



City Council Regular Meeting Agenda
Monday, May 02, 2022, 7:00 PM
City Hall, 616 NE 4th Avenue

NOTE: The City welcomes public meeting citizen participation. TTY Relay Service: 711. In compliance with the ADA, if you need special assistance to participate in a meeting, contact the City Clerk's office at (360) 834-6864, 72 hours prior to the meeting so reasonable accommodations can be made (28 CFR 35.102-35.104 ADA Title 1)

To Participate Remotely:

OPTION 1 – Video & Audio (*able to public comment*)

Use Zoom app and Meeting ID – 981 6481 4377; or click <https://zoom.us/j/98164814377>

OPTION 2 – Audio-only (*able to public comment*)

By phone: 877-853-5257, Meeting ID – 981 6481 4377

OPTION 3 – Observe video & audio (*no public comment*)

Go to www.cityofcamas.us/meetings and click "Watch Livestream" (left on page)

For Public Comment:

1. On Zoom app – click Raise Hand icon
2. On phone – hit *9 to “raise hand”
3. Or, email publiccomments@cityofcamas.us (400 word limit); routes to Council

If you have difficulty accessing the meeting, please call 360-817-7900 for assistance.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS

CONSENT AGENDA

NOTE: Consent Agenda items may be removed for general discussion or action.

1. [April 18, 2022 Camas City Council Workshop and Regular Meeting Minutes](#)
2. Automated Clearing House and Claim Checks Approved by Finance Committee
3. \$3,711,361 Project Completion of 18th Avenue Reservoir (Submitted by Steve Wall, Public Works Director)
4. [\\$413,985.66 Advanced Excavating Specialists, LLC NE 2nd Avenue Street Improvements & NE Dallas Water Improvements Bid Award with up to 10% change order authorization \(Submitted by James Carothers, Engineering Manger\)](#)
5. [\\$61,112 Clark and Sons, Inc. 2022 ADA Improvements Bid Award with up to 10% change order authorization \(Submitted by James Carothers, Engineering Manager\)](#)

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NON-AGENDA ITEMS

6. Staff
7. Council

MAYOR

8. Mayor Announcements
9. [Taiwanese American Heritage Week Proclamation](#)
10. [Provider Appreciation Day Proclamation](#)
11. [Water Safety Month Proclamation](#)
12. [Dementia Friends Month Proclamation](#)

MEETING ITEMS

13. [Public Hearing for the Annual Amendments to the Camas Municipal Code](#)
[Presenter: Madeline Sutherland, Planner](#)
[Time Estimate: 15 minutes](#)

PUBLIC COMMENTS

ADJOURNMENT



City Council Workshop Minutes - Draft
Monday, April 18, 2022, 4:30 PM
616 NE 4th Avenue

NOTE: Please see the published Agenda Packet for item attachments

CALL TO ORDER

Mayor Steve Hogan called the meeting to order at 4:30 p.m.

ROLL CALL

Present: Council Members Greg Anderson, Marilyn Boerke, Bonnie Carter, Don Chaney, Leslie Lewallen and Shannon Roberts

Remote: Council Member Tim Hein

Staff: Bernie Bacon, Carrie Davis, Cliff Free, Jennifer Gorsuch, Cathy Huber Nickerson, Michelle Jackson, Trang Lam, Robert Maul, Bryan Rachal, Heather Rowley, Ron Schumacher, Jeff Swanson, Connie Urquhart and Steve Wall

Press: Kelly Moyer, Camas-Washougal Post-Record (joined at 4:42 p.m.)

PUBLIC COMMENTS

Randal Friedman, Camas, commented about a Parks and Recreation Commission public meeting.

Douglas Strabel, Camas, commented about City Council public comments processing.

Mahsa Eshghi, Camas, commented about the Parks and Recreation Department's Egg Scramble event.

WORKSHOP TOPICS

1. Downtown Camas Association (DCA) Economic Development and Promotion of Downtown Businesses Agreement Amendment
Presenter: Cathy Huber Nickerson, Finance Director

Huber Nickerson provided an overview of the DCA agreement amendment. Discussion ensued. This item has also been placed on the April 18, 2022 Consent Agenda for Council's consideration.

2. Parks, Recreation & Open Space (PROS) Plan including Capital Facilities Plan Elements Ordinance

Presenter: Trang K. Lam, Parks & Recreation Director

Lam provided an overview of the PROS Capital Facilities Plan elements. Discussion ensued. This item has also been placed on the April 18, 2022 Regular Agenda.

3. Lake Management Plan Update Presentation

Presenter: Steve Wall, Public Works Director and Rob Annear, Geosyntec Consultants

Wall and Annear provided an update about the Lake Management Plan. Discussion ensued. This item will be placed on a future workshop agenda.

