

# STAFF REPORT AND RECOMMENDATION TO THE CLARK COUNTY PLANNING COMMISSION

**TO:** Clark County Planning Commission

**FROM:** Jan Bazala, Planner II

**PREPARED BY:** Jan Bazala, extension 4499

**SUBJECT:** Bi-Annual Code Changes – Fall 2013

## **PC HEARING**

**DATE:** December 5, 2013

## **REPORT PREPARATION**

**DATE:** November 14, 2013

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## **I. SUMMARY**

Thirty-five (35) code changes are presented for the Planning Commission's consideration and recommendation to the Board of County Commissioners.

## **II. BACKGROUND**

Periodically staff “batch” minor amendments to the Clark County Code to correct scrivener’s errors, update references, clarify standards and codify interpretations of code language brought about by management decisions, hearings examiner or Board of Clark County Commissioners actions. An index of potential changes is included with this briefing memo, along with the proposed full-text revisions in Attachment “A”. Language proposed to be deleted is ~~struck-through~~. Language proposed to be added is double-underlined.

## **III. PROCESS**

Most of the code changes are identified by staff in the course of review of various permit applications, or in researching questions from customers.

## **IV. ANALYSIS**

Should the code changes be approved, several sections of Clark County Codes will be revised to include:

- Title 40, including the Highway 99 overlay standards in Appendix F
- Title 7, the Weed Code

- Title 14, Buildings and Structures (grading)
- Title 5, Business Licenses and Regulations (fees)
- Title 2, Administration and Personnel (contracts)
- Title 13, Public Works (fees)

Attachment “A” includes the entire text of the changes, along with a “rationale” section which explains why the change is proposed. Attachment “A” is divided into five sections:

- **Scrivener’s errors**, which correct obvious mistakes;
- **Reference updates**, which update references to other changed codes or agency processes;
- **Clarifications**, which are intended to make existing code language more clear,
- **Minor policy changes**, which may have relatively small impacts to existing county policy.

## V. COMMUNITY OUTREACH

This is an ongoing program. The need for some of the proposed clarifications was brought to staff’s attention by customer inquiries. Some of the changes to the cell tower special use section were initiated by a law firm representing the cell tower industry.

The Board of County Commissioners held a work session on October 16, 2013 and directed staff to proceed with the formal review process for these code changes.

The Planning Commission held a work session on November 21, 2013.

A SEPA determination of non-significance was published in the “Columbian” newspaper on November 6, 2013.

In addition, the text of the proposed changes was presented to the Development Engineering Advisory Board (DEAB). Their recommendation letter is expected prior to the December 5<sup>th</sup> hearing.

A legal notice of the public hearing was published in the “Columbian” newspaper on November 20, 2013.

## VI. RECOMMENDATION

Staff recommends the Planning Commission favorably consider this proposal and forward a recommendation of APPROVAL to the Board of County Commissioners.

Enclosures:

- Bi-Annual Code Index – Fall, 2013
- Attachment A – Text changes
- Stopping sight distance diagrams
- Letter from Busch Law Firm regarding request for cell tower code changes
- SEPA checklist

<b>BI-ANNUAL CODE CHANGE ITEMS – FALL 2013</b>			
No.	Page	Title/Chapter/Section	Description
<b>Scrivener's Errors</b>			
1	1	Table 40.210.010-1	Fix mislabeled footnote regarding public and private recreation uses
2	2	40.320.020	Correct reference to sight distance requirements found in 40.350
3	3	40.350.030.B.3.b.(1)(a)(i)	Clarify that permeable medians, while allowed, are not a part of the flex zone,
4	4	40.520.030.I	In the conditional use section, eliminate a reference to a non-existent code section
5	5	Highway 99 Appendix F, Section 8.8.3	Fix wrong page references to landscape types
<b>Reference Updates</b>			
6	5	Title 7	Update Title 7 (the Clark County Weed Control Code) to reflect the creation of the Environmental Services Department and ensure consistency with RCW 17.10
7	5	14.07.040	Update the SEPA grading threshold in the grading code to 1,000 cubic yards to reflect recent categorical exemption changes
8	6	Table 40.230.070-1	In the Urban Holding use table, update a reference to an outdated Light Industrial code section
9	7	40.350.010	Update ADA sidewalk obstruction minimum clear space from 36 to 48 inches

10	8	Table 40.350.030-2	Update the Standard Details Manual drawing numbers, and fix the total Planter/LID/Utility widths for all Access Roads
11	11	40.350.030.B.8	Update and clarify stopping sight distance
12	13	40.350.030.C.3	Change reference to the design requirements for permeable pavement from the Standard Details Manual to the LID Technical Guidance Manual
<b>Clarifications</b>			
13	14	40.210.010.C. and 40.210.020.C	Clarify text in the Resource and Rural zones referring to re-subdividing a remainder lot of a previously-approved cluster subdivision
14	22	Table 40.230.020-1	Correct "animal day care" reference
15	22	Table 40.230.085-2	Clarify lot coverage percentage in the Employment Zones
16	23	Table 40.220.010-3.	Clarify that the 18' setback requirement for garages applies only to the front of the garage
17	25	Tables 40.230.010-1 and 40.230.020-1	Clarify that single family residential accessory buildings are allowed, and that such uses can be replaced in the Commercial and Mixed Use zones
18	26	Table 40.230.085-1	Explicitly list agricultural stands and markets and accessory residential uses as allowed uses in the Employment zones
19	27	40.350.030.B.3.b.(6)	Clarify that rolled curb is not allowed on county roads other than on the bulbs of cul-de-sacs
20	28	40.350.030.B.4	Clarify that the width of residential

			driveways can be limited when they must be closer than 50 feet to an intersection
21	29	40.350.030.B.11	Clarify that only three lots can be accessed by a driveway except for projects approved under the narrow lots provisions
<b>Code Interpretations</b>			
22	30	Table 40.230.070-1	Replace the outdated term “riding stable” with “equestrian facility”
23	31	40.320.010.F	Allow reduced setbacks for retaining walls built internal to a subdivision
<b>Minor Policy Changes</b>			
24	32	5.28.090	Change financial guarantee method for the removal of fireworks stands
25	32	13.20.010	Update fees for Public Works informational signs
26	32	2.37.010	Allow higher value contracts to be negotiated without advertising or competitive bids (consistent with state law) and remove other outdated requirements regarding such contracts
27	32	40.260.250.B.2.f and 40.260.250.G	Reduce level of review for cell tower collocates that do not substantially change the dimensions in all zones from Type II to Type I and simplify submittal requirements
28	40	40.340.010.A.8	Allow gravel parking lots where paving serves little purpose
29	41	Table 40.340.020-1	Codify the number of queuing spaces for coffee stands
30	42	40.510.030.E.3.c	Eliminate the county’s three-sign posting requirement for Type III applications.

31	43	Highway 99 Appendix F, Section 5.3	Reduce width of required walkways through parking lots to 8 feet in the Highway 99 design standards
32	44	Highway 99 Appendix F, Section 4.6.C	Remove special rear setback requirements for Single Family residential lots in the Highway 99 overlay
33	45	Highway 99 Appendix F, Section 7.7.2 (2)	Remove certain driveway requirements for duplex units
34	45	Highway 99 Appendix F, Section 7.8.2	Remove design standards for traditional single family lots and homes
35	46	40.260.055	Create new special standards section for small coffee and food stands

**Fall 2013**  
**Proposed**  
**Bi-Annual Code Amendments**  
**Attachment “A”**

The proposed text changes are followed by a **Rationale** section to provide background to the proposed changes.

**SCRIVENER’S ERRORS**

**1. Table 40.210.010-1 Fix mislabeled footnote regarding public and private recreation uses**

<b>Table 40.210.010-1. Uses</b>					
	<b>FR-80</b>	<b>FR-40</b>	<b>AG-20</b>	<b>AG-WL</b>	<b>Special Standards</b>
a. Public recreation, scenic and park use	P	P	P	C <sup>43</sup>	
b. Public interpretive/educational uses	P	P	P	P	
c. Dispersed recreation and recreational facilities such as primitive campsites, trails, trailheads, snowparks and warming huts	P	P	P	X	
d. Public recreation accessways, trails, viewpoints, and associated parking	P	P	P	P	
e. Regional recreational facilities designed and developed through a public master planning process	P	P	P	P	
f. Private recreation facilities, including retreats, but excluding such intensive uses as country clubs and golf courses	C	C	C	C <sup>43</sup>	
g. Country club and golf courses	X	X	C	X	
h. Equestrian facility	P	P	P	X	40.260.040
i. Equestrian events center	C	C	C	X	
j. Circuses, carnivals or amusement rides	R/A	R/A	R/A	R/A	
<b>4. Services – General.</b>					
a. Event facilities < 5,000 sq. ft.	X	C	C	X	
b. Tasting room and event facilities in conjunction with a winery	P	P	P	X	40.260.245
<b>5. Services, Membership Organization.</b>					

a. Churches	X	C	C	X	
6. Services, Educational.					
a. Public and private elementary and middle schools serving a student population primarily outside of urban growth boundaries	C	C	C	X	40.260.160
7. Public Service and Facilities.					
a. Ambulance dispatch facilities	C	C	C	C	40.260.030
b. Government facilities	C <sup>4</sup>	C <sup>4</sup>	C <sup>4</sup>	C <sup>5</sup>	
c. Public corrections facilities	C	C	C	X	

1 <sup>1</sup> One (1) single-family dwelling on legal lot or legal nonconforming lot of record.

2 <sup>2</sup> One (1) guesthouse in conjunction with a single-family dwelling or mobile home.

3 <sup>3</sup> Public, where no public master planning process has been completed or private  
4 outdoor recreational facilities requiring limited physical improvements which are  
5 oriented to the appreciation, protection, study or enjoyment of the fragile  
6 resources of this area. In addition to those findings as specified by Section  
7 40.520.030 (Conditional Use Permits), such uses shall be approved only upon  
8 the applicant establishing both of the following:

9 o There will be no significant environmental impact, especially as it relates to  
10 wildlife, resulting from the proposed use; and

11 o The subject site cannot be put to any reasonable economic use which is  
12 provided for in this section.

13 <sup>4</sup> Government facilities necessary to serve the area outside urban growth  
14 boundaries, including fire stations, ambulance dispatch facilities and storage  
15 yards, warehouses, or similar uses.

16 **Rationale:** Footnote 4 refers to government facilities. Footnote 3 is the correct  
17 reference.

18  
19 **2. 40.320.020 Correct the reference to sight distance requirements found**  
20 **in 40.350.030, not 40.320.030**

21 A. Applicability.

22 The standards in this section apply to landscaping in public rights-of-way.

23 B. Acceptable Horticultural Practices.

1 Accepted horticultural practices will be followed to ensure successful  
2 establishment of the plant materials.

3 C. Critical Locations.

- 4 1. Trees with a mature height greater than twenty-five (25) feet shall not be  
5 sited under or adjacent to utility lines or overhead structures.  
6 2. Landscaping used shall not compromise sight distance requirements as  
7 defined in Section ~~40.320.030~~ 40.350.030.  
8 3. Hardscape may be allowed for a portion of the area to be landscaped  
9 per Table 40.350.010-1.

10  
11 **Rationale:** 40.320.030 refers to landscape plans, not sight distance.

12 **3. 40.350.030.B.3.b.(1)(a)(i) Clarify that permeable medians, while allowed,**  
13 **are not a part of the flex zone,**

14  
15 **Street and Road Standards**

16 B. Standards for Development Review.

17 \*\*\*\*\*

- 18 3. Transportation Design Criteria. The design criteria set out in Tables  
19 40.350.030-2 and 40.350.030-3 are adopted as a portion of the Clark  
20 County standard specifications. Such criteria are applicable to roads  
21 located within and adjacent to a development. These criteria are  
22 intended for normal conditions. The responsible official may require  
23 higher standards for unusual site conditions.

24 All urban roads except alleys consist of a core road section and a flex  
25 zone section.

- 26 a. The core road consists of the traveled way portion of the road, as well  
27 as medians and turning lanes on higher classification roads. Core  
28 road features as shown on the Standard Detail Drawings allow little, if  
29 any, variation unless a road modification request is approved.

30 (1) Travel and turning lanes require impervious pavement on all  
31 rural roads, and urban arterials, collectors, industrial/commercial,  
32 and neighborhood circulator roads.

33 (2) Permanent median areas may utilize stormwater low impact  
34 development features including, but not limited to, bioretention  
35 swales and permeable pavement. Such features shall be subject  
36 to approval by the Public Works Director and shall be designed to  
37 ensure adequate public safety.

- 38 b. The flex zone consists of that portion of the roadway outside of the  
39 core road. Flex zone features can include stormwater best  
40 management practice features, parking and bike lanes, sidewalks,  
41 and planter and utility strips, depending on the road classification.  
42 These features may be designed with considerable flexibility subject  
43 to engineering approval by the county; however, all features  
44 applicable to the road classification shall be provided. Some flex zone

1 features may require more right-of-way than is noted in Table  
2 40.350.030-2.

3 (1) Stormwater Features. Stormwater low impact development  
4 features as found in the Clark County Stormwater Manual are  
5 allowed with approval from the Public Works Director.  
6 Stormwater features shall be designed and constructed to ensure  
7 adequate public safety. Right-of-way in excess of that required in  
8 Table 40.350.030-2 may be needed to accommodate stormwater  
9 features.

10 (a) Permeable Pavement. Permeable pavement may be used  
11 for the following:

12 (i) ~~Permanent median areas,~~ sidewalks, and separated  
13 bike lanes on all road classifications;

14 (ii) Parking and nonseparated bike lanes of all urban  
15 access roads, including neighborhood circulators; and

16 (iii) Travel lanes of all urban access roads except  
17 neighborhood circulators.

18 (iv) Prior to acceptance of permeable pavement surfaces  
19 by the county, the applicant shall sign a Permeable  
20 Pavement Testing and Acceptance Agreement in a  
21 form acceptable by the Public Works Director.

22 \*\*\*\*\*

23 **Rationale:** Subsections 3 a & b describe two different parts of a road cross  
24 section; “a” describes the core road (mainly travel lanes and medians which have  
25 little design flexibility), and “b” describes the flex zone (like parking, sidewalk and  
26 bike lanes). The reference to medians under “b” (the flex zone section) is  
27 inconsistent, as medians are part of the core road. Permeable pavement is  
28 already allowed for medians as noted in B.3.a (2) above.

29 **4. 40.520.030.I In the conditional use section, eliminate a reference to a**  
30 **non-existent code section**

31 I. Expansions.

32 1. ~~Except as provided in Sections 40.520.030(G)(2) and 40.530.050(C), an~~  
33 Subject to Section 40.520.030(G)(2), an existing permitted or lawfully  
34 nonconforming conditional use may be expanded or modified following  
35 site plan approval pursuant to Section 40.520.040 if the expansion or  
36 modification complies with other applicable regulations and is not  
37 expressly prohibited by either:

38  
39 a. An applicable prior land use decision if the original use is lawfully  
40 nonconforming because it was commenced prior to a conditional use  
41 permit being required; or

42 b. The conditional use permit issued for such use.

43 c. A lawful, but nonconforming conditional use must first obtain a  
44 conditional use permit and the necessary site plan review approval

1 subject to the standards in Sections 40.520.030(G)(2) and  
2 40.530.050(C) 40.520.040 prior to expanding or modifying that use on  
3 the site.  
4

5 **Rationale:** 40.530.050(C) doesn't exist. The changed reference in subsection c  
6 is to the site plan review standards (40.520.040).  
7

8 **5. Highway 99 Appendix F, Section 8.3.3 fix wrong page references to**  
9 **landscape types**

10 \*\*\*\*\*

11 (1) Type A Landscaping, p.119 131

12 \*\*\*\*\*

13 (2) Type B Landscaping, p.120 132

14 \*\*\*\*\*

15 (1) Type C Landscaping, p.121 133

16 \*\*\*\*\*

17 (1) Type D Landscaping, p.122 134

18 \*\*\*\*\*

19 (1) Type E Landscaping, p.123 135

20  
21 **Rationale:** A number of pages were mis-referenced.  
22  
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25 **REFERENCE UPDATES**

26  
27 **6. Update Title 7 (the Clark County Weed Control Code) to reflect the**  
28 **creation of the Environmental Services Department and ensure**  
29 **consistency with RCW 17.10.**  
30

31 *This item is not a development code regulation and therefore requires no review*  
32 *by the Planning Commission.*

33 **7. 14.07.040 Update the SEPA grading threshold in the grading code to**  
34 **1,000 cubic yards to reflect recent categorical exemption changes**

35 14.07.040 Permits required.

36 \*\*\*\*\*

37  
38 (5) SEPA Requirements. Grading in a critical area, or grading over five hundred  
39 ~~(500)~~ one thousand (1000) cubic yards outside a critical area, may be subject to  
40 the requirements in Chapter 40.570, State Environmental Policy Act (SEPA).  
41

42 **Rationale:** The county recently raised the categorical exemption level to 1,000  
43 cubic yards for stand-alone grading.  
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**8. Table 40.230.070-1 In the Urban Holding use table, update a reference to an outdated Light Industrial code section**

<b>Table 40.230.070-1. Uses</b>				
	<b>UH-10</b>	<b>UH-20</b>	<b>UH-40</b>	<b>Special Standards</b>
8. Other.				
a. Utilities, structures and uses including but not limited to utility substations, pump stations, wells, watershed intake facilities, gas and water transmission lines	P	P	P	40.260.240
b. Solid waste handling and disposal sites	C	C	C	40.260.200
c. Wireless communications facilities	P/C <sup>3</sup>	P/C <sup>3</sup>	P/C <sup>3</sup>	40.260.250
d. Cemeteries and mausoleums, crematoria, columbaria, and mortuaries within cemeteries; provided, that no crematorium is within two hundred (200) feet of a lot in a residential district	C	C	C	
e. Temporary uses	P	P	P	40.260.220
f. Electric vehicle infrastructure	P	P	P	40.260.075
g. Commercial storage of boats, vehicles, and RVs	X	P <sup>4, 5</sup>	P <sup>4, 5</sup>	
h. Storage yard for building materials, contractors' equipment and vehicles, house mover, delivery vehicles, transit storage, used equipment in operable condition and related materials	X	P <sup>4, 5</sup>	P <sup>4, 5</sup>	

5 <sup>1</sup> Including fire stations, ambulance dispatch facilities and storage yards,  
6 warehouses, or similar uses.

7 <sup>2</sup> Commercial uses supporting agricultural and forestry resource uses, such as  
8 packing, first stage processing and processing which provides value added to  
9 resource products.

10 <sup>3</sup> See Table 40.260.250-1.

11 <sup>4</sup> Allowed only for properties with a base zone of IL.

12 <sup>5</sup> Outdoor storage will be subject to the provisions of Section ~~40.230.080(D)(5).~~  
13 40.230.085(E)(5).

1 **Rationale:** This reference is to the outdoor storage requirements in the updated  
2 (and renumbered) Employment Zones section.

3  
4 **9. 40.350.010 Update ADA sidewalk obstruction minimum clear space from**  
5 **36 to 48 inches**

6 **40.350.010 Pedestrian/Bicycle Circulation Standards**

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8 B. Pedestrian Circulation/Sidewalks.

9 For sidewalk construction standards, construction timing, construction bond  
10 and procedure, see Section 40.350.030(C)(4)(h). For sidewalks specifications,  
11 see the Standard Details Manual. For reference materials, see pedestrian  
12 facilities guidebook-incorporating pedestrians into Washington’s transportation  
13 system, sponsored by WSDOT.

14 1. Urban Areas. Sidewalks shall be constructed as provided below.

