

CLARK COUNTY STAFF REPORT

DEPARTMENT: Community Planning

DATE: April 16, 2024

REQUESTED ACTION: Approval of Ord. 2024-03-02, which will codify Title 40 changes applicable to Urban Residential districts (R1-5, R1-6, R1-7.5, R1-10, R1-20) and implement middle housing and small single single-family strategies as outlined in the Housing Options Study and Action Plan.

Consent Hearing County Manager

BACKGROUND

Clark County and other communities across Washington are struggling to provide the variety and quantity of housing options that residents need. New strategies are needed to help ensure current and future generations have access to affordable, quality, and diverse housing opportunities.

The purpose of the Housing Options Study and Action Plan (HOSAP) is to understand local housing challenges and identify opportunities to encourage creation of additional housing types that are affordable to a variety of households within the unincorporated Vancouver Urban Growth Area (UGA). This could be done through the removal of regulatory barriers and/or implementation of other strategies.

The HOSAP was developed for a large urban area with an estimated population of 161,300 next to, but not incorporated into the City of Vancouver. This area is the focus for the county, as it is an urban jurisdiction where different types of housing (duplex, triplex, quadplex, condominiums, multifamily apartments, etc.) can be built and where urban services are available and can be provided in an efficient manner.

The HOSAP, approved by Council in May of 2022, provides guidance for County staff, elected officials, and other decision-makers to encourage the construction of additional affordable and market-rate housing that meets the unincorporated Vancouver UGA's current and future housing needs. Upon approval of the plan, Council directed staff to begin implementation of the short-term strategies.

In 2021, the Washington Legislature changed the way communities are required to plan for housing with House Bill 1220 (HB 1220). The Growth Management Act (GMA) housing goal was amended to require that jurisdictions, "plan for and accommodate" housing affordable to all income levels, which have been defined by the Department of Commerce, significantly strengthening the previous goal, which was to "encourage affordable housing." Significant updates were also made to how jurisdictions are to plan for housing in the housing element of their comprehensive plans. The HOSAP process was already underway prior to the legislation passing, and dovetails with the new legislation. Additional updates to the housing element will be part of the 2025 comp plan update process.

This first round of code amendments being presented to the Council come directly from the short-term strategies and include draft code updates for smaller single-family detached homes and middle

housing¹. The overall goal of these code updates is to create a greater variety of housing options with potential for smaller, less expensive and more efficient homes at a neighborhood scale in the existing low-density residential zones within the Vancouver UGA.

On July 25, 2023, Council held a public hearing regarding proposed code changes for implementation of the Housing Options Study and Action Plan. At the conclusion of the July 25th hearing, council requested staff and our consultants to complete additional work on the code amendment proposal and additional review and consideration by the Technical Housing Code Forum.

To complete this work, staff collected input from councilors on questions they wanted answered, worked with the consultant to develop memos regarding the issues, and followed with two meetings (10/05/23 and 11/19/23) with the Technical Housing Code Forum.

On January 17, 2024 staff held a work session with the Council to present proposed revisions and code changes. Questions raised by Council during the January 17 work session included affordability, parking, ADU height, and cost differentials between levels of permit review.

On March 5, 2024, staff and the consultant returned to council. Based on the information provided at the hearing, background work, and supporting documents provided for review, Council unanimously approved the proposed modifications to CCC 40.100.070 -Definitions, CCC 40.220 – Urban Residential Districts, CCC 40.260 – Special Uses and Standards, CCC 40.340 – Parking, Loading and Circulation, CCC 40.520 – Permitsw and Reviews.

COUNCIL POLICY IMPLICATIONS

Adoption of the proposed ordinance will codify Title 40 changes applicable to R1 districts, Definitions, and Special Uses sections, and implement comprehensive plan policies related to the creation of housing opportunities in Clark County for middle housing and small single single-family products as specified in the Housing Options Study and Action Plan, which were adopted by the Council May 17, 2022.

ADMINISTRATIVE POLICY IMPLICATIONS

Adoption of the proposed code actively implements the strategies as contained in the Housing Options Study and Action Plan and therefore will provide for greater overall compliance with the county's comprehensive plans and goals.

COMMUNITY OUTREACH

On November 3, 2020, County Council approved a Public Participation Plan (PPP) for the Housing Options Study and Action Plan. The intent of the PPP was to ensure that the county facilitates a thoughtful, open, and equitable process to provide residents, workers and other interested parties meaningful opportunities to discuss housing challenges and develop solutions for their communities.

Public outreach for the first phase of implementation and development of the proposed code amendments started with a Technical Housing Code Forum which consisted of members of the original housing project advisory group, members of the Clark County Planning Commission, and Clark County Development and Engineering Advisory Board, all of whom had experience with Title 40 and/or housing development regulations. The group met six times and reviewed the code concepts identified in the Housing Action Plan and with facilitation from the consultant team, provided feedback to assist in the development of proposed code amendments to the county's

¹ The proposed definition for Middle Housing in CCC 40.100.070 states, "Middle housing" means duplexes, triplexes, quadplexes, and single family attached dwellings (townhouses)."

development code. The public was invited to attend the meetings and observe and was encouraged to provide comment at any time.

Other key tools included:

- A project website where the public could access all project-related information.
- An email distribution list of over 3000 recipients to provide notification about project news and updates.
- Notice shared with local news media and posted to social media outlets.
- A March 23, 2023 public informational meeting was held to provide a presentation on the proposed code amendments, listen to feedback, and answer questions from participants.
- Project updates to various community and county boards, such as the Neighborhood Association Council of Clark County, Clark County Schools Advisory Council, and the Clark County Development Engineering Advisory Board.
- Individual and community Q&A sessions with county staff upon request.

The housing code amendments were sent to the Department of Commerce on April 19, 2023 and the comprehensive plan amendments were sent on May 17, 2023. A Notice of Determination of Non-Significance and SEPA Environmental Checklist was published in the Columbian newspaper on May 29, 2023. A legal notice was published for the Planning Commission hearing on May 31, 2023.

Opportunities for public input and participation were provided through a public informational meeting held March 23, 2023; meetings with the Development Engineering and Advisory Board (DEAB), held April 13, May 4, and June 1, 2023, the Neighborhood Association Council of Clark County (NACCC) held May 8, 2023, the Partnership for Patients held February 9, 2024 and the Pleasant Highlands Neighborhood Association held February 22, 2024; and six (6) Technical Housing Code forums held November 30 and December 14, 2022 and January 25, February 28, October 5 and November 16, 2023.

BUDGET IMPLICATIONS

YES	NO	
	X	Operating Budget Impacts
	X	Capital Budget Impacts
X		Action falls within existing budget capacity.
	X	Action falls within existing budget capacity but requires a change of purpose within existing appropriation. If YES, please complete the budget impact statement. If YES, please route this Staff Report through the Budget Director and then to the County Manager.
	X	Additional budget capacity is necessary and will be requested at the next supplemental or annual budget. If YES, please complete the budget impact statement. If YES, please route this Staff Report through the Budget Director and then to the County Manager. This action will be referred to the county council with a recommendation from the county manager.

BUDGET DETAILS

Dollar Amount	n/a
Fund	n/a
Cost Center	n/a
BASUB	n/a
Program	n/a

Emily M. Zwetzig, Budget Director *(if applicable)*

DISTRIBUTION:

Council staff will post all Consent/Separate Business/Hearing staff reports to The Web.
<https://www.clark.wa.gov/council-meetings>

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APPROVED: _____
CLARK COUNTY, WASHINGTON
CLARK COUNTY COUNCIL

DATE: _____

SR# _____

APPROVED: _____
Kathleen Otto, County Manager

DATE: _____

1 WHEREAS, consistent with the State Environmental Policy Act (SEPA) requirements of Chapter
2 43.21C RCW, the County’s Responsible Official issued notices with a determination of non-significance
3 on May 30, 2023; and
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5 WHEREAS, timely public comments regarding the SEPA review were considered by the
6 Planning Commission and the County Council, and are included in the record; and
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8 WHEREAS, the Planning Commission reviewed the proposed code amendments at Planning
9 Commission Work Sessions on April 6, 2023 and June 1, 2023, and a duly noticed public hearing on June
10 15, 2023, with its recommendations forwarded to the County Council; and
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12 WHEREAS, Council held a Council Time meeting on June 19, 2023, a Work Session on January
13 17, 2024, and duly noticed public hearings on July 25, 2023 and March 5, 2024; and
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15 WHEREAS, the Council has considered all oral, written, virtual, and electronically submitted
16 testimony from the public about each of the proposed amendments; and
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18 WHEREAS, at its public hearings, the Council took in-person and/or virtual public testimony
19 from interested parties and considered all comments presented; and
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21 WHEREAS, the Council also considered the recommendations of the Clark County Planning
22 Commission; and
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24 WHEREAS, the Council finds that adoption of the amendments will further the public health,
25 safety and welfare of Clark County; now therefore,
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27 **BE IT HEREBY ORDERED, RESOLVED AND DECREED BY THE CLARK COUNTY**
28 **COUNCIL, CLARK COUNTY, STATE OF WASHINGTON, as follows:**
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30 **Section 1. Findings.** The recitals above are incorporated into this ordinance as findings.

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32 **Section 2. Amendatory.** Sec. 1 (Ex. A) of Ord. 2003-11-01 and codified as CCC 40.100.070, and as
33 most recently amended by Sec. 2 of Ord. 2023-11-28, are each hereby amended to read as follows:

34 **40.100.070 Definitions**

35 *Note: Only selected residential terms are included here due to length of section.*

36 ***

Cottage housing	“Cottage housing” means a grouping of small ((single family detached)) dwellings clustered around a common ((area)) open space and developed with a coherent plan for the entire site.
***	***
Dwelling	“Dwelling” means any building, or portion thereof, designed or used as the residence or sleeping place of one (1) or more persons.

Dwelling, duplex	“Duplex dwelling” means a building, on a single lot, designed or used for residence purposes ((by not more than two (2) families, and)) containing two (2) dwelling units.
Dwelling, multiple-family, or multifamily	“Multiple-family dwelling” means a building or portion thereof designed or used as a residence ((by three (3) or more families)), and containing ((three (3))) five (5) or more dwelling units.
<u>Dwelling, quadplex</u>	<u>“Quadplex dwelling” means a building, on a single lot, designed or used for residence purposes containing four (4) dwelling units.</u>
Dwelling, single-family <u>detached</u>	“Single-family <u>detached</u> dwelling” means a building, <u>on a single lot,</u> designed or used for residence purposes ((by not more than one (1) family, and)) containing one (1) dwelling unit only, including modular and manufactured homes. ((• “Attached” means sharing a common wall or walls that separate interior occupant space or attached garage space on separate lots. At least fifty percent (50%) of the overall dimension of the attached side or end, as applicable, of each unit shall share a common wall. • • “Detached” means physically separated.) <ul style="list-style-type: none"> • “Tiny house” means a detached single-family dwelling unit of not less than one hundred fifty (150) square feet that is constructed or mounted on a foundation and is connected to utilities. A small dwelling unit built on a chassis is considered a recreational vehicle.
Dwelling, <u>single-family attached (townhouse)</u>	“ <u>Single-family attached (townhouse) dwelling</u> ” means a ((form of attached single family housing)) <u>building, on a single lot, designed or used for residence purposes containing one (1) dwelling unit only,</u> where two (2) or more dwelling units share one (1) or more common walls with other dwelling units, and with each dwelling occupying an individually owned parcel of land. At least fifty percent (50%) of the overall dimension of the attached side or end, as applicable, of each unit shall share a common wall.
<u>Dwelling, triplex</u>	<u>“Triplex dwelling” means a building, on a single lot, designed or used for residence purposes containing three (3) dwelling units.</u>
***	***
Dwelling unit	“Dwelling unit” means one (1) room or ((a suite of two (2) or)) more rooms, designed for or used by one (1) family or housekeeping unit for living and sleeping purposes, and having only one (1) kitchen or kitchenette.
Dwelling unit, accessory (ADU)	“Accessory dwelling unit” (ADU) is an additional, smaller, subordinate dwelling unit on a lot with, or in, an existing or new house. A house with an ADU is different from a duplex because the intensity of use is less due to the limitations of size ((, and it has the appearance of a single family structure.)) <ul style="list-style-type: none"> • “Urban ADU” means an attached or detached dwelling unit that provides for a greater range of housing types in single-family and multifamily residential districts while protecting the character of the residential neighborhood.