4. Staff Miscellaneous Updates

Presenter: Jeff Swanson, Interim City Administrator

Due to time constraints, Staff Miscellaneous Updates were provided at the April 18, 2022 Regular meeting.

COUNCIL COMMENTS AND REPORTS

Due to time constraints, Council Comments and Reports were provided at the April 18, 2022 Regular Meeting.

PUBLIC COMMENTS

Chris Kralik, Camas, commented about Lacamas Lake water quality management.

Scott Hogg, Camas, commented about the PROS Plan.

Marie Tabata-Callerame, Camas, commented about the Lacamas Lake Management Plan update.

John Ley, Camas, commented about the PROS Plan.

ADJOURNMENT

The meeting adjourned at 6:43 p.m.



City Council Regular Meeting Minutes - Draft
Monday, April 18, 2022, 7:00 PM
616 NE 4th Avenue

NOTE: Please see the published Agenda Packet for item attachments.

CALL TO ORDER

Mayor Steve Hogan called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Council Members Greg Anderson, Marilyn Boerke, Bonnie Carter, Don Chaney, Leslie Lewallen and Shannon Roberts

Remote: Council Member Tim Hein

Staff: Bernie Bacon, Debra Brooks, Carrie Davis, Cliff Free, Jennifer Gorsuch, Cathy Huber Nickerson, Trang Lam, Robert Maul, Bryan Rachal, Heather Rowley, Ron Schumacher, Jeff Swanson, Nick Swinhart, Connie Urquhart and Steve Wall

Press: Kelly Moyer, Camas-Washougal Post-Record (joined at 7:13 p.m.)

PUBLIC COMMENTS

Nikholas Hubbard, Camas, commented about electric vehicle charging stations.

Name unknown, Camas, commented about electric vehicle charging stations.

Alicia King, Camas, commented about public restrooms in downtown Camas and about City staffing dedicated to urban trees.

John Svilarich, Camas, commented about electric vehicle charging stations and about City staffing dedicated to urban trees.

Due to technical difficulties, Margaret Tweet could not provide comments in the meeting. Her comments were provided via email.

CONSENT AGENDA

NOTE: Consent Agenda items may be removed for general discussion or action.

1. April 4, 2022 Camas City Council Regular and Workshop Meeting Minutes

2. \$1,458,492.39 Automated Clearing House and Claim Checks Numbered 150544 - 150732
3. \$97,394.88 March 2022 Emergency Medical Services (EMS) Write-off Billings; \$82,569.97 Medicare and Medicaid Accounts Monthly Uncollectable Balance; \$14,824.91 Ground Emergency Medical Transport funding (Submitted by Cathy Huber Nickerson, Finance Director)
4. \$75,835 Professional Services Agreement with Grayling Engineers (Submitted by Sam Adams, Utilities Manager)
5. Southwest Region Opioid Settlement Memorandum of Understanding (Submitted by Shawn MacPherson, City Attorney)
6. Knapp, O'Dell and MacPherson PLLC, Attorneys at Law Professional Service Agreement Amendment (Submitted by Cathy Huber Nickerson, Finance Director)
7. Downtown Camas Association (DCA) Economic Development and Promotion of Downtown Businesses Agreement Amendment (Submitted by Cathy Huber Nickerson, Finance Director)
8. 2022-2028 Sodium Hydroxide Chemical Purchase (Submitted by Sam Adams, Utilities Manager)

It was moved by Anderson, and seconded, to approve the Consent Agenda. The motion carried unanimously.

NON-AGENDA ITEMS

9. Staff

Lam announced the next Parks and Recreation Commission hybrid meeting and informed Council about the Camas Skate Park partnership project with the Camas Parks Foundation.

Wall commented about the recent weather event and announced that the City of Camas received the 2022 Transportation Category Project of the Year Award from the Washington Chapter of the American Public Works Association (APWA) for the Lake and Everett Roundabout Project.

Gorsuch introduced the City of Camas new Information Technology Director Michelle Jackson.

Maul announced the next Planning Commission remote-only public hearing and informed Council about misinformation regarding a four-story project at Camas Meadows; no formal application has been received by the City.

Huber Nickerson announced that the City's ERP project is now underway.

Swanson, Wall, Maul and Huber Nickerson updated Council about City staff space management projects.

Wall and Lam sought feedback from Council about community partnership agreements within the City. This item will be placed on a future Workshop agenda.

Swanson commented about a public comment from the April 18, 2022 City Council Workshop meeting and clarified the details about changes to the City Council Public Comments process. Discussion ensued.

10. Council

Carter attended the Finance Committee, the Homelessness Strategies Ad Hoc Committee, and the Port of Camas-Washougal Commission meetings. Carter attended a sixth-grade class question and answer session about Camas environmental issues.

Chaney attended the Finance Committee, will attend the City/Schools meeting, and commented about a Clark Regional Emergency Services Agency (CRESA) tour.

