by a party to the agreement. A development agreement and the development standards in the agreement govern during the term of the agreement, or for all or that part of the build-out period specified in the agreement, and may not be subject to an amendment to a zoning ordinance or development standard or regulation or a new zoning ordinance or development standard or regulation adopted after the effective date of the agreement. A permit or approval issued by the county or city after the execution of the development agreement must be consistent with the development agreement.

C. Development Agreements—Recording—Parties and Successors Bound. A development agreement shall be recorded with the real property records of the Clark County. During the term of the development agreement, the agreement is binding on the parties and their successors, including the city if the city assumes jurisdiction through incorporation or annexation of the area covering the property covered by the development agreement.

D. Development Agreements—Public Hearing. Notwithstanding other procedural requirements of this title, the city shall only approve a development agreement by ordinance or resolution after a public hearing by the city council. Notice of the public hearing shall be made by publishing in the local paper, a minimum six days pre-hearing, the time, date and location of the hearing, and a general description of the location and proposal.

If the development agreement relates to a project permit application, the provisions of Chapter 36.70C RCW shall apply to the appeal of the decision on the development agreement. (Ord. 2389 § 1 (part), 2004)

18.55.345 Final plat approval.

Final plat approval is subject to review and approval by the city council consistent with CMC Title 17 and RCW Chapter 58.17. (Ord. 2389 § 1 (part), 2004)

18.55.350 Applicability in the event of conflicts.

The provisions of chapter supersede all conflicting provisions in the city of Camas Municipal

Code. (Ord. 2389 § 1 (part), 2004)

18.55.360 Severability.

If any section, sentence, clause or phrase of the ordinance codified in this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause or phrase of this chapter. (Ord. 2389 § 1 (part), 2004)

18.55.400 Enforcing authority.

A. The public works director, community development director, engineering manager, fire marshal, and building official shall be responsible for enforcing Titles 15 through 18 of this code, and may adopt administrative rules to meet that responsibility. Enforcement responsibility may be delegated to an appropriate designee, for example, a code enforcement officer.
B. The enforcement provisions of this chapter shall be applicable to any violation of the provisions of Title 16 through 18 of this code, and to any failure to comply with the terms and conditions of any permits or approvals issued pursuant to the provisions of those titles. (Ord. 2389 § 1 (part), 2004)

18.55.410 General penalty.

Compliance with the requirements of Titles 15 through 18 of this code, shall be mandatory. The general penalties and remedies established in Chapter 1.24 of this code, 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. (Ord. 2389 § 1 (part), 2004)

18.55.420 Application.

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 of this code. 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. (Ord. 2389 § 1 (part), 2004)

18.55.430 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. (Ord. 2389 § 1 (part), 2004)

18.55.440 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 one thousand dollars 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 thirty 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 ten 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. (Ord. 2389 § 1 (part), 2004)

18.55.450 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;

2. Issue a civil regulatory order and/or civil fine and/or recommend revocation or modification of the permit or approval;
3. Refer the matter to the city attorney; and/or
4. Refer the matter to the city council with a recommendation for action. (Ord. 2389 § 1 (part), 2004)

18.55.460 Revocation of permits or approvals.

A. Review. Upon receiving a director's recommendation for revocation of a permit or approval, the approval authority 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 approval authority may delete, modify or impose such conditions on the permit or approval it deems sufficient to remedy the deficiencies. If the approval authority 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. Revocation hearing regarding a Type II decision shall be scheduled before the hearings examiner.
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. (Ord. 2389 § 1 (part), 2004)

Chapter 18.88 SHORELINE MANAGEMENT

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18.88.010 Purpose.

The purpose of this chapter is to implement the Shoreline Management Act of 1971 (RCW Chapter 90.50) as amended, and the city shoreline management master program by regulating use activities on shorelines of the city and by providing for variances and conditional uses as may be warranted. (Prior code § 11.76.010)

18.88.020 Policy designated.

The Washington State legislature has found (RCW Chapter 90.58) that the shorelines of the state are among the most valuable and fragile of its natural resources and that there is great concern throughout the state relating to their utilization, protection, restoration, and preservation. In addition, it has found that ever increasing pressures of additional uses are being placed on the shorelines necessitating increased coordination in the management and development of the shorelines of the state. The legislature further found that much of the shorelines of the state and the uplands adjacent thereto are in private ownership; that unrestricted construction on the privately owned or publicly owned shorelines of the state is not in the best public interest; and therefor, coordinated planning is necessary in order to protect the public interest associated with the shorelines of the state while, at the same time, recognizing and protecting private property rights consistent with the public interest. There is, therefore, a clear and urgent demand for a planned, rational, and concerted effort, jointly performed by federal, state, and local governments, to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines.

It is the policy of the state as stated in said legislation to provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses. This policy is designed to insure the development of these shorelines in a manner which, while allowing for limited reduction of rights of the public in the navigable water, will promote and enhance the public interest. This policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting generally public rights of navigation and corollary rights incidental thereto. The legislature has further declared that the interest of all of the people shall be paramount in the management of shorelines of statewide significance. The Department of Ecology in adopting guidelines for shorelines of statewide significance, and local government, in developing master programs for shorelines of statewide significance are required to and shall give preference to uses in the following order of preference which:

A. Recognize and protect the statewide interest over local interest;
B. Preserve the natural character of the shoreline;
C. Result in long-term over short-term benefit;
D. Protect the resources and ecology of the shoreline;
E. Increase public access to publicly owned areas of the shorelines;
F. Increase recreational opportunities for the public in the shoreline;
G. Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.

It is hereby stated that the city's policy is consistent with such state policy as stated in this section. In the implementation of this policy the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the city shall be preserved to the greatest extent feasible consistent with the overall best interest of the state, the city, and the people generally. To this end uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the city's shoreline. Alterations of the natural condition of the shorelines of the city, in those limited instances when authorized, shall be given priority for single-family residences, ports, shoreline recreational uses including but not limited to parks, marinas, piers, and other improvements facilitating public access to shorelines of the city, industrial and commercial developments which are particularly dependent on their location on or use of the shorelines of the city, and other development that will provide an opportunity for substantial numbers of the people to enjoy the shorelines of the city. Permitted uses in the shorelines of the city shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline, area and any interference with the public's use of the water. (Prior code § 11.76.030)

18.88.030 Definitions.

As used in this chapter, unless the context otherwise requires, the following definitions and concepts shall apply:

A. "Appurtenances" means a structure or development which is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the ordinary high water mark and also of the perimeter of any marsh, bog or swamp. Normal appurtenances include a garage, deck, driveway, utilities, fences and grading which does not exceed two hundred fifty cubic yards.

B. "Development" means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel or minerals; bulkheading; driving of piling; placing of obstructional; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters of the state subject to RCW Chapter 90.58 at any state of water level (RCW 90.58.030(3)(d)).

C. "Fair market value" of a development is the expected price at which the development can be

sold to a willing buyer. For developments which involve nonstructural operations such as dredging, drilling, dumping or filling, the fair market value is the expected cost of hiring a contractor to perform the operation, or where no such value can be calculated, the total of labor, equipment use, transportation, and other costs incurred for the duration of the permitted project.

D. "Floodway" means those portions of the area of a river valley lying streamward from the outer limits of a watercourse upon which floodwaters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal conditions, by changes in surface soil conditions or changes in types or qualify of vegetative ground cover conditions. The floodway does not include lands that can reasonably be expected to be protected from floodwaters by flood-control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state. The limits of the floodway area based on the national flood insurance program flood boundary and floodway map for the city of Camas.