	<ul style="list-style-type: none"> • “Rural ADU” (RADU) means an attached dwelling unit that provides for a greater range of housing types in rural and resource lands while maintaining rural community character and ensuring the conservation, enhancement and protection of resource lands.
***	***
Family	“Family” means individuals customarily living together as a single housekeeping unit and using common cooking facilities <u>whether related by genetics, adoption, or marriage, or ((a group of not more than six (6))) unrelated ((individuals)).</u>
***	***
<u>Middle housing</u>	<u>“Middle housing” means duplexes, triplexes, quadplexes, and single-family attached dwellings (townhouses).</u>
***	***
((Servants’ quarters))	((“Servants’ quarters” means a secondary dwelling or apartment without kitchen facilities designed for and used only by persons or the families of persons regularly employed on the property.))

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4 **Section 3. Amendatory.** Sec. 1 (Ex. A) of Ord. 2003-11-01 and codified as CCC 40.220.010, and as
5 most recently amended by Sec. 6 of Ord. 2023-11-28, are each hereby amended to read as follows:

6 **40.220.010 ((Single-Family))Low-Density Residential Districts (R1-20, R1-10, R1-7.5, R1-6 and**
7 **R1-5)**
8

9 A. Purpose.

10 1. The R1-20, R1-10, ~~((and))~~ R1-7.5, R1-6 and R1-5 districts are intended to:

11 a. ~~((Recognize, maintain and protect established low density residential areas.))~~ Provide for a
12 mix of single-family and middle housing types in a low-density context at a neighborhood scale.

13 b. Establish higher densities where a full range of community services and facilities are present
14 or will be present at the time of development.

15 c. Provide for additional related uses such as schools, parks and utility uses necessary to serve
16 immediate residential areas.

17 ~~((2. The R1-6 and R1-5 districts are intended to provide for higher single and duplex densities~~
18 ~~where a full range of community services and facilities are present or will be present at the time of~~
19 ~~development.))~~

20 B. Uses.

21 The uses set out in Table 40.220.010-1 are examples of uses allowable in single-family residential zone
22 districts. The appropriate review authority is mandatory.

- 1 • “P” – Uses allowed subject to approval of applicable permits.
 - 2 • “R/A” – Uses permitted upon review and approval as set forth in Section 40.520.020.
 - 3 • “C” – Conditional uses which may be permitted subject to the approval of a conditional use permit as
 - 4 set forth in Section 40.520.030.
 - 5 • “X” – Uses specifically prohibited.
- 6 Where there are special use standards or restrictions for a listed use, the applicable code section(s) in
 7 Chapter 40.260, Special Uses and Standards, or other applicable chapter is noted in the “Special
 8 Standards” column.

Table 40.220.010-1. Uses						
	R1-20	R1-10	R1-7.5	R1-6	R1-5	Special Standards
1. Residential.						
a. Single-family detached dwellings	P	P	P	P	P	
b. Accessory uses and structures normal to a residential environment	P	P	P	P	P	40.260.010
c. Accessory dwelling units	((R/A))P	((R/A))P	((R/A))P	((R/A))P	((R/A))P	40.260.020
d. Duplex dwellings	((X))P	((X))P	((X))P	P(⁺)	P(⁺)	
e. Triplex and quadplex dwellings	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>40.260.225</u>
((e)) f. Family day care centers	P	P	P	P	P	40.260.160
((f)) g. Adult family homes	P	P	P	P	P	40.260.190
((g)) h. Home business – Type I	P	P	P	P	P	40.260.100
((h)) i. Home business – Type II	R/A	R/A	R/A	R/A	R/A	40.260.100
((i)) j. Bed and breakfast establishments	R/A	R/A	R/A	R/A	R/A	40.260.050

Table 40.220.010-1. Uses						
	R1-20	R1-10	R1-7.5	R1-6	R1-5	Special Standards
(up to two (2) guest bedrooms)						
((j)) k. Bed and breakfast establishments (three (3) or more guest bedrooms)	C	C	C	C	C	40.260.050
((k)) l. Garage sales	P	P	P	P	P	40.260.090
((l)) m. Manufactured home parks	X	X	X	X	X	
((m)) n. Residential P.U.D.	R/A	R/A	R/A	R/A	R/A	40.520.080
((n)) o. Single-family attached dwelling units (townhouses)	((R/A)) P ²	((R/A)) P ²	((R/A)) P ²	((R/A)) P ²	((R/A)) P ²	40.260.155 ((40.520.080))
((o)) p. Zero lot-line developments	X	X	((R/A)) P	((R/A)) P	((R/A)) P	40.260.260
((p)) q. Residential care homes and facilities	C	C	C	C	C	40.260.180 40.260.077
((q)) r. Temporary dwellings	P	P	P	P	P	40.260.210
((r)) s. Cottage housing	((X)) P	((X)) P	P	P	P	40.260.073
t. Compact lot developments	P	P	P	P	P	40.260.072
s u. Staffed residential homes	C	C	C	C	C	40.260.205
2. Services, Business.						

Table 40.220.010-1. Uses						
	R1-20	R1-10	R1-7.5	R1-6	R1-5	Special Standards
a. Temporary modular tract sales and construction offices	P	P	P	P	P	
b. Model homes	P	P	P	P	P	40.260.175
c. Roadside farm stand	P	P	P	P	P	40.260.025
d. Agricultural market	P	P	P	P	P	40.260.025
3. Services, Amusement.						
a. Private recreation facilities	C ³	C ³	C ³	C ³	C ³	
b. Circuses, carnivals or amusement rides	R/A	R/A	R/A	R/A	R/A	
4. Services, Membership Organization.						
a. Churches	C	C	C	C	C	40.260.070
5. Services, Educational.						
a. Commercial day care centers ⁷	C	C	C	C	C	40.260.160
b. Grade K - 5 public and private schools, including preschools	P	P	P	P	P	40.260.160
c. Grade 6 - 12 public and private schools	C	C	C	C	C	

Table 40.220.010-1. Uses						
	R1-20	R1-10	R1-7.5	R1-6	R1-5	Special Standards
d. Business, dancing and technical schools	X	X	X	X	X	
e. Public park and public recreational facilities ⁷	P	P	P	P	P	40.260.157
f. Parks ⁷	P	P	P	P	P	40.260.157
6. Public Service and Facilities. ⁷						40.230.090 40.260.077
a. Ambulance dispatch facilities ⁷	C	C	C	C	C	40.260.030
b. Government facilities ⁷	C ⁴	C ⁴	C ⁴	C ⁴	C ⁴	40.260.077
7. Resource Activities.						
a. Agricultural	P	P	P	P	P	40.260.040
b. Silviculture	P	P	P	P	P	40.260.080
8. Other.						
a. Cemeteries and mausoleums	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	
b. Utilities, other than wireless communications facilities	P	P	P	P	P	40.260.240
c. Solid waste handling and disposal sites	C	C	C	C	C	40.260.200 40.260.077
d. Wireless communications facilities	P/C ⁶	P/C ⁶	P/C ⁶	P/C ⁶	P/C ⁶	40.260.250
e. Temporary uses	P	P	P	P	P	40.260.220

Table 40.220.010-1. Uses						
	R1-20	R1-10	R1-7.5	R1-6	R1-5	Special Standards
f. Electric vehicle infrastructure	P	P	P	P	P	40.260.075
g. Medical marijuana cooperative	X	X	X	X	X	40.260.115
h. Marijuana production facilities	X	X	X	X	X	40.260.115
i. Marijuana processor 1 facilities	X	X	X	X	X	40.260.115
j. Marijuana processor 2 facilities	X	X	X	X	X	40.260.115
k. Marijuana retailer facilities	X	X	X	X	X	40.260.115

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~~1((Duplexes permitted on corner lots.))~~ Reserved.

~~2((Attached single family dwellings allowed in PUD development only.))~~ A maximum of four attached single-family dwelling units is permitted outright. A greater number of attached single-family dwelling units is allowed in PUD developments only.

³Including golf courses and country clubs, but not including such intensive recreation uses as a golf driving range (unless within a golf course), race track, amusement park or gun club.

⁴Not including storage or repair yards, warehouses, or similar uses.

⁵Including crematoria, columbaria, and mortuaries within cemeteries; provided, that no crematorium is within two hundred (200) feet of a lot in a residential district.

⁶See Table 40.260.250-1.

⁷ Once a property has been developed as a public facility, a docket is required to change the comprehensive plan designation from the current zone to the Public Facilities zone.

C. Development Standards.

1. New lots and structures and additions to structures subject to this chapter shall comply with the applicable standards for lots, building height and setbacks in Tables 40.220.010-2 and 40.220.010-3, subject to the provisions of Chapter 40.200 and Section 40.550.020, except that single-family

attached (townhouse) lots and structures shall comply with the applicable standards in Table 40.220.010-4.

2. An exception to the maximum average lot size may be granted for a short plat creating lot(s) for an existing legal residence(s) and one (1) remainder lot subject to the following:

a. For a two (2) lot short plat with one (1) existing residence, neither the lot with the residence nor the remainder lot must meet the maximum average lot area.

b. When three (3) or more lots are created, only those lots with existing residences are exempted from maximum lot area average calculations.

c. The resulting plat shall contain a plat note specifying that this exception may not be used for any further divisions of the subject lots.

3. Lots created for drainage facilities, parks, open space, wetlands and buffers or utilities shall not be subject to maximum lot size requirements.

~~(4. Where permitted, townhouses shall be subject to the requirements in Sections 40.220.020(C)(4) and 40.260.155.)~~

Table 40.220.010-2. Lot Requirements

Zoning District	Residential Density ((for PUDs)) (d.u./acre) ¹	Minimum Average Lot Area (sq. ft.)			Maximum Average Lot Area (sq. ft.)	Average ^{2,3} Minimum Lot Width (feet)	Average ^{2,3} Minimum Lot Depth (feet)
		Single-Family Detached & Duplex	Triplex	Quadplex			
R1-20	((2.2)) 2.7 - 1.4	((20,000)) 16,000	16,000	16,000	30,000	100	100
R1-10	((4.4)) 5.1 - 2.9	((10,000)) 8,500	8,500	8,500	15,000	((80)) 70	90
R1-7.5	((5.8)) 6.7 - 4.1	((7,500)) 6,500	6,500	8,000	10,500	50	90
R1-6	((7.3)) 7.9 - 5.1	((Average 6,000; 5,000 per duplex unit)) 5,500	6,000	8,000	8,500	((50)) 45	((90)) 80
R1-5	((8.7)) 10.9 - 6.2	((Average 5,000; 4,000 per duplex unit)) 4,000	5,000	8,000	7,000	((45)) 40	65

¹ The maximum and minimum density is for the purpose of calculating densities for planned unit developments, cottage housing and compact lot developments. Densities

shall be calculated based on the gross area of the site minus any public rights-of-way, private road easements, or street tracts. For developments that include middle housing, the maximum density shall be calculated on an equivalent lot area basis as follows: The adjusted gross area, in acres, times the maximum density times the minimum lot area for single-family detached dwellings in the zone shall equal the total maximum allowed lot area, which may be divided into any combination of middle housing lots, each meeting the applicable minimum lot size for the housing type proposed including single-family attached (townhouse) dwellings subject to Table 40.220.010-4.