Roberts attended a tour of Fire Station 43, the Homelessness Strategies Ad Hoc Committee meeting, and met with Parks and Recreation Director Lam about community gardens.

Hein attended the Economic Development Strategy Committee for Economic Incentives, commented about citizen phone calls about the Lacamas Lake water quality, community gardens and the PROS plan. Hein attended the C-TRAN Board meeting and will attend the Parks and Recreation Commission meeting.

Lewallen attended the Camas-Washougal Chamber of Commerce Board meeting and announced that the Citizen and Business of the Year nominations can be submitted until April 25, 2022. Lewallen will attend the next Chamber of Commerce Luncheon, commented about the sixth-grade class question and answer session regarding Camas environmental issues, and attended the Design Review Committee meeting and the Parks and Recreation Egg Scramble event.

Anderson attended the Finance Committee, Design Review, Economic Development Strategy Committee for Economic Incentives, and the C-TRAN Board meetings. Anderson will attend the Camas City Council Town Hall and Annual Planning Conference meetings.

Boerke commented about the public restrooms public comment, the American Empress cruise line, and about the county ownership of Lacamas Lake.

MAYOR

11. Citizen Appointment to Parks and Recreation Commission

It was moved by Carter, and seconded, to appoint Jenny Wu to the Parks and Recreation Commission. The motion carried unanimously.

Mayor Hogan attended the Homelessness Strategies Ad Hoc Committee, and the Economic Development Strategy Committee for Economic Incentives meetings. Hogan will attend the Camas City Council Town Hall and Annual Planning Conference meetings. Hogan attended the State Auditor's Office Risk Assessment meeting, commented about the American Empress cruise line, and about the City Administrator recruitment process.

MEETING ITEMS

12. Ordinance No. 22-006 Amending Camas Municipal Code Chapter 14.04
Presenter: Steve Wall, Public Works Director

It was moved by Carter, and seconded, that Ordinance No. 22-006 be adopted and published according to law. The motion carried unanimously.

13. Resolution No. 22-007 Approving the use of ARPA Standard Allowance Protocol
Presenter: Cathy Huber Nickerson, Finance Director

It was moved by Carter, and seconded, that Resolution No. 22-007 be adopted. The motion carried unanimously.

14. Public Hearing for Ordinance No. 22-002 Parks, Recreation & Open Space Plan including the Capital Facilities Plan elements
Presenter: Trang K. Lam, Parks & Recreation Director

Mayor Hogan continued the public hearing at 8:25 p.m.

The following members of the public spoke:

Randal Friedman
Brian Wiklem
Randy Curtis
Scott Hogg
Ed Fischer
David Dewey
Margaret Tweet
Steven Lorenz

Ellen Burton

Additional public comments to publiccomments@cityofcamas.us, that were routed to Council were received from:

Cassi Marshall
 Randy Curtis
 Carrie Pattison
 Cheri Emery
 Stephen Dabasinkskas
 Margaret Tweet
 Douglas Tweet
 Patty Barnard

The public hearing was closed at 8:55 p.m.

It was moved by Carter, and seconded, that Ordinance No. 22-002 incorporating the PROS Plan as recommended by the Parks and Recreation Commission to be adopted and published according to law to include amendments to the Capital Facilities Plan elements outlined as a pickleball line item with a value of \$895,000 and an amended value to the aquatic center of \$19,000,000. The motion carried with a majority vote (6-1). (No: Council Member Lewallen).

Mayor Hogan recessed the meeting at 9:36 p.m.

The meeting resumed at 9:41 p.m.

15. Public Hearing for Ordinance No. 22-005 Amending the Fire Department Capital Facilities Plan
 Presenter: Ron Schumacher, Fire Marshal

Mayor Hogan continued the public hearing at 9:43 p.m. No one from the public wished to speak and the hearing was closed at 9:44 p.m.

It was moved by Anderson, and seconded, that Ordinance No. 22-005 incorporating the Fire Capital Plan and all Capital Facilities Plan elements as presented be adopted and published according to law. The motion carried unanimously.

16. Public Hearing and Consideration for Ordinance 22-004 Amending the 2022 Budget
 Presenter: Cathy Huber Nickerson, Finance Director

Mayor Hogan continued the public hearing at 9:47 p.m. No one from the public wished to speak and the hearing was closed at 9:48 p.m.

It was moved by Boerke, and seconded, that Ordinance No. 22-004 be adopted and published according to law. The motion carried by the following vote:

Anderson – Aye

Boerke – Aye

Carter – Aye

Chaney – Aye

Hein – Aye

Lewallen – Aye

Roberts - Aye

PUBLIC COMMENTS

No one from the public wished to speak.

ADJOURNMENT

The meeting adjourned at 9:50 p.m.



I, James E. Carothers, Engineering Manager, hereby certify that these bid tabulations are correct.