15 \*\*\*\*\*

16 c. Width. Sidewalks shall be constructed to the minimum width listed in  
17 Table 40.350.010-1; provided:

18 (1) In instances where a minimum width less than five (5) feet is  
19 approved, there shall be Americans with Disabilities Act  
20 compliant five (5) foot by five (5) foot landings every two hundred  
21 (200) feet.

22 (2) The remaining area between the curb and edge of right-of-  
23 way may be hardscaped if approved by the review authority.

24 d. Obstructions. Fixed objects such as trees, tree wells, mailboxes, fire  
25 hydrants, utility or telephone poles, or benches may be placed on the  
26 sidewalk; provided, a minimum unobstructed width of ~~thirty-six (36)~~  
27 forty-eight (48) inches is provided.

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29 **Rationale:** This increased width reflects newer federal standards.

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**10. Table 40.350.030-2 Update the Standard Details Manual drawing numbers, and fix the total Planter/LID/Utility widths for all Access Roads**

Table 40.350.030-2													
Roadway Type		Applicable Zoning	Standard Detail #	Right-of-Way	Roadway Width	# Travel Lanes/Surface <sup>1</sup>	Lane Width	CTL/Median / Surface <sup>1,2</sup>	Bike Lane or Paved Shoulder (2 Sides)/ Surface	Sidewalk/ Surface	Parking/ Surface <sup>1</sup>	Total Planter/LID/Utility	
Urban Classifications	Arterial	Parkway (Pa-4b)	All	1	120'	74' – 80'	4/IMP	12'	10' – 16'	8' shoulders <sup>3</sup> /IMP	12' trail/P	None	28 – 34'
		Principal (Pr-4cb)	All	<del>4</del> <u>2</u>	100'	72'	4/IMP	11' & 12'	14'	6' bike lanes	6 <sup>4</sup> /P	None	16'
		Minor (M-4cb)	All	<del>6</del> <u>3</u>	100'	72'	4/IMP	11' & 12'	14'	6' bike lanes	6 <sup>4</sup> /P	None	16'
		Minor (M-2cb)	All	<del>10</del> <u>4</u>	72'	48'	2/IMP	12'	12'	6' bike lanes	6 <sup>4</sup> /P	None	12'
	Collector	Urban (C-2cb)	All	<del>11</del> <u>5</u>	70'	46'	2/IMP	11'	12'	6' bike lanes	6 <sup>4</sup> /P	None	12'
		Urban (C-2)	All	<del>12</del> <u>6</u>	60'	38'	2/IMP	11'	None	None	6 <sup>4</sup> /P	8' both sides	10'
		Urban (C-2b)	All	<del>12A</del> <u>7</u>	60'	34'	2/IMP	11'	None	6' bike lanes	6 <sup>4</sup> /P	None	14'
	Commercial/Industrial	Local	All commercial & industrial	<del>21</del> <u>8</u>	60'	42'	2/IMP	14'	14'	None	6 <sup>4</sup> /P	None	5'

		zones										
	Local w/ Bike Lanes	All commercial & industrial zones	<del>New 9</del>	70'	52'	2/IMP	14'	14'	5' bike lanes	6 <sup>4</sup> /P	None	5'
	Local w/ Parking	All commercial & industrial zones	<del>22 10</del>	60'	38'	2/IMP	14'	None	None	6 <sup>4</sup> /P	10' one side	9'
	Storefront	Mixed use & Hwy 99 overlay	<del>New 11</del>	65'	40'	2/IMP	12'	None	None	8'/P	8' both sides	4' tree wells both sides
Access	Neighborhood Circulator	All urban residential zones	<del>43 12</del>	54'	36'	2/IMP	10'	None	None	5'/P	8' both sides	<del>8' 7'</del>
	Urban Local	All urban residential zones	<del>44 13</del>	46'	28'	1/P	12'	None	None	5'/P	8' both sides	<del>8' 7'</del>
	Short Cul-de-sac	All urban residential zones	<del>46 14</del>	44 <sup>5</sup>	26 <sup>5</sup>	1/P	10'	None	None	5'/P	8' both sides	<del>8' 7'</del>
	Private Road	All urban zones	<del>47A 15</del>	26' easement	20'	2/P	10'	None	None	5' one side/P	None	<del>4' 0'</del>
	Private Road	All urban zones	<del>47A 16</del>	30' easement	24'	1/P	16'	None	None	5' one side/P	8' one side	<del>4' 0'</del>
	Alley	All urban zones	<del>49 17</del>	26'	20 <sup>6</sup>	1/P	16'	None	2' shoulders	None	None	6'

Rural Classifications	Arterial	Rural Arterial (RA)	All rural & resource zones	<del>23A</del> <u>18</u>	100'	40'	2/IMP	12'	None	8' shoulders	None	None	60'
	Collector	Major (R-2)	All rural & resource zones	<del>23</del> <u>19</u>	60' <sup>7</sup>	40'	2/IMP	12'	None	8' shoulders	None <sup>8</sup>	None	20'
		Minor (Rm-2)	All rural & resource zones	<del>24</del> <u>20</u>	60' <sup>7</sup>	40'	2/IMP	12'	None	8' shoulders	None <sup>8</sup>	None	20'
	Access	Rural Local	All rural & resource zones	<del>25</del> <u>21</u>	50' <sup>9,10</sup>	24'	2/IMP	10'	None	2' shoulders	None <sup>11</sup>	None	26'
		Private Road	All rural & resource zones	<del>27</del> <u>22</u>	30' <sup>9</sup> (Easement)	20'	2/P	10'	None	None	None <sup>11</sup>	None	10'

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**Rationale:** The Standard Details Manual has been updated, including new drawing numbers. Also, it's been discovered that the remaining width available for utilities, LID, and planters in the width of the right of way of some access road classifications is one foot less than previously calculated because the 6" width of the vertical curbs (one on each side of the street) was not considered.

1  
2 **11. Update and clarify Stopping Sight Distance in 40.350.030.B.8**  
3  
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8 8. Sight Distances. As noted in Section 40.350.030(A)(2), this subsection  
9 also applies to applications for building permits and applications for  
10 access to public roads. Unless modified pursuant to Section  
11 40.550.010, public and private roads shall comply with the following  
12 sight distance requirements:

13 a. Stopping Sight Distance.

14 Intersection sight distance and stopping sight distance values are  
15 based on the default assumption of level grades, normally  
16 intersecting roadways, and with passenger cars as the design  
17 vehicle. When deviating from the default assumptions, the engineer  
18 shall take the roadway grades, intersection skew, and design  
19 vehicle classification into consideration when calculating the  
20 required intersection sight distance and/or stopping sight distance.

21 Public roads shall have minimum stopping sight distance, as  
22 measured from a height of three and one-half (3.5) feet to a target  
23 on the roadway nominally ~~six (6) inches~~ two (2) feet in height, in  
24 accordance with Table 40.350.030-6 40.350.030-7. The effect of  
25 grades on stopping sight distance shall be calculated using the  
26 most current version of the Washington State Department of  
27 Transportation's "Design Manual".

28 "~~Posted speed,~~" which is ~~statutory (fifty (50) mph as per RCW~~  
29 ~~46.61.415) or recommended through a speed zone study and~~  
30 ~~adopted by resolution by the board, shall be the legal speed limit~~  
31 ~~generally applicable to such roadway. The advisory speed shown on~~  
32 ~~a yellow advisory speed plate is not a legal speed limit. The county,~~  
33 ~~or the applicant, should conduct a speed study if the actual traffic~~  
34 ~~speeds are significantly different than the posted speed limit.~~

35 For unposted roadways, the legal speed limit shall be fifty (50) mph  
36 per the "Basic rule" under RCW 46.61.400.

<b>Table 40.350.030-7. Stopping Sight Distance</b>	
<b>Posted Speed (mph)</b>	<b>Minimum Stopping Distance (feet)</b>
25	150
30	200
35	250

40	325
45	400
50	475

b. Controlled Intersection and Driveway Sight Distance Triangle.

Traffic entering an uncontrolled public road from stop sign controlled public roads, or from private roads or private driveways, shall have minimum ~~corner~~ intersection sight distances, as shown in the following ~~table~~ Table 40.350.030-8, ~~except as allowed in Section 40.350.030(B)(8)(c).~~ They are Sight distance shall be measured from an eye height of three and one-half (3.5) feet above the controlled road pavement surface at least and fifteen (15) feet from the edge of the vehicle travel lane of the uncontrolled public road. The ~~to an~~ object height ~~of four and one quarter (4.25) feet on the uncontrolled public road shall be three and one-half (3.5) feet above the pavement surface located four feet to the right of the striped or assumed centerline of the roadway, in accordance with Table 40.350.030-8. For multilane highways, the object on the uncontrolled roadway shall be located on the approach lane closest to the controlled side street. Landscaping or fences within sight distance triangles shall not interfere with sight distance requirements. Sight distance triangles shall be clear of all obstructions, including, but not limited to, landscaping, fences, structures and earth berms between the heights of three (3) and seven (7) feet.~~

<b>Table 40.350.030-8. Controlled Intersection, Public Road and Driveway Sight Distance</b>	
<b>Posted-Speed, Uncontrolled Road (mph)</b>	<b>Minimum Corner Sight Distance (feet)</b>
20	200
25	250
30	300
35	350
40	400
45	450
50	500

c. Uncontrolled Intersections.

1 Uncontrolled intersections for access roads in urban and rural areas  
2 with a posted speed limit of twenty-five (25) mph or less shall have  
3 an unobstructed intersection sight distance triangle per Section  
4 40.350.030.B.8.b of one hundred (100) feet on both approaches.  
5 This requirement may be reduced to eighty (80) feet for  
6 intersections abutting corner lots in an urban residential subdivision.  
7 The intersection sight distance is shall be measured along the lines  
8 four (4) feet from the centerline roadway center, in drivers' direction,  
9 for both approaches.

10 ~~d. Driveways in Urban Residential Areas. Except for corner lot~~  
11 ~~driveways, urban residential driveways shall have an unobstructed~~  
12 ~~sight distance of one hundred (100) feet in both directions. The sight~~  
13 ~~distance is measured along the lines four (4) feet from the~~  
14 ~~centerline, in the drivers' direction, for both directions.~~

15 d. New urban and rural residential driveways accessing roads with a  
16 speed limit of over twenty-five (25) mph are subject to Table  
17 40.350.030-8.

18 ~~e. Driveways in rural areas are subject to Table 40.350.030-8.~~

19 ~~f. Effect of Grades. The effect of grades on the above stopping and~~  
20 ~~intersection sight distances shall be governed by the criteria stated~~  
21 ~~in the American Association of State Highway and Transportation~~  
22 ~~Officials' (AASHTO) reference "A Policy on Geometric Design of~~  
23 ~~Rural Highways" (1990).~~

24 **Rationale:** The proposed changes are intended to bring the county's provisions  
25 more in line with other standards, as well as to clarify ambiguous text.

26  
27  
28 **12. 40.350.030.C.3 Change reference to design requirements for permeable**  
29 **pavement from the Standard Details Manual to the LID Technical Guidance**  
30 **Manual**

31  
32 d. Alternate Surface Treatment. Alternate surface treatments, other than  
33 permeable pavement, may only be used upon approval of the County  
34 Engineer. The applicant shall supply the County Engineer with  
35 specifications for materials and application rates as part of the  
36 approval. Permeable pavement is allowed under Section  
37 40.350.030(B)(3)(b)(1)(a), subject to the specifications in the  
38 Standard Details Manual, current edition of the LID Technical  
39 Guidance Manual.  
40

41 **Rationale:** Coming up with a neat, easy detail for permeable pavement that is  
42 applicable in most circumstances is difficult, if not impossible. Rather than have a

1 detail in the county code, it makes more sense to refer to the extensive guidance  
2 in the LID Manual.

## 3 4 5 **CLARIFICATIONS**

### 6 7 **13. 40.210.010.C. and 40.210.020.C Clarify text in the Resource and Rural** 8 **zones referring to re-subdividing a remainder lot of a previously-approved** 9 **cluster subdivision**

#### 10 11 **40.210.010.C (Resource zones)**

- 12
- 13 3. Previous Land Divisions. Within the FR-80, FR-40 and AG-20 districts,  
14 until the affected property is included within an urban growth boundary,  
15 no remainder lot of a previously approved agriculture or forest district  
16 “cluster” land division or lot reconfiguration shall be:
- 17 a. Further subdivided or reduced in size below seventy percent (70%) of  
18 the total developable area of the original parent parcel constituting the  
19 cluster subdivision; or
- 20 b. Reduced by a total of more than one (1) acre.
- 21 c. Applications for reduction in remainder lot size consistent with this  
22 provision shall be processed as a plat alteration pursuant to Section  
23 40.540.120.
- 24 d. Exceptions to a, and b above. A remainder lot with an existing  
25 residence may be short platted further to contain the residence on its  
26 own lot, subject to the following:
- 27 (1) Process. Creation of the new lot is subject to the requirements  
28 of Section 40.540.030.
- 29 (2) Lot Size. The new lot shall be sized to require the minimum  
30 reduction in the remainder lot, but still meet minimum  
31 requirements of this section and for on-site sewage disposal as  
32 required by the Clark County Health Department.
- 33 (3) The new lot may not include critical areas unless no other  
34 alternative exists. If no alternative is available, encroachment into  
35 these areas shall be limited to the least amount possible  
36 consistent with applicable critical areas ordinances.
- 37 (4) A building envelope containing the existing residence and  
38 accessory buildings shall be established within the new lot,  
39 subject to the following:
- 40 (a) A minimum one hundred (100) foot setback between the  
41 envelope and the remainder parcel is maintained, unless it  
42 can be shown that a lesser setback with existing or proposed  
43 landscaping or existing vegetation will provide the same or  
44 greater buffering. In no case shall a setback less than fifty  
45 (50) feet be approved.

- 1 (b) A minimum twenty (20) foot setback between the envelope  
 2 and other cluster lots is maintained.  
 3 (5) A note shall be placed on the plat stating the following:

4 The residential property is adjacent to agricultural or forest lands.....

5

6 **40.210.020.C** (Rural zones)

7 C. Development Standards.

- 8 1. Unless otherwise permitted under Section 40.210.020(D) (Rural Cluster  
 9 Development), new lots and structures and additions to structures  
 10 subject to this section shall comply with the applicable standards for lots  
 11 and building height, and setbacks in Tables 40.210.020-2 and  
 12 40.210.020-3, subject to the provisions of Chapter 40.200 and Section  
 13 40.550.020.

<b>Table 40.210.020-2. Lot Requirements</b>			
Zoning District	Minimum Lot Area (acres) <sup>1</sup>	Minimum Lot Width (feet)	Minimum Lot Depth (feet)
R-20	20 acres or legally described as one thirty-second (1/32) of a section	330	None
R-10	10 acres or legally described as one sixty-fourth (1/64) of a section	330	None
R-5	5 acres or legally described as one one hundred and twenty-eighth (1/128) of a section	140 <sup>2</sup>	None

14 <sup>1</sup> Utilities, structures and uses including but not limited to utility substations, pump  
 15 stations, wells, watershed intake facilities, gas and water transmission lines and  
 16 telecommunication facilities may be permitted on newly approved lots of less  
 17 than the minimum parcel size

18 <sup>2</sup> Unless a greater width shall be required by the Clark County fire code.

19

<b>Table 40.210.020-3. Setbacks, Lot Coverage and Building Height</b>						
Zoning District	Minimum Setbacks <sup>4</sup>				Maximum Lot Coverage	Maximum Building Height (feet)
	Front (feet)	Side		Rear (feet)		
		Street (feet)	Interior (feet)			

R-20	50 <sup>5</sup>	25	20, 50 <sup>1</sup>	20, 50 <sup>2</sup>	N/A	35 <sup>3</sup>
R-10	50 <sup>5</sup>	25	20, 50 <sup>1</sup>	20, 50 <sup>2</sup>	N/A	35 <sup>3</sup>
R-5	50 <sup>5</sup>	25	20, 50 <sup>1</sup>	20, 50 <sup>2</sup>	N/A	35 <sup>3</sup>

1 <sup>1</sup> *Side Setback. Minimum side setback on each side of the residential dwelling*  
2 *and incidental buildings shall be twenty (20) feet, and fifty (50) feet for accessory*  
3 *buildings used for agricultural purposes. Side setbacks from abutting property*  
4 *zoned for natural resource or surface mining uses shall be a minimum of fifty (50)*  
5 *feet for all structures.*

6 <sup>2</sup> *Rear Setback. Minimum rear setback shall be fifty (50) feet when abutting*  
7 *property zoned for natural resource or surface mining uses.*

8 <sup>3</sup> *Residential buildings only.*

9 <sup>4</sup> *Nonconforming lots subject to the provisions of Section 40.530.010(D)(2).*

10 <sup>5</sup> *From public road right-of-way, private road easement or tract, or private*  
11 *driveway easement that provides access to the lot.*

12 *(Amended: Ord. 2005-04-12; Ord. 2010-08-06; Ord. 2012-07-03)*

13 2. Previous Land Divisions. Until the affected property is included within an  
14 urban growth boundary, no remainder lot of a previously approved  
15 cluster land division or lot reconfiguration shall be:

- 16 a. Further subdivided or reduced in size below seventy percent (70%) of  
17 the total developable area of the original parent parcel constituting the  
18 cluster subdivision; or
- 19 b. Reduced by a total of more than one (1) acre.
- 20 c. Applications for reduction in remainder lot size consistent with this  
21 provision shall be processed as a plat alteration pursuant to Section  
22 40.540.120.
- 23 d. An exception to Sections 40.210.020(C)(2)(a) and (b) may be allowed  
24 as follows:

25 (1) A remainder lot with an existing residence may be short  
26 platted further to contain the residence on its own cluster lot,  
27 subject to the following:

28 (a) Process. Creation of the new cluster lot is subject to the  
29 requirements of Section 40.540.030;

30 (b) Lot Size. The new cluster lot shall not be greater than one  
31 acre in size, unless a greater size is required by Clark  
32 County Public Health.

33 ~~(b)~~ (c) The new cluster lot and ~~remainder~~ must meet the  
34 requirements of Section 40.210.020.D.3.b and the lot  
35 dimension and setback requirements of Tables 40.210.020-4  
36 and 40.210.020.-5;

1                                    ~~(e)~~ (d) The reduced remainder shall not be further divided and  
2                                    shall be subject to the requirements in Sections  
3                                    40.210.020.D.3.c (2) (a) (i) and (ii)

- 4                    3. Signs. Signs shall be permitted according to the provisions of Chapter  
5                    40.310.  
6                    4. Off-Street Parking. Off-street parking shall be provided as required in  
7                    Chapter 40.340.

8                    D. Rural Cluster Development.

9                    1. Purpose. The purpose of this section is to provide for small lot  
10                    residential development in the rural zoning districts (R-5, R-10 and R-  
11                    20) which maintains rural character, maintains and conserves larger  
12                    remainder parcels, protects and/or enhances sensitive environmental  
13                    and wildlife habitat areas, and minimizes impacts to necessary public  
14                    services. These goals are achieved by allowing the placement of homes  
15                    on a small portion of the property while maintaining the majority of the  
16                    site in a remainder parcel. This is consistent with the goals and policies  
17                    of the Growth Management Act, especially the provisions for innovative  
18                    development techniques to conserve open space and resource lands.