E. "Master program" means the comprehensive use plan for the city of Camas, and the use regulations together with maps, diagrams, charts, other descriptive materials, texts, a statement of desired goals, and standards developed in accordance with policies enunciated in RCW 90.58.020.

F. "Ordinarily high water mark (OHWM)" means that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or the department; provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water. See RCW 90.58.030(2) and WAC 173-22-030(6).

G. "Person" means an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of the state or local governmental unit however designated (RCW 90.58.030(1)(d)).

H. "Shorelines" means all of the water areas of the city, including reservoirs, and their associated wetlands, together with lands underlying them; except (1) shorelines of state-wide significance; (2) shorelines on segments of streams upstream of a point where the mean annual flow is twenty cubic feet per second or less and the wetlands associated with such upstream segments; and (3) shorelines on lakes less than twenty acres in size and wetlands associated with such small lakes. (RCW 90.58.030(2)(d)).

I. "Shorelines of the city" are the total of all "shorelines" and "shorelines of state-wide significance" within the city.

J. "Shorelines of state-wide significance" means (1) those lakes, whether natural, artificial or a combination thereof, with a surface acreage of one thousand acres or more measured at the ordinary high water mark; and (2) those natural rivers or segments thereof downstream of a point where the mean annual flow is measured at one thousand cubic feet per second or more.

K. "Single-family residence (SFR)" means a detached dwelling designed for and occupied by one family including those structures and developments within a contiguous ownership which are a normal appurtenance (WAC 173-14-040(1)(g)).

L. "Substantial development" means any development of which the total cost or fair market value exceeds two thousand five hundred dollars, or any development which materially interferes with the normal public use of the water or shorelines of the city; except as specifically exempted pursuant to RCW 90.58.030(3)(e) and WAC 173-14-040. The following shall not be considered substantial developments for the purpose of this chapter:

1. Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements;

2. Construction of the normal protective bulkhead common to single-family residences;
3. Emergency construction necessary to protect property from damage by the elements;
4. Construction and practices normal or necessary for farming, irrigation, and ranching activities, including agricultural service roads and utilities on wetlands, and the construction and maintenance of irrigation structures including but not limited to head gates, pumping facilities, and irrigation channels; provided, that a feedlot of any size, all processing plants, other activities of a commercial nature, alteration of the contour of the wetlands by leveling or filling other than that which results from normal cultivation, shall not be considered normal or necessary farming or ranching activities. A feedlot shall be an enclosure or facility used or capable of being used for feeding livestock hay, grain, silage, or other livestock feed, but shall not include land for growing crops or vegetation for livestock feeding and/or grazing, nor shall it include normal livestock wintering operations;
5. Construction or modification of navigational aids such as channel markers and anchor buoys;
6. Construction on wetlands by an owner, lessee, or contract purchaser of a single-family residence for his own use or for the use of his family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the city other than requirements imposed pursuant to this chapter;
7. Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee or contract purchaser of single- and multiple-family residences, the cost of which does not exceed two thousand five hundred dollars;
8. Operation, maintenance or construction of canals, waterways, drains, reservoirs or other facilities that now exist or are hereafter created or developed as part of an irrigation system for the primary purpose of making use of system water, including return flow and artificially stored groundwater for the irrigation of lands;
9. The marking of property lines or corners on state-owned lands, when such marking does not significantly interfere with normal public use of the surface of the water;
10. Operation and maintenance of any system of dikes, ditches, drains or other facilities existing on September 8, 1975, which were created, developed or utilized primarily as a part of an agricultural drainage or diking system; and
11. Any project with a certification from the Governor pursuant to RCW Chapter 80.50.

M. "Use activity" means any development or substantial development, including but not limited to those addressed by policy statements and use regulations in the master program.

N. "Wetlands" or "wetland areas" means those lands extending landward for two hundred feet in all directions, as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all marshes, bogs, swamps and river deltas associated with the streams, lakes and tidal waters which are subject to the provisions of this chapter and the State of Washington Shoreline Management Act (RCW Chapter 90.58). For the purposes of this chapter, the term "associated wetlands" includes biological wetlands and other dry upland areas contained within the Shoreline Management Act jurisdiction. (Ord. 2022 § 1, 1995: prior code § 11.76.020)

18.88.040 Applicability.

This chapter shall apply to all developments and substantial development proposed upon shorelines of the city.

A. No development shall be undertaken on shorelines of the city except those which are consistent with the policy of RCW 90.58.020, the applicable guidelines and provisions of the master program. The burden of proving that the proposed development is consistent with this

criteria in all cases shall be on the applicant. Any deviation from these provisions shall require an application for a conditional use or variance approval. Such application shall be processed under the provisions of this chapter and more particularly of Section 11.76.160.
B. No one shall undertake any substantial development on the shorelines of the city without first obtaining a substantial development permit. Any such proposal must be consistent with the state guidelines and with all provisions of the master program, except as may be provided for under Sections 18.88.190 through 18.88.210. The burden of proving that the proposed substantial development is consistent with this criteria in all cases shall be on the applicant. Such permit shall be applied for and processed under the provisions of Sections 18.88.050 through 18.88.120, inclusive, of this chapter. (Prior code § 11.76.040)

18.88.050 Application--Procedure.

Applications for such permits shall be made to the director of public works on forms to be prepared by him. The director of the public works department is appointed the city's "administrator" of the provisions of this chapter and of the master program. The application shall be made by the property owner, lessee, contract purchaser or other person entitled to possession of the property, or by an authorized agent, and shall be accompanied by a filing fee in such amount as may be set from time to time by resolution of the city council. (Ord. 2121 § 1, 1997: Ord. 2022 § 2, 1995: Ord. 1621 § 1 (part), 1987: prior code § 11.76.050(a))

18.88.060 Application--Notice.

A. Applications provided by the administrator shall include written instructions to the applicant that it is his responsibility to publish and post notices of his application, and to provide the administrator with the names and addresses of all the latest recorded real property owners within four hundred feet of the boundary of the property upon which the substantial development is proposed. The notice of application shall be published by the applicant once a week on the same day of the week for two consecutive weeks in the city's official newspaper, and a local daily paper, and four copies of such notice shall be posted by the applicant in conspicuous places on or in close proximity of the property concerned. The administrator shall mail copies of the notice to all owners of property within four hundred feet of the subject property. Such published, posted and mailed notices shall contain a statement that any person desiring to present his views on the application should do so in writing addressed to the administrator within thirty days of the final date of publication, posting or mailing of the notice, whichever comes last. All persons who submit their views, and all others who so notify the administrator, shall be entitled to receive a copy of the notice taken upon the application.
B. Prior to the conclusion of such thirty-day period, the applicant shall be responsible for providing the administrator with affidavits reciting that the notice has been properly published and posted. The affidavits, together with a certification by the administrator that the notice has been deposited in the U.S. mails pursuant to this section, shall be affixed to the application. (Ord. 2022 § 3, 1995: Ord. 1621 § 1 (part), 1987: prior code § 11.76.050(b))

18.88.070 Review committee--Created.

There is created a shoreline management review committee (SMRC), which shall consist of the city director of public works, who shall be an ex-officio member, the chairman of the planning commission, the chairman of the parks and recreation commission, and a councilperson to be appointed by the mayor and confirmed by the council. A chairman shall be elected by the

committee annually, or as needed. The SMRC shall convene as often as necessary on the call of the administrator. (Ord. 2022 § 4, 1995: Ord. 1976 § 1, 1994: Ord. 1621 § 2 (part), 1987: prior code § 11.76.060(a))