² Average for each individual lot.

³The average minimum lot width and depth should be calculated for lots that abut pedestrian accessways to include one-half (1/2) of the pedestrian accessway in a tract when the pedestrian accessway is required per Section 40.350.015(E).

Table 40.220.010-3. Setbacks, Lot Coverage and Building Height

Zoning District	Minimum Setbacks				Maximum Lot Coverage ¹³			Maximum Building Height (feet)
	Front ³ (feet)	Side ^{4,5,10,11,12}		Rear ^{4,5,10,11} (feet)	Single-family detached	Duplex & Single-family w/ ADU	Triplex & Quadplex	
		Street (feet)	Interior (feet)					
R1-20	10 ⁸	10	10 ⁹	20	50% ¹			35 ⁷
R1-10	10 ⁸	10	((7⁹)) 5	((15)) 10	50% ¹			35 ⁷
R1-7.5	10 ⁸	10	5	10	50% ¹	55%	60%	35 ⁷
R1-6	10 ⁸	10	5	10	((50)) 55% ²	60%	65%	35 ⁷
R1-5	10 ⁸	10	5	10	((50)) 65% ²	65%	70%	35 ⁷

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

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

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

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

⁵ Setbacks from alleys to all structures including entrances to garages shall be a minimum of five (5) feet.

1 ⁶ Reserved.

2 ⁷ Accessory buildings shall meet the height requirements of Section 40.260.010(D).

3 ⁸ Front setbacks for garage fronts in these zones shall be a minimum of eighteen (18)
4 feet. Sides and rear of garages that have no driveway access may use the ten (10) foot
5 living space setback.

6 ⁹ The minimum setbacks for interior side yards on pie-shaped lots shall be five (5)
7 feet.

8 ¹⁰ Side and rear setbacks from abutting property zoned for natural resource or surface
9 mining uses shall be a minimum of fifty (50) feet for all structures.

10 ¹¹ Increased setbacks apply for structures housing large urban livestock. See Section
11 40.260.235.

12 ¹² Interior side setbacks for lots that abut pedestrian accessways in a tract may be
13 reduced by fifty percent (50%) when pedestrian accessways are required per Section
14 40.350.015(E).

15 ¹³ Lot coverage for lots that abut pedestrian accessways may be increased by ten
16 percent (10%) when pedestrian accessway in a tract or easement are required per
17 Section 40.350.015(E).

18

Table 40.220.010-4. Single-Family Attached (Townhouse) Lot Standards					
Subject	R1-20	R1-10	R1-7.5	R1-6	R1-5
Min. to Max. Residential Density (d.u./acre)¹	1.4 – 5.4	2.9 – 10.2	4.1 – 21.8	5.1 – 21.8	6.2 – 21.8
Minimum lot area (sq. ft.)	4,000	3,000	2,000	2,000	2,000
Minimum lot width (feet)²	25		18		
Minimum lot depth (feet)	70		50		
Maximum building height for dwelling (feet)	35				
Maximum building height for detached garage (feet)	18				
Front setback for dwelling (feet)³	10				
Front setback to garage door (feet)	18				
Street side setback (feet)	10				
Side setback (feet)^{3,4,5,7}	0 or 5				
Rear setback (with no alley) (feet)^{4,7}	0 or 5				
Setback from alley easement to garage (feet)	2				

Table 40.220.010-4. Single-Family Attached (Townhouse) Lot Standards					
<u>Subject</u>	<u>R1-20</u>	<u>R1-10</u>	<u>R1-7.5</u>	<u>R1-6</u>	<u>R1-5</u>
<u>Setback from alley easement to dwelling (feet)</u>	<u>5</u>				
<u>Maximum lot coverage⁶</u>	<u>55%</u>		<u>70%</u>		

1 ¹ Densities shall be calculated based on the gross area of the site minus any public
2 rights-of-way, private road easements, or street tracts.

3 ² Applies to interior lots only – corner lots shall be of sufficient width so that sight
4 distance and driveway spacing requirements are met.

5 ³ May be reduced when alley access is provided per Section 40.260.155(D)(1).

6 ⁴ If not sharing a common wall, the setback shall be five (5) feet.

7 ⁵ No portion of any structure (including eaves, gutters, etc.) may extend across a
8 property line unless such encroachments are authorized by a plat note or approved
9 final site plan. Such authorization may require special fire-resistant construction
10 standards.

11 ⁶ When access is provided via an alley, lot coverage may be increased per Section
12 40.260.155(D)(2).

13 ⁷ Additional requirements may apply, based on building and fire codes.

14 5. Density Transfer for Single-Family Detached Dwellings.

15 a. Purpose. To achieve the density goals of the comprehensive plan with respect to the urban
16 area, while preserving environmentally sensitive lands and the livability of the ((single-family))
17 low-density residential neighborhoods, while also maintaining compatibility with existing
18 residences.

19 b. The density for property developed in ((single-family)) low-density zone districts for single-
20 family detached dwellings, if encumbered by land identified as sensitive due to the presence of
21 steep slopes, unstable land, historical or archaeological sites, wetlands and buffers, regional
22 stormwater facilities, or other permanent physical development limitations as may be determined
23 by the responsible official or land voluntarily set aside for open space or commons as approved
24 by the responsible official, from the gross acreage may be transferred to the remaining
25 unencumbered land areas on the same development site, subject to the following limitations:

26 (1) Easements established for utility transmission lines such as Bonneville Power
27 Administration (BPA), PacifiCorp a.k.a. Pacific Power (formally known as PP&L), Clark
28 Public Utilities, and NW Natural can not be utilized for density transfer.

29 (2) Maximum Number. The maximum number of units that can be achieved on the site is
30 based on the density in Table 40.220.010-((4))5, multiplied by the gross acreage of the entire
31 site, both encumbered and unencumbered, without deducting for road easements or right-of-
32 way. The potential maximum number of lots will be dependent upon site characteristics and
33 the lot requirements of Table 40.220.010-((4))5.

- 1 (3) The minimum lot depth of any lot abutting environmentally sensitive lands shall be
 2 fifty-five (55) feet.
- 3 (4) For parent parcels larger than two and one-half (2.5) acres:
- 4 (a) The resulting lots which abut R1-5, R1-6, R1-7.5, R1-10 or R1-20 zoned lots or
 5 parcels shall:
- 6 (i) Be at least ninety percent (90%) of the minimum lot area standard for the
 7 subject parcel;
- 8 (ii) Have a lot depth of not less than eighty percent (80%) of the minimum lot
 9 depth of the subject parcel;
- 10 (iii) Have a minimum lot width not less than ten (10) feet from the minimum lot
 11 width of the subject parcel.
- 12 (b) The resulting lots which are interior (not a part of the parent parcel abutting an
 13 adjacent property line) to the site shall conform to the lot requirements set out in Table
 14 40.220.010-4.
- 15 (5) For parent parcels two and one-half (2.5) acres or less, all lots, both exterior and
 16 interior, to be created shall conform to the lot requirements in Table 40.220.010-~~(4)~~5.
- 17 (6) This density transfer development provision may not be used in association with the
 18 planned unit development provisions of Section 40.520.080, the compact lot development
 19 provisions of Section 40.260.072, or the cottage housing provisions of Section 40.260.073.
- 20 (7) A recorded covenant shall be placed on those areas or tracts from which density is
 21 transferred prohibiting any development of the parcel or tract inconsistent with its intended
 22 use.
- 23 (8) Subdivision lots shall be subject to the maximum average lot area provisions of the
 24 underlying zone.

Table 40.220.010- (4) 5. Density Transfers				
Zoning District	Maximum Density (d.u./acre) ³	Minimum Useable Lot Area ¹ (square feet)	Average ⁴ Lot Width ² (feet)	Average ⁴ Lot Depth ¹ (feet)
R1-5	(6.9) 7.7	(2,250) 2,000	35	50
R1-6	(5.8) 6.3	(2,500) 2,250	40	50
R1-7.5	(4.6) 5.3	(3,000) 2,500	(50) 45	50
R1-10	(3.5) 4.1	(4,000) 3,500	(70) 60	50
R1-20	(1.7) 2.1	(4,500) 4,000	(90) 80	50

25
 26 ¹ Minimum useable area is that portion of the lot which is unencumbered by the land
 27 voluntarily set aside, environmentally sensitive lands to be protected and their
 28 respective buffers, and shall exclude setbacks and easements. [Example: A typical
 29 five thousand (5,000) square foot lot would have three thousand (3,000) square feet
 30 of useable area, even if unencumbered by environmentally sensitive lands.]

1 ² May be reduced subject to the provisions of this chapter and the variance
2 procedures.

3 ³ The maximum density rates apply to the overall gross acreage of the site, whether
4 encumbered or not. The actual maximum number of lots that may be achieved is also
5 dependent on the other requirements of this table. The maximum density rates are
6 based upon dividing the gross acres by the minimum lot size in the zone, minus
7 twenty percent (20%) which would normally be devoted to road right-of-way or road
8 easements in a typical subdivision.

9 ⁴ Average for each individual lot.

10 6. Signs. Signs shall be permitted according to the provisions of Chapter 40.310.

11 7. Off-Street Parking. Off-street parking shall be provided as required in Chapter 40.340.

12 8. An exemption to the maximum lot size shall be granted for parcels incapable of division into three (3)
13 lots due to minimum lot size requirements but would not meet maximum lot size requirements for a two
14 (2) lot division.
15

16 **Section 4. Amendatory.** Sec. 1 (Ex. A) of Ord. 2003-11-01 and codified as CCC 40.260.020, and as
17 most recently amended by Sec. 11 of Ord. 2020-03-01, are each hereby amended to read as follows:

18 **40.260.020 Accessory Dwelling Units – Urban**

19 A. Purpose.

20 The purpose of this section is to:

21 1. Provide ~~((an))~~ additional smaller, subordinate dwelling units on a lot with, or in, an existing or
22 new ~~((house))~~ single-family detached dwelling.

23 2. Provide for a greater range of choices of housing types in ~~((single family and multifamily))~~
24 residential districts ~~((while protecting))~~ that contribute to the character of the residential
25 neighborhood.

26 B. Applicability.

27 1. Accessory dwelling units may be allowed in the R1-20, R1-10, R1-7.5, R1-6, R1-5 zones or on
28 any ~~((multifamily-zoned))~~ Residential (R) or Office Residential (OR) ~~((3))~~ lot developed with an
29 existing or planned single-family detached dwelling, subject to the requirements of this section.

30 2. A lot of record lawfully occupied by two (2) or more single-family ~~((residences))~~ detached
31 dwellings per Section 40.200.050 does not qualify for an ADU, unless the lot is short platted under
32 Chapter 40.540. If a short plat is approved, an ADU for each dwelling unit is permitted only if all
33 dimensional standards of the underlying zone and all other provisions of this section are met.

