

Fall 2013  
 Proposed  
 Bi-Annual Code Amendments  
 Draft Attachment "A"  
 BCC work session October 16, 2013

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**

Table 40.210.010-1. Uses					
	FR-80	FR-40	AG-20	AG-WL	Special Standards
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	
4. Services – General.					
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

5. Services, Membership Organization.					
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**
- 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

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

15  
16 **Street and Road Standards**

17 B. Standards for Development Review.

18 \*\*\*\*\*

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

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

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

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

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

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

1 applicable to the road classification shall be provided. Some flex zone  
2 features may require more right-of-way than is noted in Table  
3 40.350.030-2.

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

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

- 13 (i) ~~Permanent median areas, s~~Sidewalks, and separated  
14 bike lanes on all road classifications;  
15 (ii) Parking and nonseparated bike lanes of all urban  
16 access roads, including neighborhood circulators; and  
17 (iii) Travel lanes of all urban access roads except  
18 neighborhood circulators.  
19 (iv) Prior to acceptance of permeable pavement surfaces  
20 by the county, the applicant shall sign a Permeable  
21 Pavement Testing and Acceptance Agreement in a  
22 form acceptable by the Public Works Director.

23 \*\*\*\*\*

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

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

32 I. Expansions.

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

- 39  
40 a. An applicable prior land use decision if the original use is lawfully  
41 nonconforming because it was commenced prior to a conditional use  
42 permit being required; or  
43 b. The conditional use permit issued for such use.

1 c. A lawful, but nonconforming conditional use must first obtain a  
2 conditional use permit and the necessary site plan review approval  
3 subject to the standards in Sections 40.520.030(G)(2) and  
4 ~~40.530.050(C)~~ 40.520.040 prior to expanding or modifying that use on  
5 the site.  
6

7 **Rationale:** 40.530.050(C) doesn't exist. The changed reference in subsection c  
8 is to the site plan review standards (40.520.040).  
9

10 **5. Highway 99 Appendix F, Section 8.8.3 fix wrong page references to**  
11 **landscape types**

12  
13 (Text not shown yet)

14  
15 **Rationale:**  
16

17 **REFERENCE UPDATES**

18  
19 **6. Update Title 7 (the Clark County Weed Control Code) to reflect the**  
20 **creation of the Environmental Services Department and ensure**  
21 **consistency with RCW 17.10.**  
22

23 **7.04.010 Short title.**

24 The short title of this title shall be the "Clark County weed control code."

25 **7.04.020 Purpose.**

26 The purpose of the Clark County weed control code is to activate the Clark  
27 County noxious weed control board ~~so that it may eradicate noxious weeds in~~  
28 ~~Clark County in the manner authorized by~~ pursuant to Chapter 17.10 RCW.

29 **7.08.020 Board.**

30 "Board" means the board of county commissioners of Clark County.

31 **7.08.030 Weed board.**

32 "Weed board" means the Clark County noxious weed control board.

33 **7.12.010 Need—Activation.**

34 The board determines there is a need, due to a damaging infestation of noxious  
35 weeds in Clark County, to activate the Clark County noxious weed  
36 control/management board, ~~whose short title shall be the Clark County~~  
37 ~~vegetation management department, and the same is activated.~~

1 **7.12.015 Sections.**

2 The attached map which is adopted and incorporated by reference shall be the  
3 sections shown as districts, created pursuant to RCW 17.10.050.

4 **7.12.025 Weed board authority.**

5 The ~~Clark County vegetation management department~~ weed board shall function  
6 under the provision of Chapter 17.10 RCW and shall have the duties and powers  
7 prescribed therein.

8 **7.12.027 Terms of office.**

9 Terms of office for ~~noxious-weed control~~ board members appointed from  
10 Sections 1, 3 and 5 shall initially expire on ~~September 30, 1992~~ December 31,  
11 2016. Terms of office for board members appointed from Sections 2 and 4 shall  
12 initially expire on ~~September 30, 1990~~ December 21, 2014. Thereafter, weed  
13 board members shall be appointed to serve four (4) year terms of office.

14 **7.12.035 Liens.**

15 Pursuant to the option provided for in RCW 17.10.170(5), each lien arising under  
16 the provisions of RCW 17.10.170 shall be collected by the Clark County treasurer  
17 in the same manner as a delinquent real property tax.

18 **7.12.045 Rules.**

19 Rules and regulations of the ~~Clark County vegetation management department~~  
20 weed board adopted pursuant to Chapter 17.10 RCW shall be codified as  
21 Chapter 7.14 of the Clark County Code. A certified copy of such rules and  
22 regulations or amendments thereto shall be presented to the board of county  
23 commissioners for transmittal to the code reviser.

24 **7.14.010 Short title.**

25 The short title of this chapter shall be the "rules and regulations of the Clark  
26 County ~~vegetation management department~~ noxious weed control board," and  
27 shall hereinafter be referred to as the "regulations."

28 **7.14.020 Purpose.**

29 It is the purpose of these regulations to provide for the control of noxious weeds  
30 (as hereinafter more particularly defined) within the boundaries of Clark County,  
31 Washington by the weed board as empowered and authorized by Chapter 17.10  
32 RCW and pursuant to ordinance adopted by the board of county commissioners  
33 of Clark County, Washington.

1 **7.14.030 Officers.**

2 Pursuant to RCW 17.10.050(3), the ~~Clark County vegetation management~~  
3 ~~department~~ weed board shall annually elect from its members, at its regular  
4 October meeting, a chairperson, a vice-chairperson, and a secretary. The  
5 secretary shall be responsible for maintaining the minutes and other records of  
6 the ~~Clark County vegetation management department~~ weed board.