James E. Carothers 4/21/22
James E. Carothers, PE Date

PROJECT NO. T1034 & W1019				Engineer's Estimate: \$365,364.44		Advanced Excavating Specialists 1200 Hazel Street Kelso, WA 98626 chris@advexc.us (360) 232-8854		Dirtmasters PO Box 484 Washougal, WA 98671 team@dirtmastersinc.com (541) 400-1136		McDonald Excavating 4120 S Lincoln St Washougal, WA 98671 ryan@mcdonaldecavatinginc.com (360) 835-8794		Clark and Sons Excavating Inc. 7601 NE 289th Street Battle Ground, WA 98604 josh.clarkandsons@gmail.com (360) 946-8474	
DESCRIPTION: NE 2nd Avenue Street Improvements & NE Dallas Water Improvements				Ent. By PAF									
DATE OF BID OPENING: April 20, 2022 at 10:00am													
ITEM NO	DESCRIPTION	UNIT	QTY	UNIT PRICE	ENGRG TOTAL	UNIT PRICE	CONTRACT TOTAL	UNIT PRICE	CONTRACT TOTAL	UNIT PRICE	CONTRACT TOTAL	UNIT PRICE	CONTRACT TOTAL
Schedule A - NE 2nd Ave Street Improvements													
1	Mobilization	LS	1.00	\$10,000.00	\$10,000.00	\$28,000.00	\$28,000.00	\$15,600.00	\$15,600.00	\$38,500.00	\$38,500.00	\$40,000.00	\$40,000.00
2	Project Temporary Traffic Control	LS	1.00	\$5,000.00	\$5,000.00	\$17,000.00	\$17,000.00	\$5,500.00	\$5,500.00	\$12,500.00	\$12,500.00	\$10,000.00	\$10,000.00
3	Clearing & Grubbing	LS	1.00	\$1,000.00	\$1,000.00	\$2,000.00	\$2,000.00	\$5,000.00	\$5,000.00	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00
4	Removal of Structures and Obstructions	LS	1.00	\$5,000.00	\$5,000.00	\$22,000.00	\$22,000.00	\$2,500.00	\$2,500.00	\$8,500.00	\$8,500.00	\$26,000.00	\$26,000.00
5	Removal of Additional Cement Concrete	SY	10.00	\$10.00	\$100.00	\$100.00	\$1,000.00	\$130.00	\$1,300.00	\$29.00	\$290.00	\$50.00	\$500.00
6	Removal of Additional Cement Concrete Curb	LF	20.00	\$10.00	\$200.00	\$50.00	\$1,000.00	\$65.00	\$1,300.00	\$28.50	\$570.00	\$8.00	\$160.00
7	Roadway Excavation, Inc. Haul	CY	225.00	\$40.00	\$9,000.00	\$50.00	\$11,250.00	\$65.00	\$14,625.00	\$50.00	\$11,250.00	\$29.00	\$6,525.00
8	In-Place Cement Amended Base (CAB)	SY	2,680.00	\$5.00	\$13,400.00	\$6.00	\$16,080.00	\$1.96	\$5,252.80	\$5.00	\$13,400.00	\$7.00	\$18,760.00
9	Cement for CAB (8% @ 10 inch)	TON	85.00	\$175.00	\$14,875.00	\$178.00	\$15,130.00	\$182.00	\$15,470.00	\$220.00	\$18,700.00	\$208.00	\$17,680.00
10	Removal and Replacement of Unsuitable Material (Road Base)	CY	10.00	\$40.00	\$400.00	\$175.00	\$1,750.00	\$130.00	\$1,300.00	\$118.00	\$1,180.00	\$92.00	\$920.00
11	HMA Class 1/2" PG 64-22 (3 inch depth)	TON	440.00	\$120.00	\$52,800.00	\$120.00	\$52,800.00	\$112.00	\$49,280.00	\$140.00	\$61,600.00	\$126.00	\$55,440.00
12	HMA Class 1/2" PG 64-22 (4" depth patch)	TON	17.00	\$200.00	\$3,400.00	\$120.00	\$2,040.00	\$112.00	\$1,904.00	\$247.00	\$4,199.00	\$350.00	\$5,950.00
13	Catch Basin Type 1	EA	2.00	\$2,000.00	\$4,000.00	\$2,800.00	\$5,600.00	\$990.00	\$1,980.00	\$3,500.00	\$7,000.00	\$4,000.00	\$8,000.00
14	Adjust Manhole	EA	4.00	\$400.00	\$1,600.00	\$750.00	\$3,000.00	\$475.00	\$1,900.00	\$750.00	\$3,000.00	\$700.00	\$2,800.00
15	Corrugated Polyethylene Storm Sewer Pipe 8"	LF	46.00	\$100.00	\$4,600.00	\$140.00	\$6,440.00	\$63.52	\$2,921.92	\$152.00	\$6,992.00	\$113.00	\$5,198.00
16	Replace Valve Box	EA	5.00	\$100.00	\$500.00	\$250.00	\$1,250.00	\$250.00	\$1,250.00	\$500.00	\$2,500.00	\$700.00	\$3,500.00
17	Erosion Control and Water Pollution Control	LS	1.00	\$1,500.00	\$1,500.00	\$3,000.00	\$3,000.00	\$2,500.00	\$2,500.00	\$5,000.00	\$5,000.00	\$1,000.00	\$1,000.00