34 ~~((3.— An ADU shall not be located in a dwelling or on a lot where a Type II home business is~~
35 ~~operating.))~~

36 C. Development Standards.

1 1. ~~((No more than one (1)))~~ Up to two (2) ADUs per legal lot ~~((is))~~ are permitted and ~~((it))~~ they
2 must be accessory to a single-family ~~((residence))~~ detached dwelling. All of the following ADU
3 types, in any combination, are permitted:

4 ~~((2. ADUs require building permits to ensure compliance with applicable fire, health, and safety~~
5 ~~codes.~~

6 ~~3. An ADU may be created through))~~

7 a. Internal conversion within an existing dwelling;

8 b. The addition of new square footage to the existing house or to a garage;

9 c. Conversion of an existing garage, including existing garages within non-conforming
10 setbacks provided that the nonconformity predated (effective date of ordinance) and the portion
11 of the ADU within the setback does not increase the height of the existing garage;

12 d. Inclusion in the development plans for, or as part of, the construction of a new single-family
13 detached dwelling unit; or

14 e. A separate detached structure containing one or two dwelling units on the same lot as the
15 primary dwelling unit when the ~~((accessory unit))~~ structure is located ~~((at least ten (10) feet~~
16 ~~behind the most distant back or side wall or other structural element of the primary dwelling unit~~
17 ~~structure))~~ behind the front building plane of the primary dwelling. However, detached accessory
18 units may be placed forward of the front building plane on lots with a front yard setback of 40
19 feet or greater, provided the width of the front facade of the ADU does not exceed 50% of the
20 width of the primary dwelling's front facade.

21 f. Subject to the requirements of this section, a manufactured or modular home can be
22 considered an ADU for the purposes of this subsection.

23 ~~((4))~~ 2. An ADU shall conform to the standards of the zone, including but not limited to lot
24 coverage and setbacks.

25 ~~((5))~~ 3. Building height ~~((is limited to twenty five (25) feet for a detached ADU. Additions to~~
26 ~~existing dwellings))~~ of an ADU shall meet the height requirements of the zone.

27 ~~((6))~~ 4. Allowable Size.

28 a. The total gross floor area of an ADU shall not exceed ~~((eight hundred (800)))~~ one thousand
29 (1,000) square feet, ((or forty percent (40%) of the area of the primary dwelling's living area,
30 whichever is less, with the following exceptions for large lots with large primary dwellings or
31 primary dwellings with basements:)) Notwithstanding the definition of 'gross floor area' in
32 Section 40.100.070, gross floor area of an ADU means the interior habitable area including
33 basements and attics but not including a garage or accessory structure.

34 ~~((a. On lots that are at least ten thousand (10,000) square feet, the maximum square footage of~~
35 ~~an ADU is one thousand (1,000) square feet, or forty percent (40%) of the area of the primary~~
36 ~~dwelling's living area, whichever is less; and))~~

37 b. On lots that are at least twenty thousand (20,000) square feet, the maximum square footage
38 of an ADU ~~((is))~~ may be increased up to fifteen hundred (1,500) square feet ~~((, or forty percent~~
39 ~~(40%) of the area of the primary dwelling's living area, whichever is less))~~ however, the

1 combined maximum square footage of two ADUs shall not exceed two thousand (2,000) square
2 feet.

3 c. The total floor area of a basement of the primary dwelling may be used as the ADU
4 exceeding one thousand (1,000) square feet; provided, that there is a separate exterior entrance
5 and the basement area does not exceed the size of the primary dwelling unit.

6 d. ~~((The living area of the primary dwelling unit excludes uninhabitable floor area, garage and
7 other outbuilding square footage whether attached or detached. If the primary dwelling unit is
8 smaller than seven hundred fifty (750) square feet, the ADU may be up to three hundred (300)
9 square feet even though this exceeds forty percent (40%) of the primary dwelling unit's living
10 area.))~~The minimum area of an ADU shall be one hundred fifty (150) square feet.

11 ~~((7))~~ 5. Parking.

12 ~~((One (1) parking space shall be provided))~~ No parking is required for the ADU. ~~((Parking may be
13 provided by the following methods:~~

14 a. ~~On site;~~

15 b. ~~On street parking; provided, that the parking space is legally available and along the ADU
16 lot's street frontage. Posted time or day restricted parking spaces do not qualify as legally
17 available for the purposes of this section; or~~

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

20 ~~((8))~~ 6. An ADU shall connect to public sewer and water unless a sewer waiver is obtained under
21 Section 40.370.010.

22 ~~((9))~~ 7. ADUs shall be subject to a seventy-five percent (75%) reduction in school, transportation
23 and park impact fees from the rate imposed for multifamily dwelling units.

24 D. Design Standards for Historic Structures.

25 ~~((1. The exterior appearance of an addition or detached ADU shall be architecturally compatible
26 with the primary residence. Compatibility includes coordination of architectural style, exterior
27 building materials and colors, roof form and pitch, window style and placement, other architectural
28 features and landscaping. The responsible official may approve variations as necessary to
29 accommodate proposed energy efficient building features into the ADU.~~

30 ~~2. New entrances for an ADU created by internal conversion or by an addition to an existing
31 primary dwelling shall be located on the side or rear of the primary residence unless it can be
32 demonstrated that no feasible alternative exists.~~

33 ~~3. Exterior Finish Materials.~~

34 ~~Plain concrete, concrete block, corrugated metal or plywood is prohibited if they are not the
35 predominant exterior finish material on the primary dwelling, unless these materials duplicate or reflect
36 the predominant finish.~~

37 ~~4. Roof Slopes.~~

1 ~~For buildings over fifteen (15) feet in height, the slope of the accessory dwelling unit roof must be the~~
2 ~~same as that of the predominant slope of the primary dwelling structure.~~

3 ~~5. Historic Structures.))~~

4 If an ADU is on the same lot as or within a historic structure which has been designated on the
5 national, state or local historic register, the following design guidelines are applicable:

- 6 a. Exterior materials should be of the same type, size and placement as those of the primary
7 dwelling structure.
- 8 b. Trim on edges of elements of accessory structures and additions should be the same as those
9 of the primary structure in type, size and placement.
- 10 c. Windows in any elevation which faces a street should match those in the primary structure
11 in proportion, i.e., same height, width and orientation (horizontal or vertical).
- 12 d. Pediments and Dormers.

13 Each accessory dwelling unit over twenty (20) feet in height should have either a roof pediment or
14 dormer if one (1) or the other of these architectural features is present on the primary dwelling.

15 ~~((6. Accessibility.~~

16 ~~To encourage the development of ADA accessible housing units, the responsible official may allow~~
17 ~~reasonable deviation from the requirements of this section for features that facilitate accessibility.))~~

18 E. Process.

19 1. Accessory dwelling units ((created under Section 40.260.020(C)(3)(e) require Type I site plan
20 review under Section 40.510.010)) are exempt from Site Plan Review under Section 40.520.040.

21 2. Building permits ((may be submitted at the same time as the site plan review)) are required to
22 ensure compliance with applicable fire, health, and safety codes.

1 **Section 5. New.** A new Section CCC 40.260.072 is hereby adopted as follows:

2 **40.260.072 Compact Lot Developments**

3 **A. Purpose.**

4 **The purposes of the compact lot development provisions are:**

- 5 **1. To encourage development of underutilized and challenged parcels within developed portions of**
6 **the Low-Density Residential Districts by providing flexibility for smaller, more efficient housing.**
- 7 **2. To diversify the county's housing stock by providing a variety of housing types, sizes and price**
8 **points that responds to changing household sizes and ages, such as retirees, small families, and**
9 **single-parent households.**
- 10 **3. To encourage development in existing residential areas by allowing a density bonus and design**
11 **flexibility.**
- 12 **4. To mitigate potential impacts of density and narrow lots through site design balancing**
13 **community connections and privacy.**
- 14 **5. To integrate developments into existing neighborhoods.**

15 **B. Applicability.**

- 16 **1. Compact lot developments are permitted on parcels created prior to the adoption date of this**
17 **ordinance that meet all of the following criteria:**
 - 18 **a. The parcel is three (3) acres or smaller in area, excluding any critical areas, public rights-**
19 **of-way, private road easements, or street tracts; and**
 - 20 **b. The proposed development can and will be served by urban services at the time of final**
21 **plat or development approval. For the purposes of this Chapter, "urban services" shall mean**
22 **public water and sewer service as described in Chapter 40.370.**
- 23 **2. Compact lot developments may not be used in conjunction with a Planned Unit Development per**
24 **Section 40.520.080.**
- 25 **3. Compact lot developments shall also be subject to the Narrow Lot Standards of Section**
26 **40.260.155.**

27 **C. Review Required.** A site plan is required that meets the requirements of Section 40.260.155(C)(1).
28 The site plan shall be submitted with the preliminary land division application.

29 **D. Development Standards:**

- 30 **1. Compact lot developments may include single-family detached dwellings at up to two hundred**
31 **percent (200%) of the maximum density of the underlying zone, including any accessory dwelling**
32 **units.**
- 33 **2. Minimum lot area and lot dimensions for single-family detached dwellings shall be as follows:**

Table 40.260.072-1. Compact Lot Standards					
Subject	R1-20	R1-10	R1-7.5	R1-6	R1-5
Minimum average lot area (sq. ft.)	8,000	4,250	3,250	2,750	2,000
Minimum average lot width (feet) ¹	50	40	25	20	20
Minimum average lot depth (feet)	90	65	50	50	50
Maximum building height for dwelling (feet)	35				
Maximum building height for detached garage (feet)	18				
Front setback for dwelling (feet)	10				
Front setback to garage door (feet)	18				
Street side setback (feet)	10				
Side setback (feet) ^{2,3}	5	3			
Rear setback (with no alley) (feet)	15	5			
Setback from alley easement to garage (feet)	2				
Setback from alley easement to dwelling (feet)	5				
Maximum lot coverage ⁴	50%	60%		65%	

1 ¹ Applies to interior lots only – corner lots shall be of sufficient width so that sight
2 distance and driveway spacing requirements are met.

3 ² May be reduced when alley access is provided per Section 40.260.155(D)(1).

4 ³ May utilize zero lot line development standards in Section 40.260.260.

5 ⁴ When access is provided via an alley, lot coverage may be increased per Section
6 40.260.155(D)(2).

7 3. Notwithstanding the setbacks in Table 40.260.072-1, setbacks from the exterior perimeter of the
8 development site shall meet the applicable minimum setbacks for single-family detached dwellings in
9 the underlying zone with no setback less than ten (10) feet.

10 4. Additional types of middle housing dwellings may be included within a compact lot
11 development subject to the development standards of the underlying zone; no additional density
12 bonus or modifications to dimensional standards shall apply to lots created for middle housing.

13 E. Main Entrances. Main entrances shall be visible from the street and must have a porch or entry set
14 back no more than eight (8) feet from the longest street-facing wall of the structure. The entry must: face
15 the street, open onto the porch, or be oriented at an angle of not more than 45 degrees from the street-
16 facing façade. Corner lot homes may be oriented to either street.

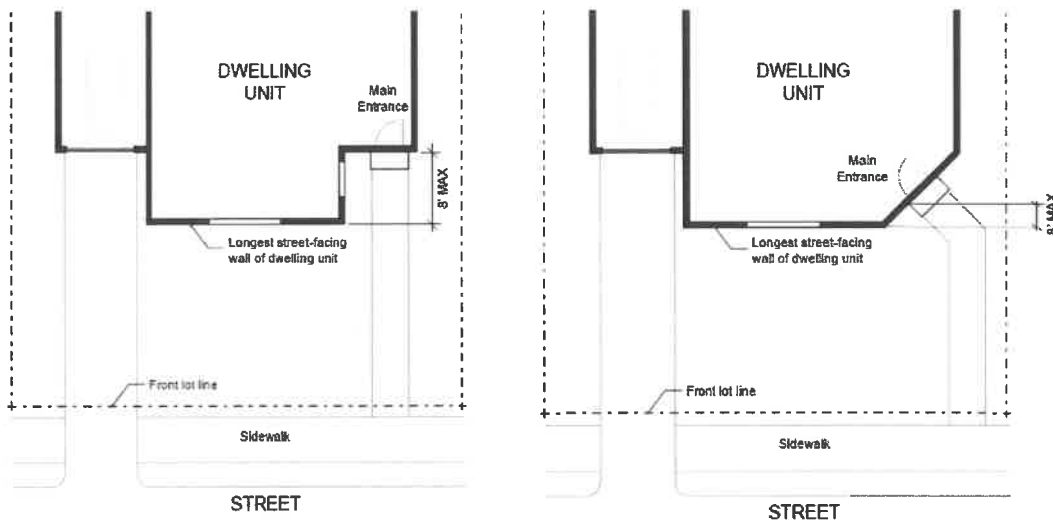


Figure 40.260.072-1 Main Entrance Orientation Options

F. Garages. The width of the garage door facing the street may be up to sixty percent (60%) of the lot width or ten (10) feet, whichever is greater. Garage width limitations do not apply to residential development accessed through rear alleys, or where the garage is located in the rear of the lot.