7 **7.14.040 Meetings.**

8 Regular meetings of the ~~Clark County vegetation management department~~ weed  
9 board shall ~~occur pursuant to RCW 17.10.050 and 17.10.060. be held on the first~~  
10 ~~Monday of each month, commencing at 6:00 P.M., Building C, at 11104 NE~~  
11 ~~149th Street, Brush Prairie, Washington; PROVIDED, that if any regular meeting~~  
12 ~~falls on a holiday, such regular meeting shall be held on the next Monday. There~~  
13 ~~shall be no meetings in January, November, and December of each calendar~~  
14 ~~year.~~ Special meetings of the weed board may be called pursuant to RCW  
15 42.30.080.

16 **7.14.050 Classification of land.**

17 Pursuant to RCW 17.10.150, the ~~Clark County vegetation management~~  
18 ~~department~~ elects to classify land according to use. A copy of the land  
19 classifications is adopted hereto and by this reference incorporated herein as  
20 Exhibit A, and is on file with the ~~Clark County board of commissioners and the~~  
21 ~~vegetation management department.~~

22 **7.14.060 Control measures.**

23 Pursuant to RCW 17.10.010(4), the ~~Clark County vegetation management~~  
24 ~~department~~ weed board adopts the following standards relating to the control of  
25 noxious weeds. Control may be either by chemical or nonchemical means:

26 (1) "Chemical" means and shall include application of chemicals as  
27 recommended by the ~~Clark County vegetation management department~~  
28 weed board for control of noxious weeds.

29 (2) "Mechanical" means and includes cutting, mowing, pulling, or other methods  
30 as may be approved by the ~~Clark County vegetation management~~  
31 ~~department~~ weed board.

32 (3) "Biological" means and includes agents such as insects which consume plant  
33 roots, flowers, or seeds.

34 (4) "Cultural" means and includes replanting an area with seed native to that  
35 area.

1 **7.14.070 Adoption of noxious weed list.**

2 Pursuant to RCW 17.10.090 and based on the list of noxious weeds provided in  
3 WAC 16-750-011 and 16-750-015 as amended, the ~~Clark County vegetation~~  
4 ~~management department~~ weed board annually adopts the attached state noxious  
5 weed list ~~as Exhibit B~~, which is on file with the Clark County board of  
6 commissioners and the weed board ~~vegetation management department~~.

7 **7.14.080 Presence of noxious weeds—Liability of owner for failure to**  
8 **control.**

9 Pursuant to RCW 17.10.160 and RCW 17.10.170 a property owner may be liable  
10 for the cost of controlling noxious weeds found on its property when proper notice  
11 to the property owner fails to result in control of noxious weeds.

12 **7.14.090 Right to a hearing—Notice—Hearing procedures.**

13 (1) Notice. Upon request, any owner shall be entitled to a hearing before the  
14 weed board on any charge or cost. The weed board shall send notice by  
15 certified mail to each owner at the owner's last known address as to the cost  
16 or charge and a right to hearing. The request for appeal must occur within  
17 thirty (30) days of notice; failure to request a hearing within thirty (30) days  
18 shall be considered a waiver of the right to a hearing.

19 (2) Hearing Procedure. The ~~Clark County vegetation management department~~  
20 weed board shall, upon timely request for the same, hold a hearing as to any  
21 charge or cost challenged by the owner. The hearing shall be held within  
22 forty-five (45) days of the request. ~~The hearing over which the Clark County~~  
23 ~~weed management department may preside will follow the same process as~~  
24 ~~set forth in Clark County Code 32.08.040.~~

25 (3) Decision. Within fifteen (15) days following the close of the hearing, the ~~Clark~~  
26 ~~County vegetation management department~~ weed board shall enter its  
27 written decision and mail a copy thereof by certified mail to the appealing  
28 landowner. Such decision shall contain findings and conclusions.

29 (4) Appeal. Any appeal of the decision of the ~~Clark County vegetation~~  
30 ~~management department~~ weed board shall be to superior court by writ of  
31 certiorari filed within fifteen (15) days of the date the decision was entered.

32 **7.14.100 Establishment of a Clark County vegetation management program**  
33 **department director position.**

34 ~~Pursuant to RCW 17.10.060, a~~ The Director of Clark County Environmental  
35 Services ~~vegetation management department director shall be employed provide~~  
36 a vegetation management program for administration of the County's noxious  
37 weed control program. Pursuant to RCW 17.10.060, the weed board shall

1 provide a weed coordinator, employed by the vegetation management program.  
2 The vegetation management program will be assigned duties by the weed board  
3 including, but not limited to:

4 (1) Management of the annual program of work which includes the following  
5 duties and responsibilities:

6 (a) Supervision of the inspection of land to determine the presence of  
7 noxious weeds; and.

8 (b) Preparation of the annual program and preliminary budget for approval  
9 by the board of county commissioners for Clark County; and.