19                    2. Definitions. For the purposes of this section, the following definitions  
20                    shall apply:

- 21                    a. "Building envelope" shall mean that buildable portion of a lot or parcel  
22                    (the area outside of setbacks and easements) which is designated on  
23                    the final plat for the location of a structure.  
24                    b. "Critical lands," for the purposes of this section, shall mean those  
25                    lands classified by Chapter 40.440 as habitat areas, by Chapter  
26                    40.450 as any wetland category and associated buffers, by Chapter  
27                    40.430 as landslide hazard areas, all lands subject to Shoreline  
28                    Management Act jurisdiction by Chapter 40.460, and all lands within a  
29                    designated one hundred (100) year floodplain or floodway by Chapter  
30                    40.420.  
31                    c. "Remainder parcel" shall mean the remainder parcel of the cluster  
32                    provision that contains the majority of the land within the development  
33                    and is devoted to open space, resource or other authorized use.

34                    3. Development Standards.

35                    a. Maximum Density. Cluster developments are allowed a maximum  
36                    density equivalent to that which would be permitted by applying the  
37                    otherwise applicable minimum lot size requirements of this section.  
38                    The density shall be based on one hundred ten percent (110%) of the  
39                    gross area of the site.

40                    b. Cluster Lots.

41                    (1) Cluster lots shall be sited to minimize conflicts between  
42                    housing and adjacent agricultural or forest zoned property.

43                    (2) Cluster lots and building envelopes may not include critical  
44                    areas unless no other alternative exists. If no alternative is  
45                    available, encroachment into these areas shall be limited to the

1 least amount possible consistent with applicable critical areas  
2 ordinances.

3 c. Remainder Parcel.

4 (1) The remainder parcel shall be contiguous. Fragmentation of  
5 the parcel by public or private road easements and/or building  
6 sites shall not occur unless no other reasonable alternative  
7 exists. The remainder parcel shall provide a buffer for the cluster  
8 lots from adjacent lands in a resource zoning district. Remainder  
9 parcels shall also be located adjacent to other bordering  
10 remainder parcels or public parks and open space. To the  
11 maximum extent possible, all critical areas and any associated  
12 buffers existing on property proposed for cluster development  
13 shall be located within the remainder parcel. In order to retain the  
14 rural character the remainder parcel should contain to the  
15 maximum extent possible forested areas, prominent hillsides,  
16 meadows and ridges.

17 (2) There are two (2) ways of utilizing the maximum density  
18 allowed within a cluster development, as follows:

19 (a) The creation of cluster lots equal to no more than the  
20 maximum allowed density, with a remainder parcel that can  
21 be used only for the agriculture and forestry uses as listed in  
22 Table ~~40.210.010-4~~ 40.210.020-1(7)(a), (b) and (d) or as  
23 open space. An example of this would be a twenty (20) acre  
24 parcel in the R-5 district, where four (4) cluster lots and one  
25 (1) remainder are created. All of the allowed density is used  
26 on the cluster lots, and the remainder parcel can only be  
27 used as open space or for agriculture or forestry uses.

28 (i) If this option is used, an open space, farm or forest  
29 management plan is required for the remainder parcel.  
30 The plan shall be submitted and approved with the  
31 preliminary application. The plan shall identify permitted  
32 uses and management of the parcel so that it maintains  
33 its open space or other designated functions and  
34 provides for the protection of all critical areas. The  
35 management plan shall identify the responsibility for  
36 maintaining the remainder parcel. The plan shall also  
37 include any construction activities (trails, fencing,  
38 agricultural buildings) and vegetation clearing that may  
39 occur on-site. All subsequent activities must be  
40 conducted in conformance with the approved  
41 management plan. Management plans may be modified  
42 through a Type II process.

43 (ii) A note shall be placed on the plat and a restrictive  
44 covenant shall be recorded that clearly states that only  
45 the above uses are permitted on the parcel. The note

and covenant shall also incorporate the management plan, as described above.

(b) The creation of cluster lots equal to no more than one (1) less than the maximum allowed density with a remainder parcel that can also be developed. If this option is used, the remainder parcel may contain the uses listed in Table 40.210.020-1. An example of this would be a twenty (20) acre parcel in the R-5 district, where three (3) cluster lots and one (1) remainder are created. The allowed density, less one (1), is used on the cluster lots. This permits the remainder parcel to be developed with any of the uses normally allowed in the rural districts. If the remainder parcel is to be residentially developed, a building envelope shall be delineated on the final plat. This building envelope must be located outside of any critical areas including fish and wildlife habitat areas, riparian corridors, geologic hazard areas, areas of significant natural vegetation, wetlands, prominent hillsides, meadows, ridges and any buffers associated with the above areas. This requirement shall not apply to pre-existing residences located on the remainder lot.

4. Lot Requirements. New lots and structures and additions to structures subject to this section shall comply with the applicable standards for lots and building height, and setbacks in Tables 40.210.020-4 and 40.210.020-5, subject to the provisions of Chapter 40.200 and the Section 40.550.020.

Table 40.210.020-4. Lot Requirements – Rural Cluster Development					
Lot Type	Zoning District	Minimum Lot Area	Maximum Lot Size	Minimum Lot Width (feet)	Minimum Lot Depth (feet)
Cluster Lot	R-20, R-10, R-5	1 acre <sup>1</sup>	None <sup>2</sup>	100 <sup>3</sup>	140
Remainder Lot	R-5	65% of site	None <sup>2</sup>	None	None
	R-20, R-10	75% of site	None <sup>2</sup>	None	None

<sup>1</sup> Unless a larger size is required by the Clark County Health Department. Cluster lots can use right-of-way to meet the minimum lot size as permitted by Section 40.200.040(C)(1).

<sup>2</sup> The minimum standard for remainder parcels controls the maximum size of cluster lots.

<sup>3</sup> Unless a greater width shall be required by the Clark County fire code.

**Table 40.210.020-5. Setbacks, Lot Coverage and Building Height – Rural Cluster Development**

Zoning District and Lot Type	Location or Structure Type	Minimum Setbacks			Maximum Lot Coverage	Maximum Building Height (feet)
		Front (feet)	Side (feet)	Rear (feet)		
R-20, R-10, and R-5 – Cluster Lots and Remainder Lots	Abutting a cluster lot	20	20	20	N/A	35 <sup>2</sup>
	Abutting resource district <sup>a</sup>	200 <sup>1</sup>	200 <sup>1</sup>	200 <sup>1</sup>		
	Agricultural structures	50	50	50		
	Vehicle entry gates or garage door openings	20	20	20		
	All other situations	50	20	50		

1 <sup>1</sup> Except in cases where it can be shown that a lesser setback will provide the  
2 same or greater buffering or where requiring the normal setback will result in the  
3 location of the building sites within inappropriate areas such as wildlife habitat or  
4 wetland areas or the dimensions of the development site render it unbuildable.

5 <sup>2</sup> Residential buildings only.

6 5. Design Requirements. The design requirements for cluster developments  
7 are listed below. These requirements shall be recorded on the plat.

8 a. No entryway treatments, monument or other permanent development  
9 signs are permitted. This shall not be construed to prohibit  
10 landscaping.

11 b. Sight-obscuring fences of any height are not permitted within fifty (50)  
12 feet of the public right-of-way, nor along cluster lot lines adjacent to  
13 the remainder lot. Sight-obscuring fences are at least fifty percent  
14 (50%) opaque.

15 c. To the maximum practicable extent, existing historic rural features  
16 shall be preserved as part of the cluster development. These features  
17 include but are not limited to rock walls, fences, functional and  
18 structurally safe farm buildings, monuments and landscape features.

19 6. Landscaping Standards. Cluster developments shall be landscaped  
20 within the developed portion of cluster lots, so as to reduce views of the  
21 development from the public right(s)-of-way so that a filtered view is  
22 provided of the cluster and the cluster does not dominate the landscape.

- 1 a. At a minimum, proposed or existing landscaping and vegetation shall
- 2 be of sufficient size and type to provide a buffer of vegetation six (6)
- 3 feet in height and fifty percent (50%) opaque year round within three
- 4 (3) years of planting. New landscaping materials shall consist of
- 5 native vegetation as provided on the Clark County plant list (see the
- 6 Standard Details Manual). A combination of trees and shrubs must be
- 7 used.
- 8 b. All landscaping shall be installed prior to final plat unless financial
- 9 guarantees are made for its installation prior to any building permit
- 10 activity. Any required landscaping materials that fail to survive within
- 11 the first two (2) years shall be promptly replaced.
- 12 7. Previously Approved Cluster and Lot Reconfiguration Remainder Lots.
- 13 Previously approved cluster or lot reconfiguration remainder lots are not
- 14 eligible to use the provisions of this section.
- 15 8. Procedures. Cluster land divisions shall be processed in accordance
- 16 with the established procedures for land divisions under Chapter
- 17 40.540.
- 18 9. Notice of Resource Activities. Where otherwise undevelopable cluster
- 19 remainder parcels are designated for commercial timber or agricultural
- 20 activities the following notice shall be recorded as part of the Developer
- 21 Covenants to Clark County for each parcel within the cluster:

22  
23 The subject property is adjacent to commercial agricultural or forest lands  
24 on which a variety of commercial activities may occur that are not  
25 compatible with residential development. Potential discomforts or  
26 inconvenience may include, but are not limited to: Noise, odors, fumes,  
27 dust, smoke, insects, operation of machinery (including aircraft) during any  
28 twenty-four (24) hour period, storage and disposal of manure, and the  
29 application by spraying or otherwise of chemical fertilizers, soil  
30 amendments, herbicides and pesticides.

31  
32 **Rationale:** In the Resource and Rural zones, there are provisions to allow  
33 “cluster” lot subdivisions. The idea is to cluster the residential development on  
34 small lots, and preserve a large “remainder” lot for the purposes of wildlife habitat  
35 or agriculture, as long as the overall residential density doesn’t exceed that  
36 allowed under the underlying zone.

37  
38 Thus on 50 acres of 5-acre-zoned land one could have 10, one-acre residential  
39 lots and a 40 acre undeveloped remainder.

40  
41 One can also choose to have a residence on the remainder lot, and in that case  
42 you would have 9 one acre residential lots and one 41 acre remainder with a  
43 residence. In 2011, provisions were added to allow previously-approved  
44 residentially-developed remainder lots to plat off the residence on its own  
45 separate cluster lot. The intention was to not allow further development or  
46 division of the remainder lot (which would increase the residential density of the

1 original cluster subdivision), only to create a separate home site for the purposes  
 2 of obtaining an agricultural loan or sale.

3  
 4 The text in the Resource section (40.210.010.C.3.d) is basically sound, except  
 5 that it's proposed to clarify that the exception in 40.210.010.C.3.d refers to only  
 6 "a and b".

7  
 8 However, sloppy language in 40.210.020.C.2.d (1) (b) in the Rural zone text)  
 9 appears to allow further division of the remainder lot, which violates the  
 10 maximum residential density allowed under the original land division. This text  
 11 change will fix the loophole.

12  
 13 **14. Table 40.230.020-1 Correct "animal day care" reference**

14

Table 40.230.020-1. Uses <sup>1</sup>		
	MX	Special Standards
11. Services – Medical and Health.		
a. Outpatient clinics	P	
b. Medical laboratories	C	
c. Convalescent and nursing homes	C	40.260.190
d. Orthopedic equipment and supplies, rental, sales and services	P	
e. Animal hospitals and veterinary clinics		
(1) Outside animal activities	X	
(2) Inside animal activities only	P	
(3) Animal day care <u>use facility</u>	C	

15  
 16 **Rationale:** The correct, defined term is "animal day use facility".

17  
 18  
 19 **15. Table 40.230.085-2 Clarify lot coverage percentage in the Employment**  
 20 **Zones**

21

Table 40.230.085-2. Lot Standards, Setbacks, Lot Coverage and Building Height Requirements				
Subject	Zone			
	IL	IH	IR	BP
Minimum area of	None	None	None	5 acres <sup>4</sup>

new zoning district				
Maximum area of new zoning district	None	None	None	None
Minimum lot area	None	None	None	5 acres <sup>4</sup>
Minimum lot width	None	None	None	None
Maximum building height <sup>6</sup>	100 feet <sup>2</sup>	100 feet <sup>2</sup>	100 feet <sup>2, 3</sup>	100 feet <sup>2</sup>
Minimum building setback				
Front/street side	20 feet	20 feet	20 feet	20 feet
Side(interior)	0 feet	0 feet	0 feet	0/20 feet <sup>5</sup>
Rear	0 feet	0 feet	0 feet	0/20 feet <sup>5</sup>
Maximum lot coverage	100 percent	100 percent	100 percent	100 percent
Maximum lot coverage	<u>Maximum determined by compliance with screening and buffering standards contained in Chapter 40.320, Table 40.320.010-1, the Stormwater and Erosion Control Ordinance (Chapter 40.385), and all other applicable standards.</u>			
Minimum site landscaped area <sup>1</sup>	10 percent	0 percent	0 percent	15 percent

1

2 **Rationale:** Under nearly all circumstances “100 percent lot coverage” is not  
3 attainable; setbacks and other requirements must be considered.

4

5 **16. Table 40.220.010-3. Clarify that the 18’ setback requirement for garages**  
6 **applies only to the front of the garage**

Table 40.220.010-3. Setbacks, Lot Coverage and Building Height						
Zoning District	Minimum Setbacks				Maximum Lot Coverage	Maximum Building Height (feet)
	Front <sup>3</sup> (feet)	Side <sup>4,5,10,11</sup>		Rear <sup>4,5,10,11</sup> (feet)		
		Street (feet)	Interior (feet)			
R1-20	10 <sup>8</sup>	10	10 <sup>9</sup>	20	50% <sup>1</sup>	35 <sup>7</sup>
R1-10	10 <sup>8</sup>	10	7 <sup>9</sup>	15	50% <sup>1</sup>	35 <sup>7</sup>

R1-7.5	10 <sup>8</sup>	10	5	10	50% <sup>1</sup>	35 <sup>7</sup>
R1-6	10 <sup>8</sup>	10	5	10	50% <sup>2</sup>	35 <sup>7</sup>
R1-5	10 <sup>8</sup>	10	5	10	50% <sup>2</sup>	35 <sup>7</sup>

1 <sup>1</sup> Carports and solar energy systems are excluded from this provision; provided,  
2 that the total lot coverage limitation is not exceeded by more than ten percent  
3 (10%) as a result of these exceptions.

4 <sup>2</sup> Solar energy systems are excluded from this provision; provided, that the total  
5 lot coverage limitation is not exceeded by more than ten percent (10%) as a  
6 result of this exception.

7 <sup>3</sup> Front setbacks shall be measured from the edge of any street right-of-way,  
8 street tract, street easement, or driveway easement that provides access to the  
9 lot, including any separate pedestrian easement that may exist between a street  
10 and the front setback line.

11 <sup>4</sup> Setbacks to driveway and pedestrian easements that do not provide access to  
12 a subject lot shall be a minimum of five (5) feet.

13 <sup>5</sup> Setbacks from alleys to all structures including entrances to garages shall be a  
14 minimum of five (5) feet.

15 <sup>6</sup> Reserved.

16 <sup>7</sup> Accessory buildings shall meet the height requirements of Section  
17 40.260.010(D).

18 <sup>8</sup> Front setbacks for garages fronts in these zones shall be a minimum of  
19 eighteen (18) feet. Sides and rear of garages that have no driveway access may  
20 use the 10 foot living space setback.

21 <sup>9</sup> The minimum setbacks for interior side yards on pie-shaped lots shall be five  
22 (5) feet.

23 <sup>10</sup> Side and rear setbacks from abutting property zoned for natural resource or  
24 surface mining uses shall be a minimum of fifty (50) feet for all structures.

25 <sup>11</sup> Increased setbacks apply for structures housing large urban livestock. See  
26 Section 40.260.235.

27 **Rationale:** The 18' setback requirement for garages is intended to allow  
28 sufficient parking depth in driveways that are in front of the garage; however, not  
29 all garages are front loaded, so in those cases a garage should be able to use  
30 the same setback as the residence.

31

1 **17. Tables 40.230.010-1 and 40.230.020-1 Clarify that single family**  
 2 **residential accessory buildings are allowed in the Commercial and Mixed**  
 3 **Use zones, and that such buildings can be replaced, subject to prior**  
 4 **approval**  
 5  
 6

Table 40.230.010-1. Uses				
	C-2	C-3	GC	Special Standards
1. Residential Uses. Residential uses are only permitted above the ground floor in commercial zones except for an accessory caretaker, security or manager, or owner residence. The residential uses must be constructed following or in conjunction with the commercial aspects of the proposal. For the purposes of subsection (1)(a) of this table, "commercial uses" are those uses listed in subsections (2), (3), (4), (7), (8), (9), (11), (12), (14), (15) and (18) of this table.				
a. Residential (integrated multifamily/commercial or mixed use structure.)	P	P	P	40.260.150
b. Existing residences without any increase in density, <u>including accessory uses and structures normal to a residential environment. Replacement of such structures requires county approval prior to the removal of the existing structure(s) and is subject to time limits regarding the replacement</u>	P	P	P	40.260.010

7

Table 40.230.020-1. Uses <sup>1</sup>		
		Special Standards
1. Residential Uses.		
a. Existing residences without any increase in density, <u>including accessory uses and structures normal to a residential environment. Replacement of such structures requires county approval prior to the removal of the existing structure(s) and is subject to time limits regarding the replacement</u>	P	
b. Single-family dwelling, attached and detached	P <sup>2</sup>	

8

9 **Rationale:** The county's policy in the past has been to allow replacement of  
 10 existing residences in non-residential zones, along with accessory buildings  
 11 normally associated with single family uses. This text clarifies that policy.

1  
2  
3  
4

**18. Table 40.230.085-1 Explicitly list agricultural stands and markets and accessory residential uses as allowed uses in the Employment zones**

Table 40.230.085-1. 2012 North American Industrial Classification System (NAICS)		Uses			
		IL	IH	IR	BP
A. Resource Uses.					
11 Agriculture, Forestry, Fishing and Hunting					
111	Crop production	P	P	P	P
112	Animal production	P	P	P	P
113	Forestry and logging	P	P	P	P
114	Fishing, hunting and trapping	P	P	P	P
115	Support activities for agriculture and forestry	P	P	P	P
	<u>Agricultural stands and markets</u>	<u>P<sup>8</sup></u>	<u>P<sup>8</sup></u>	<u>P<sup>8</sup></u>	<u>P<sup>8</sup></u>

5 \*\*\*\*\*

G. Other uses not listed as NAICS codes						
1. Service stations for vehicle fleets, including cardlock facilities			P	P	P	P
2. Personal property storage including outdoor RV and boat storage			P	X	X	X
3. Accessory uses						
a. Administrative, educational, and other related activities and facilities			P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>
b. Caretaker, security or manager residence when incorporated as an integral part of a permitted use			P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>
c. Off-site hazardous waste treatment and storage facilities (subject to RCW 70.105.210)			P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>
4. Other Uses						
a. Parks, trails and related uses			P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>
b. Existing residences without any increase in density, <u>including accessory uses and structures normal to a residential environment. Replacement of such structures requires county approval prior to the removal of the existing structure(s) and is subject to time limits regarding the replacement.</u>			P	P	P	P
c. Legally existing commercial and industrial use structures			P	P	P	P
d. Public facilities for the support of construction projects and agency operations, including offices for employees of the facility			P	P	P	P
e. Electric vehicle infrastructure			P	P	P	P

6

1 <sup>8</sup> Subject to the provisions of Section 40.260.025

2  
3 **Rationale:** When the agricultural stands and markets special use standards were  
4 created, they were intended to be specifically allowed in all zones.

5  
6 Also, the addition of the text regarding residential uses clarifies the same policy  
7 noted above in the previous item.