Section 6. Amendatory. Sec. 1 (Att.A) of Ord. 2012-02-03 and codified as CCC 40.260.073, as most recently amended by Sec. 5 of Ord. 2019-03-05, are each hereby amended to read as follows:

40.260.073 Cottage Housing

A. Purpose.

The purposes of the cottage housing provisions are:

1. To promote sustainable development practices through smaller, more efficient housing and effective use of residential land.
2. To diversify the county's housing stock by providing a housing type that is ~~((affordable))~~ **less expensive** and that responds to changing household sizes and ages, such as retirees, small families, and single-parent households.
3. To encourage development in existing residential areas by allowing a density bonus and design flexibility.
4. To provide centrally located and functional common open space that fosters a sense of community and openness within the cottage development.
- ~~(5. To provide private areas around the individual dwellings to enable diversity in landscape design and foster a sense of ownership.)~~
6. To ~~((maintain the character of))~~ **integrate cottage developments into** existing residential neighborhoods and ensure compatibility between cottage developments and their neighbors.

B. Applicability.

1 1. This section applies to cottage housing developments as defined in Section 40.100.070, except
2 for cottage developments within the Mixed Use (MX) zone which shall be subject to the Cottage
3 Housing standards in Appendix A.

4 2. ((Except within the Mixed Use (MX) zone (which has its own standards), cottage housing shall
5 comply with the standards, requirements, and limitations in Section 40.260.073(C).)) Cottage
6 housing developments shall be subject to site plan review in accordance with Section 40.520.040.
7 Where the site is proposed to be platted with each cottage on its own lot, the site plan review
8 application may be reviewed in conjunction with the land division application.

9 3. The narrow lot development standards in Section 40.260.155 shall not apply to cottage housing
10 developments.

11 4. Cottage housing developments may not be used in conjunction with a Planned Unit Development
12 per Section 40.520.080.

13 C. Development Standards ((and Requirements)).

14 1. ((Cottage housing developments shall be subject to site plan review in accordance with Section
15 40.520.040; except, where the site is proposed to be platted with each cottage on its own lot, the site
16 plan shall be reviewed in conjunction with the land division application and a separate site plan
17 review application shall not be required.)) Cottage housing developments may include single-family
18 detached dwellings, accessory dwelling units, duplexes and attached single-family dwellings with up
19 to two (2) attached dwellings.

20 2. Cottage housing developments may be allowed at up to two hundred percent (200%) of the
21 maximum density of the underlying zone, including any accessory dwelling units; except, cottage
22 housing developments in the R1-7.5, R1-6 and R1-5 zones may be allowed at up to 21.8 d.u./acre,
23 calculated based on the gross area of the site minus any public rights-of-way, private road easements,
24 or street tracts.

25 3. Cottage housing developments shall contain a minimum of four (4) and a maximum of twelve
26 (12) units in a cluster; provided, that a cottage development may contain more than one (1) cluster.
27 Each cluster must have its own common open space and may not be intersected by a public or private
28 road.

29 4. For platted cottage developments, the minimum lot area and lot dimension standards of the
30 underlying zone shall not apply; provided, that the cottage on each lot meets the setback and
31 separation standards herein.

32 5. Cottages and accessory structures shall maintain the following minimum setbacks:

33 a. Ten (10) feet from public rights-of-way or private street easements.

34 b. Five (5) feet from external non-street property boundaries.

35 c. Eighteen (18) feet from a street for garage doors; provided the minimum garage door
36 setback from an alley may be two (2) feet.

37 d. ((Ten (10))) Eight (8) feet minimum space between buildings (including accessory
38 structures).

39 6. No maximum lot coverage standard shall apply to cottage housing developments, including
40 cottages platted on individual lots.

1 ~~(6)~~ 7. Required Parking and Parking Design.

2 a. On-site parking shall be provided at a minimum rate of one ~~((and one-half))~~ (1 ~~((+2)))~~
3 parking space(s) per ~~((cottage))~~ dwelling ~~((and one (1) parking space per accessory dwelling~~
4 unit)).

5 ~~((7-))~~b. On-site parking may be ~~((clustered in common parking lots or detached garages~~
6)provided in any combination of shared parking lot(s), shared detached garage(s), and/or
7 individual garages or carports.

8 c. Individual detached garages may not exceed 400 square feet in floor area. Shared detached
9 garages may not exceed 1,000 square feet in floor area.

10 d. Common off-street parking areas shall meet the following:

11 (1) Parking and maneuvering areas shall meet the applicable requirements in Chapter
12 40.340 and screening requirements in Section 40.320.010(E).

13 (2) Such spaces may be designed to allow backing movements directly into local access
14 streets other than collectors or arterials.

15 (3) Parking areas shall be owned and maintained by a homeowners association or a
16 maintenance agreement shall be recorded with the plat.

17 ~~((8. Detached garages may contain up to two (2) accessory dwelling units (ADUs, also known as~~
18 carriage units) per cottage cluster built above the parking spaces.

19 ~~9. Cottage developments shall provide common open space at a minimum rate of four hundred~~
20 ~~(400) square feet per cottage.))~~

21 8. Common Open Space Standards. Each cottage cluster must share a common open space in order
22 to provide a sense of openness and community of residents. Common open spaces must meet the
23 following standards:

24 a. A minimum of 200 square feet of common open space must be provided per cottage unit
25 within the associated cluster. Common open space may not include critical areas, critical area
26 buffers, or slopes greater than fifteen percent. LID stormwater BMPs, like rain gardens, may be
27 integrated in up to twenty-five percent of the minimum required usable open space area.

28 b. The common open space must be contiguous, generally rectangular or ovoid, and no
29 narrower than 15 feet wide at its narrowest dimension.

30 c. The common open space shall be developed with a mix of landscaping, lawn area,
31 pedestrian paths, and/or paved courtyard area, and may also include recreational amenities.
32 Impervious elements of the common courtyard shall not exceed fifty percent (50%) of the total
33 common courtyard area.

34 ~~((10-))~~d. Common open space shall be located with cottages abutting on at least two (2) sides
35 ~~((and abutting a minimum of fifty percent (50%) of the cottages in the cluster.))~~

36 e. Pedestrian paths must be included in a common open space. Parking areas, required
37 setbacks, and driveways do not qualify as part of a common open space.

1 f. The development application shall include a plan for ongoing maintenance of the common
2 open space, including a mechanism for ensuring that the maintenance plan will be implemented
3 through a homeowners association or similar entity.

4 9. Cottage Orientation. Cottages must be clustered around a common open space, meaning they
5 abut the associated common open space or are directly connected to it by a pedestrian path, and must
6 meet the following standards (see Figure 40.260.073-1):

7 a. Each cottage within a cluster must either abut the common open space or must be directly
8 connected to it by a pedestrian path.

9 b. A minimum of fifty percent (50%) of cottages within a cluster must be oriented to the
10 common open space and must:

11 i. Have a main entrance facing the common open space;

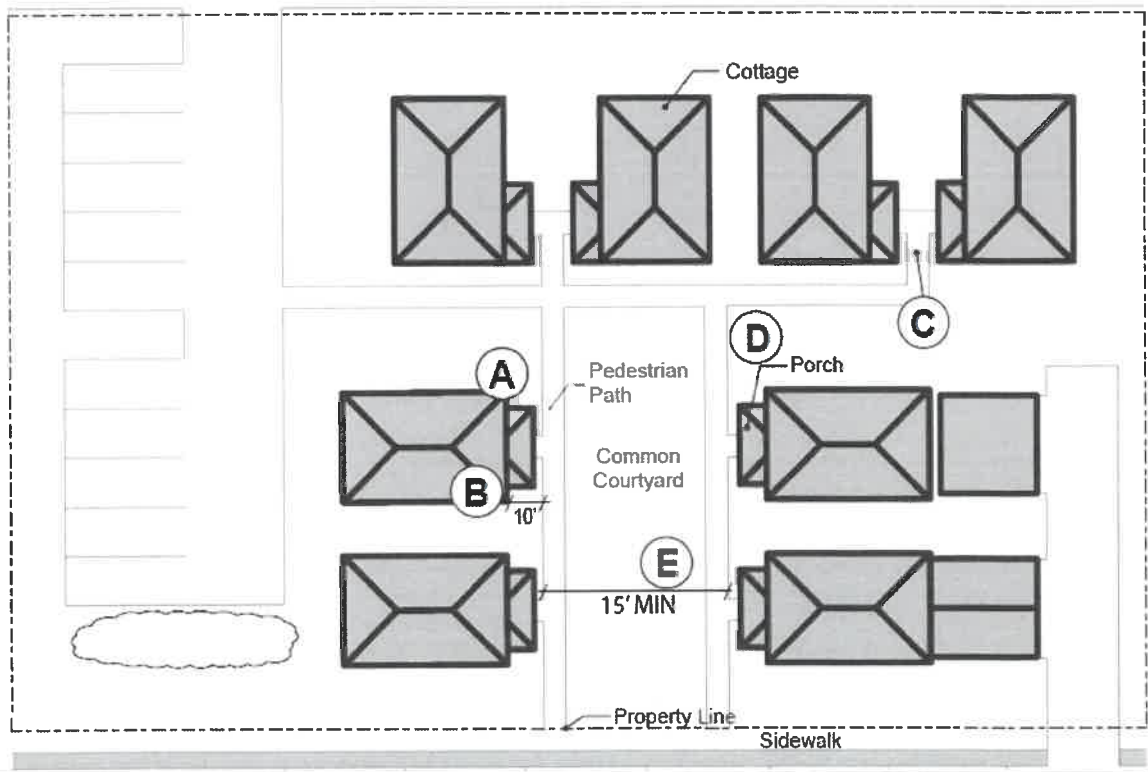
12 ii. Be within 10 feet from the common open space, measured from the façade of the
13 cottage to the nearest edge of the common open space; and

14 iii. Be connected to the common open space by a pedestrian path.

15 c. Cottages not oriented to the common space must either:

16 i. Have a main entrance facing the street if located within 20 feet of a street property
17 line; or

18 ii. Have a main entrance facing a pedestrian path that is directly connected to the
19 common open space.



1 **Figure 40.260.073-1 Cottage Orientation**

2 ~~((11.— Each cottage shall have a minimum of two hundred (200) square feet of private open space.~~
3 ~~Private open space shall be adjacent to each dwelling unit for the exclusive use of the residents of~~
4 ~~that cottage. The space shall be usable (not encumbered by steep slopes or other physical limitations)~~
5 ~~and oriented toward the common open space as much as possible, with no dimension less than ten~~
6 ~~(10) feet.))~~

7 10. Pedestrian Access. A pedestrian path that is hard-surfaced and a minimum of three (3) feet wide
8 must be provided that connects the main entrance of each cottage to the following:

9 a. The common open space;

10 b. Shared parking or solid waste storage areas;

11 c. Community buildings; and

12 d. Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no
13 sidewalks.