18.88.080 Review committee--Consideration criteria for applications.

Immediately upon application for a permit under this chapter, the administrator shall forward the application to the SMRC. The administrator shall also have prepared an environmental assessment on the proposed action pursuant to RCW Chapter 43.21C. Upon receipt of the application, the committee shall consider it, public comments, and supporting data submitted by the applicant, written comments submitted in response to the published and posted notices, and the environmental assessment. Based upon this and other relevant information, the SMRC shall evaluate the nature and scope of the project in its relationship with the overall public interest, shall determine the significance of the proposed action and bonding requirements for improvements. The SMRC shall, by majority vote, take one of the following actions:
A. If the proposal is determined to be of minor significance, it may approve issuance of a permit which is then forwarded to the state for review; or
B. If the significance of the project is such that it is likely to involve public concern over the proposed use of the shoreline, it shall refer the application to the city planning commission for a public hearing. (Ord. 2022 § 5, 1995: Ord. 1621 § 2 (part), 1987: prior code § 11.76.060(b))

18.88.090 Review.

For all applications referred to the planning commission, SMRC shall prepare a report on all relevant aspects of the proposed substantial development to include a recommendation as to whether the permit should be issued and what conditions, if any, should be imposed. In the case of substantial developments, requiring public hearings for other actions by the planning commission and city council, such as a plat approval or a zone change, planning staff will make all reasonable attempts to schedule the public hearings concurrently. If appropriate, the SMRC report and recommendation may be incorporated as part of the staff report on other such action, so that the public hearings may be conducted simultaneously.
At the public hearing the planning commission shall hear from the staff, from the applicant and from interested persons who have made written response to the notice or who are in attendance. The planning commission shall thereafter make an informal recommendation to the city council as to whether such permit should be issued and what conditions, if any, should be imposed as are authorized by Section 18.88.110; provided, the planning commission may defer sending the matter to the city council for a reasonable time if it appears to it that more information is needed in order to make a proper recommendation. (Prior code § 11.76.070)

18.88.100 Council review.

Within twenty days, the administrator shall send the planning commission recommendation to the city council and such planning commission recommendation shall be accompanied by complete reports from city and regional staff, and by plans and supporting data supplied by the applicant or by other persons supporting or opposing the proposed development.
The applicant and all persons who have previously made written appearances shall be advised that the application will be on the city council's agenda on a given date and such persons and others may appear and be heard thereon but no formal public hearing is required. After hearing from the applicant and other interested persons, and after considering all plans and data supplied by either, and all staff reports and recommendations, and the planning commission's

recommendation, the city council shall decide either to: (1) approve issuance of the permit; (2) disapprove issuance of the permit; or (3) approve issuance of the permit only if certain specific conditions are met. (Ord. 2022 § 6, 1995: prior code § 11.76.080)

18.88.110 Conditions imposition.

In granting a permit the city council or SMRC may attach thereto such conditions regarding the location, character and/or other features of the proposed structure or use, or regarding their effect upon the shorelines, as it deems necessary to carry out the spirit and purposes of this chapter, the master program and the State Act and to be in the public interest. The city council or SMRC, as a condition to granting any permit, may require certain additional work to be done, or the work to be done in a certain manner. In any case it may require the applicant to post with the city, as a prerequisite to permit approval, a bond or other security approved as to form by the city attorney conditioned to assure that the applicant and/or his assigns will adhere to the approved plans and all conditions and requirements imposed by the council or SMRC under this section. (Prior code § 11.76.090)

18.88.120 Exceptions.

Whenever an applicant claims that, or it appears that, he is exempt from the necessity of a substantial development permit under RCW 90.58.030, the administrator shall decide whether he is in fact exempt and may refer the matter to SMRC or to the city attorney for assistance in resolving such question. (Prior code § 11.76.100)

18.88.130 Permit--Notice.

Notification. After final action by the SMRC or the city council, the administrator shall notify the applicant and all persons requesting in writing notification of such action, but construction shall not begin and no building permits shall be issued until conclusion of the review period provided for in Section 18.88.150 of this chapter. (Ord. 2022 § 7, 1995: prior code § 11.76.110(a))

18.88.140 Permit--Ruling.

Any ruling on an application for a substantial development permit under authority of this chapter, whether it be an approval or denial, shall be transmitted by the Administrator within eight days of such action to the Department of Ecology and the Attorney General as required by WAC 173-14-090. (Prior code § 11.76.110(b))

18.88.150 Construction commencement.

No construction pursuant to a substantial development permit shall begin or be authorized, and no building, grading or other construction permits or use permits shall be issued by the city department of public works until receipt of notification from the Department of Ecology that no appeal has been certified by the state within thirty days from the date of filing the final ruling with the Department of Ecology and Attorney General, or until all review proceedings initiated by the state within such thirty days have terminated (WAC 173-14-120). (Ord. 2022 § 8, 1995: prior code § 11.76.120)

18.88.160 Permit--Revision.

A. Where an applicant seeks to revise a substantial development permit previously granted, he shall submit to the administrator detailed plans and text describing the proposed changes. The administrator shall immediately forward copies of the proposed revisions to the SMRC, and shall also transmit pertinent information to the Department of Ecology, the Attorney General, and the latest recorded real property owners within four hundred feet of the boundary of the subject property, requesting in writing within thirty days whether they believe a new substantial development permit shall be required. Upon conclusion of such thirty day period, SMRC shall convene to consider the proposed revisions and written comments thereon. An application for a revision to an existing substantial development permit, conditional use permit, or variance shall be in accordance with Section 18.88.050, application--procedure.
B. If the SMRC determines that the proposed changes are within the scope and intent of the original permit, then the SMRC may approve the application for a revision. Within eight days of the date of final local government action, the revision including the revised site plan, test, and the final ruling on consistency with WAC 173-14-064 shall be filed with the Department of Ecology and the Attorney General. In addition, the SMRC shall notify parties of the record of their action. If the revision to the original permit involves a conditional use or variance which was conditioned by the Department of Ecology, the SMRC shall submit the revision to the Department of Ecology for the department's approval, approval with conditions, or denial. The revision shall indicate that it is being submitted under the requirements of WAC 173-14-064(5).
C. If the SMRC determines that the proposed changes are not within the scope and intent of the original permit, the SMRC shall deny the revision application.
D. "Within the scope and intent of the original permit" shall mean all of the following: (1) no additional over-water construction is involved except that pier, dock, or float construction may be increased by five hundred square feet or ten percent from the provisions of the original permit, whichever is less; (2) ground area coverage and height of each structure may be increased a maximum of ten percent from the provisions of the original permit; (3) additional separate structures may not exceed a total of two hundred fifty square feet; (4) the revised permit does not authorize development to exceed height, lot coverage, setback or any other requirements of the applicable master program except as authorized under the original permit; (5) additional landscaping is consistent with conditions (if any) attached to the original permit and with the applicable master program; (6) the use authorized pursuant to the original permit is not changed; and (7) no substantial adverse environmental impact will be caused by the project revision. (Ord. 2022 § 9, 1995: prior code § 11.76.130)

18.88.170 Permit--Rescission.

Any substantial development permit may be rescinded by the city council upon its finding based upon a report from the SMRC that a permittee has not complied with conditions of the permit and no further development shall be done after such rescission, and/or action may be taken against the security posted under Section 18.88.110 of this chapter to assure compliance with conditions of the permit. (Ord. 2022 § 10, 1995: prior code § 11.76.140)

18.88.180 Permit--Appeal.

A. Any party aggrieved by a decision of the SMRC may have such decision reviewed by the city council by filing a request for review within ten days following the decision of the SMRC. All reviews by the city council of SMRC decisions shall be de novo.
B. Any person aggrieved by a decision of the city council under this chapter may seek review

from the State Shorelines Hearings Board by filing a request for the same with the Department of Ecology and the Attorney General within thirty days of their receipt of the final action as provided for in RCW 90.58.180(1). Copies of the appeal shall likewise be filed with the city attorney and with the administrator, who will forward copies of the same to members of the SMRC and city council. The burden of proof shall in all cases be upon the person seeking such review. (Ord. 2022 § 11, 1995: prior code § 11.76.150)