8  
9 **19. 40.350.030.B.3.b.(6) Clarify that rolled curb is not allowed on county**  
10 **roads other than on the bulbs of cul-de-sacs**  
11 **Street and Road Standards**

12 B. Standards for Development Review.

13 \*\*\*\*\*

- 14 3. Transportation Design Criteria. The design criteria set out in Tables  
15 40.350.030-2 and 40.350.030-3 are adopted as a portion of the Clark  
16 County standard specifications. Such criteria are applicable to roads  
17 located within and adjacent to a development. These criteria are  
18 intended for normal conditions. The responsible official may require  
19 higher standards for unusual site conditions.

20 All urban roads except alleys consist of a core road section and a flex  
21 zone section.

22 \*\*\*\*\*

- 23 b. The flex zone consists of that portion of the roadway outside of the  
24 core road. Flex zone features can include stormwater best  
25 management practice features, parking and bike lanes, sidewalks,  
26 and planter and utility strips, depending on the road classification.  
27 These features may be designed with considerable flexibility subject  
28 to engineering approval by the county; however, all features  
29 applicable to the road classification shall be provided. Some flex zone  
30 features may require more right-of-way than is noted in Table  
31 40.350.030-2.

32 \*\*\*\*\*

- 33 (5) Utilities. For new developments, the Public Works Director  
34 shall require that underground utilities be designed to  
35 accommodate infiltration features that are in close proximity to  
36 the utilities.

- 37 (6) Curb and gutter, when required, shall be a minimum of  
38 eighteen (18) inches wide. Vertical curb is required for all roads  
39 except for cul-de-sac bulbs.

40  
41 **Rationale:** Rolled curb (curb with a more gradual profile that can be driven over)  
42 used to be allowed on most county roads. Its chief advantage is that once  
43 constructed by a developer, it does not need to be removed when a driveway is  
44 constructed. However, experience has shown that when a street is narrow,  
45 vehicles often park partly on the sidewalk in order to create a wider travel lane.

1 Since sidewalks are not constructed to support vehicles, they can be subject to  
2 damage for which the homeowner is responsible to maintain.

3 It is illegal to park on the sidewalk, but law enforcement staff has limited  
4 resources to adequately police this offense. As a result there were numerous  
5 requests for the county to install “no-parking” signs to discourage sidewalk  
6 parking. So, in 2006, its use was limited to cul-de-sac bulbs.

7  
8 Recent updates to the tables inadvertently removed a footnote prohibiting rolled  
9 curb on most all road classifications. The Standard Details Manual still only  
10 allows rolled curb on cul-de-sacs, so the requirement for vertical curb is still  
11 enforceable. This will clear up any confusion.

12  
13 If rolled curb were to be allowed again, it would make sense to require a  
14 separated sidewalk (with the idea that fewer drivers would drive onto the  
15 landscaped area between the curb and sidewalk) or restrict them to wider  
16 classification streets.

17  
18 **20. 40.350.030.B.4 Clarify that the width of residential driveways can be**  
19 **limited when they must be closer than 50 feet to an intersection**

20  
21 4. Access Management.

22 a. Applicability. As noted in Section 40.350.030(A)(2), this subsection also  
23 applies to applications for building permits and applications for access  
24 to public roads.

25 b. Access to Local Access Roads.

26 (1) Driveway Spacing.

27 (a) Excepting the bulbs of cul-de-sacs, driveways providing  
28 access onto nonarterial streets serving single-family or  
29 duplex residential structures shall be located a minimum of  
30 five (5) feet from the property lines furthest from the  
31 intersection. Where two (2) driveways are permitted, a  
32 minimum separation of fifty (50) feet shall be required  
33 between the driveways, measured from near edge to near  
34 edge.

35 (b) Corner lot driveways shall be a minimum of fifty (50) feet  
36 from the intersecting property lines, as measured to the  
37 nearest edge of the driveway, or in the case where this is  
38 impractical, the driveway may be limited to twenty (20) feet  
39 in width and located five (5) feet from the property line away  
40 from the intersection or as a joint use driveway at this  
41 property line. Where a residential corner lot is located at the  
42 intersection of a nonarterial street with an arterial street, the  
43 corner clearance requirements of Section  
44 40.350.030(B)(4)(c)(2)(f) shall apply to the nonarterial street.

1 **Rationale:** Per the transportation standards, driveways should be located such  
2 that the closest edge of the driveway is no closer than 50 feet to the right of way  
3 of an intersection. This reduces the chance that conflicts will occur between  
4 street traffic and vehicles backing out of driveways, especially when the backing  
5 movement is toward the intersection.

6  
7 However, in many cases the zoning code allows lots that are not 50 feet wide, so  
8 obviously no part of the driveway can meet the 50 foot setback. Road  
9 modifications are needed in these circumstances to evaluate the level of risk  
10 (depending on traffic volumes and other factors) associated with each individual  
11 case. In order to provide a level of certainty for applicants and to accommodate  
12 two-car garages, staff proposes that the limit be set at 20 feet.

13  
14 **21. 40.350.030.B.11 Clarify that only three lots can be accessed by a**  
15 **driveway except for projects approved under the narrow lots provisions**

16  
17 40.350.030.B.

18 \*\*\*\*\*

19  
20 11. Joint Driveways. Other than provided for narrow lots under Section  
21 40.260.155.C.7.a, a maximum of three (3) legal lots may use a joint driveway to  
22 access a public or private road.

23  
24 12. Cul-de-Sacs and Turnarounds.

25 a. Cul-de-Sacs.

26 **Rationale:** This item is intended only to clarify why there are two different  
27 standards for the number of lots that are allowed to use shared driveways for  
28 access to a street; however, the rationale for the regular three-lot limit has been  
29 questioned.

30  
31 In most cases, the maximum number of single family residential lots that can  
32 access a street via a shared driveway is three. This number may have been  
33 established partly because the old Fire Code allowed 3 multifamily units to be  
34 accessed by a 12 foot driveway, but required 20 feet of access for four or more  
35 units. This corresponds with the minimum shared driveway width requirement of  
36 12 feet for three single family lots. Generally, the more homes that share a  
37 narrow driveway, the more likely that emergency apparatus could encounter an  
38 obstruction, or a vehicle coming the other way.

39  
40 In addition, driveways have no sidewalks, so pedestrians must walk in the  
41 driveway. For these reasons, limiting the amount of traffic and pedestrian traffic  
42 on these narrow accessways seems prudent.

43  
44 The narrow lots standards in Section 40.260.155 differ in that they do allow four  
45 lots to be accessed by a driveway in order to provide additional flexibility and

1 reduce the number of closely-spaced driveway approaches on a road. Due to  
 2 the small size of the lots utilizing the narrow lot standards, the length of these  
 3 shared driveways is usually relatively short.

4  
 5 The county can, and does allow four lots to share a driveway under some  
 6 circumstances with a Minor Deviation (a no-charge road modification), but  
 7 believes that the baseline number should remain at three.

8  
 9 **CODE INTERPRETATIONS**

10  
 11 **22. Table 40.230.070-1 Replace the outdated term “riding stable” with**  
 12 **“equestrian facility”**

13  
 14

Table 40.230.070-1. Uses				
	UH-10	UH-20	UH-40	Special Standards
3. Services, Amusement				
d. Golf courses	C	C	C	
e. <del>Riding stables</del> <u>Equestrian Facilities</u>	C	C	C	<u>40.260.040</u>
f. Outdoor public entertainments, amusements and assemblies	R/A	R/A	R/A	Chapter <u>5.32</u>

15  
 16 **Rationale:** The ambiguous term “riding stable” was replaced with definitions of  
 17 “equestrian facilities” and “equestrian events center” in Batch 2B of the ROC  
 18 project, and the rural zones’ use tables were amended to specifically list whether  
 19 such facilities were Permitted or Conditional uses. Only the rural zones were  
 20 dealt with in that batch; the Urban Holding zones use table still lists “riding  
 21 stables” as a Conditional use. Since “riding stable” has no definition, it is  
 22 uncertain if an “equestrian events center” is allowed in the UH zones. Given that  
 23 the UH zones are destined for urban development, it seems appropriate to allow  
 24 only “equestrian facilities” in the UH zones, and make them Conditional uses  
 25 (consistent with the existing “riding stable” CUP requirement in the UH zones).

26

Equestrian events center	“Equestrian events center” means an equestrian facility that is intended to host local, regional, and national equestrian events and that has public seating for at least one hundred (100) spectators. <i>(Added: Ord. 2011-03-09)</i>
Equestrian facility	“Equestrian facility” means a facility or facilities used by the general public, and for which a fee is charged, for the boarding, feeding, and/or

<p>pasturing of at least six (6) horses, including training arenas, corrals, and exercise tracks, and any activities associated with the use of such facilities. (Amended: Ord. 2009-10-04; Ord. 2011-03-09)</p>
--

1  
2 In all rural zones except the FR and AG, “equestrian facilities” are conditional  
3 uses on parcels of less than 5 acres. They are permitted outright on parcels of 5  
4 acres or more. In all rural zones “equestrian events centers” are conditional  
5 uses.

6  
7 **23. 40.320.010.F Allow reduced setbacks for retaining walls built internal to**  
8 **a subdivision**

9 F. Establishing Setback Standards for Retaining Walls and Fences.

10 1. Construction of private retaining walls or fences within public rights-of-  
11 way is prohibited. Exceptions to this prohibition shall require approval  
12 of the Public Works director.

13 2. The construction of retaining walls four (4) feet or less in height and  
14 fences six (6) feet or less in height may be constructed within public  
15 easements. Exceptions may be granted when written approval has  
16 been obtained from the easement holder.

17 3. The construction of retaining walls in excess of four (4) feet in height  
18 and fences in excess of six (6) feet in height shall meet the setback  
19 requirements of the underlying zone. Exceptions to this provision are  
20 as follows:

21 a. This does not apply w~~When~~ an exception under (1) and (2)  
22 above has been granted;

23 b. -and The exposed faces of retaining walls over four (4) feet in  
24 height are directed toward the interior of the lot;

25 c. The retaining walls are constructed as part of the site  
26 improvements prior to a final plat, and located between lots  
27 within the development. Retaining walls on the perimeter of the  
28 plat may not use this exception, except as allowed under  
29 40.320.010.F.3.d and e below;

30 d. Retaining walls abutting a road right-of-way or road easement,  
31 provided that the wall does not block required sight distance.

32 e. The retaining wall is constructed between lots under the same  
33 ownership.

1 4. Building codes for retaining walls may require setbacks that are  
2 greater than those required by this section.

3 **Rationale:** The construction of a tall retaining wall next to existing residential  
4 development can cause impacts to abutting properties such as a reduction in  
5 privacy and views, as well as shading. As a result, the current code requires that  
6 such walls meet the standard building setback requirements. However, under  
7 other circumstances the effects of the retaining walls closer to property lines or  
8 rights-of-way should not directly affect existing residents.

9  
10  
11 **MINOR POLICY CHANGES**

12  
13 **24. 5.28.090 Change financial guarantee method for the removal of**  
14 **fireworks stands**

15 *This item is not a development code regulation and therefore requires no review*  
16 *by the Planning Commission.*

17  
18 **25. 13.20.010 Update fees for Public Works informational signs**

19  
20 *This item is not a development code regulation and therefore requires no review*  
21 *by the Planning Commission.*

22  
23 **26. 2.37.010 Allow higher value contracts to be negotiated without**  
24 **advertising or competitive bids (consistent with state law) and remove**  
25 **other outdated requirements regarding such contracts**

26  
27 *This item is not a development code regulation and therefore requires no review*  
28 *by the Planning Commission.*

29 **27. 40.260.250.G Reduce level of review for cell tower collocates that do**  
30 **not substantially change the dimensions in all zones from Type II to Type I**  
31 **and simplify submittal requirements**

32 **40.260.250 Wireless Communications Facilities**

33 **A. Purpose.**

34 The purpose of this section is to protect visual and aesthetic features of Clark  
35 County while providing continuing opportunities for effective wireless  
36 communications services throughout the county. The following specific goals  
37 are intended to protect the safety and welfare of the citizens of Clark County,  
38 and to provide for planned development consistent with the comprehensive  
39 plan:

- 40 1. Promote maximum utilization and encourage collocation of new and  
41 existing wireless communications antennas to minimize the total  
42 number of support structures and towers throughout the county;

- 1 2. Encourage careful consideration of topography and location to ensure
- 2 sites have minimal impact on views;
- 3 3. Encourage the location of support towers and antenna arrays in
- 4 nonresidential areas; and
- 5 4. Encourage siting of new support towers that minimizes wildlife impacts.

6 B. Applicability and Exemptions.

- 7 1. Applicability. All wireless communications facilities (WCFs) that are not
- 8 exempt pursuant to this section shall conform to the standards specified
- 9 in this section. All WCFs in the Columbia River Gorge National Scenic
- 10 Area shall additionally comply with the requirements of Chapter 40.240.
- 11 2. Exemptions. The following are exempt from the provisions of this section
- 12 and shall be allowed in all zoning districts:
- 13 a. Wireless communications facilities that were legally established prior to
- 14 the effective date of the ordinance codified in this section;
- 15 b. Temporary facilities used on the same property for seven (7) days or
- 16 less;
- 17 c. Temporary facilities that are used solely for emergency
- 18 communications in the event of a disaster, emergency preparedness,
- 19 or public health or safety purposes;
- 20 d. Two-way communication transmitters used for (1) emergency services
- 21 including, but not limited to fire, police, and ambulance services, and
- 22 (2) essential public utility services, including but not limited to electric,
- 23 water and wastewater;
- 24 e. Licensed amateur (ham) radio stations and citizen band stations;
- 25 f. Any maintenance, ~~or~~ repair, or upgrade of previously approved wireless
- 26 communications facilities, support structures, and support towers;
- 27 provided, that such activity does not substantially increase height,
- 28 width, or mass of the facility;

29 \*\*\*\*\*

30

31

32 D. Site Location of Wireless Communications Facilities. Wireless

33 communications facilities are permitted in any zone in the unincorporated

34 county subject to the following preferences and the limitations in Section

35 40.260.250(E)(2). New wireless communications facilities shall be in

36 conformance with all applicable standards as provided by this section.

- 37 1. Facility Priorities. The county's preferences for WCFs are listed below in
- 38 descending order with the highest preference first.
- 39 a. Collocation with legally existing WCFs on support structures or support
- 40 towers in nonresidential districts;
- 41 b. Collocation with legally existing WCFs on support structures or support
- 42 towers in residential districts;
- 43 c. New attached WCFs on support structures in nonresidential districts;
- 44 d. New attached WCFs on support structures in residential zones;
- 45 e. New support towers.

- 1           2. Utility Pole Placement/Replacement. Placement of antennas or antenna  
2           arrays on existing structures such as utility poles, light standards, and  
3           light poles for street and parking lots is preferred over new towers. Utility  
4           poles may be replaced for purposes of adding WCFs. Such  
5           replacements shall not be considered new support towers, and parcel  
6           size, setback, landscaping, and screening requirements of this section  
7           shall not apply. Unless SEPA review is required, utility pole  
8           placements/replacements require a Type I review and are subject to the  
9           following:
- 10          a. The existing pole may be replaced with a similar pole not exceeding  
11             ~~fifteen (15)~~ twenty (20) additional feet in height. Such increase in  
12             height shall only be allowed for the first replacement of the pole.
  - 13          b. A pole extension may not exceed the diameter of the pole at the  
14             mounting point for the antennas.
  - 15          c. For placement or replacement in public rights-of-way, auxiliary support  
16             equipment shall be mounted on the pole or placed underground. No  
17             at-grade support equipment in the right-of-way is permitted.
  - 18          d. Replacements in public rights-of-way are subject to Chapters 12.20A  
19             and 13.12A.

20          \*\*\*\*\*

22          F. Design Standards.

23           1. Height.

- 24          a. Support Structures. Attached WCFs shall not add more than ~~fifteen (15)~~  
25             twenty (20) feet in height to the support structure (including utility pole  
26             replacements) to which they are attached.
- 27          b. New Support Towers.
  - 28            (1) Subject to height bonus allowances in Sections  
29               40.260.250(E)(2)(a) and (F)(1)(b)(2), new support tower heights  
30               including all attachments are limited to the following:
    - 31               (a) Rural areas: one hundred sixty-five (165) feet.
    - 32               (b) Urban nonresidential districts: one hundred twenty (120) feet,  
33               except as provided for in Section 40.260.250(F)(1)(b)(1)(c).
    - 34               (c) Urban nonresidential districts: one hundred fifty (150) feet  
35               when the tower setback is greater than twice the total tower  
36               height or the parcel is completely surrounded by industrial  
37               parcels.
    - 38               (d) Urban residential districts: one hundred (100) feet.
  - 39            (2) Tower height may be increased if eighty percent (80%) of the  
40               final proposed tower is screened.

41          \*\*\*\*\*

44          G. Permit Process.

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2  
3  
4  
5  
6  
7  
8  
9  
10

1. Process Review. Table 40.260.250-1 shows required levels of WCF application review in terms of district location. Each type is subject to Section 40.520.040, Site Plan Review, and Chapter 40.510, Type I, II and III Processes. Proposals requiring Type III review shall necessitate approval of a conditional use permit. Facilities exempt from threshold determination and EIS requirements under SEPA are listed in WAC 197-11-800(25).

***(Table on next page)***

**Table 40.260.250-1. Processing Requirements for Wireless Communications Facilities**

	Collocation on Existing Support Towers	Attached WCFs on Existing Support Structures	New Support Towers
WCFs in Rural Areas (outside UGBs)	Review Type		
Industrial outside rural centers (IH)	I	I	II; III
Forest Tier I (FR-80) and Tier II (FR-40)	I	I	II; III
Industrial inside rural centers (IH)	I	I	II; III
Agriculture (AG-20)	I	I	III
Rural (R-20)	II I	II I	III
Rural (R-10; R-5)	II I	II I	III
Rural Commercial outside rural centers (CR-1)	II I	II I	III
Rural Commercial inside rural centers (CR-2)	II I	II I	III
Rural Center Residential (RC-2.5; RC-1)	II I	II I	III
<u>Urban Reserve (UR)</u>	II I	II I	II I
WCFs in Urban Areas (inside UGBs outside city limits)			
<u>Urban Holding (UH)</u>	I	I	III
Heavy Industrial (IH)	I	I	II; III
Light Industrial (IL)	I	I	II; III
General Commercial (GC)	I	I; II	III
Limited Commercial (CL)	I	I; II	III
Other Commercial	I	I; II	III
Residential	II I	II I	III
Temporary Use (not to exceed 60 days)			
All districts	I	I	I

1 NOTE: Type 1s become Type 2s if the facility is not categorically exempt under  
2 WAC 197-11-800(25).

3 ~~NOTE: In UH and UR districts, collocates and attached WCFs are Type 2s and~~  
4 ~~new towers are Type 3s.~~

5 1; 2 = Type 1 without a residence on an adjacent parcel; Type 2 with a residence  
6 on an adjacent parcel.

7 2; 3 = Type 2, unless tower location is within five hundred (500) feet of a parcel  
8 where a Type 3 review would be required.

9 The preferred district locations for WCFs in rural and urban areas are in order  
10 from top to bottom.

11 The preferred WCF types are in order from left to right.

12 2. Application Submittal. Applications for the location and development of  
13 wireless communications facilities shall include the following:

14 a. For wireless collocation applications:

15 (1) A written narrative that addresses the following:

16 (a) How the application meets or exceeds each of the  
17 applicable approval criteria and standards;

18 (b) How the proposed plan meets the minimum area and  
19 dimensions of the base zone;

20 ~~(c) How the issues identified in the pre-application conference~~  
21 ~~have been addressed, and generally, how services will be~~  
22 ~~provided to the site.~~

23 ~~(d)~~ (c) A comprehensive description of the existing or proposed  
24 facility including the technical reasons for the design and  
25 configuration of the facility, design and dimensional  
26 information, anticipated coverage of the facility, and the  
27 ability to accommodate future collocation opportunities.