10 ~~(c) Management of the Clark County vegetation management department's~~  
11 ~~annual program of work which includes four elements: the weed control~~  
12 ~~program; the education program; the enforcement and regulation~~  
13 ~~program; and the monitoring program.~~

14 ~~(2) The director shall function as a program manager and shall be provided with~~  
15 ~~the necessary authority to perform the duties of the position in an efficient~~  
16 ~~and economical manner. The director will be authorized to employ help~~  
17 ~~when necessary to select volunteers to help in program management and to~~  
18 ~~make necessary purchases. The director will be reimbursed for services at~~  
19 ~~an hourly rate of pay that is commensurate with the duties and~~  
20 ~~responsibilities of the job.~~

21 ~~(3) The director will be responsible for all expenditures and/or obligations made~~  
22 ~~under the authority of the position and will be accountable to the Clark~~  
23 ~~County vegetation management department for meeting the fiscal and~~  
24 ~~budgetary restraints set forth by the Clark County vegetation management~~  
25 ~~department and the board of county commissioners for Clark County. The~~  
26 ~~director will provide the Clark County vegetation management department~~  
27 ~~with a budgetary review of expenditures and balances at regular meetings~~  
28 ~~held in April, July, and October of each year.~~

29 ~~(4)~~(2) The Director of Environmental Services will have the authority to  
30 issue citations for violations of the noxious weed control regulations.

31  
32 **Rationale:** With the creation of the Department of Environmental Services, the  
33 Clark County Vegetation Management Department was incorporated into the  
34 new department. As such, Title 7 of the Clark County Code regarding weed  
35 control requires some revisions to make sure it is consistent with the new  
36 organizational structure of the department and to ensure consistency with RCW  
37 17.10.

38 **7. 14.07.040 Update SEPA grading threshold in the grading code to 1,000**  
39 **cubic yards to reflect recent categorical exemption changes**

40 14.07.040 Permits required.

1 \*\*\*\*\*

2

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

6

7 **Rationale:** The county recently raised the categorical exemption level to 1,000  
8 cubic yards for stand-alone grading.

9

10

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

13

Table 40.230.070-1. Uses				
	UH-10	UH-20	UH-40	Special Standards
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>	

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

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

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

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

6 <sup>5</sup> Outdoor storage will be subject to the provisions of Section ~~40.230.080(D)(5).~~  
7 40.230.085(E)(5).

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

10

11 **9. 40.350.010 Update ADA sidewalk obstruction minimum clear space from**  
12 **36 to 48 inches**

13 **40.350.010 Pedestrian/Bicycle Circulation Standards**

14 \*\*\*\*\*

15 B. Pedestrian Circulation/Sidewalks.

16 For sidewalk construction standards, construction timing, construction bond  
17 and procedure, see Section 40.350.030(C)(4)(h). For sidewalks specifications,  
18 see the Standard Details Manual. For reference materials, see pedestrian  
19 facilities guidebook-incorporating pedestrians into Washington's transportation  
20 system, sponsored by WSDOT.

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

22 \*\*\*\*\*

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

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

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

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

35

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

1  
2  
3  
4  
5

**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>40</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>44</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>42</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 zones	<del>24</del> <u>8</u>	60'	42'	2/IMP	14'	14'	None	6 <sup>4</sup> /P	None	5'
		Local w/ Bike Lanes	All commercial & industrial zones	<del>New</del> <u>9</u>	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</del> <u>10</u>	60'	38'	2/IMP	14'	None	None	6 <sup>4</sup> /P	10' one side	9'
		Storefront	Mixed use & Hwy 99 overlay	<del>New</del> <u>11</u>	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>13</del> <u>12</u>	54'	36'	2/IMP	10'	None	None	5'/P	8' both sides	<del>8</del> <u>7</u> '
		Urban Local	All urban residential zones	<del>14</del> <u>13</u>	46'	28'	1/P	12'	None	None	5'/P	8' both sides	<del>8</del> <u>7</u> '
		Short Cul-de- sac	All urban residential zones	<del>16</del> <u>14</u>	44 <sup>5</sup>	26 <sup>5</sup>	1/P	10'	None	None	5'/P	8' both sides	<del>8</del> <u>7</u> '
		Private Road	All urban zones	<del>17A</del> <u>15</u>	26' easement	20'	2/P	10'	None	None	5' one side/P	None	<del>1</del> <u>0</u> '
		Private Road	All urban zones	<del>17A</del> <u>16</u>	30' easement	24'	1/P	16'	None	None	5' one side/P	8' one side	<del>1</del> <u>0</u> '
		Alley	All urban zones	<del>19</del> <u>17</u>	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 &	<del>25</del> <u>21</u>	50 <sup>9,10</sup>	24'	2/IMP	10'	None	2' shoulders	None <sup>11</sup>	None	26'

		resource zones										
	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'

1  
2  
3  
4  
5  
6

**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 Stopping Sight Distance in 40.350.030.B.8**  
3  
4

5 8. Sight Distances. As noted in Section 40.350.030(A)(2), this subsection  
6 also applies to applications for building permits and applications for  
7 access to public roads. Unless modified pursuant to Section  
8 40.550.010, public and private roads shall comply with the following  
9 sight distance requirements:

10 a. Stopping Sight Distance.

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

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

25 ~~"Posted speed," which is statutory (fifty (50) mph as per RCW~~  
26 ~~46.61.415) or recommended through a speed zone study and~~  
27 ~~adopted by resolution by the board, shall be the legal speed limit~~  
28 ~~generally applicable to such roadway. The advisory speed shown on~~  
29 ~~a yellow advisory speed plate is not a legal speed limit. The county,~~  
30 ~~or the applicant, should conduct a speed study if the actual traffic~~  
31 ~~speeds are significantly different than the posted speed limit.~~

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

Table 40.350.030-7. Stopping Sight Distance	
Posted Speed (mph)	Minimum Stopping Distance (feet)
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~~ 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 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. (Staff may consider using a graphic or table to best describe this) 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.