18.88.190 Variance and conditional use--Applicability.

In order to insure that strict implementation of the master program will not create unnecessary hardships or thwart the policy enumerated in Section 18.88.020 of this chapter, provisions for variances and conditional uses are here included. These provision shall apply only when it can be shown that extraordinary circumstances exist and that the public interest would suffer no substantial detrimental effect. In the case of substantial developments, any such varying or conditional use shall be clearly identified upon the permit for substantial development, and no separate application, filing fee or permit is necessary for this purpose. In the case of developments, applications for variances or conditional uses shall be made to the administrator of this chapter on forms provided to him and such applications shall be processed in the same manner as applications for substantial development permits provided for in Sections 18.88.050 through 18.88.120, inclusive, of this chapter, except that the filing fee for the applications shall be: variance, one hundred fifty dollars, conditional use, one hundred fifty dollars. In all cases the final local action upon a request for a variance or conditional use shall be submitted to the Department of Ecology for approval or disapproval. (Ord. 2022 § 12, 1995: prior code § 11.76.160 (part))

18.88.200 Variances.

The SMRC and/or the city council may approve developments and grant substantial development permits which are at variance with the master program policy statements, use regulations, and other pertinent criteria where, owing to special conditions pertaining to a specific piece of property, the literal interpretation and strict application of the criteria would cause undue and unnecessary hardship. No such variance shall be permitted unless the applicant can demonstrate all of the following:
A. That if he complies with the provisions of the master program he cannot make any reasonable use of his property. The fact that he might make a greater profit by using his property in a manner contrary to the intent of the program is not sufficient reason for a variance;
B. That the hardship results from the application of the requirements of the act and master program, and not, for example, from deed restrictions or the applicant's own actions;
C. That the variance granted will be in harmony with the general purpose and intent of the master program; and
D. That the public welfare and interest will be preserved; if more harm will be done to the area by granting the variance than would be done to the applicant by denying it, the variance will be denied. (Ord. 2022 § 13, 1995: prior code § 11.76.160(1))

18.88.210 Conditional use.

For any use activity which may not be compatible with the shoreline environment in which it is proposed, as defined in the master program, a conditional use approval shall be required. The SMRC and/or the city council may impose performance standards to make the use more compatible with other desirable uses within that area. Conditional use approval may be granted

only if the applicant can demonstrate all of the following:
A. The use will cause no significant adverse effects on the environment or other uses;
B. The use will not interfere with public use of public shorelines;
C. Design of the development will be compatible with the surroundings and the master program; and
D. The proposed use will not be contrary to the general intent of the master program. (Ord. 2022 § 14, 1995: prior code § 11.76.160(2))

18.88.220 Civil enforcement.

A. Cease and Desist Order. The city shall have the authority to serve upon any person a cease and desist order if an activity is being undertaken on the shorelines of the city in violation of this chapter. The cease and desist order shall set forth and contain:

1. A description of the specific nature, location, extent and time of violation and the damage or potential damage; and
2. A notice that the violation or the potential violation cease and desist or, in appropriate cases, the specific corrective action to be taken within a given time. A civil penalty under this section may be issued with the order and same shall specify a date certain or schedule by which payment will be complete.
3. The cease and desist order issued under this subsection shall become effective immediately upon receipt by the person to whom the order is directed.
4. Failure to comply with the terms of a cease and desist order can result in enforcement actions including, but not limited to, the issuance of a civil penalty.

B. Injunctive Relief. The city attorney shall bring such injunctive, declaratory or other actions as are necessary to insure that no uses are made of the shorelines of the state in conflict with the provisions of the act and this master program and to otherwise enforce the provisions of the act and the master program.
C. Civil Penalty.

1. Violation. Any person who fails to conform to the terms of a permit issued under this master program or who undertakes a development or use on the shorelines of the state without first obtaining any permit required under the master program or who fails to comply with a cease and desist order issued under regulations shall also be subject to a civil penalty not to exceed one thousand dollars for each violation. Each day of violation shall constitute a separate violation.
2. Aiding and Abetting. Any person who, through an act of commission or omission proceeds, aids, or abets in the violation shall be considered to have committed a violation for the purposes of the civil penalty.
3. Notice of Penalty. The penalty provided for in this section shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the same from the city. The notice shall include the content of order specified in subsection A.
4. Remission and Joint Order. Within thirty days after the notice is received, the person incurring the penalty may apply in writing to the city for remission or mitigation of such penalty. Upon receipt of the application, the city may remit or mitigate the penalty only upon a demonstration of extraordinary circumstances, such as the presence of information or factors not considered in setting the original penalty. Any penalty imposed pursuant to this section by the city shall be subject to review by the city council. In accordance with RCW 90.58.050 and 90.58.210(4), any penalty jointly imposed by the city and the Department of Ecology shall be appealed to the shorelines hearings board. When a penalty is imposed jointly by the city and the Department of Ecology, it may be remitted or mitigated only upon such terms as both the city and the department agree.

D. Delinquent Permit Penalty. Permittees applying for a permit after commencement of a use or activity may, at the discretion of the city be required, in addition, to pay a delinquent permit penalty not to exceed three times the appropriate permit fee paid by the permittee. A person who has caused, aided or abetted a violation within two years after the issuance of a regulatory order, notice of violation, or penalty by the city or the department against said person may be subject to a delinquent permit penalty not to exceed ten times the appropriate permit fee paid by the permittee. Delinquent permit penalties shall be paid in full prior to resuming the use or activity.
E. Property Lien. Any person who fails to pay the prescribed penalty as authorized in this section shall be subject to a lien upon the affected property until such time as the penalty is paid in full. The city attorney shall file said lien against the affected property in the office of the county auditor. The notice of lien shall state the monetary amount owed, the name and address of the person indebted to the city, an the legal description of the property against which the lien is claimed. In addition to filing the lien with the auditor of the county, a copy of the lien shall be served upon the person indebted by regular mail, and by certified mail, return receipt requested. Any such lien may be foreclosed in the manner provided for the foreclosure of mortgages.
F. Mandatory Civil Penalties. Issuance of civil penalties is mandatory in the following instances:

1. The violator has ignored the issuance of an order or notice of violation;
2. The violation causes or contributes to significant environmental damage to shorelines of the state as determined by the city;
3. A person causes, aids or abets in a violation within two years after issuance of a similar regulatory order, notice of violation, or penalty by the city or the department against said person.