14 D. Building Design Standards.

15 1. Cottages shall have a minimum of one hundred fifty (150) and a maximum of sixteen hundred
16 (1,600) square feet ~~((gross))~~ total floor area. Total floor area of a cottage dwelling means the total
17 floor area interior to the structure excluding garages. The maximum floor area allowed on the ground
18 or main floor shall be twelve hundred (1,200) square feet.

19 2. Cottages located adjacent to a street shall provide a covered entry feature with minimum
20 dimensions of six (6) feet by six (6) feet facing the street.

21 3. Cottage facades facing the common open space or common pathway shall feature a roofed porch
22 at least eighty (80) square feet in size with a minimum dimension of eight (8) feet on any side.

23 4. The maximum building height shall be twenty-five (25) feet for cottages and ADUs built over
24 garages and eighteen (18) feet for accessory structures.

25 5. An existing single-family detached dwelling on the same lot as a proposed cottage housing
26 development may be allowed within a cottage cluster exempt from the maximum gross floor area,
27 footprint and height standards of this section, provided that existing dwellings that exceed any of
28 those maximums may not be expanded.

29 ~~((5.— All portions of building roofs over eighteen (18) feet in height must be pitched with a~~
30 ~~minimum slope of six to twelve (6:12).))~~

31 ~~6.— Cottages and accessory buildings within a particular cluster shall be designed within the same~~
32 ~~'family' of architectural styles. Examples include:~~

33 ~~a.— Similar building/roof form and pitch.~~

34 ~~b.— Similar siding materials.~~

35 ~~c.— Similar porch detailing.~~

36 ~~d.— Similar window trim.~~

1 ~~A diversity of cottages can be achieved within a ‘family’ of styles by:~~

2 ~~e. Alternating porch styles (such as roof forms);~~

3 ~~f. Alternating siding details on facades and/or roof gables;~~

4 ~~g. Different siding color.))~~

5 E. Community Buildings. Cottage cluster projects may include community buildings for the shared use
6 of residents that provide space for accessory uses such as community meeting rooms, guest housing,
7 exercise rooms, day care, community eating areas, community gardens, or picnic shelters. Community
8 buildings must meet the following standards:

9 1. Each cottage cluster is permitted one community building.

10 2. The community building shall have a maximum floor area of twelve hundred (1,200) square feet.

11 F. Solid Waste Provisions. The development application shall include a plan for access for solid waste
12 and recycling collection service, indicating common or individual unit collection points with
13 demonstrated access and turning space for solid waste vehicles.

14
15 **Section 7. Amendatory.** Sec. 3 (Exh. 2) of Ord. 2011-03-09 and codified as CCC 40.260.155 and as
16 most recently amended by Sec. 12 of Ord. 2020-03-01 are each hereby amended to read as follows:

17 **40.260.155 Narrow Lot Development Standards**

18 A. Purpose.

19 The purpose of this section is to guide development and alleviate conflicts that can arise from the
20 platting of residential lots of less than forty (40) feet in width. These standards are intended to:

21 1. Eliminate conflicts between the design and location of driveways with public and private
22 utilities, on-street parking and other common features such as street trees, street lights and signs,
23 fire hydrants, common mailboxes, etc.;

24 2. Provide for adequate guest parking;

25 3. Ensure adequate access for solid waste and recycling collection vehicles;

26 4. Minimize the dominance of garages on narrow lots; and

27 5. Provide incentives for lots which utilize alleys for access.

28 B. Applicability.

29 1. This section shall apply to newly platted residential land divisions having lots less than forty (40)
30 feet wide as measured at the front building setback line, with the following exception:

31 a. Land divisions with fewer than twenty-five percent (25%) of the lots being less than forty
32 (40) feet wide need not be subject to this section, provided the following:

33 (1) All required sidewalks along street frontage in the development shall be detached; and

- 1 (2) No corner lot shall be less than forty (40) feet wide.
- 2 2. The standards of this section apply only to those lots in the land division that are less than forty
3 (40) feet in width.
- 4 C. Narrow Lot Development Standards.
- 5 1. A site plan is required that demonstrates that utilities, driveways, street trees, and other features
6 have been located and designed to minimize conflicts with one another. The site plan shall be
7 submitted with the preliminary land division application and shall be incorporated into the final
8 construction plan set. The site plan shall show, at a minimum, all of the following features:
- 9 a. Location and width of streets, sidewalks and landscape buffers, when applicable;
- 10 b. Location, species, and size of required street trees, to include the mature height and crown
11 width;
- 12 c. Parking spaces, as required by Section 40.260.155(C)(3);
- 13 d. Stormwater facilities, including roof infiltration systems, if proposed;
- 14 e. Location of other infrastructure including solid waste and recycling areas if required by
15 Section 40.260.155(C)(5)(a), light poles (if proposed by applicant), fire hydrants, community
16 mailboxes and existing overhead lines;
- 17 f. Location and width of driveways, if proposed, and not exempted by Section
18 40.260.155(C)(8);
- 19 g. Location and dimensions of ADA sidewalk ramps and landings for attached sidewalks at
20 driveway crossings, and ADA sidewalk ramps and landings at street intersections, whether using
21 attached or detached sidewalks;
- 22 h. Building envelopes which reflect the final setbacks for each lot; and
- 23 i. Intersection sight distance or applicable traffic control measures proposed at intersections
24 and the impact on the developable area of corner lots.
- 25 2. Corner Lots. The minimum lot dimensions in Tables 40.210.010-4, 40.220.020-4 and
26 40.220.020-5 shall not apply to corner lots.
- 27 a. Development on corner lots shall meet minimum sight distance requirements of Section
28 40.350.030(B)(8).
- 29 b. Corner lot driveways shall meet the requirements in Section 40.350.030(B)(4)(b)(1)(b).
- 30 3. Parking Standards. ~~((Two and one half (2.5) parking spaces for every narrow lot in the
31 development shall be provided.)) Both off-street parking and guest parking shall be provided in
32 narrow lot developments.~~
- 33 a. Off-street parking for each lot shall be provided that meets the requirements of Table
34 40.340.010-4.
- 35 ((a)) b. Guest parking shall be provided at a minimum ratio of one guest parking space for
36 every three narrow lots in the development. ((Spaces may be located on the residential lot,

1 ~~))Such spaces may be located on-street (on local access streets only) or in common off-street~~
2 ~~parking areas. ((Parking requirements shall be met on a per lot basis; extra parking provided on~~
3 ~~one (1) residential lot shall not count towards meeting the minimum requirement on a different~~
4 ~~residential lot.))~~

5 **((b)) c.** Common off-street parking areas shall meet the following:

6 (1) Parking and maneuvering areas shall meet the applicable requirements in Chapter
7 40.340 and screening requirements in Section 40.320.010(E).

8 (2) Such spaces may be designed to allow backing movements directly into local access
9 streets other than collectors or arterials.

10 (3) Parking areas shall be owned and maintained by a homeowners association or a
11 maintenance agreement shall be recorded with the plat.

12 **((e)) d.** On-street parking shall meet the following:

13 (1) Single on-street parallel parking spaces between driveways shall be at least seventeen
14 (17) feet in length, measured from the top of the slope of the driveway wing. Two (2) or more
15 consecutive on-street parallel parking spaces shall require two (2) additional feet between
16 each space.

17 (2) Angled or head in parking ‘bulb outs’ may be provided on local access streets provided:

18 (a) Such parking shall be within the street right-of-way or street tract; and

19 (b) Backing over sidewalks is prohibited.

20 **(3) On-street parking to meet the guest parking requirements of this section shall not require**
21 **creation of a neighborhood parking plan under Section 40.340.030.**

22 4. Street Trees.

23 a. Unless the requirements of Chapter 40.320 require a higher level of landscaping, a minimum
24 of one (1) tree shall be provided along the street frontage of each narrow lot; provided, that sight
25 distance triangles are not obstructed. Trees that are appropriate to the size of the space may be
26 provided either within the street frontage right-of-way or on the lot. Street trees located in the
27 right-of-way shall comply with the Standard Details Manual requirements. In the event that no
28 feasible location exists along a lot’s frontage due to required utilities or other features, the
29 responsible official may approve grouping of trees or other landscaping options that provide
30 variety to the streetscape.

31 5. Solid Waste and Recycling Collection.

32 a. Where collection is not feasible on each lot, such as when lots are accessed by a shared
33 driveway with no turnaround, a designated common collection point, located no further than one
34 hundred fifty (150) feet from any lot it serves, shall be provided. Common collection points shall
35 be shown on the site plan, and sized to provide at least two (2) feet of clearance space between
36 individual garbage, yard debris, and recycling containers for each dwelling unit.

37 b. Designated collection points shall be located adjacent to alleys or streets, but shall not
38 obstruct sidewalks, bike lanes, or vision clearance triangles.

1 6. Alleys and Lots with Alley Access.

2 a. Alleys and alley access are optional. Where provided, alleys shall meet the minimum
3 dimensional requirements of Figure 40.260.155-3. A minimum of twenty-four (24) feet of clear
4 area (unobstructed by fences or other structures) with an unobstructed vertical clearance of not
5 less than thirteen and one-half (13.5) feet shall be provided. Alleys with a paved width of less
6 than twenty (20) feet shall be privately owned and maintained.

7 b. When garbage and recycling collection is proposed to be from an alley, the ability of
8 collection vehicles to maneuver safely to all points of collection shall be demonstrated, based on
9 a thirty-five (35) foot long by ten (10) foot wide vehicle.

10 c. All lots adjacent to an alley shall provide access to the garage or parking space from the
11 alley, not from an adjacent street.

12 d. Residences with access from alleys shall be oriented to face the public or private street, not
13 the alley.

14 e. Alleys serving narrow lots under this section shall connect with a public or private street at
15 both ends, unless otherwise approved by the public works director.

16 f. Maintenance of private alleys shall be the responsibility of the homeowners association, or a
17 maintenance agreement shall be recorded with the plat.

18 7. Shared Driveways. Shared driveways are optional. The following shared driveway provisions
19 apply only to narrow lots qualifying under this section:

20 a. Shared driveways may be used to provide access to a maximum of four (4) lots.

21 b. Shared driveway approaches for two (2) abutting lots sharing one (1) curb cut shall meet the
22 specifications in Figure 40.260.155-4 or 40.260.155-5.

23 c. Shared driveways which provide access to more than two (2) lots shall be at least twelve
24 (12) feet wide, and shall be within an easement at least twenty (20) feet wide.

25 8. Narrow Driveways. Narrow driveways are optional. Where provided for a narrow lot, narrow
26 driveways shall meet the following requirements:

27 a. Narrow driveways shall be no wider than ten (10) feet measured at the driveway throat,
28 unless the applicant demonstrates on the development plan that a wider driveway will not result
29 in conflicts.

30 b. Where possible, narrow driveways on adjoining lots shall be grouped in close proximity to
31 create space along the frontage for parking, trees, utilities, etc.

32 c. Narrow driveways are exempt from the minimum driveway width required in Section
33 40.350.030(B)(4)(b)(2).

34 d. Garages accessed from narrow driveways shall be either single car-width and located no
35 closer to the street than the front wall (not porch) of the residence or, if wider than a single car
36 garage, set back at least five (5) feet from the front wall (not porch) of the residence.

1 ~~(8)~~ 9. Driveway Requirements in Single-Family Detached Developments. In order to provide
2 flexibility in site design, driveway locations for non-corner lots in single-family detached
3 developments are not required on the site plan, provided:

- 4 a. Detached sidewalks that meet ADA requirements are provided; and
5 b. ~~Guest p~~(P)arking requirements for the development are shown to be met, by one (1) or
6 more of the following methods:

7 (1) Designated on-street parking areas that will not be subject to future driveway
8 placement; or

9 (2) Provision of common off-street parking areas. ~~((3-07))~~

10 ~~((3) A plat note shall be placed on the final plat requiring each unit to provide a two (2) car
11 garage.))~~

- 12 c. Driveway locations shall be shown for all corner lots, regardless of the other provisions of
13 this subsection.