Table 40.350.030-8. Controlled Intersection, Public Road and Driveway Sight Distance	
Posted Speed, Uncontrolled Road (mph)	Minimum Corner Sight Distance (feet)
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 sight distance triangle per Section  
4 40.350.030.B.8.b of one hundred (100) feet on both approaches.  
5 With county approval, this requirement may be reduced to eighty  
6 (80) feet ~~for intersections abutting corner lots in an urban residential~~  
7 ~~subdivision.~~ The 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. ***(Staff finds***  
15 ***this section problematic (since vehicles are normally backing***  
16 ***out of driveways) and invites comment on how to best improve***  
17 ***this section)***

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.

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.

Table 40.210.020-2. Lot Requirements			
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

Table 40.210.020-3. Setbacks, Lot Coverage and Building Height						
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 (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 exist a number of previously-  
33 approved "cluster" lot subdivisions. The cluster lot concept allows lots that are  
34 smaller than the minimum lot area for the zone, provided that a large "remainder"  
35 lot is kept intact for the purposes of preserving larger, more usable blocks of land  
36 for habitat or agriculture. Some previously-approved remainder lots can have a  
37 residence, however, and in 2011, provisions were added to allow previously-  
38 approved residentially-developed remainder lots to plat off the residence on its  
39 own separate cluster lot. The intention was to not allow further development or  
40 division of the remainder lot (which would increase the residential density of the  
41 original cluster subdivision), only to create a separate home site for the purposes  
42 of obtaining an agricultural loan or sale.

43  
44 The text in the Resource section (40.210.010.C.3.d) is basically sound, except  
45 that it's proposed to clarify that the exception in 40.210.010.C.3.d refers to only  
46 "a and b".

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

6  
 7 **14. Table 40.230.020-1 Correct “animal day care” reference**

8

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	

9  
 10 **Rationale:** The correct defined term is “animal day use facility”.

11  
 12  
 13 **15. Table 40.230.085-2 Clarify lot coverage percentage for Employment**  
 14 **Zones**

15

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

- 7 <sup>1</sup> Carports and solar energy systems are excluded from this provision; provided,
- 8 that the total lot coverage limitation is not exceeded by more than ten percent
- 9 (10%) as a result of these exceptions.

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

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

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

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

12 <sup>6</sup> Reserved.

13 <sup>7</sup> Accessory buildings shall meet the height requirements of Section  
14 40.260.010(D).

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

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

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

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

24 **Rationale:** The 18' setback requirement for garages is intended to allow  
25 sufficient parking depth in driveways in front of the garage; however, not all  
26 garages are front loaded, and there is no reason they can't take advantage of the  
27 10 foot living space setback.  
28

1  
2 **17. Tables 40.230.010-1 and 40.230.020-1 Clarify that single family**  
3 **residential accessory buildings are allowed, and that such uses can be**  
4 **replaced in the Commercial and Mixed Use zones**  
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>		
	MX	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 **18. Table 40.230.085-1 Explicitly list agricultural stands and markets and**  
3 **accessory residential uses as allowed uses in the Employment zones**  
4

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 § Subject to the provisions of Section 40.260.025

2  
3 **Rationale:** Agriculture is an allowed use in all zones, and ag stands and markets  
4 are intended to be specifically listed in all zones.

5  
6 The added text regarding residential uses clarifies the policy noted above in the  
7 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:** Recent updates to the tables inadvertently removed a footnote  
42 prohibiting rolled curb on most all road classifications. The Standard Details  
43 Manual still only allows rolled curb on cul-de-sacs, so the requirement for vertical  
44 curb is still enforceable. This will clear up any confusion.

1 **20. 40.350.030.B.4 Clarify that the width of residential driveways can be**  
2 **limited when they must be closer than 50 feet to an intersection**

3  
4 4. Access Management.

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

8 b. Access to Local Access Roads.

9 (1) Driveway Spacing.

10 (a) Excepting the bulbs of cul-de-sacs, driveways providing  
11 access onto nonarterial streets serving single-family or  
12 duplex residential structures shall be located a minimum of  
13 five (5) feet from the property lines furthest from the  
14 intersection. Where two (2) driveways are permitted, a  
15 minimum separation of fifty (50) feet shall be required  
16 between the driveways, measured from near edge to near  
17 edge.

18 (b) Corner lot driveways shall be a minimum of fifty (50) feet  
19 from the intersecting property lines, as measured to the  
20 nearest edge of the driveway, or in the case where this is  
21 impractical, the driveway may be limited in width and located  
22 five (5) feet from the property line away from the intersection  
23 or as a joint use driveway at this property line. Where a  
24 residential corner lot is located at the intersection of a  
25 nonarterial street with an arterial street, the corner clearance  
26 requirements of Section 40.350.030(B)(4)(c)(2)(f) shall apply  
27 to the nonarterial street.  
28

29 **Rationale:** Per the transportation standards, driveways should be located such  
30 that the closest edge of the driveway is no closer than 50 feet to the right of way  
31 of an intersection. This reduces the chance that conflicts will occur between  
32 street traffic and vehicles backing out of driveways, especially when the backing  
33 movement is toward the intersection.  
34

35 However, in many cases the zoning code allows lots that are not 50 feet wide, so  
36 obviously no part of the driveway can meet the 50 foot setback. Road  
37 modifications are needed in these circumstances to evaluate the level of risk  
38 (depending on traffic volumes and other factors) associated with each individual  
39 case. Staff routinely does limit driveway width with these road modifications; the  
40 addition of the text clarifies the fact that limits can be imposed on driveway width.  
41

42 **21. 40.350.030.B.11 Clarify that only three lots can be accessed by a**  
43 **driveway except for projects approved under the narrow lots provisions**

44 40.350.030.B.  
45 \*\*\*\*\*  
46

1  
 2 11. Joint Driveways. Other than provided for narrow lots under Section  
 3 40.260.155.C.7.a, a maximum of three (3) legal lots may use a joint driveway to  
 4 access a public or private road.