18	Cement Concrete Traffic Curb	LF	399.00	\$45.00	\$17,955.00	\$26.00	\$10,374.00	\$10.00	\$3,990.00	\$35.00	\$13,965.00	\$46.00	\$18,354.00
19	Cement Concrete Curb and Gutter	LF	173.00	\$55.00	\$9,515.00	\$34.00	\$5,882.00	\$27.00	\$4,671.00	\$44.00	\$7,612.00	\$57.00	\$9,861.00
20	Cement Concrete Pedestrian Curb	LF	251.00	\$30.00	\$7,530.00	\$32.00	\$8,032.00	\$10.00	\$2,510.00	\$42.00	\$10,542.00	\$42.00	\$10,542.00
21	Cement Concrete Driveway Entrance	SY	15.00	\$150.00	\$2,250.00	\$140.00	\$2,100.00	\$145.00	\$2,175.00	\$172.00	\$2,580.00	\$185.00	\$2,775.00
22	Cement Concrete Sidewalk	SY	411.00	\$90.00	\$36,990.00	\$94.00	\$38,634.00	\$155.00	\$63,705.00	\$123.00	\$50,553.00	\$82.00	\$33,702.00
23	Cement Concrete Curb Ramp	SY	81.00	\$90.00	\$7,290.00	\$297.00	\$24,057.00	\$175.00	\$14,175.00	\$369.00	\$29,889.00	\$434.00	\$35,154.00
24	Detectable Warning Surfaces	SF	120.00	\$90.00	\$10,800.00	\$26.00	\$3,120.00	\$78.15	\$9,378.00	\$32.00	\$3,840.00	\$80.00	\$9,600.00
25	Permanent Signage	LS	1.00	\$500.00	\$500.00	\$500.00	\$500.00	\$600.00	\$600.00	\$3,000.00	\$3,000.00	\$1,000.00	\$1,000.00
26	Paint Line	LF	450.00	\$6.00	\$2,700.00	\$4.50	\$2,025.00	\$3.45	\$1,552.50	\$5.00	\$2,250.00	\$5.18	\$2,331.00
27	Plastic Stop Line	LF	46.00	\$15.00	\$690.00	\$36.00	\$1,656.00	\$27.56	\$1,267.76	\$44.00	\$2,024.00	\$17.00	\$782.00
28	Plastic Crosswalk Line	SF	128.00	\$15.00	\$1,920.00	\$26.00	\$3,328.00	\$30.00	\$3,840.00	\$31.00	\$3,968.00	\$22.00	\$2,816.00
29	Roadside Restoration	LS	1.00	\$1,500.00	\$1,500.00	\$1,000.00	\$1,000.00	\$5,000.00	\$5,000.00	\$3,000.00	\$3,000.00	\$4,000.00	\$4,000.00
30	Minor Change (minimum bid \$5,000)	LS	1.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
31	Construction Documentation (minimum bid)	LS	1.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
Subtotal Schedule A - NE 2nd Ave. Street Improvements					\$242,015.00		\$305,048.00		\$257,447.98		\$345,904.00		\$350,350.00
Washington State Sales Tax (8.4%)					N/A		N/A		N/A		N/A		N/A
Total Schedule A - NE 2nd Ave. Street Improvements					\$242,015.00		\$305,048.00		\$257,447.98		\$345,904.00		\$350,350.00
Schedule B - NE 2nd Avenue Water Improvements													
32	Trench Safety System (Min. \$1.00/LF)	LF	46.00	\$1.00	\$46.00	\$1.00	\$46.00	\$1.00	\$46.00	\$1.00	\$46.00	\$1.00	\$46.00
33	Removal and Replacement of Unsuitable Material (Pipe Trench)	CY	5.00	\$40.00	\$200.00	\$185.00	\$925.00	\$130.00	\$650.00	\$100.00	\$500.00	\$250.00	\$1,250.00
34	Solid Rock Excavation	CY	5.00	\$150.00	\$750.00	\$200.00	\$1,000.00	\$275.00	\$1,375.00	\$240.00	\$1,200.00	\$450.00	\$2,250.00
35	Testing and Flushing Water System	LS	1.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$2,500.00	\$2,500.00	\$500.00	\$500.00	\$2,300.00	\$2,300.00
36	Removal and Abandonment of Existing 6 inch Fire Service	LS	1.00	\$2,000.00	\$2,000.00	\$1,000.00	\$1,000.00	\$7,500.00	\$7,500.00	\$2,500.00	\$2,500.00	\$1,162.00	\$1,162.00
37	Service Connection, 1 inch Diam (Short Side)	EA	9.00	\$1,500.00	\$13,500.00	\$1,350.00	\$12,150.00	\$3,800.00	\$34,200.00	\$2,588.00	\$23,292.00	\$2,190.00	\$19,710.00
38	Service Connection, 1 inch Diam (Long Side)	EA	1.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$3,800.00	\$3,800.00	\$3,711.00	\$3,711.00	\$2,700.00	\$2,700.00
39	Service Connection, 2 inch Diam	EA	1.00	\$5,000.00	\$5,000.00	\$2,800.00	\$2,800.00	\$3,800.00	\$3,800.00	\$4,900.00	\$4,900.00	\$7,000.00	\$7,000.00