14 ~~(9)~~ 10. Density Calculations. Additional lot area needed for sight distance triangles on corner lots
15 and common parking areas may be deducted from the gross acreage when determining minimum
16 density requirements. Additional lot area shall include the area of the sight distance triangle that is in
17 excess of the setback requirements, along with any additional area in excess of the setback
18 requirements that is required. Such calculations shall be shown on the site plan.

19 D. Incentives for Providing Alleys.

20 Any narrow lot that is provided with alley access shall qualify for the following modifications to
21 development standards:

22 1. Minimum lot area, dimensions and setbacks that differ from those required of the underlying
23 zone may be approved; provided, that the applicant demonstrate the following as applicable:

24 a. Privacy between the proposed residential units and the street is not compromised. Alternate
25 methods of providing privacy such as elevated first floors or raised landscape planters may be
26 approved by the responsible official.

27 b. Alternate setbacks do not violate building or fire codes.

28 c. A minimum building separation of eight (8) feet is maintained.

29 d. Side and rear setbacks around the perimeter of the development site shall not be reduced.

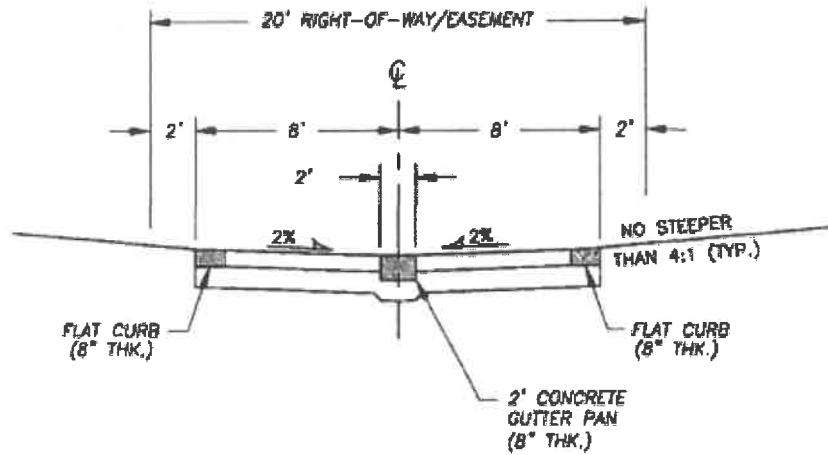
30 2. The maximum lot coverage may be increased by ten percent (10%) over that allowed in the
31 zoning district.

32 3. The area of an alley easement or tract may be included in the minimum required lot area and
33 counted when calculating maximum lot coverage.

34 E. Narrow Lot Special Street and Driveway Details.

35 The following narrow lot street, alley and driveway details provide options to the other standards in
36 Section 40.350.030, and may be used only in association with narrow lots as defined in this section.

- 1 Deviations from the street and alley standards and details in this section require approval of a road
- 2 modification under Section 40.550.010. Deviations from the shared driveway details shown in Figure
- 3 40.260.155-4 or 40.260.155-5 require a variance under Section 40.550.020.

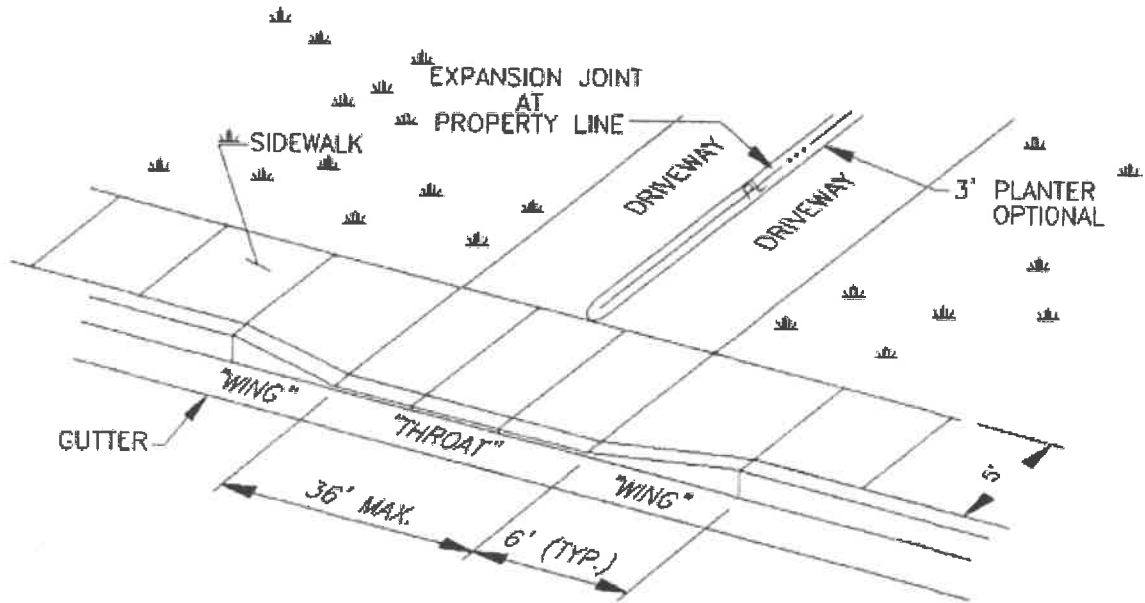


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Figure 40.260.155-3 Narrow Lot Alley Cross-Section

Cross-slope details and concrete curb and pan shown are optional. Alternate cross-slope details may be approved; provided, the minimum pavement width and right-of-way is provided. Structural pavement sections shall meet the minimum requirements for an Urban Alley drawing in the Standard Details Manual.

1

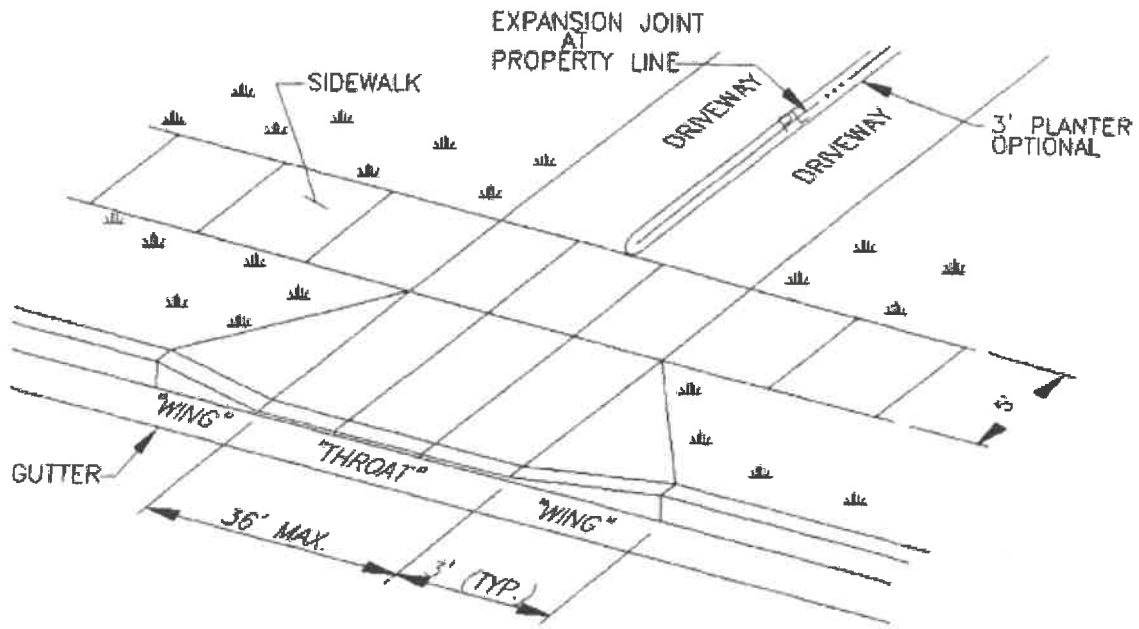


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Figure 40.260.155-4 Narrow Lot Shared Driveway Detail with Attached Sidewalk

4



5

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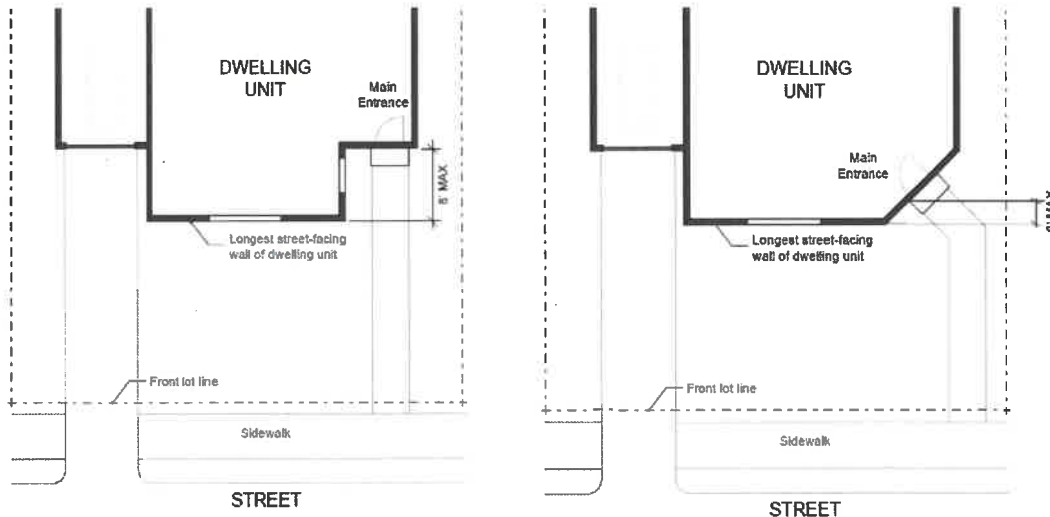
Figure 40.260.155-5 Narrow Lot Shared Driveway Detail with Detached Sidewalk

7

1 **Section 8. New.** A new Section CCC 40.260.072 is hereby adopted as follows:

2 **40.260.225 Triplex and Quadplex Standards**

3 **A. Main Entrance.** At least one main entrance per triplex or quadplex structure shall be visible from the
4 street and must have a porch or entry set back no more than eight (8) feet from the longest street-facing
5 wall of the structure. The entry must: face the street, open onto the porch, or be oriented at an angle of
6 not more than forty-five (45) degrees from the street-facing façade. Corner lot structures may be oriented
7 to either street.



8

9 **Figure 40.260.225-1 Main Entrance Orientation Options**

10 **B. Garages.** The cumulative width of the garage door(s) facing the street may be up to fifty percent
11 (50%) of the width of the street-facing building façade or twenty (20) feet, whichever is greater. Garage
12 limitations do not apply to residential development accessed through rear alleys, or where the garage is
13 located in the rear of the lot.

14 **C.** For the purposes of applying the Location of Parking and Loading Facilities Standards of Section
15 40.340.010(A)(4), the Access and Circulation Standards of Section 40.340.020(A), and the Access
16 Management Standards of Section 40.350.030(B)(4), triplexes and quadplexes shall be subject to the
17 same standards as a single-family or duplex dwelling.

18 **D.** Triplexes and quadplexes shall be reviewed through a Type I site plan review per Section
19 40.520.040.