5  
 6 12. Cul-de-Sacs and Turnarounds.

7 a. Cul-de-Sacs.

8 **Rationale:** Typically, the number of lots that can share access to a street via a  
 9 driveway is three. The rationale for this limit is that driveways can be as narrow  
 10 as 12' wide (which provides for challenging two-way traffic) and have no  
 11 sidewalks. Limiting the amount of traffic and pedestrian traffic on these narrow  
 12 accessways seems prudent.

13 The narrow lots standards do allow four lots to be accessed by a driveway in  
 14 order to provide additional flexibility and reduce the number of closely-spaced  
 15 driveway approaches on a road . Due to the small size of the lots, the length of  
 16 these shared driveways is usually relatively short.

17 The county can, and does allow four driveways under many circumstances with a  
 18 Minor Deviation (a no-charge road modification), but chooses to maintain the  
 19 base number at the historic number of three.

20  
 21 **CODE INTERPRETATIONS**

22  
 23 **22. Table 40.230.070-1 Replace the outdated term “riding stable” with**  
 24 **“equestrian facility”**

25  
 26

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>

27  
 28 **Rationale:** The ambiguous term “riding stable” was replaced with definitions of  
 29 “equestrian facilities” and “equestrian events center” in Batch 2B of the ROC  
 30 project, and the rural zones’ use tables were amended to specifically list whether

1 such facilities were Permitted or Conditional uses. Only the rural zones were  
 2 dealt with in that batch; the Urban Holding zones use table still lists “riding  
 3 stables” as a Conditional use. Since “riding stable” has no definition, it is  
 4 uncertain if an “equestrian events center” is allowed in the UH zones. Given that  
 5 the UH zones are destined for urban development, it seems appropriate to allow  
 6 only “equestrian facilities” in the UH zones, and make them Conditional uses  
 7 (consistent with the existing “riding stable” CUP requirement in the UH zones).

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

9  
 10 In all rural zones except the FR and AG, “equestrian facilities” are conditional  
 11 uses on parcels of less than 5 acres. They are permitted outright on parcels of 5  
 12 acres or more. In all rural zones “equestrian events centers” are conditional  
 13 uses.

14  
 15 **23. 40.320.010.F Allow reduced setbacks for retaining walls built internal to**  
 16 **a subdivision**

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

- 18 1. Construction of private retaining walls or fences within public rights-of-  
 19 way is prohibited. Exceptions to this prohibition shall require approval  
 20 of the Public Works director.
  
- 21 2. The construction of retaining walls four (4) feet or less in height and  
 22 fences six (6) feet or less in height may be constructed within public  
 23 easements. Exceptions may be granted when written approval has  
 24 been obtained from the easement holder.
  
- 25 3. The construction of retaining walls in excess of four (4) feet in height  
 26 and fences in excess of six (6) feet in height shall meet the setback  
 27 requirements of the underlying zone. Exceptions to this provision are  
 28 as follows:
  - 29 a. ~~This does not apply w~~When an exception under (1) and (2)  
 30 above has been granted;

1            ~~b. \_\_\_\_\_ and~~ The exposed faces of retaining walls over four (4) feet in  
2            height are directed toward the interior of the lot;

3            c. The retaining walls are constructed as part of the site  
4            improvements prior to a final plat, and located between lots  
5            within the development; retaining walls on the perimeter of the  
6            plat may not use this exception.

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

9            **Rationale:** The construction of a tall retaining wall next to existing residential  
10           development can cause impacts to abutting properties such as a reduction in  
11           privacy and views, as well as shading. As a result, the current code requires that  
12           such walls meet setback requirements. However, if the walls are constructed and  
13           exist prior to the sale of a lot, any impacts to a future lot buyer will be evident,  
14           and they can choose another lot if the location of the wall on or very near the  
15           property line is unacceptable.

#### 16 17 18 **MINOR POLICY CHANGES**

#### 19 20 24. 5.28.090 Change financial guarantee method for the removal of 21 fireworks stands

#### 22 **5.28.090 Terms and conditions for issuance of retail sale permit.**

23           A permit for retail sale of common fireworks shall be issued only upon the  
24           following terms and conditions:

25           (1)    The applicant shall have a valid license issued by the state of Washington  
26           authorizing the holder thereof to engage in the retail sale of fireworks. In  
27           addition, neither the applicant nor the responsible party for the permit shall  
28           have been convicted of a felony unless the conviction was discharged  
29           pursuant to RCW 9.94A.637 or 13.50.050; or a fire/fireworks-related  
30           misdemeanor within the last three (3) years.

31           (2)    In addition to the other requirements of Chapter 70.77 RCW, the applicant  
32           shall procure and maintain a policy or policies of public general liability,  
33           bodily injury and property damage insurance in a company or companies  
34           approved by the county in the minimum amount of one million dollars  
35           (\$1,000,000) single limit; Clark County shall be named as an additional  
36           insured. Certificates of coverage shall be filed with the county fire marshal  
37           upon application for a retail sales permit.

38           (3)    The applicant's location or place of business shall be only in those areas or  
39           zones within the county wherein commercial or industrial activities are

1 authorized under the applicable zoning laws of the county; provided, that  
2 no fireworks shall be sold in any residential area where a commercial  
3 enterprise does not exist.