28 ~~(e)~~ (d) If camouflage technology is proposed, the applicant shall  
29 provide a complete description of the suggested  
30 camouflage, including style and materials to be used, a  
31 photographic depiction of the proposed facility, and a  
32 maintenance plan detailing provisions for the continued  
33 effectiveness of the suggested camouflage for the life of  
34 the facility.

- 1 (f) ~~(e)~~ An analysis of the proposal area and discussion of  
2 factors influencing the decision to target the proposed  
3 location. Such analysis shall include the good faith efforts  
4 and measures taken to secure a higher priority location;  
5 how and why such efforts were unsuccessful; and how and  
6 why the proposed site is essential to meet service  
7 demands for the geographic service area.
- 8 ~~(g)~~ (f) The frequency of vehicular trips the proposal could be  
9 expected to generate.
- 10 (2) A site plan that is drawn to a minimum engineer's scale of one  
11 (1) inch equals two hundred (200) feet on a sheet no larger  
12 than twenty-four (24) inches by thirty-six (36) inches. The  
13 following information shall be clearly depicted:
- 14 (a) Applicant's name, mailing address and phone number;
- 15 (b) Owner's name and mailing address;
- 16 (c) Contact person's name, mailing address, and phone  
17 number;
- 18 (d) North arrow (orientated to the top, left or right of page) scale  
19 and date;
- 20 (e) Proposed name of project;
- 21 (f) Vicinity map covering one-quarter mile radius from the  
22 development site (not required for rural area plans); and
- 23 (g) Area of the site in acres or square feet.
- 24 (h) Existing Conditions on the Site. A copy of the previously-  
25 approved site plan and elevation drawings for the existing  
26 facility, or a site plan depicting:
- 27 (i) The entire parcel, drawn to scale, with property lines,  
28 north arrow (orientated to the top, left or right of page),  
29 footprint of existing structures and driveways, parking  
30 spaces, abutting streets (name, centerline, curb and  
31 sidewalk), and existing fire hydrants;
- 32 ~~(ii) The location of existing wells and septic systems;~~
- 33 ~~(iii) Location and full width of existing easements for~~  
34 ~~access, drainage, utilities, etc.;~~

1 ~~(iv) The locations of any existing environmentally sensitive~~  
2 ~~areas (e.g., wetlands, water bodies, steep slopes, etc.)~~  
3 ~~on the site, as indicated in the GIS materials;~~

4 ~~(v) Indicate the existing surfacing and features on all~~  
5 ~~portions of the site, such as asphalt, landscaping,~~  
6 ~~lawn, gravel, stormwater swale, etc. (as applicable);~~  
7 ~~and~~

8 ~~(vi)~~ (ii) Elevation drawings of existing site and facility,  
9 including the tower, equipment structures, antennas,  
10 mounts and, if applicable, existing structures. Other  
11 applicable features, including but not limited to security  
12 fencing and screening, shall be included.

13 (i) Proposed Improvements.

14 (i) Show the location of all proposed structures, driveways  
15 and roads, easements, number and layout of  
16 proposed parking spaces (as applicable) and  
17 proposed location of fire hydrants;

18 (ii) Landscape plan if landscaping is proposed;

19 (iii) Elevation drawings of the proposed site and facility  
20 changes.

21 (3) Documentation that establishes the applicant's right to use the  
22 site shall be provided at the time of application by a copy of the  
23 proposed lease agreement, easement agreement, license  
24 agreement or letter of authorization to use the facility from the  
25 owner of the support structure.

26 (4) Submit an original letter, signed and stamped by an engineer  
27 licensed in the state of Washington, certifying that the existing  
28 cell tower or support structure is of sufficient structural capacity  
29 to support the addition of the proposed co-location based on  
30 Telecommunications Industry Association standard TIA/EIA-  
31 222.

32 \*\*\*\*\*

33 **Rationale:** Recent federal law changes regarding the facilitation of processes for  
34 wireless communication facilities prompted a request from the industry to update  
35 the county's code to reflect these changes. Related to the federal changes, RCW  
36 43.21C.0384 was recently amended to exempt from SEPA review the collocation  
37 or replacement of existing equipment on existing towers or structures in all  
38 zoning districts, provided that the physical dimensions of the structure is not

1 substantially changed. Also, RCW 43.21C.0384 now defines a substantial  
2 change to mean increasing the height of a structure or tower by more than 10%  
3 or 20 feet, whichever is greater. Prior to the RCW change, only collocations in  
4 resource, commercial, industrial zones were exempt from SEPA.

5 Since all applications that are subject to SEPA are automatically classified as a  
6 Type II (which provides for public notice within either a 300 foot or 500 foot  
7 radius) , the removal of SEPA review allows a lower level of review. Granted,  
8 SEPA is not the only reason that projects are processed as Type II's; the public  
9 notification to neighboring properties under the Type II process gives neighbors  
10 the opportunity to ask questions and comment on the project. However, cell  
11 tower collocates (unlike new towers) usually do not elicit much in the way of  
12 comments.

13 **28. 40.340.010.A.8 Allow gravel parking and maneuvering areas where**  
14 **paving serves little purpose**

15 **40.340.010 Parking and Loading Standards**

16 A. General.

17 \*\*\*\*\*

18 8. Surfacing. All parking and loading spaces and related access drives,  
19 maneuvering, and vehicle storage areas shall be paved to standards  
20 approved by the responsible official except as follows:

- 21 a. Driveways leading to parking and maneuvering areas for unoccupied  
22 utility and wireless communication facilities need not be paved,  
23 except as required by Section 40.350.030(B)(7)(c) (this still requires  
24 the first twenty (20) to twenty-five (25) feet of driveway to be paved so  
25 gravel does not enter the paved road);
- 26 b. Three (3) or fewer parking spaces serving unoccupied utility and  
27 wireless communication facilities need not be paved;
- 28 c. Transitional uses such as coffee and food stands approved under  
29 Section 40.260.055, except as required by Section  
30 40.350.030(B)(7)(c);
- 31 d. Driveways used only for fire access purposes;
- 32 e. Parking areas for uses that receive access from unpaved roads; and,  
33 e. Other uses as approved by the responsible official.

34  
35 **Rationale:** Currently, paving is required for almost all driveways and  
36 maneuvering areas, but there are a number of circumstances where paved  
37 parking serves little purpose.  
38

1 **29. Table 40.340.020-1 Codify the number of queuing spaces for coffee**  
 2 **stands**  
 3

<b>Table 40.340.020-1. Minimum Queuing Spaces for Drive-Up, Drive-In and Drive-Through Services</b>	
<b>Use</b>	<b>Requirement</b>
<u>Drive-through coffee or food stands over 200 square feet without indoor seating</u>	<u>6 per window, or as determined at the time of site plan review</u>
Drive-in <u>through</u> banks	5 spaces/service terminal
Drive-in <u>through as part of a</u> restaurant	10 spaces/service window
Gasoline service stations	3 spaces/pump
Mechanical car washes	3 spaces/washing unit
Parking facilities:	
Free-flow entry	1 space/entry driveway
Ticket dispense entry	2 spaces/entry driveway
Manual ticket dispensing	8 spaces/entry driveway
Attendant parking	10% of the parking capacity served by the driveway
Other facilities	To be set in site plan or conditional use review

4  
 5 **Rationale:** “Queuing” (stacking) standards for vehicles exist in the code to insure  
 6 that cars are provided a place to wait in line that does not obstruct traffic in either  
 7 a street or parking area. Currently there is no standard for stand-alone coffee  
 8 stands; rather, the number is set at the time of site plan review, usually with the  
 9 assistance of a traffic study. Establishing a number at six (six has been found to  
 10 be adequate with some previous site plan review applications and is also a  
 11 standard that some other jurisdictions have adopted) will provide a baseline for  
 12 applicants. If desired, an applicant can still attempt to demonstrate with traffic  
 13 data that they won’t need that many, and staff can consider a smaller number.

14  
 15 Note that the proposed new standards for coffee and food stands of less than  
 16 200 square feet (see item # 35) require only three spaces, and can allow even  
 17 fewer if the applicant proposes overflow areas and assumes responsibility for  
 18 problems if they arise.

19  
 20  
 21

1 **30. 40.510.030.E.3.c Eliminate the county's three-sign posting requirement**  
2 **for Type III applications.**

3  
4 ~~e. Except for plat alteration applications that have been elevated to Type~~  
5 ~~III applications, and shorelines permits, the county shall post the~~  
6 ~~notice in a conspicuous place visible to the public in at least three~~  
7 ~~(3) locations on or in the vicinity of the property subject to the~~  
8 ~~application at least fifteen (15) calendar days before the hearing,~~  
9 ~~and the applicant shall remove and properly dispose of the notices~~  
10 ~~within seven (7) calendar days after the hearing.~~

11 ~~(1) The notice shall be posted on a signboard provided by the~~  
12 ~~responsible official for that purpose. The signboard shall state~~  
13 ~~the date, time and place of the hearing; the project name; the~~  
14 ~~case number(s); the nature and location of the proposal and~~  
15 ~~instructions for obtaining further information and, if one is~~  
16 ~~provided, the telephone number where the applicant can be~~  
17 ~~contacted for more information.~~

18 ~~(2) The responsible official shall execute an affidavit certifying~~  
19 ~~where and when the notices were posted.~~

20 ~~d.e.~~ Except for plat alteration applications that have been elevated to  
21 Type III applications, and shorelines permits, the applicant shall post  
22 one (1) four (4) foot by eight (8) foot sign board on the property  
23 subject to the development application as follows:

24 (1) Location. The board shall be installed at the midpoint along  
25 the site street frontage at a location five (5) feet inside the  
26 property line, or as otherwise directed by the responsible official  
27 to maximize visibility.

28 (2) Required Information. The sign shall include the following  
29 information:

30 (a) The project name, a brief description (i.e., one hundred  
31 (100) single-family lots; fifty thousand (50,000) square feet  
32 of retail commercial space; etc.) case number, public  
33 hearing date, time and location.

34 (b) The telephone number and Internet address through which  
35 interested parties may contact the county for additional  
36 information.

37 (c) The preliminary land subdivision, site plan or other plot plan  
38 view depicting the applicable development permit request.

1 (d) The name of the applicant's contact and his or her  
2 telephone number, should interested parties wish to  
3 contact the applicant directly.

4 (e) The sign shall be made of materials that will endure  
5 inclement weather conditions typical of Clark County.

6 (f) The responsible county official shall provide the applicant a  
7 template for the sign.

8 **Rationale:** Type III applications that require a public hearing require that the  
9 applicant post a 4 X 8 foot sign on the site that calls attention the proposed  
10 development. Per this code section the county also must post the site with  
11 smaller 1' X 2' blue signs. Staff has doubts whether the additional notice benefit  
12 that the small signs provide is worth the cost in staff time to install them,  
13 especially when the applicant is required to post a 4 X 8 foot sign.

14 **31. Appendix F, Section 5.3 Reduce width of required walkways through**  
15 **parking lots to 8 feet in the Highway 99 design standards**

16  
17 5.3 Internal Pedestrian Access

18  
19 INTENT

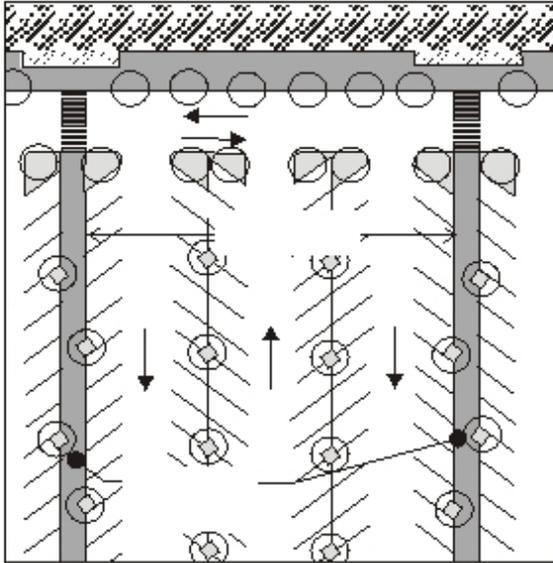
- 20 • To provide safe and direct pedestrian access in commercial areas to  
21 accommodate pedestrian movement patterns, to minimize conflicts between  
22 pedestrians and vehicular traffic, and to provide pedestrian connections to  
23 neighborhoods.
- 24 • To provide safe routes for the pedestrian and disabled person across parking,  
25 to entries, and between buildings.
- 26 • To provide attractive internal pedestrian routes that promote walking and  
27 enhance the character of the area.
- 28 • To provide a network of pedestrian walkways that can be expanded over time.
- 29 • To encourage pedestrian amenities along walkways, such as artwork,  
30 landscaping elements, and architectural details.

31 5.3.1 Pedestrian Access and Connectivity

32 Applicants shall successfully demonstrate how the proposal includes an  
33 integrated pedestrian circulation system that connects buildings, open space,  
34 and parking areas with the adjacent street sidewalk system and adjacent  
35 properties.

36 (1) Buildings with entries not facing the street should have a clear and obvious  
37 pedestrian access way from the street to the entry.

1 (2) Parking lot walkways: Paved walkways shall be at least 44 & 8 feet in width.



2

3 Trees in grates or planting strips may be integrated with the walkway provided  
4 the paved area is no less than 8 5 feet in width. Such access routes through  
5 parking areas shall be separated from vehicular parking and travel lanes by use  
6 of contrasting paving material, landscaped strips, and/ or by using a raised  
7 walkway, provided that it is ADA accessible.

8 Trees and pedestrian-scaled lighting (maximum 18 feet in height) shall be used  
9 to clearly define pedestrian walkways or other pedestrian areas within the  
10 parking area.

11  
12 **Rationale:** The Highway 99 standards require 11 foot wide walkways through  
13 parking lots. There is a similar eleven foot sidewalk width requirement in Section  
14 40.230.010.D.5.a (the commercial code standards) but it applies only to  
15 sidewalks between the street and the front entrance which is a more visible  
16 location, and usually a much shorter distance than that through a parking lot.  
17 The 11 foot requirement results in greater impervious area and reduces potential  
18 building and/or parking area on commercial sites.

19  
20 **32. Appendix F, Section 4.6.C Remove special rear setback requirements**  
21 **for Single Family residential lots in the Highway 99 overlay**

22  
23 **Rear Setback Requirements:**

- 24 • General setback = 20' min. setbacks of applicable zoning district  
25 • Garage adjacent to alley = 0' min.

26  
27 **Rationale:** Staff believes there is no logical reason that residential development  
28 in the Highway 99 Overlay area should have larger rear setbacks that other  
29 residential development in the county.

1  
2 **33. Appendix F, Section 7.7.2 (2) remove certain driveway requirements for**  
3 **duplex units**

4  
5  
6 ~~(2) Driveways shall be shared and no greater than 20 feet in width.~~

7  
8 **Rationale:** This subsection requires duplexes to share driveways, yet figure 7-  
9 37 shows separated driveways as a desirable design.

10  
11 **34. Appendix F, Section 7.8.2 (2) remove design requirements for single**  
12 **family residential driveways and homes**

13  
14 **7.8.2 Standards for Traditional Single-Family Lots**

15 ~~(1) Garages placement:~~

16 ~~(a) Where lots front on a street and where vehicular access is from the street, garages or carports~~  
17 ~~shall be set back at least 5 feet behind the front wall of the house or front edge of an unenclosed~~  
18 ~~porch. On corner lots, this standard shall only apply to the designated front yard.~~

19 ~~(b) The garage face shall occupy no more than 50 percent of the ground level façade facing the~~  
20 ~~street.~~

21 ~~(c) Where lots abut an alley, the garage or off street parking area shall take access from the alley,~~  
22 ~~unless precluded by steep topography greater than 15% grade.~~

23 ~~(2) Driveway standards:~~

24 ~~(a) No more than one driveway per dwelling unit.~~

25 ~~(b) Driveways for individual lots 50 feet or wider may be up to 20 feet in width.~~

26 ~~(c) Driveways for individual lots less than 50 feet wide may be up to 12 feet in width. Tandem~~  
27 ~~parking configurations may be used to accommodate two car garages.~~

28 ~~(3) Covered entry. All houses shall provide a covered entry with a minimum dimension of 4~~  
29 ~~feet by 6 feet. Porches up to 200 square feet may project into the front yard.~~

Overlays where housing type is permitted

30 ~~(4) Windows on the street. Transparent windows and/or doors are required on at least 10~~  
31 ~~percent of the facade (all vertical surfaces facing the street).~~

32 ~~(5) Minimum usable open space. All alley loaded lots shall provide a contiguous open space~~  
33 ~~equivalent to 10 percent of the lot size. Such open space shall not be located within the front~~  
34 ~~yard. The required open space shall feature a minimum dimension of 15 feet on all sides. For~~  
35 ~~example, a 3,000 square foot lot would require a contiguous open space of at least 300 square~~  
36 ~~feet, or 15 feet by 20 feet in area. Driveways shall not count in the calculations for usable open~~  
37 ~~space.~~

1  
2  
3 **Rationale:** Other code requirements in Title 40 already discourage two  
4 driveways per lot, and driveway width restrictions can restrict the use of 3 car  
5 garages, which are increasingly more popular, especially with higher-end homes.

6  
7 Other design requirements such as covered porches and transparency  
8 requirements don't appear to add much in the way of design, but still require  
9 review by county staff.

10  
11 **35. Create special standards for small coffee and food stands**

12 **40.260.055 Coffee and Food Stands**

13 A. Purpose.

14 The purpose of this section is to provide for small coffee and food stands, which  
15 are often a transitional use on underdeveloped sites, or additions to sites that are  
16 already developed, but have available space.

17 B. Applicability and exemptions

18 1. Coffee and food stands that are either parked or placed on a semi-  
19 permanent basis may be allowed in all commercial, urban holding, and  
20 employment zones, subject to the following:

21 a. Each stand is limited to two-hundred (200) square feet;

22 b. A maximum of three (3) coffee and / or food stands are allowed  
23 per these standards per development site;

24 c. Only one (1) stand is allowed to have drive-through facilities;

25 d. When located in an industrial zone, such facilities may be stand-  
26 alone uses and are not subject to the ten percent (10%)  
27 commercial floor area limit.

28 2. Mobile food trucks and carts that are removed from a site at the end of  
29 each day or weekend are exempt from the provisions of this section.

30 C. Development Standards.

31 1. Sites with on-site parking and/or drive up facilities will require an  
32 approved driveway approach with adequate sight distance per Section  
33 40.350.030.B.8.

34 2. Drive up stacking. Stands with drive-up windows require three (3),  
35 eighteen (18) foot-long queuing spaces per window. Fewer spaces

1 may be approved by the responsible official provided that a plan is  
2 submitted that shows the site has sufficient overflow areas so that  
3 traffic will block streets, sidewalks, or parking lot circulation aisles.

4 3. Parking. Parking shall meet minimum ADA requirements. One (1)  
5 parking space per employee per shift shall be provided. Additional  
6 parking for walk up patrons on undeveloped sites shall be provided at  
7 a rate of one space per outdoor seating table. Parking may be  
8 provided by the following methods:

9 a. On site;

10 b. On-street parking; provided, that the parking space is legally  
11 available and along the site's street frontage. Posted-time or day-  
12 restricted parking spaces do not qualify as legally available for the  
13 purposes of this section; or

14 c. If no parking space is available on-site or on-street, a joint  
15 agreement for off-site parking may be used subject to Section  
16 40.340.010(A)(5).