20

21 **Section 9. Amendatory.** Sec. 1 (Ex. A) of Ord. 2003-11-01 and codified as CCC 40.260.260 and as most
22 recently amended by Sec. 12 of Ord. 2010-08-06 are each hereby amended to read as follows:

23 **40.260.260 Zero Lot Line Developments**

24 **A. Purpose.**

1 Zero lot line provisions are intended to provide flexibility for the placement of structures in new
2 residential land divisions in order to increase usable yard area. Zero lot line developments are different
3 from townhouse developments in that structures are not attached at property lines.

4 B. Applicability.

5 These provisions can be used as an alternative to standard side or rear setback requirements in the R1-
6 5, R1-6, R1-7.5, R-12, OR-12, R-18, OR-18, R-22 and OR-22 zoning districts, including within a
7 compact lot development subject to Section 40.260.072, when the requirements of this section are applied
8 in conjunction with a land division application.

9 C. Requirements.

10 1. Preliminary plats using zero lot line provisions may not be approved without approval of a
11 submitted site plan. Both the site plan and preliminary plat shall be consistent with the standards of
12 this section and all other applicable requirements.

13 2. Conditions may be imposed to ensure that development on the resultant lots is consistent with
14 the approved site plan.

15 3. Building permits for structures may only be approved when consistent with the approved site
16 plan and land division.

17 4. Developments meeting all requirements of this section are exempt from separate site plan review
18 under Section 40.520.040.

19 5. Zero setbacks may be applied to a side or rear property line; provided, that the setback on the lot
20 abutting a zero setback lot line shall be at least ten (10) feet in the applicable single-family residential
21 districts, and eight (8) feet in the applicable residential or office residential district, except that the
22 setback shall be at least six (6) feet in a compact lot development in any residential district.

23 6. Structures less than three (3) feet to a property line must meet fire resistive provisions of the
24 residential building code.

25 7. A note shall be placed on the final plat, and covenants running with the land shall be approved
26 by the Prosecuting Attorney and recorded with the County Auditor to guarantee that the required
27 setbacks are kept perpetually free of structures.

28 8. Easements for such purposes as maintenance, or for building projection encroachments beyond a
29 zero setback line, shall be shown on the plat.

30 D. Figure 40.260.260-1.

31
32 **Section 10. Amendatory.** Sec. 1 (Ex. A) of Ord. 2003-11-01 and codified as CCC 40.340.010 and as
33 most recently amended by Sec. 31 of Ord. 2018-01-09, are each hereby amended to read as follows:

34 **40.340.010 Parking and Loading Standards**

35 *Note: Only updated Table 40.340.010-4 is included here due to length of section.*

36 ***

Table 40.340.010-4. Minimum Required Parking Spaces By Use

Use	Minimum Number of Parking Spaces
A. Residential.	
1. ((1, 2 and 3 unit family)) <u>Single-family detached and attached (townhouse) dwellings</u>	2 spaces/dwelling unit. ((Single family and duplex parking)) Spaces may be tandem((-) with ((⊖))one car behind the other. For narrow lots, see additional requirements in Section 40.260.155.
((2. Narrow lot developments))	((2.5 spaces/dwelling unit per narrow lot, subject to the requirements in Section 40.260.155))
2. <u>Duplex, triplex and quadplex dwellings</u>	1 space/dwelling unit
3. <u>Cottage housing</u>	1 space/dwelling unit
4. <u>Accessory dwelling units</u>	None
((3)) <u>5. Multifamily dwelling containing</u> ((4)) <u>5 or more dwelling units</u>	1 1/2 space/dwelling unit
((4)) <u>6. Bed and breakfast</u>	1 space/each guest room, plus 2 for the facility
((5)) <u>7. Residential care facility</u>	1 space/7 residents served under age of 12 1 space/5 residents served ages 12 to 17 1 space/4 residents served ages 18 years or older
((6)) <u>8. Assisted living facilities</u>	1 space/each 3 units
B. Commercial Residential.	
1. Hotel	1 space/bedroom
2. Motel	1 space/bedroom
3. Clubs/lodges	Spaces to meet the combined requirements of the uses being conducted, such as hotel, restaurant, auditorium
C. Institutions.	
1. Welfare or correctional institutions	1 space/3 beds for patients or inmates
2. Convalescent or nursing home	1 space/3 beds for patients or residents
3. Hospital	2 spaces/bed
D. Places of Assembly.	
1. Church	1 space/4 seats, or 8 feet of bench length in the main auditorium. Additional parking for meeting rooms, classrooms and office use may be required.
2. Library, reading room, museum, art gallery	1 space/400 square feet of floor area
3. Preschool, nursery, kindergarten, family day care center or commercial day care center	2 spaces/teacher or employee

Table 40.340.010-4. Minimum Required Parking Spaces By Use

Use	Minimum Number of Parking Spaces
4. Elementary or middle school	1 space/4 seats, or 8 feet of bench length in auditorium or assembly room, whichever is greater
5. High school	1 space/employee, plus 1 space/each 6 students, or 1 space/4 seats, or 8 feet of bench length in the auditorium, whichever is greater
6. College, commercial school for adults	1 space/3 seats in classroom
7. Other auditoriums, meeting rooms	1 space/4 seats, or 8 feet of bench length
E. Commercial Amusements.	
1. Stadium, arena, theater	1 space/4 seats, or 8 feet of bench length
2. Bowling alley	5 spaces/lane
3. Health and fitness club	1 space/200 square feet of general floor area; 1 space/500 square feet for racquet, tennis or similar court floor area
F. Commercial.	
1. Commercial retail, except stores selling bulky merchandise	1 space/350 square feet of floor area
2. Service or repair shops	1 space/750 square feet of floor area
3. Retail stores and outlets selling furniture, automobiles or other bulky merchandise where the operator can show the bulky merchandise occupies the major area of the building	1 space/600 square feet of floor area
4. Bank, office (except medical and dental)	1 space/400 square feet of floor area
5. Medical and dental office or clinic	1 space/200 square feet of floor area
6. Eating or drinking establishments	1 space/250 square feet of floor area
7. Mortuaries	1 space/6 seats, or 12 feet of bench length
8. Automobile sales, retail nurseries, and other open sales and rental yards	(a) Properties with less than ten thousand (10,000) square feet of open sales or rental area shall provide one (1) space for each one thousand (1,000) square feet of gross floor area, plus one (1) space for each two thousand five hundred (2,500) square feet of open sales or rental area. (b) Properties with ten thousand (10,000) square feet or more of open sales or rental area shall provide one (1) space for each one thousand (1,000) square feet of gross floor area, plus four (4) spaces, plus one (1) space for each ten thousand (10,000) square feet of open sales or rental area in excess of ten thousand (10,000) square feet.

Table 40.340.010-4. Minimum Required Parking Spaces By Use	
Use	Minimum Number of Parking Spaces
G. Industrial.	
1. Except as specifically mentioned herein, industrial uses listed as permitted in the IL and IH zones	1 space/500 square feet
2. Storage warehouse, wholesale establishment, rail or trucking freight terminal	1 space/1,500 square feet of floor area
3. Laboratories and research facilities	1 space/600 square feet of floor area

1
2
3

4 **Section 11. Amendatory.** Sec. 1 (Ex. A) of Ord. 2003-11-01 and codified as CCC 40.520.020 and as
5 most recently amended by Sec. 18 of Ord. 2018-10-02, are each hereby amended to read as follows:

6 **40.520.020 Uses Subject to Review and Approval (R/A)**

7 A. Purpose.

8 Upon review of the responsible official, uses designated as permitted subject to review and approval
9 (R/A) may be allowed in the various districts; provided, that the responsible official is of the opinion that
10 such uses would be compatible with neighboring land uses.

11 B. Review Procedures.

12 Uses subject to review and approval (R/A) shall be reviewed through a Type II process; provided, that
13 the responsible official, at his or her discretion, may refer any proposal to the hearing examiner for review
14 and approval, or denial. Any uses approved under the provisions of this chapter by either the responsible
15 official or the hearing examiner in public hearing, shall be compatible with adopted county land use
16 policies and goals.

17 C. Approval Criteria - General.

18 Except for the uses listed in Section 40.520.020(D), in approving a use, the responsible official shall
19 first make a finding that all of the following conditions exist:

- 20 1. The site of the proposed use is adequate in size and shape to accommodate the proposed use;
- 21 2. All setbacks, spaces, walls and fences, parking, loading, landscaping, and other features required
22 by this title are provided;
- 23 3. The proposed use is compatible with neighborhood land use;
- 24 4. The site for the proposed use relates to streets and highways adequate in width and pavement
25 type to carry the quantity and kind of traffic generated by the proposed use;
- 26 5. The proposed use will have no substantial adverse effect on abutting property or the permitted
27 use thereof; and

1 6. In the case of residential uses, the housing density of the development is consistent with the
2 existing zoning densities, or the general plan, and that all other aspects of the development are
3 consistent with the public health, safety, and general welfare for the development and for adjacent
4 properties.

5 D. Approval Criteria - Special Uses.

6 When the following uses are allowed subject to review and approval (R/A) the responsible official shall
7 review them subject to the applicable standards and criteria in Chapter 40.260:

8 ~~((1. Accessory dwelling units (Section 40.260.020);))~~

9 ~~((2))~~ 1. Bed and breakfast establishments (Section 40.260.050);

10 ~~((3))~~ 2. Home businesses - Type II (Section 40.260.100);

11 ~~((4))~~ 3. Kennels (Section 40.260.110);

12 ~~((5))~~ 4. Manufactured home parks (Section 40.260.140);

13 ~~((6))~~ 5. Opiate substitution treatment facilities (Section 40.260.165);

14 ~~((7. Townhouse developments (Section 40.260.155)))~~

15 ~~((8))~~ 6. Wireless communications facilities (Section 40.260.250);

16 ~~((9. Zero lot line development (Section 40.260.260).))~~

17
18 **Section 12. Effective Date.**

19 This ordinance shall take effect 10 days after approval.
20

21 **Section 13. Instructions to Clerk.**

22 The Clerk to the Council shall:

- 23
- 24 1. Transmit a copy of this ordinance to the Washington State Department of Commerce within
- 25 ten (10) days of its adoption pursuant to RCW 36.70A.106.
- 26 3. Transmit a copy of the adopted ordinance to the Clark County Community Development
- 27 Director.
- 28 4. Transmit a copy of the adopted ordinance to the Clark County Community Planning Director.
- 29 5. Transmit a copy of the adopted ordinance to Code Publishing, Inc. forthwith to update the
- 30 electronic version of the County Code.
- 31 6. Record a copy of this ordinance with the Clark County Auditor.
- 32 7. Cause notice of adoption of this ordinance to be published forthwith pursuant to
- 33 RCW36.70A.290, and Clark County Code 1.02.140, and transmit a copy to Community
- 34 Planning.
- 35

36 **Section 14. Roll Call Vote.**

1 The following persons voted in favor of the above ordinance [amendments]:
2 _____
3 _____
4 _____
5 _____
6 _____

7 The following persons voted in opposition to the above ordinance [amendments]:
8 _____
9 _____
10 _____
11 _____
12 _____

13
14 ADOPTED this 16th day of April 2024.

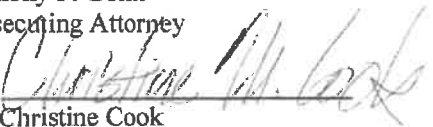
COUNTY COUNCIL
CLARK COUNTY, WASHINGTON

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20 Attest:
21 _____
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23 Clerk to the Council

By: _____
Gary Medvigy, Chair

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25
26 Approved as to Form Only:
27 Anthony F. Golik
28 Prosecuting Attorney

By: _____
Glen Yung, Councilor

29
30 By: 
31 Christine Cook
32 Sr. Deputy Prosecuting Attorney

By: _____
Michelle Belkot, Councilor

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By: _____
Karen Dill Bowerman, Councilor

By: _____
Sue Marshall, Councilor