4 (4) ~~The applicant for a retail sales permit shall post either a five hundred dollar~~  
5 ~~(\$500) cash deposit, or other equivalent security as reasonably required by~~  
6 ~~the fire marshal, conditioned upon the prompt removal of the temporary~~  
7 ~~stand and the cleaning up of all debris from the site. If the applicant~~  
8 ~~removes such temporary stand and cleans up all debris no later than 11:59~~  
9 ~~p.m., July 15th, he shall be entitled to the return of his deposit.~~

10 If the stand is not removed and debris cleaned up, ~~the five hundred dollar~~  
11 ~~(\$500) deposit will be forfeited and placed in the Clark County general~~  
12 ~~fund. by 11:59 p.m., July 15<sup>th</sup>, the applicant will be subject to a fine not to~~  
13 ~~exceed \$500.~~

14 (5) Such permit shall be issued or denied by the county fire marshal and  
15 subject to the same appeal procedure and standard as an appeal of a Type  
16 I procedure under Sections 40.100.050(A) and 40.500.010(A).

17 **Rationale:** Each year the fire marshal spends a lot of time and money returning  
18 deposits that are rarely collected upon. It makes more sense to simply fine them  
19 rather than go through the hassle of collecting and returning deposits.  
20

21 **25. 13.20.010 Update fees for Public Works informational signs**

22 **13.20.010 Policy.**

23 It is the policy of Clark County to allow informational signs within its rights-of-way  
24 pursuant to Section 47.42.050 of the Advertising Control Act. (Sec. 1, Ord. No.  
25 1978-07-24)

26 **13.20.020 Fee.**

27 Clark County Public Works will install upon written request ~~at a cost of \$25.00 per~~  
28 ~~sign~~ the following information signs for:

- 29 (a) Churches
- 30 (b) Governmental facilities
- 31 (c) Granges
- 32 (d) Historical sites
- 33 (e) Lodges
- 34 (f) Parks and recreational sites
- 35 (g) Schools

1 (h) Unincorporated communities. (Sec. 2, Ord. No. 1978-07-24)

2 The cost of signs will be determined on a time and materials basis.

3  
4 **Rationale:** The \$25 fee has not been updated since 1978.

5  
6 **26. 2.37.010 Allow higher value contracts to be negotiated without**  
7 **advertising or competitive bids (consistent with state law) and remove**  
8 **other outdated requirements regarding such contracts**

9 **2.37.010 Contracts less than \$3,500.**

10 Contracts, leases and purchases involving less than ~~\$3,500.00~~ \$25,000 but more  
11 than ~~\$1,000.00~~ \$5,000 may be made by Clark County without advertising or  
12 competitive bids, as provided by Chapter 36.32.250 of the Revised Code of  
13 Washington as amended by the laws of Washington, Chapter 267 First  
14 Extraordinary Session, ~~1977~~ 2007, provided:

15 (1) That bids be solicited from as many suppliers as practicable;

16 (2) That a record be kept of all bids and made available for public inspection  
17 ~~and be made available to the public by telephone,~~ email or fax;

18 ~~(3) That a notice of intention to let contracts or enter into leases or to make~~  
19 ~~purchases involving more than \$1,000.00 but less than \$3,500.00 be posted~~  
20 ~~on a bulletin board in the office of the County Commissioners not less than~~  
21 ~~three (3) days prior to entering into such contract, lease or purchase;~~

22  
23 **Rationale:** This code section has not been updated since 1977. The proposed  
24 new amounts are consistent with updates to state laws.  
25

26 **27. 40.260.250.G Reduce level of review for cell tower collocates that do**  
27 **not substantially change the dimensions in all zones from Type II to Type I**  
28 **and simplify submittal requirements**

29 **40.260.250 Wireless Communications Facilities**

30 A. Purpose.

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

- 1 1. Promote maximum utilization and encourage collocation of new and
- 2 existing wireless communications antennas to minimize the total
- 3 number of support structures and towers throughout the county;
- 4 2. Encourage careful consideration of topography and location to ensure
- 5 sites have minimal impact on views;
- 6 3. Encourage the location of support towers and antenna arrays in
- 7 nonresidential areas; and
- 8 4. Encourage siting of new support towers that minimizes wildlife impacts.

9 B. Applicability and Exemptions.

- 10 1. Applicability. All wireless communications facilities (WCFs) that are not
- 11 exempt pursuant to this section shall conform to the standards specified
- 12 in this section. All WCFs in the Columbia River Gorge National Scenic
- 13 Area shall additionally comply with the requirements of Chapter 40.240.
- 14 2. Exemptions. The following are exempt from the provisions of this section
- 15 and shall be allowed in all zoning districts:
- 16 a. Wireless communications facilities that were legally established prior to
- 17 the effective date of the ordinance codified in this section;
- 18 b. Temporary facilities used on the same property for seven (7) days or
- 19 less;
- 20 c. Temporary facilities that are used solely for emergency
- 21 communications in the event of a disaster, emergency preparedness,
- 22 or public health or safety purposes;
- 23 d. Two-way communication transmitters used for (1) emergency services
- 24 including, but not limited to fire, police, and ambulance services, and
- 25 (2) essential public utility services, including but not limited to electric,
- 26 water and wastewater;
- 27 e. Licensed amateur (ham) radio stations and citizen band stations;
- 28 f. Any maintenance, ~~or~~ repair, or upgrade of previously approved wireless
- 29 communications facilities, support structures, and support towers;
- 30 provided, that such activity does not substantially increase height,
- 31 width, or mass of the facility;
- 32