40	Remove and Plug Existing Water Service	EA	11.00	\$500.00	\$5,500.00	\$300.00	\$3,300.00	\$900.00	\$9,900.00	\$790.00	\$8,690.00	\$700.00	\$7,700.00
41	Minor Changes (minimum bid \$5,000)	LS	1.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
Subtotal Schedule B - NE 2nd Avenue Water Improvement					\$34,996.00		\$29,221.00		\$68,771.00		\$50,339.00		\$49,118.00
Washington State Sales Tax (8.4%)					\$2,939.66		\$2,454.56		\$5,776.76		\$4,228.48		\$4,125.91
Total Schedule B - NE 2nd Avenue Water Improvement					\$37,935.66		\$31,675.56		\$74,547.76		\$54,567.48		\$53,243.91
Schedule C - NE Dallas Water Improvements													
42	Mobilization	LS	1.00	\$10,000.00	\$10,000.00	\$5,000.00	\$5,000.00	\$4,400.00	\$4,400.00	\$500.00	\$500.00	\$10,000.00	\$10,000.00
43	Project Temporary Traffic Control	LS	1.00	\$1,000.00	\$1,000.00	\$3,000.00	\$3,000.00	\$4,500.00	\$4,500.00	\$4,200.00	\$4,200.00	\$6,000.00	\$6,000.00
44	Clearing & Grubbing	LS	1.00	\$1,000.00	\$1,000.00	\$800.00	\$800.00	\$3,500.00	\$3,500.00	\$500.00	\$500.00	\$2,000.00	\$2,000.00
45	Removal of Structures and Obstructions	LS	1.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$2,750.00	\$2,750.00	\$500.00	\$500.00	\$5,000.00	\$5,000.00
46	Removal of Additional Cement Concrete	SY	5.00	\$10.00	\$50.00	\$100.00	\$500.00	\$130.00	\$650.00	\$29.00	\$145.00	\$11.00	\$55.00
47	Removal of Additional Cement Concrete Curb	LF	10.00	\$10.00	\$100.00	\$50.00	\$500.00	\$65.00	\$650.00	\$28.50	\$285.00	\$8.00	\$80.00
48	Roadway Excavation, Inc. Haul	CY	85.00	\$40.00	\$3,400.00	\$55.00	\$4,675.00	\$65.00	\$5,525.00	\$48.00	\$4,080.00	\$47.00	\$3,995.00
49	Roadway and Replacement of Unsuitable Material (Road Base)	CY	10.00	\$40.00	\$400.00	\$175.00	\$1,750.00	\$130.00	\$1,300.00	\$118.00	\$1,180.00	\$90.00	\$900.00
50	HMA Class 1/2" PG 64-22 (3 inch depth)	TON	65.00	\$120.00	\$7,800.00	\$120.00	\$7,800.00	\$112.00	\$7,280.00	\$163.00	\$10,595.00	\$126.00	\$8,190.00
51	Crushed Surfacing Base Course (6" depth)	TON	95.00	\$120.00	\$11,400.00	\$38.00	\$3,610.00	\$55.00	\$5,225.00	\$82.00	\$7,790.00	\$58.00	\$5,510.00
52	Solid Rock Excavation	CY	10.00	\$150.00	\$1,500.00	\$200.00	\$2,000.00	\$275.00	\$2,750.00	\$240.00	\$2,400.00	\$450.00	\$4,500.00
53	Trench Safety System (Min. \$1.00/LF)	LF	220.00	\$1.00	\$220.00	\$1.00	\$220.00	\$1.00	\$220.00	\$1.00	\$220.00	\$1.00	\$220.00
54	Removal and Replacement of Unsuitable Material (Pipe Trench)	CY	10.00	\$40.00	\$400.00	\$185.00	\$1,850.00	\$130.00	\$1,300.00	\$100.00	\$1,000.00	\$95.00	\$950.00
55	Ductile Iron Pipe for Water Main, 8 inch Diam.	LF	220.00	\$100.00	\$22,000.00	\$103.00	\$22,660.00	\$84.44	\$18,576.80	\$135.00	\$29,700.00	\$123.00	\$27,060.00
56	Testing and Flushing Water System	LS	1.00	\$2,000.00	\$2,000.00	\$500.00	\$500.00	\$2,500.00	\$2,500.00	\$1,000.00	\$1,000.00	\$2,000.00	\$2,000.00
57	Gate Valve (6 inch MJ)	EA	1.00	\$1,000.00	\$1,000.00	\$1,250.00	\$1,250.00	\$3,205.00	\$3,205.00	\$2,150.00	\$2,150.00	\$1,759.00	\$1,759.00
58	Gate Valve (6 inch FL x MJ)	EA	1.00	\$1,000.00	\$1,000.00	\$1,250.00	\$1,250.00	\$6,740.00	\$6,740.00	\$2,150.00	\$2,150.00	\$1,759.00	\$1,759.00
59	Ductile Iron Fitting (6 inch MJ Sleeve)	EA	2.00	\$400.00	\$800.00	\$400.00	\$800.00	\$4,400.00	\$8,800.00	\$1,055.00	\$2,110.00	\$450.00	\$900.00
60	Ductile Iron Fitting (6 inch spool)	EA	1.00	\$400.00	\$400.00	\$620.00	\$620.00	\$1,620.36	\$1,620.36	\$1,335.00	\$1,335.00	\$9	