G. Minimum Penalties.

1. Regarding all violations that are mandatory penalties, the minimum penalty is two hundred fifty dollars.
2. For all other penalties, the minimum penalty is one hundred dollars. (Ord. 2022 § 15, 1995)

18.88.230 General criminal penalty.

In addition to any civil liability, any person found to have wilfully engaged in activities on the shorelines of the state in violation of the provisions of the act or the master program shall be guilty of a gross misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars or by imprisonment in the county jail for not more than ninety days for each separate offense, or by both such fine and imprisonment. Provided, that the fine for each separate offense for the third and all subsequent violations in any five-year period shall be not less than five hundred dollars nor more than ten thousand dollars. (Ord. 2022 § 16, 1995: prior code § 11.76.170)

18.88.240 Development and building permits.

No building permit, septic tank permit, or other development permit shall be issued for any parcel of land developed or divided in violation of the master program. All purchasers or transferees of property shall comply with provisions of the act and the master program and each purchaser or transferee may recover his damages from any person, firm, corporation, or agent selling, transferring, or leasing land in violation of the act or the master program, including any amount reasonably spent as a result of inability to obtain any development permit and spent to conform to the requirements of the act or the master program as well as cost of investigation, suit, and reasonable attorney's fees occasioned thereby. Such purchaser, transferee, or lessor may, as an alternative to conforming his property to these requirements, rescind the sale, transfer, or lease

and recover cost of investigation and reasonable attorney's fees occasioned thereby from the violator. (Ord. 2022 § 17, 1995)

18.88.250 Severability.

If any provision of this chapter or its application to any person or circumstance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 2022 § 18, 1995: prior code § 11.76.180)

Code. (Ord. 2389 § 1 (part), 2004)

18.55.360 Severability.

If any section, sentence, clause or phrase of the ordinance codified in this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause or phrase of this chapter. (Ord. 2389 § 1 (part), 2004)

18.55.400 Enforcing authority.

A. The public works director, community development director, engineering manager, fire marshal, and building official shall be responsible for enforcing Titles 15 through 18 of this code, and may adopt administrative rules to meet that responsibility. Enforcement responsibility may be delegated to an appropriate designee, for example, a code enforcement officer.
B. The enforcement provisions of this chapter shall be applicable to any violation of the provisions of Title 16 through 18 of this code, and to any failure to comply with the terms and conditions of any permits or approvals issued pursuant to the provisions of those titles. (Ord. 2389 § 1 (part), 2004)

18.55.410 General penalty.

Compliance with the requirements of Titles 15 through 18 of this code, shall be mandatory. The general penalties and remedies established in Chapter 1.24 of this code, 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. (Ord. 2389 § 1 (part), 2004)

18.55.420 Application.

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 of this code. 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. (Ord. 2389 § 1 (part), 2004)

18.55.430 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. (Ord. 2389 § 1 (part), 2004)

18.55.440 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 one thousand dollars 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 thirty 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 ten 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. (Ord. 2389 § 1 (part), 2004)

18.55.450 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;

2. Issue a civil regulatory order and/or civil fine and/or recommend revocation or modification of the permit or approval;
3. Refer the matter to the city attorney; and/or
4. Refer the matter to the city council with a recommendation for action. (Ord. 2389 § 1 (part), 2004)

18.55.460 Revocation of permits or approvals.

A. Review. Upon receiving a director's recommendation for revocation of a permit or approval, the approval authority 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 approval authority may delete, modify or impose such conditions on the permit or approval it deems sufficient to remedy the deficiencies. If the approval authority 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. Revocation hearing regarding a Type II decision shall be scheduled before the hearings examiner.
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. (Ord. 2389 § 1 (part), 2004)

Chapter 18.88 SHORELINE MANAGEMENT

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18.88.010 Purpose.

The purpose of this chapter is to implement the Shoreline Management Act of 1971 (RCW Chapter 90.50) as amended, and the city shoreline management master program by regulating use activities on shorelines of the city and by providing for variances and conditional uses as may be warranted. (Prior code § 11.76.010)

18.88.020 Policy designated.

The Washington State legislature has found (RCW Chapter 90.58) that the shorelines of the state are among the most valuable and fragile of its natural resources and that there is great concern throughout the state relating to their utilization, protection, restoration, and preservation. In addition, it has found that ever increasing pressures of additional uses are being placed on the shorelines necessitating increased coordination in the management and development of the shorelines of the state. The legislature further found that much of the shorelines of the state and the uplands adjacent thereto are in private ownership; that unrestricted construction on the privately owned or publicly owned shorelines of the state is not in the best public interest; and therefor, coordinated planning is necessary in order to protect the public interest associated with the shorelines of the state while, at the same time, recognizing and protecting private property rights consistent with the public interest. There is, therefore, a clear and urgent demand for a planned, rational, and concerted effort, jointly performed by federal, state, and local governments, to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines.

It is the policy of the state as stated in said legislation to provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses. This policy is designed to insure the development of these shorelines in a manner which, while allowing for limited reduction of rights of the public in the navigable water, will promote and enhance the public interest. This policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting generally public rights of navigation and corollary rights incidental thereto. The legislature has further declared that the interest of all of the people shall be paramount in the management of shorelines of statewide significance. The Department of Ecology in adopting guidelines for shorelines of statewide significance, and local government, in developing master programs for shorelines of statewide significance are required to and shall give preference to uses in the following order of preference which:

A. Recognize and protect the statewide interest over local interest;
B. Preserve the natural character of the shoreline;
C. Result in long-term over short-term benefit;
D. Protect the resources and ecology of the shoreline;
E. Increase public access to publicly owned areas of the shorelines;
F. Increase recreational opportunities for the public in the shoreline;
G. Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.

It is hereby stated that the city's policy is consistent with such state policy as stated in this section. In the implementation of this policy the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the city shall be preserved to the greatest extent feasible consistent with the overall best interest of the state, the city, and the people generally. To this end uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the city's shoreline. Alterations of the natural condition of the shorelines of the city, in those limited instances when authorized, shall be given priority for single-family residences, ports, shoreline recreational uses including but not limited to parks, marinas, piers, and other improvements facilitating public access to shorelines of the city, industrial and commercial developments which are particularly dependent on their location on or use of the shorelines of the city, and other development that will provide an opportunity for substantial numbers of the people to enjoy the shorelines of the city. Permitted uses in the shorelines of the city shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline, area and any interference with the public's use of the water. (Prior code § 11.76.030)

18.88.030 Definitions.

As used in this chapter, unless the context otherwise requires, the following definitions and concepts shall apply:

A. "Appurtenances" means a structure or development which is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the ordinary high water mark and also of the perimeter of any marsh, bog or swamp. Normal appurtenances include a garage, deck, driveway, utilities, fences and grading which does not exceed two hundred fifty cubic yards.

B. "Development" means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel or minerals; bulkheading; driving of piling; placing of obstructional; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters of the state subject to RCW Chapter 90.58 at any state of water level (RCW 90.58.030(3)(d)).

C. "Fair market value" of a development is the expected price at which the development can be

sold to a willing buyer. For developments which involve nonstructural operations such as dredging, drilling, dumping or filling, the fair market value is the expected cost of hiring a contractor to perform the operation, or where no such value can be calculated, the total of labor, equipment use, transportation, and other costs incurred for the duration of the permitted project.

D. "Floodway" means those portions of the area of a river valley lying streamward from the outer limits of a watercourse upon which floodwaters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal conditions, by changes in surface soil conditions or changes in types or qualify of vegetative ground cover conditions. The floodway does not include lands that can reasonably be expected to be protected from floodwaters by flood-control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state. The limits of the floodway area based on the national flood insurance program flood boundary and floodway map for the city of Camas.

E. "Master program" means the comprehensive use plan for the city of Camas, and the use regulations together with maps, diagrams, charts, other descriptive materials, texts, a statement of desired goals, and standards developed in accordance with policies enunciated in RCW 90.58.020.

F. "Ordinarily high water mark (OHWM)" means that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or the department; provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water. See RCW 90.58.030(2) and WAC 173-22-030(6).

G. "Person" means an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of the state or local governmental unit however designated (RCW 90.58.030(1)(d)).

H. "Shorelines" means all of the water areas of the city, including reservoirs, and their associated wetlands, together with lands underlying them; except (1) shorelines of state-wide significance; (2) shorelines on segments of streams upstream of a point where the mean annual flow is twenty cubic feet per second or less and the wetlands associated with such upstream segments; and (3) shorelines on lakes less than twenty acres in size and wetlands associated with such small lakes. (RCW 90.58.030(2)(d)).