33 \*\*\*\*\*

34 G. Permit Process.

- 35 1. Process Review. Table 40.260.250-1 shows required levels of WCF
- 36 application review in terms of district location. Each type is subject to
- 37 Section 40.520.040, Site Plan Review, and Chapter 40.510, Type I, II
- 38 and III Processes. Proposals requiring Type III review shall necessitate
- 39 approval of a conditional use permit. Facilities exempt from threshold
- 40 determination and EIS requirements under SEPA are listed in WAC
- 41 197-11-800(25).
- 42

1  
2

**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) 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) 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) An analysis of the proposal area and discussion of factors  
2 influencing the decision to target the proposed location.  
3 Such analysis shall include the good faith efforts and  
4 measures taken to secure a higher priority location; how  
5 and why such efforts were unsuccessful; and how and why  
6 the proposed site is essential to meet service demands for  
7 the geographic service area.
- 8 (g) 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) Elevation drawings of existing site and facility, including  
9 the tower, equipment structures, antennas, mounts  
10 and, if applicable, existing structures. Other applicable  
11 features, including but not limited to security fencing  
12 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.084 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. Prior to the change, only collocations in resource,  
2 commercial, industrial zones were exempt from SEPA.

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

11 **28. 40.340.010.A.8 Allow gravel parking lots where paving serves little**  
12 **purpose**

13 **40.340.010 Parking and Loading Standards**

14 A. General.

15 \*\*\*\*\*

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

19 a. Driveways leading to parking and maneuvering areas for unoccupied  
20 utility and wireless communication facilities need not be paved,  
21 except as required by Section 40.350.030(B)(7)(c) (this still requires  
22 the first twenty (20) to twenty-five (25) feet of driveway to be paved so  
23 gravel does not enter the paved road);

24 b. Three (3) or fewer parking spaces serving unoccupied utility and  
25 wireless communication facilities need not be paved;

26 c. Transitional uses such as coffee and food stands approved under  
27 Section 40.260.055, except as required by Section  
28 40.350.030(B)(7)(c);

29 d. Parking areas for uses that receive access from unpaved roads; and,

30 e. Other uses in the rural area as approved by the responsible official.

31  
32 **Rationale:** Requiring paved parking under all circumstances, especially in the  
33 rural area may not be warranted.  
34

1  
2 **29. Table 40.340.020-1 Codify the number of queuing spaces for coffee**  
3 **stands**  
4

**Table 40.340.020-1. Minimum Queuing Spaces for Drive-Up, ~~Drive-In~~ and Drive-Through Services**

Use	Requirement
<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- <del>in</del> <u>through</u> banks	5 spaces/service terminal
Drive- <del>in</del> <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

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

15  
16 Note that the proposed new standards for coffee and food stands under 200  
17 square feet (see item # 35) require only three spaces, and can allow even fewer  
18 if the applicant proposes overflow areas and assumes responsibility for problems  
19 if they arise.  
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 ~~ease 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 Allow departures for width of walkways**  
15 **through parking lots in the Highway 99 design standards**

16  
17 5.3 Internal Pedestrian Access

18 INTENT

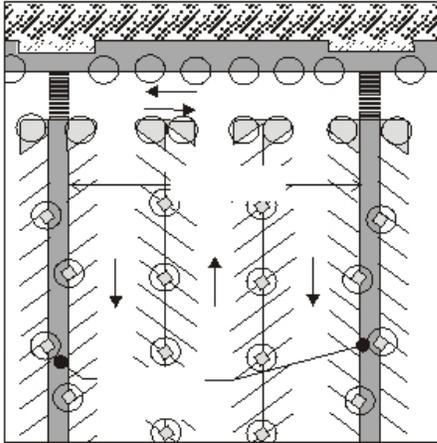
- 19 • To provide safe and direct pedestrian access in commercial areas to  
20 accommodate pedestrian movement patterns, to minimize conflicts between  
21 pedestrians and vehicular traffic, and to provide pedestrian connections to  
22 neighborhoods.
- 23 • To provide safe routes for the pedestrian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

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 11 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 feet in width. Departures may be approved  
5 provided that a minimum of five (5) feet of unobstructed sidewalk width is  
6 provided, and superior landscape or amenities plan is provided. Such access  
7 routes through parking areas shall be separated from vehicular parking and  
8 travel lanes by use of contrasting paving material, landscaped strips, and/ or by  
9 using a raised walkway, provided that it is ADA accessible.

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

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

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

24  
25 **Rear Setback Requirements:**

- 26 • General setback = ~~20' min.~~ setbacks of applicable zoning district  
27 • Garage adjacent to alley = 0' min.

28

1 **Rationale:** Staff believes there is no logical reason that residential development  
2 in the Highway 99 Overlay area should have larger rear setbacks than other  
3 residential development in the county.

4  
5  
6 **33. Appendix F, Section 7.7.2 (2) remove certain driveway requirements for**  
7 **duplex units**

8  
9  
10 ~~(2) Driveways shall be shared and no greater than 20 feet in width.~~

11  
12 **Rationale:** This subsection requires duplexes to share driveways, yet figure 7-  
13 37 shows separated driveways as a desirable design.

14  
15 **34. Appendix F, Section 7.8.2 (2) remove driveway requirements for single**  
16 **family lots**

17  
18 ~~(2) Driveway standards:~~

- 19  
20 (a) ~~No more than one driveway per dwelling unit~~  
21 (b) ~~Driveways for individual lots 50 feet or wider may be up to 20 feet in~~  
22 ~~width.~~  
23 (c) ~~Driveways for individual lots less than 50 feet wide may be up to 12~~  
24 ~~feet in width. Tandem parking configurations may be used to~~  
25 ~~accommodate two-car garages.~~

26  
27 ~~(renumber 3, 4, & 5 to 2, 3 & 4)~~

28  
29 **Rationale:** Other code sections discourage two driveways per lot, and driveway  
30 width restrictions can restrict the use of 3 car garages.