I, James E. Carothers, Engineering Manager, hereby certify that these bid tabulations are correct.

James E. Carothers 4/21/22
 James E. Carothers, PE Date

PROJECT NO. T1042				Engineer's Estimate:		Clark and Sons Excavating Inc.		T3 TransBlue		Schmid and Sons Inc	
DESCRIPTION: 2022 ADA Improvements				\$40,100 revised (sales tax not applicable)		7601 NE 289th St. Battle Ground, WA 98604 360-946-8474		199616 Old Owen Rd. #252 Monroe, WA 98272 800-658-7601		PO Box 799 Camas, WA 98607 360-835-3376	
DATE OF BID OPENING: April 20, 2022 11:00am				Ent. By PAF							
ITEM NO	DESCRIPTION	UNIT	QTY	UNIT PRICE	ENGRG TOTAL	UNIT PRICE	CONTRACT TOTAL	UNIT PRICE	CONTRACT TOTAL	UNIT PRICE	CONTRACT TOTAL
Schedule 'A' Street											
1	Mobilization	LS	1.00	\$5,000.00	\$5,000.00	\$6,000.00	\$6,000.00	\$5,000.00	\$5,000.00	\$5,600.00	\$5,600.00
2	Project Temporary Traffic Control	LS	1.00	\$5,000.00	\$5,000.00	\$16,000.00	\$16,000.00	\$10,000.00	\$10,000.00	\$16,400.00	\$16,400.00
3	Roadway Excavation (includes sawcutting)	CY	48.00	\$150.00	\$7,200.00	\$210.00	\$10,080.00	\$27.50	\$1,320.00	\$880.00	\$42,240.00
4	Erosion Control and Water Pollution Control	LS	1.00	\$500.00	\$500.00	\$2,500.00	\$2,500.00	\$10,000.00	\$10,000.00	\$2,100.00	\$2,100.00
5	Roadside Restoration	LS	1.00	\$500.00	\$500.00	\$5,400.00	\$5,400.00	\$10,000.00	\$10,000.00	\$3,175.00	\$3,175.00
6	Cement Concrete Sidewalk	SY	96.00	\$150.00	\$14,400.00	\$142.00	\$13,632.00	\$250.00	\$24,000.00	\$106.56	\$10,229.76
7	Minor Changes (minimum bid \$5,000)	LS	1.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00	\$5,000.00	\$5,000.00
8	Construction Documentation (minimum bid \$2,500)	LS	1.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$5,000.00	\$5,000.00	\$2,500.00	\$2,500.00
Subtotal (Schedule 'A')					\$40,100.00		\$61,112.00		\$75,320.00		\$87,244.76
Washington State Sales Tax (8.4%)					N/A		N/A		N/A		N/A
TOTAL CONSTRUCTION COST (Schedule 'A')					\$40,100.00		\$61,112.00		\$75,320.00		\$87,244.76
Basis of Award											

~ PROCLAMATION ~

WHEREAS, America has been continually renewed and enriched by the people from diverse background; and

WHEREAS, each brings their unique heritage, which over time becomes part of our common heritage; and

WHEREAS, generations of Asian Americans have helped make America what it is today; and