I. "Shorelines of the city" are the total of all "shorelines" and "shorelines of state-wide significance" within the city.

J. "Shorelines of state-wide significance" means (1) those lakes, whether natural, artificial or a combination thereof, with a surface acreage of one thousand acres or more measured at the ordinary high water mark; and (2) those natural rivers or segments thereof downstream of a point where the mean annual flow is measured at one thousand cubic feet per second or more.

K. "Single-family residence (SFR)" means a detached dwelling designed for and occupied by one family including those structures and developments within a contiguous ownership which are a normal appurtenance (WAC 173-14-040(1)(g)).

L. "Substantial development" means any development of which the total cost or fair market value exceeds two thousand five hundred dollars, or any development which materially interferes with the normal public use of the water or shorelines of the city; except as specifically exempted pursuant to RCW 90.58.030(3)(e) and WAC 173-14-040. The following shall not be considered substantial developments for the purpose of this chapter:

1. Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements;

2. Construction of the normal protective bulkhead common to single-family residences;
3. Emergency construction necessary to protect property from damage by the elements;
4. Construction and practices normal or necessary for farming, irrigation, and ranching activities, including agricultural service roads and utilities on wetlands, and the construction and maintenance of irrigation structures including but not limited to head gates, pumping facilities, and irrigation channels; provided, that a feedlot of any size, all processing plants, other activities of a commercial nature, alteration of the contour of the wetlands by leveling or filling other than that which results from normal cultivation, shall not be considered normal or necessary farming or ranching activities. A feedlot shall be an enclosure or facility used or capable of being used for feeding livestock hay, grain, silage, or other livestock feed, but shall not include land for growing crops or vegetation for livestock feeding and/or grazing, nor shall it include normal livestock wintering operations;
5. Construction or modification of navigational aids such as channel markers and anchor buoys;
6. Construction on wetlands by an owner, lessee, or contract purchaser of a single-family residence for his own use or for the use of his family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the city other than requirements imposed pursuant to this chapter;
7. Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee or contract purchaser of single- and multiple-family residences, the cost of which does not exceed two thousand five hundred dollars;
8. Operation, maintenance or construction of canals, waterways, drains, reservoirs or other facilities that now exist or are hereafter created or developed as part of an irrigation system for the primary purpose of making use of system water, including return flow and artificially stored groundwater for the irrigation of lands;
9. The marking of property lines or corners on state-owned lands, when such marking does not significantly interfere with normal public use of the surface of the water;
10. Operation and maintenance of any system of dikes, ditches, drains or other facilities existing on September 8, 1975, which were created, developed or utilized primarily as a part of an agricultural drainage or diking system; and
11. Any project with a certification from the Governor pursuant to RCW Chapter 80.50.

M. "Use activity" means any development or substantial development, including but not limited to those addressed by policy statements and use regulations in the master program.

N. "Wetlands" or "wetland areas" means those lands extending landward for two hundred feet in all directions, as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all marshes, bogs, swamps and river deltas associated with the streams, lakes and tidal waters which are subject to the provisions of this chapter and the State of Washington Shoreline Management Act (RCW Chapter 90.58). For the purposes of this chapter, the term "associated wetlands" includes biological wetlands and other dry upland areas contained within the Shoreline Management Act jurisdiction. (Ord. 2022 § 1, 1995: prior code § 11.76.020)

18.88.040 Applicability.

This chapter shall apply to all developments and substantial development proposed upon shorelines of the city.

A. No development shall be undertaken on shorelines of the city except those which are consistent with the policy of RCW 90.58.020, the applicable guidelines and provisions of the master program. The burden of proving that the proposed development is consistent with this

criteria in all cases shall be on the applicant. Any deviation from these provisions shall require an application for a conditional use or variance approval. Such application shall be processed under the provisions of this chapter and more particularly of Section 11.76.160.
B. No one shall undertake any substantial development on the shorelines of the city without first obtaining a substantial development permit. Any such proposal must be consistent with the state guidelines and with all provisions of the master program, except as may be provided for under Sections 18.88.190 through 18.88.210. The burden of proving that the proposed substantial development is consistent with this criteria in all cases shall be on the applicant. Such permit shall be applied for and processed under the provisions of Sections 18.88.050 through 18.88.120, inclusive, of this chapter. (Prior code § 11.76.040)

18.88.050 Application--Procedure.

Applications for such permits shall be made to the director of public works on forms to be prepared by him. The director of the public works department is appointed the city's "administrator" of the provisions of this chapter and of the master program. The application shall be made by the property owner, lessee, contract purchaser or other person entitled to possession of the property, or by an authorized agent, and shall be accompanied by a filing fee in such amount as may be set from time to time by resolution of the city council. (Ord. 2121 § 1, 1997: Ord. 2022 § 2, 1995: Ord. 1621 § 1 (part), 1987: prior code § 11.76.050(a))

18.88.060 Application--Notice.

A. Applications provided by the administrator shall include written instructions to the applicant that it is his responsibility to publish and post notices of his application, and to provide the administrator with the names and addresses of all the latest recorded real property owners within four hundred feet of the boundary of the property upon which the substantial development is proposed. The notice of application shall be published by the applicant once a week on the same day of the week for two consecutive weeks in the city's official newspaper, and a local daily paper, and four copies of such notice shall be posted by the applicant in conspicuous places on or in close proximity of the property concerned. The administrator shall mail copies of the notice to all owners of property within four hundred feet of the subject property. Such published, posted and mailed notices shall contain a statement that any person desiring to present his views on the application should do so in writing addressed to the administrator within thirty days of the final date of publication, posting or mailing of the notice, whichever comes last. All persons who submit their views, and all others who so notify the administrator, shall be entitled to receive a copy of the notice taken upon the application.
B. Prior to the conclusion of such thirty-day period, the applicant shall be responsible for providing the administrator with affidavits reciting that the notice has been properly published and posted. The affidavits, together with a certification by the administrator that the notice has been deposited in the U.S. mails pursuant to this section, shall be affixed to the application. (Ord. 2022 § 3, 1995: Ord. 1621 § 1 (part), 1987: prior code § 11.76.050(b))

18.88.070 Review committee--Created.

There is created a shoreline management review committee (SMRC), which shall consist of the city director of public works, who shall be an ex-officio member, the chairman of the planning commission, the chairman of the parks and recreation commission, and a councilperson to be appointed by the mayor and confirmed by the council. A chairman shall be elected by the

committee annually, or as needed. The SMRC shall convene as often as necessary on the call of the administrator. (Ord. 2022 § 4, 1995: Ord. 1976 § 1, 1994: Ord. 1621 § 2 (part), 1987: prior code § 11.76.060(a))

18.88.080 Review committee--Consideration criteria for applications.

Immediately upon application for a permit under this chapter, the administrator shall forward the application to the SMRC. The administrator shall also have prepared an environmental assessment on the proposed action pursuant to RCW Chapter 43.21C. Upon receipt of the application, the committee shall consider it, public comments, and supporting data submitted by the applicant, written comments submitted in response to the published and posted notices, and the environmental assessment. Based upon this and other relevant information, the SMRC shall evaluate the nature and scope of the project in its relationship with the overall public interest, shall determine the significance of the proposed action and bonding requirements for improvements. The SMRC shall, by majority vote, take one of the following actions:
A. If the proposal is determined to be of minor significance, it may approve issuance of a permit which is then forwarded to the state for review; or
B. If the significance of the project is such that it is likely to involve public concern over the proposed use of the shoreline, it shall refer the application to the city planning commission for a public hearing. (Ord. 2022 § 5, 1995: Ord. 1621 § 2 (part), 1987: prior code § 11.76.060(b))