31  
32 *NOTE: The DEAB may provide a recommendation to remove other design*  
33 *requirements for single family housing.*

34  
35  
36 **35. Create special standards for coffee and food stands**

37 **40.260.055 Coffee and Food Stands**

38 **A. Purpose.**

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

Comment [GE1]:

42 **B. Applicability and exemptions**

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

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

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

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

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

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

13 C. Development Standards.

14 1. Sites with on-site parking and/or drive up facilities will require an  
15 approved driveway approach with adequate sight distance per Section  
16 40.350.030.B.8.

17 2. Drive up stacking. Stands with drive-up windows require three (3),  
18 eighteen (18) foot-long queuing spaces per window. Fewer spaces  
19 may be approved by the responsible official provided that a plan is  
20 submitted that shows the site has sufficient overflow areas so that  
21 traffic will block streets, sidewalks, or parking lot circulation aisles.

22 3. Parking. Parking shall meet minimum ADA requirements. One (1)  
23 parking space per employee shall be provided. Additional parking for  
24 walk up patrons on undeveloped sites shall be provided at a rate of  
25 one space per outdoor seating table. Parking may be provided by the  
26 following methods:

27 a. On site:

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

32 c. If no parking space is available on-site or on-street, a joint  
33 agreement for off-site parking may be used subject to Section  
34 40.340.010(A)(5).

- 1 4. Paving. Gravel parking and maneuvering areas may be approved, if it  
2 provides an adequate all-weather surface. When gravel is used,  
3 driveways areas must be paved at least twenty-five (25) feet back  
4 from a sidewalk or road edge, whichever is greater. Dust shall not  
5 become a nuisance, and gravel shall not be allowed to track onto  
6 sidewalks or streets. The creation of additional impervious surface will  
7 be subject to the stormwater requirements of Chapter 40.385.
- 8 5. Building permits. The stand and any structures associated with the  
9 stand, such as add-on canopies, stairs, and decks shall comply with  
10 building codes. Trailer-type stands that are raised off wheels shall  
11 require building permits for adequate tie-downs.
- 12 6. Landscaping. Landscaping is not required unless headlight glare  
13 associated with drive-up queuing areas will affect abutting residential  
14 uses. In those cases, the responsible official may require screening in  
15 the form of shrubs or fencing.
- 16 7. Public Health approval. All coffee and food stands shall comply with  
17 county and state health department regulations, including the  
18 provision of restroom and hand washing facilities for employees and  
19 patrons.
- 20 8. Stands approved under this Section are not considered "new  
21 structures" for the purposes of Section 40.370.010.C.
- 22 9. Signage. Permanent signs are allowed subject to Chapter 40.310.  
23 One (1) portable sign is allowed per street frontage without obtaining a  
24 permit under Section 40.310.010.D.10. Portable signs shall not  
25 exceed six (6) square feet per side, shall be removed at the end of  
26 each business day, and shall not obstruct vehicular sight distance.
- 27 10. Accessibility. Outdoor seating areas and restroom facilities shall  
28 comply with ADA requirements.
- 29 11. Setbacks. All stands and accessory structures shall be setback per the  
30 requirements of Table 40.320.010; however, the setback area need  
31 not be landscaped. Structures, signs, and parking and maneuvering  
32 areas shall not obstruct sight distance per Section 40.350.030.B.8.
- 33 12. Frontage improvements will not be required. Dedication of right-of-  
34 way may be required.
- 35 D. Performance standards. Failure to mitigate the effect of unpaved parking  
36 lots, reduced queuing and landscaping standards, portable signs, or on-  
37 street parking may result in the revocation of a permit.

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

4 F. Application submittal requirements:

5 1. Application form:

6 2. Application fee:

7 3. Narrative that describes the existing conditions and proposed project  
8 in detail, including hours of operation, types of food and beverages to  
9 be prepared and served, whether outdoor seating is proposed, and  
10 the provision of:

11 a. Restroom facilities:

12 b. Water and wastewater:

13 c. Off-site parking, if proposed:

14 d. Plan to mitigate the effects of dust, gravel, glare and queuing  
15 overflow as applicable:

16 e. Cooking and/or barista facilities; and

17 f. Outdoor seating areas, if proposed:

18 4. Site plan (11" X 17" minimum size) drawn to a legible scale to  
19 adequately show:

20 a. Dimensions of property and right-of-way lines:

21 b. The abutting street name, centerline, curb and sidewalk:

22 c. The locations, width, and surface materials of driveways, queuing  
23 and parking spaces:

24 d. The locations and dimensions of the stand(s), outdoor seating  
25 areas and restroom facilities:

26 e. Proposed location of signs (both permanent and/or temporary):

27 f. Scale of plan, and north arrow:

28 g. If the parcel is large, the detailed plan can show only the part of the  
29 parcel proposed for the stands; provided that an insert of the entire  
30 parcel is also shown with the area of detail shown on the insert; and

- 1           h. Location of any easements:
- 2           5. Copy of current deed to verify property dimensions and check
- 3           whether any easements exist;
- 4           6. Water utility review letter; and
- 5           7. Associated applications as applicable, such as floodplain, habitat,
- 6           shoreline, wetlands must be submitted prior to, or with the application.

7

8   **Rationale:** Small coffee and food stands are sometime a transitory use, but are

9   currently subject to the same standards as larger, permanent buildings. This

10 makes complying with these standards economically infeasible in many cases.

11