17 4. Paving. Gravel parking and maneuvering areas may be approved, if it  
18 provides an adequate all-weather surface. When gravel is used,  
19 driveways areas must be paved at least twenty-five (25) feet back  
20 from a sidewalk or road edge, whichever is greater. Dust shall not  
21 become a nuisance, and gravel shall not be allowed to track onto  
22 sidewalks or streets. The creation of additional impervious surface will  
23 be subject to the stormwater requirements of Chapter 40.385.

24 5. Building permits. The stand and any structures associated with the  
25 stand, such as add-on canopies, stairs, and decks shall comply with  
26 building codes. Trailer-type stands that are raised off wheels shall  
27 require building permits for adequate tie-downs.

28 6. Landscaping. Landscaping is not required unless headlight glare  
29 associated with drive-up queuing areas will affect abutting residential  
30 uses. In those cases, the responsible official may require screening in  
31 the form of shrubs or fencing.

32 7. Public Health approval. All coffee and food stands shall comply with  
33 county and state health department regulations, including the  
34 provision of restroom and hand washing facilities for employees and  
35 patrons.

36 8. Stands approved under this Section are not considered "new  
37 structures" for the purposes of Section 40.370.010.C.

1 9. Signage. Permanent signs are allowed subject to Chapter 40.310.  
2 One (1) portable sign is allowed per street frontage without obtaining a  
3 permit under Section 40.310.010.D.10. Portable signs shall not  
4 exceed six (6) square feet per side, shall be removed at the end of  
5 each business day, and shall not obstruct vehicular sight distance.

6 10. Accessibility. Outdoor seating areas and restroom facilities shall  
7 comply with ADA requirements.

8 11. Setbacks. All stands and accessory structures shall be setback per the  
9 requirements of Table 40.320.010; however, the setback area need  
10 not be landscaped. Structures, signs, and parking and maneuvering  
11 areas shall not obstruct sight distance per Section 40.350.030.B.8.

12 12. Frontage improvements are not required.

13 D. Performance standards. Failure to mitigate the effect of unpaved parking  
14 lots, reduced queuing and landscaping standards, portable signs, or on-  
15 street parking may result in the revocation of a permit.

16 E. Process. Coffee and food stands require Type I site plan review under  
17 Section 40.510.010. Building permits may be submitted at the same time  
18 as the site plan review.

19 F. Application submittal requirements:

20 1. Application form;

21 2. Application fee;

22 3. Narrative that describes the existing conditions and proposed project  
23 in detail, including hours of operation, types of food and beverages to  
24 be prepared and served, whether outdoor seating is proposed, and  
25 the provision of:

26 a. Restroom facilities;

27 b. Water and wastewater;

28 c. Off-site parking, if proposed;

29 d. Plan to mitigate the effects of dust, gravel, glare and queuing  
30 overflow as applicable;

31 e. Cooking and/or barista facilities; and

32 f. Outdoor seating areas, if proposed;

- 1            4. Site plan (11" X 17" minimum size) drawn to a legible scale to  
2            adequately show:
- 3            a. Dimensions of property and right-of-way lines;
- 4            b. The abutting street name, centerline, curb and sidewalk;
- 5            c. The locations, width, and surface materials of driveways, queuing  
6            and parking spaces;
- 7            d. The locations and dimensions of the stand(s), outdoor seating  
8            areas and restroom facilities;
- 9            e. Proposed location of signs (both permanent and/or temporary);
- 10           f. Scale of plan, and north arrow;
- 11           g. If the parcel is large, the detailed plan can show only the part of the  
12           parcel proposed for the stands; provided that an insert of the entire  
13           parcel is also shown with the area of detail shown on the insert; and
- 14           h. Location of any easements;
- 15           5. Copy of current deed to verify property dimensions and check  
16           whether any easements exist;
- 17           6. Water utility review letter; and
- 18           7. Associated applications as applicable, such as floodplain, habitat,  
19           shoreline, wetlands must be submitted prior to, or with the application.

20

21           **Rationale:** Small coffee and food stands are sometimes a transitory use, but are  
22           currently subject to the same standards as larger, permanent buildings. This  
23           makes complying with these standards economically infeasible in many cases.  
24

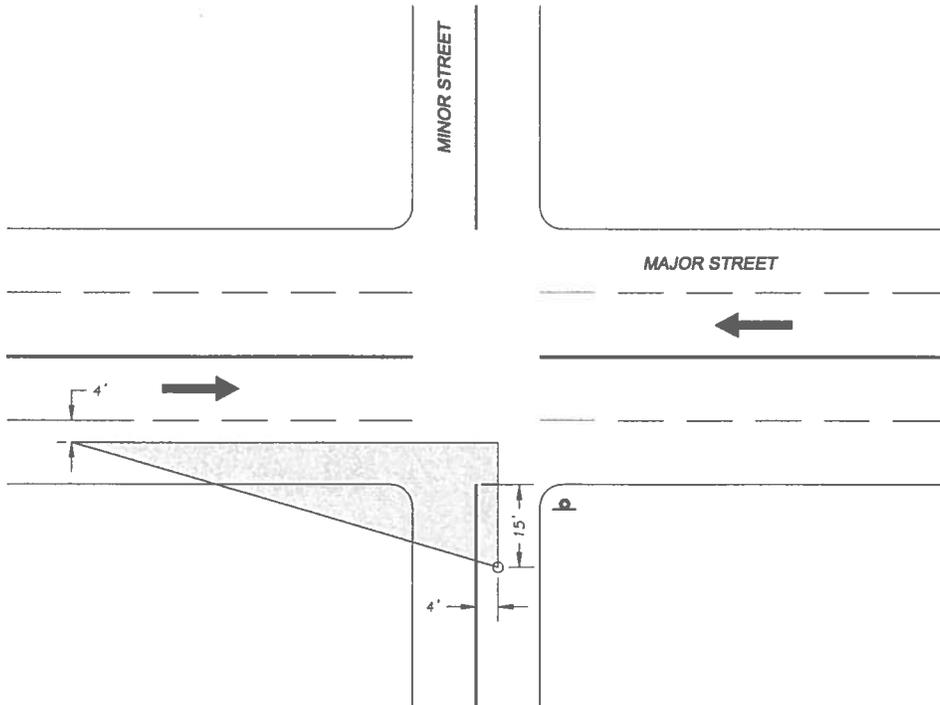
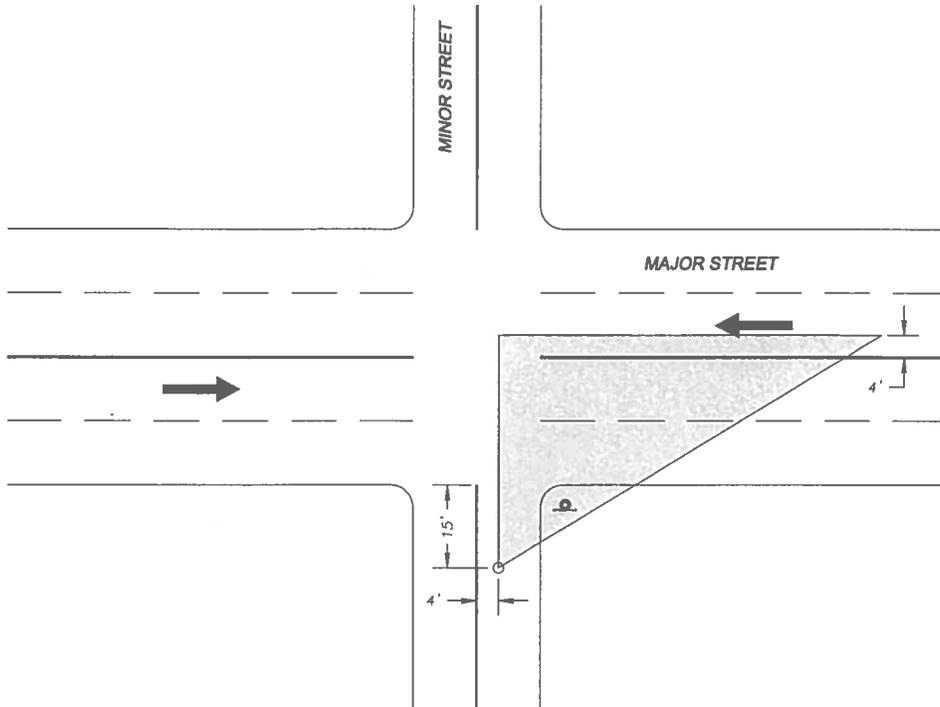


FIGURE 10-10 SIGHT TRIANGLES FOR STOP CONTROLLED INTERSECTIONS

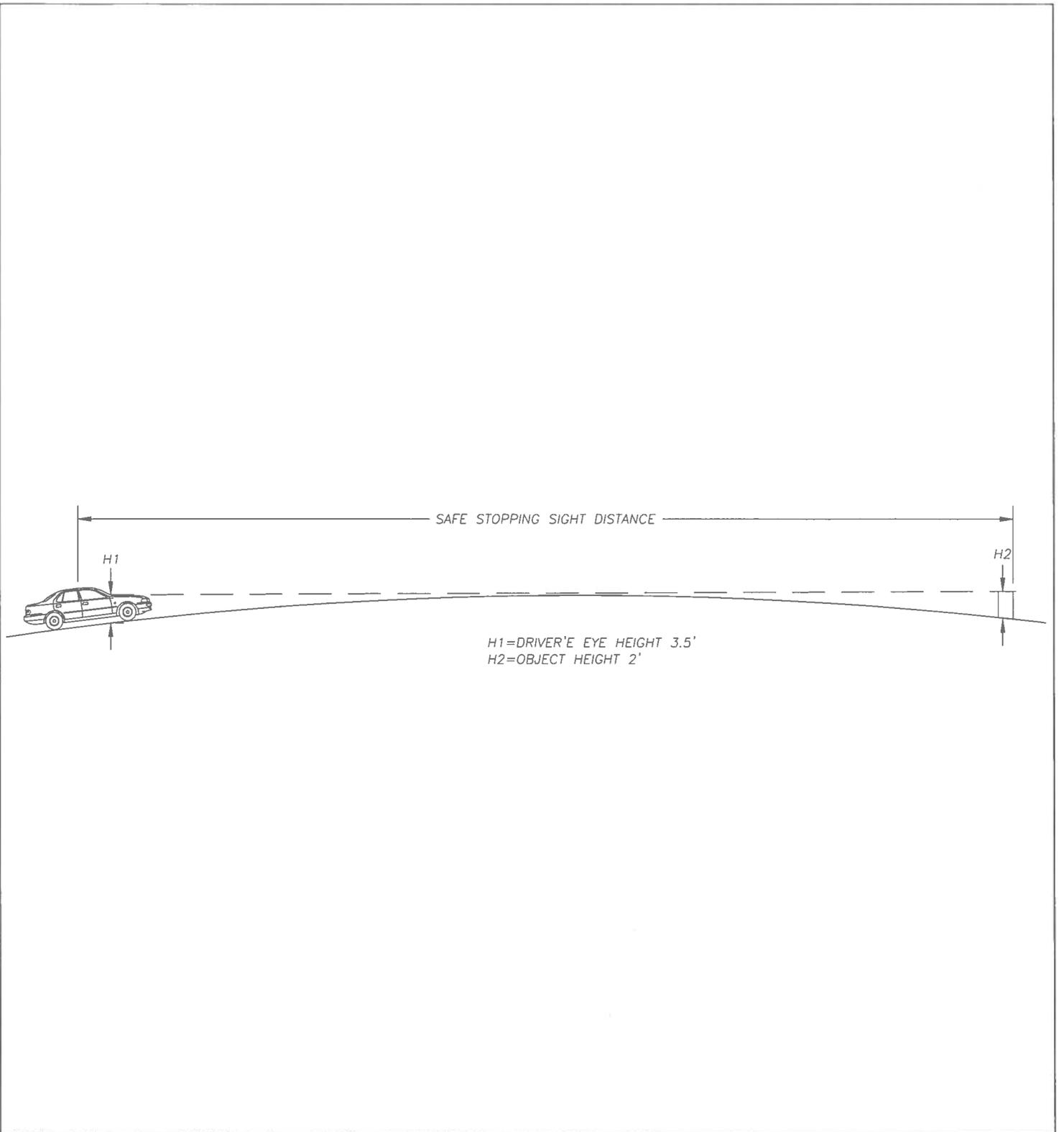
ILLUSTRATION  
STOP CONTROLLED INTERSECTION SIGHT DISTANCE

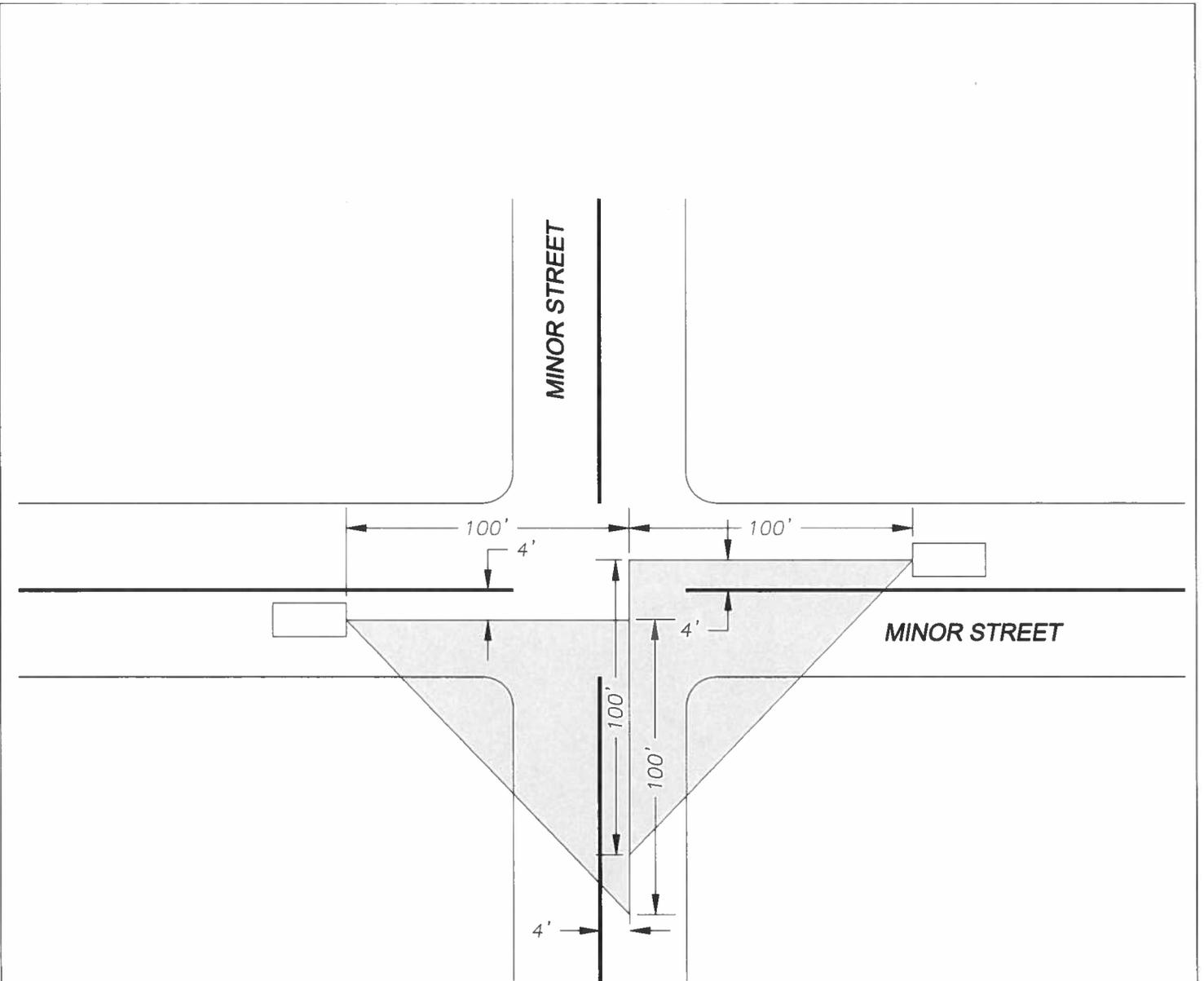


**CLARK COUNTY**  
WASHINGTON  
proud past, promising future

DATE 05/23/08

FOR ITEM #11





**INTERSECTION SIGHT DISTANCE TRIANGLE AT UNCONTROLLED INTERSECTIONS IN RESIDENTIAL STREET**



**CLARK COUNTY**  
 WASHINGTON  
 proud past, promising future

*ILLUSTRATION  
 UNCONTROLLED INTERSECTION SIGHT DISTANCE*

DATE 05/23/08



BUSCH LAW FIRM PLLC  
WWW.WIRELESSCOUNSEL.COM

October 10, 2013

Jan Bazala  
Clark County Community Development  
PO Box 9810  
Vancouver, WA 98666-9810

VIA EMAIL

**RE: CCC 40.260.250 (Wireless Communications Facilities)  
Fall Biannual Code Amendments**

Dear Jan:

We understand that Clark County is planning to adopt changes to CCC 40.260.250, which will reestablish the type of planning review required for wireless communications facilities in light of Washington's new SEPA<sup>1</sup> exemption.<sup>2</sup> In connection with this work, we ask that the County consider some additional amendments in order to bring its code more in line with the 2012 federal law that provided the basis for the new SEPA exemption.

Importantly, the changes we describe below are also consistent with policy decisions the County has previously made for CCC 40.260.250. The code already includes preferences for collocations and other means of providing service that avoid construction of an entirely new tower. Our suggested changes make it easier for carriers to provide service under one of the County's preferred alternatives.

These changes will help carriers modify existing facilities to meet growing demand and support economic development in the County. In the past six years alone, AT&T has seen the demand for data on its network grow by 30,000%.<sup>3</sup> Furthermore, small businesses depend upon wireless service to compete. A recent AT&T survey of small businesses indicated that nearly all (98%) small businesses utilize wireless technologies in their operations. Sixty-six percent (66%) of small businesses responded that they could not survive, or that it would be a major challenge to survive, without wireless service.<sup>4</sup>

Like many wireless codes, CCC 40.260.250 primarily addresses the construction of new wireless facilities and does not provide a simple means of upgrading existing sites for changes in

---

<sup>1</sup> State Environmental Policy Act (RCW 43.21C).

<sup>2</sup> RCW 43.21C.0384.

<sup>3</sup> AT&T. "AT&T Small Cells." *AT&T Press Room*, June 29, 2013.

<sup>4</sup> AT&T. "2013 AT&T Small Business Technology Poll." *AT&T Website*. From URL: <http://www.att.com/gen/press-room?pid=23878>



technology. And, as you know, the new federal law<sup>5</sup> states that the County cannot deny, and it must approve, an application for collocation, as well as the removal, replacement, and addition of new antennas/equipment when the existing tower and/or base station equipment are not being substantially changed. For these reasons, we propose an exemption for site upgrades and replacements and a Type I administrative process for all collocations and attached facilities that do not involve a substantial change to the overall structure.