18.88.090 Review.

For all applications referred to the planning commission, SMRC shall prepare a report on all relevant aspects of the proposed substantial development to include a recommendation as to whether the permit should be issued and what conditions, if any, should be imposed. In the case of substantial developments, requiring public hearings for other actions by the planning commission and city council, such as a plat approval or a zone change, planning staff will make all reasonable attempts to schedule the public hearings concurrently. If appropriate, the SMRC report and recommendation may be incorporated as part of the staff report on other such action, so that the public hearings may be conducted simultaneously.
At the public hearing the planning commission shall hear from the staff, from the applicant and from interested persons who have made written response to the notice or who are in attendance. The planning commission shall thereafter make an informal recommendation to the city council as to whether such permit should be issued and what conditions, if any, should be imposed as are authorized by Section 18.88.110; provided, the planning commission may defer sending the matter to the city council for a reasonable time if it appears to it that more information is needed in order to make a proper recommendation. (Prior code § 11.76.070)

18.88.100 Council review.

Within twenty days, the administrator shall send the planning commission recommendation to the city council and such planning commission recommendation shall be accompanied by complete reports from city and regional staff, and by plans and supporting data supplied by the applicant or by other persons supporting or opposing the proposed development.
The applicant and all persons who have previously made written appearances shall be advised that the application will be on the city council's agenda on a given date and such persons and others may appear and be heard thereon but no formal public hearing is required. After hearing from the applicant and other interested persons, and after considering all plans and data supplied by either, and all staff reports and recommendations, and the planning commission's

recommendation, the city council shall decide either to: (1) approve issuance of the permit; (2) disapprove issuance of the permit; or (3) approve issuance of the permit only if certain specific conditions are met. (Ord. 2022 § 6, 1995: prior code § 11.76.080)

18.88.110 Conditions imposition.

In granting a permit the city council or SMRC may attach thereto such conditions regarding the location, character and/or other features of the proposed structure or use, or regarding their effect upon the shorelines, as it deems necessary to carry out the spirit and purposes of this chapter, the master program and the State Act and to be in the public interest. The city council or SMRC, as a condition to granting any permit, may require certain additional work to be done, or the work to be done in a certain manner. In any case it may require the applicant to post with the city, as a prerequisite to permit approval, a bond or other security approved as to form by the city attorney conditioned to assure that the applicant and/or his assigns will adhere to the approved plans and all conditions and requirements imposed by the council or SMRC under this section. (Prior code § 11.76.090)

18.88.120 Exceptions.

Whenever an applicant claims that, or it appears that, he is exempt from the necessity of a substantial development permit under RCW 90.58.030, the administrator shall decide whether he is in fact exempt and may refer the matter to SMRC or to the city attorney for assistance in resolving such question. (Prior code § 11.76.100)

18.88.130 Permit--Notice.

Notification. After final action by the SMRC or the city council, the administrator shall notify the applicant and all persons requesting in writing notification of such action, but construction shall not begin and no building permits shall be issued until conclusion of the review period provided for in Section 18.88.150 of this chapter. (Ord. 2022 § 7, 1995: prior code § 11.76.110(a))

18.88.140 Permit--Ruling.

Any ruling on an application for a substantial development permit under authority of this chapter, whether it be an approval or denial, shall be transmitted by the Administrator within eight days of such action to the Department of Ecology and the Attorney General as required by WAC 173-14-090. (Prior code § 11.76.110(b))

18.88.150 Construction commencement.

No construction pursuant to a substantial development permit shall begin or be authorized, and no building, grading or other construction permits or use permits shall be issued by the city department of public works until receipt of notification from the Department of Ecology that no appeal has been certified by the state within thirty days from the date of filing the final ruling with the Department of Ecology and Attorney General, or until all review proceedings initiated by the state within such thirty days have terminated (WAC 173-14-120). (Ord. 2022 § 8, 1995: prior code § 11.76.120)

18.88.160 Permit--Revision.

A. Where an applicant seeks to revise a substantial development permit previously granted, he shall submit to the administrator detailed plans and text describing the proposed changes. The administrator shall immediately forward copies of the proposed revisions to the SMRC, and shall also transmit pertinent information to the Department of Ecology, the Attorney General, and the latest recorded real property owners within four hundred feet of the boundary of the subject property, requesting in writing within thirty days whether they believe a new substantial development permit shall be required. Upon conclusion of such thirty day period, SMRC shall convene to consider the proposed revisions and written comments thereon. An application for a revision to an existing substantial development permit, conditional use permit, or variance shall be in accordance with Section 18.88.050, application--procedure.
B. If the SMRC determines that the proposed changes are within the scope and intent of the original permit, then the SMRC may approve the application for a revision. Within eight days of the date of final local government action, the revision including the revised site plan, test, and the final ruling on consistency with WAC 173-14-064 shall be filed with the Department of Ecology and the Attorney General. In addition, the SMRC shall notify parties of the record of their action. If the revision to the original permit involves a conditional use or variance which was conditioned by the Department of Ecology, the SMRC shall submit the revision to the Department of Ecology for the department's approval, approval with conditions, or denial. The revision shall indicate that it is being submitted under the requirements of WAC 173-14-064(5).
C. If the SMRC determines that the proposed changes are not within the scope and intent of the original permit, the SMRC shall deny the revision application.
D. "Within the scope and intent of the original permit" shall mean all of the following: (1) no additional over-water construction is involved except that pier, dock, or float construction may be increased by five hundred square feet or ten percent from the provisions of the original permit, whichever is less; (2) ground area coverage and height of each structure may be increased a maximum of ten percent from the provisions of the original permit; (3) additional separate structures may not exceed a total of two hundred fifty square feet; (4) the revised permit does not authorize development to exceed height, lot coverage, setback or any other requirements of the applicable master program except as authorized under the original permit; (5) additional landscaping is consistent with conditions (if any) attached to the original permit and with the applicable master program; (6) the use authorized pursuant to the original permit is not changed; and (7) no substantial adverse environmental impact will be caused by the project revision. (Ord. 2022 § 9, 1995: prior code § 11.76.130)

18.88.170 Permit--Rescission.

Any substantial development permit may be rescinded by the city council upon its finding based upon a report from the SMRC that a permittee has not complied with conditions of the permit and no further development shall be done after such rescission, and/or action may be taken against the security posted under Section 18.88.110 of this chapter to assure compliance with conditions of the permit. (Ord. 2022 § 10, 1995: prior code § 11.76.140)

18.88.180 Permit--Appeal.

A. Any party aggrieved by a decision of the SMRC may have such decision reviewed by the city council by filing a request for review within ten days following the decision of the SMRC. All reviews by the city council of SMRC decisions shall be de novo.
B. Any person aggrieved by a decision of the city council under this chapter may seek review

from the State Shorelines Hearings Board by filing a request for the same with the Department of Ecology and the Attorney General within thirty days of their receipt of the final action as provided for in RCW 90.58.180(1). Copies of the appeal shall likewise be filed with the city attorney and with the administrator, who will forward copies of the same to members of the SMRC and city council. The burden of proof shall in all cases be upon the person seeking such review. (Ord. 2022 § 11, 1995: prior code § 11.76.150)

18.88.190 Variance and conditional use--Applicability.

In order to insure that strict implementation of the master program will not create unnecessary hardships or thwart the policy enumerated in Section 18.88.020 of this chapter, provisions for variances and conditional uses are here included. These provision shall apply only when it can be shown that extraordinary circumstances exist and that the public interest would suffer no substantial detrimental effect. In the case of substantial developments, any such varying or conditional use shall be clearly identified upon the permit for substantial development, and no separate application, filing fee or permit is necessary for this purpose. In the case of developments, applications for variances or conditional uses shall be made to the administrator of this chapter on forms provided to him and such applications shall be processed in the same manner as applications for substantial development permits provided for in Sections 18.88.050 through 18.88.120, inclusive, of this chapter, except that the filing fee for the applications shall be: variance, one hundred fifty dollars, conditional use, one hundred fifty dollars. In all cases the final local action upon a request for a variance or conditional use shall be submitted to the Department of Ecology for approval or disapproval. (Ord. 2022 § 12, 1995: prior code § 11.76.160 (part))

18.88.200 Variances.

The SMRC and/or the city council may approve developments and grant substantial development permits which are at variance with the master program policy statements, use regulations, and other pertinent criteria where, owing to special conditions pertaining to a specific piece of property, the literal interpretation and strict application of the criteria would cause undue and unnecessary hardship. No such variance shall be permitted unless the applicant can demonstrate all of the following:

A. That if he complies with the provisions of the master program he cannot make any reasonable use of his property. The fact that he might make a greater profit by using his property in a manner contrary to the intent of the program is not sufficient reason for a variance;

B. That the hardship results from the application of the requirements of the act and master program, and not, for example, from deed restrictions or the applicant's own actions;

C. That the variance granted will be in harmony with the general purpose and intent of the master program; and

D. That the public welfare and interest will be preserved; if more harm will be done to the area by granting the variance than would be done to the applicant by denying it, the variance will be denied. (Ord. 2022 § 13, 1995: prior code § 11.76.160(1))

18.88.210 Conditional use.

For any use activity which may not be compatible with the shoreline environment in which it is proposed, as defined in the master program, a conditional use approval shall be required. The SMRC and/or the city council may impose performance standards to make the use more compatible with other desirable uses within that area. Conditional use approval may be granted

only if the applicant can demonstrate all of the following:
A. The use will cause no significant adverse effects on the environment or other uses;
B. The use will not interfere with public use of public shorelines;
C. Design of the development will be compatible with the surroundings and the master program; and
D. The proposed use will not be contrary to the general intent of the master program. (Ord. 2022 § 14, 1995: prior code § 11.76.160(2))

18.88.220 Civil enforcement.

A. Cease and Desist Order. The city shall have the authority to serve upon any person a cease and desist order if an activity is being undertaken on the shorelines of the city in violation of this chapter. The cease and desist order shall set forth and contain:

1. A description of the specific nature, location, extent and time of violation and the damage or potential damage; and
2. A notice that the violation or the potential violation cease and desist or, in appropriate cases, the specific corrective action to be taken within a given time. A civil penalty under this section may be issued with the order and same shall specify a date certain or schedule by which payment will be complete.
3. The cease and desist order issued under this subsection shall become effective immediately upon receipt by the person to whom the order is directed.
4. Failure to comply with the terms of a cease and desist order can result in enforcement actions including, but not limited to, the issuance of a civil penalty.

B. Injunctive Relief. The city attorney shall bring such injunctive, declaratory or other actions as are necessary to insure that no uses are made of the shorelines of the state in conflict with the provisions of the act and this master program and to otherwise enforce the provisions of the act and the master program.
C. Civil Penalty.

1. Violation. Any person who fails to conform to the terms of a permit issued under this master program or who undertakes a development or use on the shorelines of the state without first obtaining any permit required under the master program or who fails to comply with a cease and desist order issued under regulations shall also be subject to a civil penalty not to exceed one thousand dollars for each violation. Each day of violation shall constitute a separate violation.
2. Aiding and Abetting. Any person who, through an act of commission or omission proceeds, aids, or abets in the violation shall be considered to have committed a violation for the purposes of the civil penalty.
3. Notice of Penalty. The penalty provided for in this section shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the same from the city. The notice shall include the content of order specified in subsection A.
4. Remission and Joint Order. Within thirty days after the notice is received, the person incurring the penalty may apply in writing to the city for remission or mitigation of such penalty. Upon receipt of the application, the city may remit or mitigate the penalty only upon a demonstration of extraordinary circumstances, such as the presence of information or factors not considered in setting the original penalty. Any penalty imposed pursuant to this section by the city shall be subject to review by the city council. In accordance with RCW 90.58.050 and 90.58.210(4), any penalty jointly imposed by the city and the Department of Ecology shall be appealed to the shorelines hearings board. When a penalty is imposed jointly by the city and the Department of Ecology, it may be remitted or mitigated only upon such terms as both the city and the department agree.

D. Delinquent Permit Penalty. Permittees applying for a permit after commencement of a use or activity may, at the discretion of the city be required, in addition, to pay a delinquent permit penalty not to exceed three times the appropriate permit fee paid by the permittee. A person who has caused, aided or abetted a violation within two years after the issuance of a regulatory order, notice of violation, or penalty by the city or the department against said person may be subject to a delinquent permit penalty not to exceed ten times the appropriate permit fee paid by the permittee. Delinquent permit penalties shall be paid in full prior to resuming the use or activity.
E. Property Lien. Any person who fails to pay the prescribed penalty as authorized in this section shall be subject to a lien upon the affected property until such time as the penalty is paid in full. The city attorney shall file said lien against the affected property in the office of the county auditor. The notice of lien shall state the monetary amount owed, the name and address of the person indebted to the city, an the legal description of the property against which the lien is claimed. In addition to filing the lien with the auditor of the county, a copy of the lien shall be served upon the person indebted by regular mail, and by certified mail, return receipt requested. Any such lien may be foreclosed in the manner provided for the foreclosure of mortgages.
F. Mandatory Civil Penalties. Issuance of civil penalties is mandatory in the following instances:

1. The violator has ignored the issuance of an order or notice of violation;
2. The violation causes or contributes to significant environmental damage to shorelines of the state as determined by the city;
3. A person causes, aids or abets in a violation within two years after issuance of a similar regulatory order, notice of violation, or penalty by the city or the department against said person.

G. Minimum Penalties.

1. Regarding all violations that are mandatory penalties, the minimum penalty is two hundred fifty dollars.
2. For all other penalties, the minimum penalty is one hundred dollars. (Ord. 2022 § 15, 1995)

18.88.230 General criminal penalty.

In addition to any civil liability, any person found to have wilfully engaged in activities on the shorelines of the state in violation of the provisions of the act or the master program shall be guilty of a gross misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars or by imprisonment in the county jail for not more than ninety days for each separate offense, or by both such fine and imprisonment. Provided, that the fine for each separate offense for the third and all subsequent violations in any five-year period shall be not less than five hundred dollars nor more than ten thousand dollars. (Ord. 2022 § 16, 1995: prior code § 11.76.170)

18.88.240 Development and building permits.

No building permit, septic tank permit, or other development permit shall be issued for any parcel of land developed or divided in violation of the master program. All purchasers or transferees of property shall comply with provisions of the act and the master program and each purchaser or transferee may recover his damages from any person, firm, corporation, or agent selling, transferring, or leasing land in violation of the act or the master program, including any amount reasonably spent as a result of inability to obtain any development permit and spent to conform to the requirements of the act or the master program as well as cost of investigation, suit, and reasonable attorney's fees occasioned thereby. Such purchaser, transferee, or lessor may, as an alternative to conforming his property to these requirements, rescind the sale, transfer, or lease

and recover cost of investigation and reasonable attorney's fees occasioned thereby from the violator. (Ord. 2022 § 17, 1995)

18.88.250 Severability.

If any provision of this chapter or its application to any person or circumstance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 2022 § 18, 1995: prior code § 11.76.180)