We propose the following changes:

- **Simplified process for site upgrades, collocations, and attached facilities:** Upgrades to existing sites, including removal of equipment or replacement of existing equipment on existing or replacement structures, that do not substantially change the physical dimensions of such structures, should be exempt from planning review. Similarly, new collocations and attachments that do not substantially change the physical dimensions of the relevant structures (and that are now exempt from SEPA) should be subject to a Type I review. For upgrades, we suggest expanding the exemption in CCC 40.260.250(B)(2)(f) to include replacements and upgrades as well as maintenance and repair, so long as the overall dimensions of the facility's structure are not substantially changed. See proposed language in our enclosure. At the same time, the County could classify new collocations and attachments in CCC Table 40.260.250-1 as a Type I review. A shorter, simplified process for these improvements would be appropriate for site upgrades, collocations, and attachments and would also help the County meet Federal Communications Commission "Shot Clock" requirements.
- **Simplified submittal requirements:** Similar to the above and based on AT&T's experience obtaining approval of collocations in the County, the submittal requirements for collocations and attachments should be simplified. See CCC 40.260.250(G)(2)(a).<sup>6</sup> As the code now reads, applications for collocations must both (a) address issues that were previously resolved when the support tower was originally approved and (b) include information that is not relevant to the type of administrative review now permitted under federal law. For instance, the code currently requires "[a]n analysis of the proposal area and discussion of factors influencing the decision to target the proposed location," in order to justify the proposed collocation. CCC 40.260.250(G)(2)(a)(1)(f). This does not make sense when the original tower was legally established and the County requires new towers to be designed to accommodate collocation. Simply put, the applicant should not need to justify a location that the County previously required to be provided for the applicant's use. Instead, the submittal requirements for a collocation should be limited to the new elements of the design for purposes of showing conformance with the few design standards that will be relevant, such as setbacks for any new auxiliary support equipment. Consistent with this, the applicant should be

---

<sup>5</sup> Section 6409, "Middle Class Tax Relief and Job Creation Act of 2012"

<sup>6</sup> While this subsection does not refer to "attached" facilities, presumably the County uses it for attachments in practice. This might also be clarified during the amendments.



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allowed to rely on a previously-approved site plan to establish all existing conditions. Engineered drawings should be limited to a site detail that focuses on the proposed new construction. Please see our enclosed suggested revisions to CCC 40.260.250(G)(2)(a).

- **20-foot threshold:** The new SEPA threshold for applicability defines a substantial increase in height as one of more than 20 feet.<sup>7</sup> Consistent with this new state law, the County's code should allow attached facilities and utility pole replacements to increase the structure's overall height by 20 feet instead of 15 feet. CCC 40.260.250(D)(2)(a) and -(F)(1)(a).

Thank you for your consideration of these proposed amendments. We appreciate the County's continuing willingness to refine its code to adapt to changing technology as well as state and federal law.

If you have any questions, please contact me at (425) 628-2660 or at meridee.pabst@wirelesscounsel.com.

Sincerely,

Meridee Pabst

Enclosure

cc: Bob Bass, AT&T External Affairs  
Ken Lyons  
Marty Snell  
File

---

<sup>7</sup> RCW 43.21C.0384.

Enclosure for October 2013 correspondence to Jan Bazala regarding CCC 40.260.250

From CCC 40.260.250(B) Applicability and Exemptions:

- f. Any maintenance, ~~or~~ repair, replacement, or upgrade of previously approved wireless communications facilities, support structures, and support towers; provided, that such activity does not substantially increase height, width, or mass of the facility;

From CCC 40.260.250(G)(2) Submittal Requirements:

- a. For wireless collocation applications:

- (1) A written narrative that addresses the following:

- (a) How the application meets or exceeds each of the applicable approval criteria and standards;
- (b) How the proposed plan meets the minimum area and dimensions of the base zone;

~~(c) How the issues identified in the pre-application conference have been addressed, and generally, how services will be provided to the site.~~

- (d) A comprehensive description of the ~~existing or~~ proposed facility including the technical reasons for the design and configuration of the facility, design and dimensional information, ~~anticipated coverage of the facility,~~ and the ability to accommodate future collocation opportunities.

- (e) If camouflage technology is proposed, the applicant shall provide a complete description of the suggested camouflage, including style and materials to be used, a photographic depiction of the proposed facility, and a maintenance plan detailing provisions for the continued effectiveness of the suggested camouflage for the life of the facility.

~~(f) An analysis of the proposal area and discussion of factors influencing the decision to target the proposed location. Such analysis shall include the good faith efforts and measures taken to secure a higher priority location; how and why such efforts were unsuccessful; and how and why the proposed site is essential to meet service demands for the geographic service area.~~

(g) The frequency of vehicular trips the proposal could be expected to generate.

(2) A site plan that is drawn to a minimum engineer's scale of one (1) inch equals two hundred (200) feet on a sheet no larger than twenty-four (24) inches by thirty-six (36) inches. The following information shall be clearly depicted:

(a) Applicant's name, mailing address and phone number;

(b) Owner's name and mailing address;

(c) Contact person's name, mailing address, and phone number;

(d) North arrow (orientated to the top, left or right of page) scale and date;

(e) Proposed name of project;

(f) Vicinity map covering one-quarter mile radius from the development site (not required for rural area plans); and

(g) Area of the site in acres or square feet.

(h) Existing Conditions on the Site. A copy of the previously-approved site plan and elevation drawings for the existing facility or a site plan depicting:

(i) The entire parcel, drawn to scale, with property lines, north arrow (orientated to the top, left or right of page), footprint of existing structures and driveways, parking spaces, abutting streets (name, centerline, curb and sidewalk), and existing fire hydrants;

~~(ii) The location of existing wells and septic systems;~~

~~(iii) Location and full width of existing easements for access, drainage, utilities, etc.;~~

~~(iv) The locations of any existing environmentally sensitive areas (e.g., wetlands, water bodies, steep slopes, etc.) on the site, as indicated in the GIS materials;~~

~~(v) Indicate the existing surfacing and features on all portions of the site, such as asphalt, landscaping, lawn, gravel, stormwater swale, etc. (as applicable); and~~

(vi) Elevation drawings of existing site and facility, including the tower, equipment structures, antennas, mounts and, if applicable, existing structures. Other applicable features, including but not limited to security fencing and screening, shall be included.

(i) Proposed Improvements.

- (i) Show the location of all proposed structures, driveways and roads, easements, number and layout of proposed parking spaces (as applicable) and proposed location of fire hydrants;
  - (ii) Landscape plan if landscaping is proposed;
  - (iii) Elevation drawings of the proposed site and facility changes.
- (3) Documentation that establishes the applicant's right to use the site shall be provided at the time of application by a copy of the proposed lease agreement, easement agreement, license agreement or letter of authorization to use the facility from the owner of the support structure.
- (4) Submit an original letter, signed and stamped by an engineer licensed in the state of Washington, certifying that the existing cell tower or support structure is of sufficient structural capacity to support the addition of the proposed co-location based on Telecommunications Industry Association standard TIA/EIA-222.

)      ss:  
County of Clark )

Columbian

MARILEE McCALL, OAI  
CLARK CTY COMMUNITY PLANNING-L  
PO BOX 9810  
VANCOUVER WA 98666-9810

REFERENCE: 70914      FALL BIANNUALS  
              3261683     NOTICE OF DETERMINAT

I, the undersigned say,  
That I am over the age of eighteen and not interested in the above entitled matter; that I am now, and at all time embraced in the publication herein mentioned, was, the principal clerk of the printer of The Columbian, a daily newspaper printed, published and circulated in the said county and adjudged a newspaper of general circulation by the Superior Court of the County of Clark, State of Washington, under Proceeding No. 802006715; that the advertisement, of which the annexed is a true printed copy, was published in the above-named newspaper on the following dates, to wit:

PUBLISHED ON: 11/06

TOTAL COST: 276.76  
FILED ON: 11/06/13

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature Sandra Berkert

**NOTICE OF DETERMINATION OF NON SIGNIFICANCE (DNS)**

**NOTICE IS HEREBY GIVEN** that the following proposal has been determined to have no probable significant adverse impact on the environment, and that an environmental impact statement is not required under RCW 43.21C.030(2)(c). Written comments on the following proposal, or DNS, may be submitted to the Responsible Official by November 21, 2013.

**DESCRIPTION:** Clark County is proposing 35 biannual code amendments as follows:

**BI-ANNUAL CODE CHANGE ITEMS - FALL 2013**

**No. Title/Chapter/Section Description**

**Scrivener's Errors**  
1 Table 40.210.010-1 Fix mislabeled foot-note regarding public and private recreation uses

2 40.320.020 Correct reference to sight distance requirements found in 40.350

3 40.350.030 B.3.b.(1)(a)(i) Clarify that permeable medians, while allowed, are not a part of the flex zone.

4 40.520.030.1 In the conditional use section, eliminate a reference to a non-existent code section

5 Highway 99 Appendix F, Section 8.8.3 Fix wrong page references to landscape types

**Reference Updates**

6 Title 7 Update Title 7 (the Clark County Weed Control Code) to reflect the creation of the Environmental Services Department and ensure consistency with RCW 17.10

7 14.07.040 Update the SEPA grading threshold in the grading code to 1,000 cubic yards to reflect recent categorical exemption changes

8 Table 40.230.070-1 In the Urban Holding use table, update a reference to an outdated Light Industrial code section

9 40.350.010 Update ADA sidewalk obstruction minimum clear space from 36 to 48 inches

10 Table 40.350.030-2 Update the Standard Details Manual drawing numbers, and fix the total Planter/LID/Utility widths for all Access Roads

11 40.350.030 B.8 Update stopping sight distance

12 40.350.030.C.3 Change reference to the design requirements for permeable pavement from the Standard Details Manual to the LID Technical Guidance Manual

**Clarifications**

13 40.210.010.C and 40.210.020.C Clarify text in the Resource and Rural zones referring to re-subdividing a remainder lot of a previously-approved cluster subdivision

14 Table 40.230.020-1 Correct "animal day care" reference

15 Table 40.230.085-2 Clarify lot coverage percentage for Employment Zones

16 Table 40.220.010-3 Clarify that the 18' setback requirement for garages applies only to the front of the garage

17 Tables 40.230.010-1 and 40.230.020-1

Clarify that single family residential accessory buildings are allowed, and that such uses can be replaced in the Commercial and Mixed Use zones

18 Table 40.230.085-1 Explicitly list agricultural stands and markets and accessory residential uses as allowed uses in the Employment zones

19 40.350.030 B.3 b.(6) Clarify that rolled curb is not allowed on county roads other than on the bulbs of cul-de-sacs

20 40.350.030 B.4 Clarify that the width of residential driveways can be limited when they must be closer than 50 feet to an intersection

21 40.350.030 B.11 Clarify that only three lots can be accessed by a driveway except for projects approved under the narrow lots provisions

**Code Interpretations**

22 Table 40.230.070-1 Replace the outdated term "riding stable" with "equestrian facility"

23 40.320.010.F Allow reduced setbacks for retaining walls built internal to a subdivision

**Minor Policy Changes**

24 5.28.090 Change financial guarantee method for the removal of fireworks stands

25 13.20.010 Update fees for Public Works informational signs

26 2.37.010 Allow higher value contracts to be negotiated without advertising or competitive bids (consistent with state law) and remove other outdated requirements regarding such contracts

27 40.260.250.B.2.f and 40.260.250.G Reduce level of review for cell tower collocations that do not substantially change the dimensions in all zones from Type II to Type I and simplify submittal requirements

28 40.340.010.A.B Allow gravel parking lots where paving serves little purpose

29 Table 40.340.020-1 Codify the number of queuing spaces for coffee stands

30 40.510.030.E.3.c Eliminate the county's three-sign posting requirement for Type III applications.

31 Highway 99 Appendix F, Section 5.3 Allow departures for width of walkways through parking lots in the Highway 99 design standards

32 Highway 99 Appendix F, Section 4.6.C Remove special rear setback requirements for Single Family residential lots in the Highway 99 overlay

33 Highway 99 Appendix F, Section 7.7.2 (2) Remove certain driveway requirements for duplex units

34 Highway 99 Appendix F, Section 7.8.2 Remove design standards for traditional single family lots

35 40.260.055 Create new special standards section for small coffee and food stands

**ACTION REQUESTED:** It is requested that the Board of County Commissioners change the Clark County Unified Development Code and Titles 2, 5, 13 and 14 to include the changes as identified above.

**RESPONSIBLE OFFICIAL:**

Martin Snell,  
Community Development Director  
Clark County  
Dept. of Community Development  
PO Box 9810  
Vancouver, WA. 98666-9810



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## COMMUNITY DEVELOPMENT

<b>Today's Date:</b>	<b>October 29, 2013</b>
<b>File Name:</b>	<b>Fall 2013 Biannual Code Amendments</b>
<b>Publication Date:</b>	<b>November 6, 2013</b>
<b>Comment Deadline Date:</b>	<b>November 21, 2013</b>
<b>Project Manager:</b>	<b>Jan Bazala</b>

Attached is an environmental Determination of Non-significance (DNS) and associated environmental checklist issued pursuant to the State Environmental Policy Act (SEPA) Rules (Chapter 197-11, Washington Administrative Code). The enclosed review comments reflect evaluation of the determination within fourteen (14) days of the DNS publication date. The lead agency will not act on this proposal until the close of the 14-day comment period.

**Please address any correspondence to:** **Clark County Community Development**  
**RE: SEPA Comments**  
**P.O. Box 9810**  
**Vancouver, WA 98660-9810**  
**Or e-mail: [jan.bazala@clark.wa.gov](mailto:jan.bazala@clark.wa.gov)**

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Gifford Pinchot National Forest, USDA	<a href="mailto:cachandler@fs.fed.us">cachandler@fs.fed.us</a>
US Army Corps of Engineers	<a href="mailto:steven.w.manlow@usace.army.mil">steven.w.manlow@usace.army.mil</a>
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Clark Regional Wastewater District	<a href="mailto:dkiggins@crwwd.com">dkiggins@crwwd.com</a>
Col. River Economic Dev. Council (CREDC)	<a href="mailto:lnisenfeld@credc.org">lnisenfeld@credc.org</a> <a href="mailto:lpaulson@credc.org">lpaulson@credc.org</a>
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Port of Vancouver, Environ. Services	<a href="mailto:pboyden@portvanusa.com">pboyden@portvanusa.com</a>
Port of Vancouver	<a href="mailto:info@portvanusa.com">info@portvanusa.com</a>
<b>Libraries:</b>	
Battle Ground Community Library	<a href="mailto:jspurlock@fvrl.org">jspurlock@fvrl.org</a>
Camas Public Library	<a href="mailto:rmartin@ci.camass.wa.us">rmartin@ci.camass.wa.us</a>
Cascade Park Community Library	<a href="mailto:ttorres@fvrl.org">ttorres@fvrl.org</a>
Vancouver Community Library	<a href="mailto:kford@fvrl.org">kford@fvrl.org</a>
Ridgefield Community Library	P.O. Box 547, Ridgefield, WA 98642
Van Mall Community Library	<a href="mailto:bmeisenheimer@fvrl.org">bmeisenheimer@fvrl.org</a>
Washougal Community Library	<a href="mailto:smcgill@fvrl.org">smcgill@fvrl.org</a>
Woodland Public Library	<a href="mailto:jkeeler@fvrl.org">jkeeler@fvrl.org</a>
<b>Fire Districts:</b>	
East County Fire & Rescue	<a href="mailto:skoehler@ecfr.us">skoehler@ecfr.us</a>
Clark County Fire & Rescue & District #2	<a href="mailto:dennis.mason@clarkfr.org">dennis.mason@clarkfr.org</a>
Fire Protection District #3	<a href="mailto:steve@clarkcofd3.org">steve@clarkcofd3.org</a>
Fire Protection District #5	<a href="mailto:dave.vial@nwrta.org">dave.vial@nwrta.org</a>
Fire Protection District #6	<a href="mailto:jerryg@ccfd6.org">jerryg@ccfd6.org</a>
Fire Protection District #10	<a href="mailto:gordon.brooks@clark.wa.gov">gordon.brooks@clark.wa.gov</a>
Fire Protection District #13	<a href="mailto:b.peeler@northcountryems.org">b.peeler@northcountryems.org</a>
<b>Media:</b>	
Camas-Washougal Post Record	<a href="mailto:heather.acheson@camaspostrecord.com">heather.acheson@camaspostrecord.com</a>
Columbian	<a href="mailto:stephanie.rice@columbian.com">stephanie.rice@columbian.com</a>
KGW NW TV Channel 8	<a href="mailto:newsdesk@kgw.com">newsdesk@kgw.com</a>
KOIN News Center 6	<a href="mailto:koindesk@koin.com">koindesk@koin.com</a>
KPDX FOX 49	<a href="mailto:foxdesk@kpdx.com">foxdesk@kpdx.com</a>
Oregonian	<a href="mailto:abrettman@oregonian.com">abrettman@oregonian.com</a>
Reflector	<a href="mailto:steve@thereflector.com">steve@thereflector.com</a>
<b>Neighborhood Associations:</b>	
Andresen/St. Johns N.A.	<a href="mailto:n.chambers@comcast.net">n.chambers@comcast.net</a>
East Fork Frontier N.A..	<a href="mailto:gabriel364@aol.com">gabriel364@aol.com</a>

East Fork Hills Rural Association	<a href="mailto:coyoteridge@tds.net">coyoteridge@tds.net</a>
East Minnehaha N.A.	<a href="mailto:tonysuel@aol.com">tonysuel@aol.com</a>
Enterprise/Paradise Point N.A.	<a href="mailto:balancedjw@gmail.com">balancedjw@gmail.com</a>
Fairgrounds N.A.	<a href="mailto:bridget@bridge-i-t.com">bridget@bridge-i-t.com</a>
Felida N.A.	<a href="mailto:gaudeamus@earthlink.net">gaudeamus@earthlink.net</a>
Fern Prairie N.A.	<a href="mailto:fernprairieNA@hotmail.com">fernprairieNA@hotmail.com</a> P.O. Box 888, Camas WA
Greater Brush Prairie N.A.	<a href="mailto:rpearson7@gmail.com">rpearson7@gmail.com</a>
Green Meadows N.A.	<a href="mailto:davesoco@comcast.net">davesoco@comcast.net</a>
Heritage N.A.	<a href="mailto:vancouver.heritage.na@gmail.com">vancouver.heritage.na@gmail.com</a>
Meadow Glade N.A.	<a href="mailto:mtsmith289@comcast.net">mtsmith289@comcast.net</a> 18210 NE Cramer Rd, BG
NE Hazel Dell N.A.	<a href="mailto:bsvanc@aol.com">bsvanc@aol.com</a>
North Fork Lewis N.A.	P.O. Box 2121, Woodland, WA 98674
North Salmon Creek N.A.	<a href="mailto:NSCNA+president@salmoncreeklive.com">NSCNA+president@salmoncreeklive.com</a>
Pleasant Highlands N.A.	<a href="mailto:abramson@lifescipartners.net">abramson@lifescipartners.net</a>
Proebstel N.A.	<a href="mailto:proebstelnawendy@yahoo.com">proebstelnawendy@yahoo.com</a>
Ridgefield Junction N.A.	<a href="mailto:marc.krsul@edwardjones.com">marc.krsul@edwardjones.com</a>
Roads End N.A.	5513 NE 40 <sup>th</sup> St., Vancouver WA 98661
Sherwood Hills N.A.	<a href="mailto:vicki.fitzsimmons@edwardjones.com">vicki.fitzsimmons@edwardjones.com</a>
Sifton N.A.	<a href="mailto:sifton-na@comcast.net">sifton-na@comcast.net</a>
Sunnyside N.A.	<a href="mailto:flute_maker@comcast.net">flute_maker@comcast.net</a>
Truman N.A.	<a href="mailto:trumanneighborhood@gmail.com">trumanneighborhood@gmail.com</a>
Washougal River N.A.	<a href="mailto:brendanaddis@comcast.net">brendanaddis@comcast.net</a>
West Hazel Dell N.A.	<a href="mailto:ilastanek@hotmail.com">ilastanek@hotmail.com</a>
Neighborhood Assn. Council (NACCC)	<a href="mailto:dougballou@comcast.net">dougballou@comcast.net</a>
<b>Other Interested Parties:</b>	
BIA of SW WA (Building Industry Assn.)	<a href="mailto:sb.madsen@hotmail.com">sb.madsen@hotmail.com</a>
Clark County Natural Resource Council	<a href="mailto:karpjd@comcast.net">karpjd@comcast.net</a>
Clark County Association of Realtors	<a href="mailto:coe@ccrealtors.com">coe@ccrealtors.com</a>
Clark County Citizens in Action	1017 NE 107 <sup>th</sup> St., Vancouver WA 98685
Clark County Citizens United	<a href="mailto:ccuinc@yahoo.com">ccuinc@yahoo.com</a>
Clark County Citizens United	<a href="mailto:nickredinger@hotmail.com">nickredinger@hotmail.com</a>
Clark County Public Health Advisory Council	<a href="mailto:colliersepticconsult-design@comcast.net">colliersepticconsult-design@comcast.net</a>
Clifford Aaby	<a href="mailto:flyboy256@q.com">flyboy256@q.com</a>
David Cooper	27715 NE 197 <sup>th</sup> Ave., Battle Ground WA 98604
David Taylor	<a href="mailto:davet@ccfd6.org">davet@ccfd6.org</a>
Eric Fuller & Associates	<a href="mailto:efuller@ef-inc.com">efuller@ef-inc.com</a>
Foster Pepper & Shefelman	<a href="mailto:washj@foster.com">washj@foster.com</a>
Friends of Clark County	<a href="mailto:charlene.welch@comcast.net">charlene.welch@comcast.net</a>
Friends of Columbia Gorge	<a href="mailto:rick@gorgefriends.org">rick@gorgefriends.org</a>
James Howsley	<a href="mailto:jamie.howsley@jordanramis.com">jamie.howsley@jordanramis.com</a>
Ken Hadley	<a href="mailto:kenhadley@comcast.net">kenhadley@comcast.net</a>
Kent Landerholm & Associates, Inc.	<a href="mailto:kent.landerholmandassociates@comcast.net">kent.landerholmandassociates@comcast.net</a>
Landerholm, P.S.	<a href="mailto:randyp@landerholm.com">randyp@landerholm.com</a>
Landerholm, P.S.	<a href="mailto:stacey.shields@landerholm.com">stacey.shields@landerholm.com</a>
Pam Mason	<a href="mailto:nwzephyr@msn.com">nwzephyr@msn.com</a>
Rural Clark County Preservation Assoc.	<a href="mailto:ddykes@tds.net">ddykes@tds.net</a>
Stoel Rives LLP	<a href="mailto:mrfeichtinger@stoel.com">mrfeichtinger@stoel.com</a>
SW WA Contractors Association	<a href="mailto:mike@swca.org">mike@swca.org</a>
WSU Finance & Operations	<a href="mailto:lvalenter@vancouver.wsu.edu">lvalenter@vancouver.wsu.edu</a>
Wuanita Herron	<a href="mailto:wmherron@juno.com">wmherron@juno.com</a>

#END OF LIST#

## DETERMINATION OF NON-SIGNIFICANCE

**Description of Proposal:** *Clark County is proposing 35 biannual code amendments as follows:*

<b>BI-ANNUAL CODE CHANGE ITEMS – FALL 2013</b>			
No.	Page	Title/Chapter/Section	Description
<b>Scrivener's Errors</b>			
1	1	Table 40.210.010-1	Fix mislabeled footnote regarding public and private recreation uses
2	2	40.320.020	Correct reference to sight distance requirements found in 40.350
3	3	40.350.030.B.3.b.(1)(a)(i)	Clarify that permeable medians, while allowed, are not a part of the flex zone,
4	4	40.520.030.I	In the conditional use section, eliminate a reference to a non-existent code section
5	5	Highway 99 Appendix F, Section 8.8.3	Fix wrong page references to landscape types
<b>Reference Updates</b>			
6	5	Title 7	Update Title 7 (the Clark County Weed Control Code) to reflect the creation of the Environmental Services Department and ensure consistency with RCW 17.10
7	9	14.07.040	Update the SEPA grading threshold in the grading code to 1,000 cubic yards to reflect recent categorical exemption changes
8	10	Table 40.230.070-1	In the Urban Holding use table, update a reference to an outdated Light Industrial code section
9	11	40.350.010	Update ADA sidewalk obstruction minimum clear space from 36 to 48

			inches
10	12	Table 40.350.030-2	Update the Standard Details Manual drawing numbers, and fix the total Planter/LID/Utility widths for all Access Roads
11	15	40.350.030.B.8	Update stopping sight distance
12	17	40.350.030.C.3	Change reference to the design requirements for permeable pavement from the Standard Details Manual to the LID Technical Guidance Manual
<b>Clarifications</b>			
13	18	40.210.010.C. and 40.210.020.C	Clarify text in the Resource and Rural zones referring to re-subdividing a remainder lot of a previously-approved cluster subdivision
14	26	Table 40.230.020-1	Correct "animal day care" reference
15	26	Table 40.230.085-2	Clarify lot coverage percentage for Employment Zones
16	27	Table 40.220.010-3.	Clarify that the 18' setback requirement for garages applies only to the front of the garage
17	29	Tables 40.230.010-1 and 40.230.020-1	Clarify that single family residential accessory buildings are allowed, and that such uses can be replaced in the Commercial and Mixed Use zones
18	30	Table 40.230.085-1	Explicitly list agricultural stands and markets and accessory residential uses as allowed uses in the Employment zones
19	31	40.350.030.B.3.b.(6)	Clarify that rolled curb is not allowed on county roads other than on the bulbs of cul-de-sacs

20	32	40.350.030.B.4	Clarify that the width of residential driveways can be limited when they must be closer than 50 feet to an intersection
21	32	40.350.030.B.11	Clarify that only three lots can be accessed by a driveway except for projects approved under the narrow lots provisions
<b>Code Interpretations</b>			
22	33	Table 40.230.070-1	Replace the outdated term "riding stable" with "equestrian facility"
23	34	40.320.010.F	Allow reduced setbacks for retaining walls built internal to a subdivision
<b>Minor Policy Changes</b>			
24	35	5.28.090	Change financial guarantee method for the removal of fireworks stands
25	36	13.20.010	Update fees for Public Works informational signs
26	37	2.37.010	Allow higher value contracts to be negotiated without advertising or competitive bids (consistent with state law) and remove other outdated requirements regarding such contracts
27		40.260.250.B.2.f and 40.260.250.G	Reduce level of review for cell tower collocates that do not substantially change the dimensions in all zones from Type II to Type I and simplify submittal requirements
28	43	40.340.010.A.8	Allow gravel parking lots where paving serves little purpose
29	44	Table 40.340.020-1	Codify the number of queuing spaces for coffee stands
30	45	40.510.030.E.3.c	Eliminate the county's three-sign posting requirement for Type III applications.

31	46	Highway 99 Appendix F, Section 5.3	Allow departures for width of walkways through parking lots in the Highway 99 design standards
32	47	Highway 99 Appendix F, Section 4.6.C	Remove special rear setback requirements for Single Family residential lots in the Highway 99 overlay
33	48	Highway 99 Appendix F, Section 7.7.2 (2)	Remove certain driveway requirements for duplex units
34	48	Highway 99 Appendix F, Section 7.8.2	Remove design standards for traditional single family lots
35	48	40.260.055	Create new special standards section for small coffee and food stands

**Proponent:** *Clark County Community Development*

**Location of proposal, including street address, if any:**

*This is a non-project action that will apply within the confines of unincorporated Clark County*

**Lead Agency:** *Clark County, Washington*

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below.

Comments must be submitted by: November 21, 2013

**Responsible Official:** Martin Snell  
**Position/title:** Community Development Director  
**Address:** **RE: SEPA Comments**  
Clark County Community Development  
1300 Franklin Street; 3<sup>rd</sup> Floor  
P.O. Box 9810  
Vancouver, WA 98666-9810

**Date:** 10/29/13

**Signature:**  \_\_\_\_\_

The staff contact person and telephone number for any questions on this review is Jan Bazala, Planner II, (360) 397-2375 ext. 4499.

**Clark County SEPA Environmental Checklist**  
**Washington Administrative Code (WAC) 197-11-960**

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**A. BACKGROUND**

- 1. Name of proposed project, if applicable:** *Fall 2013 Biannual Code Amendments*
  
- 2. Name of applicant:**  
*Clark County*
  
- 3. Address and phone number of applicant and contact person.**  
*Jan Bazala  
Clark County Community Development  
P.O. Box 9810  
Vancouver, WA 98666-9810  
(360) 397-2375 extension 4499*
  
- 4. Date checklist prepared:**  
*October 23, 2013*
  
- 5. Agency requesting checklist:**  
*Clark County, WA*
  
- 6. Proposed timing or schedule (including phasing, if applicable):**  
*If approved by the Clark County Board of Commissioners, the proposed code changes would become effective near the end of December, 2013.*
  
- 7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**  
*No, as this is a non-project action.*
  
- 8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**  
*None*
  
- 9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.**  
*NA*
  
- 10. List any government approvals or permits that will be needed for your proposal, if known.**  
*Adoption by the Clark County Board of County Commissioners*
  
- 11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.**  
*This is a non-project action consisting of the following 35 code amendments:*

<b>BI-ANNUAL CODE CHANGE ITEMS – FALL 2013</b>			
No.		Title/Chapter/Section	Description
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7		14.07.040	Update the SEPA grading threshold in the grading code to 1,000 cubic yards to reflect recent categorical exemption changes
8		Table 40.230.070-1	In the Urban Holding use table, update a reference to an outdated Light Industrial code section
9		40.350.010	Update ADA sidewalk obstruction minimum clear space from 36 to 48 inches
10		Table 40.350.030-2	Update the Standard Details Manual drawing numbers, and fix the total

			Planter/LID/Utility widths for all Access Roads
11		40.350.030.B.8	Update stopping sight distance
12		40.350.030.C.3	Change reference to the design requirements for permeable pavement from the Standard Details Manual to the LID Technical Guidance Manual
<b>Clarifications</b>			
13		40.210.010.C. and 40.210.020.C	Clarify text in the Resource and Rural zones referring to re-subdividing a remainder lot of a previously-approved cluster subdivision
14		Table 40.230.020-1	Correct "animal day care" reference
15		Table 40.230.085-2	Clarify lot coverage percentage for Employment Zones
16		Table 40.220.010-3.	Clarify that the 18' setback requirement for garages applies only to the front of the garage
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22		Table 40.230.070-1	Replace the outdated term "riding stable" with "equestrian facility"
23		40.320.010.F	Allow reduced setbacks for retaining walls built internal to a subdivision
<b>Minor Policy Changes</b>			
24		5.28.090	Change financial guarantee method for the removal of fireworks stands
25		13.20.010	Update fees for Public Works informational signs
26		2.37.010	Allow higher value contracts to be negotiated without advertising or competitive bids (consistent with state law) and remove other outdated requirements regarding such contracts
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32		Highway 99 Appendix F, Section 4.6.C	Remove special rear setback requirements for Single Family

			residential lots in the Highway 99 overlay
33		Highway 99 Appendix F, Section 7.7.2 (2)	Remove certain driveway requirements for duplex units
34		Highway 99 Appendix F, Section 7.8.2	Remove design standards for traditional single family lots
35		40.260.055	Create new special standards section for small coffee and food stands

**12. Location of the proposal.**

*This is a non-project action that will apply to the confines of unincorporated Clark County*

**B. ENVIRONMENTAL ELEMENTS**

**1. Earth**

- a. **General description of the site: Flat, rolling, hilly, steep slopes, mountainous, other.**  
*Not applicable.*
- b. **What is the steepest slope on the site (approximate percent slope)?**  
*Not applicable.*
- c. **What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**  
*Not applicable. This is a non-project action.*
- d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**  
*Not applicable.*
- e. **Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**  
*Not applicable. This is a non-project action. No development is anticipated as part of this application.*
- f. **Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**  
*Not applicable. This is a non-project action.*
- g. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**  
*Not applicable. This is a non-project action. No development is anticipated as part of this application.*

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

*None. This is a non-project action.*

**2. Air**

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**

*None, this is a non-project action.*

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

*Not applicable.*

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:**

*None are proposed as part of this non-project action.*

**3. Water**

- a. Surface:**

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

*Not applicable.*

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described water? If yes, please describe and attach available plans.**

*No.*

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

*None.*

- 4) Will the proposal require surface water withdrawals or diversions. Give general description, purpose, and approximate quantities if known.**

*None.*

- 5) Does the proposal lie within a 100-year flood plain? If so, note location on the site plan.**

*Not applicable. This is a non-project action.*

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

*No.*

- b. Ground Water:**

- 1) **Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.**

*No.*

- 2) **Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals . . .; agricultural; etc). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

*Not applicable.*

**c. Water Runoff (including storm water):**

- 1) **Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

*Not applicable. This is a non-project action.*

- 2) **Could waste materials enter ground or surface waters? If so, generally describe.**

*Not applicable.*

**d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:**

*No mitigation measures are proposed as part of this non-project action.*

**4. Plants**

**a. Check or circle types of vegetation found on the site.**

*deciduous tree: alder, maple, aspen, other*

*evergreen tree: fir, cedar, pine, other*

*shrubs*

*grass*

*pasture*

*crop or grain*

*wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other*

**b. What kind and amount of vegetation will be removed or altered?**

*None as part of this non-project action.*

**c. List threatened or endangered species known to be on or near the site.**

*None known.*

**d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any;**

*None proposed as part of this non-project action.*

**5. Animals**

**a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:**

birds: hawk, heron, eagle, songbirds, other:  
mammals: deer, bear, elk, beaver, other:  
fish: bass, salmon, trout, herring, shellfish, other:

- b. List any threatened or endangered species known to be on or near the site.**  
*Not applicable.*
- c. Is the site part of a migration route? If so, explain.**  
*Not applicable.*
- d. Proposed measures to preserve or enhance wildlife, if any:**  
*None are proposed as part of this non-project action.*

## **6. Energy and Natural Resources**

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**  
*Not applicable.*
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**  
*No.*
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**  
*None. This is a non-project action.*

## **7. Environmental Health**

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.**  
*None.*
  - 1) Describe special emergency services that might be required.**  
*None.*
  - 2) Proposed measures to reduce or control environmental health hazards, if any:**  
*None proposed as part of this non-project action.*
- b. Noise**
  - 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**  
*None.*
  - 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.**  
*None.*

- 3) **Proposed measures to reduce or control noise impacts, if any:**  
*None.*

**8. Land and Shoreline Use**

- a. **What is the current use of the site and adjacent properties?**  
*This is a non-project action that will apply to various uses across Clark County.*
- b. **Has the site been used for agriculture? If so, describe.**  
*Not-applicable.*
- c. **Describe any structures on the site.**  
*Not-applicable.*
- d. **Will any structures be demolished? If so, what?**  
*None as part of this non-project action.*
- e. **What is the current zoning classification of the site?**  
*This is a non-project action that will apply to various zoning districts across Clark County.*
- f. **What is the current comprehensive plan designation of the site?**  
*This is a non-project action that will apply to various comp plan designations across Clark County.*
- g. **If applicable, what is the current shoreline master program designation of the site?**  
*Not applicable.*
- h. **Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.**  
*Not applicable.*
- i. **Approximately how many people would reside or work in the completed project?**  
*Not applicable for this non-project action.*
- j. **Approximately how many people would the completed project displace?**  
*Not applicable.*
- k. **Proposed measures to avoid or reduce displacement impacts, if any:**  
*Not applicable.*
- l. **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**  
*Not applicable for this non-project action proposal.*

**9. Housing**

- a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**  
*Not applicable.*

- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**  
*Not applicable.*
- c. **Proposed measures to reduce or control housing impacts, if any:**  
*None are proposed for this non-project action.*

**10. Aesthetics**

- a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**  
*None are proposed as part this non-project action.*
- b. **What views in the immediate vicinity would be altered or obstructed?**  
*None.*
- c. **Proposed measures to reduce or control aesthetic impacts, if any:**  
*None are proposed as part of this non-project action.*

**11. Light and Glare**

- a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?**  
*None as part of this non-project action.*
- b. **Could light or glare from the finished project be a safety hazard or interfere with views?**  
*Not applicable.*
- c. **What existing off-site sources of light or glare may affect your proposal?**  
*Not applicable.*
- d. **Proposed measures to reduce or control light and glare impacts, if any:**  
*None are proposed as part of this non-project action.*

**12. Recreation**

- a. **What designated and informal recreational opportunities are in the immediate vicinity?**  
*Not applicable.*
- b. **Would the proposed project displace any existing recreational uses? If so, describe.**  
*No.*
- c. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**  
*None are proposed as part of this non-project action.*

**13. Historic and Cultural Preservation**

- a. **Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.**  
*Not applicable.*

- b. **Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**  
*Not applicable.*
- c. **Proposed measures to reduce or control impacts, if any:**  
*None proposed as part of this non-project action.*

**14. Transportation**

- a. **Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.**  
*Not applicable.*
- b. **Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**  
*Not applicable.*
- c. **How many parking spaces would the completed project have? How many would the project eliminate?**  
*Not applicable.*
- d. **Will the proposals require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).**  
*Not applicable.*
- e. **Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**  
*Not applicable.*
- f. **How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**  
*Not applicable for this non-project action.*
- g. **Proposed measures to reduce or control transportation impacts, if any:**  
*None proposed as part of this non-project action.*

**15. Public Services**

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? if so, generally describe.**  
*No.*
- b. **Proposed measures to reduce or control direct impacts on public services, if any.**  
*None proposed as part of this non-project action.*

**16. Utilities**

- a. **Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.**  
*Not applicable.*

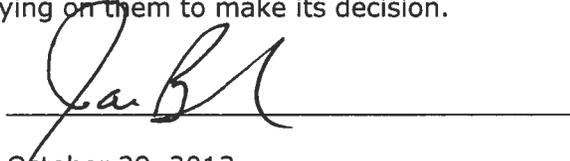
- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

*None proposed as part of this non-project action.*

**C. SIGNATURE**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

A handwritten signature in black ink, appearing to be 'J. B. L.', is written over a horizontal line.

Date Submitted: October 29, 2013

**D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS**

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent of the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. **How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

*This application proposes development code changes only. No development is proposed at this time. Subsequent site plan or subdivision applications for specific future development will be prepared and submitted for review and approval.*

2. **How would the proposal be likely to affect plants, animals, fish or marine life?**

*This application proposes development code changes only; none of the code changes will affect existing environmental codes. No development is proposed at this time. Site plans for proposed development will be prepared and submitted at a future time. Future applications will be reviewed for compliance with applicable ordinances and code sections including habitat, wetlands, archaeology, etc.*

3. **How would the proposal be likely to deplete energy or natural resources?**

*This application proposes development code changes only. No development is proposed at this time.*

4. **How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection: such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

*This application proposes development code changes only. No development is proposed at this time. Site plans for proposed development will be prepared and submitted at a future time. Future applications will be reviewed for compliance with applicable ordinances and code sections including habitat, wetlands, historic/archaeology, etc.*

5. **How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

*This application proposes development code changes only. A number of the proposed changes are meant to simplify the process and possibly unnecessary design standards. Those items include:*

*Item 27 to reduce the level of review for cell tower collocates which per state RCW will be exempt from SEPA;*

*Item 29 to allow some parking, fire access and industrial yards to be surfaced with gravel instead of paving;*

*Item 31 to reduce the width of pedestrian walkways through parking lots from 11 feet to as little as 5 feet, provided the area cannot be obstructed;*

*Items 33 and 34, to eliminate driveway and special building design requirements for single family residences; and*

*Item 35, to reduce paving, landscaping, and process requirements for small coffee and food stands.*

**6. How would the proposal be likely to increase demands on transportation or public services and utilities?**

*This application proposes a development code change only.*

**7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

*None of the proposed code changes are known to conflict with any local, state, or federal environmental protection regulations.*