WHEREAS, there are more than 500,000 Taiwanese Americans in the United States, with a significant Taiwanese American community in Camas, WA; and

WHEREAS, Taiwanese Americans have made indispensable contributions to the diversity and prosperity of American society as successful and notable artists, Nobel Laureate scientists, researchers, human rights activists, and business leaders; and

WHEREAS, Taiwanese Americans are proud of their roots and of their vital role strengthening our nation; and

WHEREAS the year of 2022 marks the 43rd anniversary of the enactment into law of the 1979 "Taiwan Relations Act," which – together with the 1982 "Six Assurances" – forms the cornerstone of U.S.-Taiwan relations; and

WHEREAS this week recognizes the longstanding friendship between the United States and Taiwan; and

WHEREAS, during this special week, Taiwanese Americans are able to embrace America's diversity and celebrate our shared traditions that make America a great nation;

NOW THEREFORE, I, Steve Hogan, Mayor of the City of Camas, do hereby proclaim the week of May 8-14, 2022, as:

“Taiwanese American Heritage Week”

in the City of Camas and encourage all citizens to join in this observance.



In witness whereof, I have set my hand and caused the seal of the City of Camas to be affixed this 2nd day of May, 2022.

Steve Hogan, Mayor

~ PROCLAMATION ~

WHEREAS, cities, counties and organizations nationwide are recognizing Child Care Providers on this day; and

WHEREAS, over half the children under the age of six nationwide are estimated to spend some time in a nonparental care arrangement on a weekly basis, which provides critical enrichment opportunities and nurtures development for children of all backgrounds and is a vital building block of our state economy; and

WHEREAS, the COVID-19 pandemic continues to create tremendous hardship for Child Care Providers and the families of Washington who depend on them, forcing providers to risk their health and financial stability to remain open throughout shifting COVID-19 health guidance; and

WHEREAS, Child Care Providers continue to provide essential high-quality early learning experience to Washington's children in the face of irregular and long hours, high turnover rate in child care businesses, and increasing stressful working conditions due to the impact of burnout, COVID-19, and other workforce-related complications; and

WHEREAS, our future depends on the quality of the early childhood experiences provided to young children today; support for high-quality child care represents a worthy commitment to our children's future.

NOW THEREFORE, I, Steve Hogan, Mayor of the City of Camas, do hereby proclaim May 6, 2022, as:

“Provider Appreciation Day”

in the City of Camas and urge all citizens to recognize Child Care Providers for their important work.



In witness whereof, I have set my hand and caused the seal of the City of Camas to be affixed this 2nd day of May, 2022.

Steve Hogan, Mayor

~ PROCLAMATION ~

WHEREAS, the citizens of the Camas recognize the vital role that swimming and aquatic-related activities contribute to good physical and mental health and enhance the quality of life for all people; and

WHEREAS, the City of Camas is a thriving, cohesive community that values and stewards its parks, open spaces, and natural bodies of water; and

WHEREAS, the Camas community enjoys access and recreational activities in and around multiple bodies of water, including Lacamas Lake, Lacamas Creek, Round Lake, Fallen Leaf Lake, Washougal River, Columbia River and along small streams; and

WHEREAS, the City of Camas is aware of the contributions made by the recreational water industry to provide programs and healthy places to recreate, learn and grow, build self-esteem, confidence and sense of self-worth, which contributes to the quality of life in our community; and

WHEREAS, nationally an estimated 11 people die each day from unintentional drowning; and

WHEREAS, drowning is the second leading cause of deaths among children ages one to fourteen; and

WHEREAS, it is understood that Water Safety education plays an essential part in preventing drowning and recreational water-related injuries; and

WHEREAS it is vitally important to communicate information about Water Safety rules and programs to families and individuals of all ages, including private pool owners, or visitors to public facilities, lakes, rivers, and waterparks;

NOW THEREFORE, I, Steve Hogan, Mayor of the City of Camas, do hereby proclaim May 2022, as:

“Water Safety Month”

in the City of Camas, and encourage all citizens to join in this observance.



In witness whereof, I have set my hand and caused the seal of the City of Camas to be affixed this 2nd day of May, 2022.

Steve Hogan, Mayor

~ PROCLAMATION ~

WHEREAS, dementia is the number one cause of death in Washington state; and

WHEREAS, 6.2 million Americans (120,000 in Washington) are living with dementia and are cared for by 11 million unpaid caregivers (295,000 in Washington); and

WHEREAS, 66% of dementia care is provided in their own home by unpaid caregivers who are usually family members; and

WHEREAS, caregivers of people with Alzheimer's or other dementias provided an estimated 15.3 billion hours of informal (that is, unpaid) assistance in 2020, a contribution to the nation valued at \$256.7 billion; and

WHEREAS, Dementia Friends is a global movement that is changing the way people think, act, and talk about dementia; and

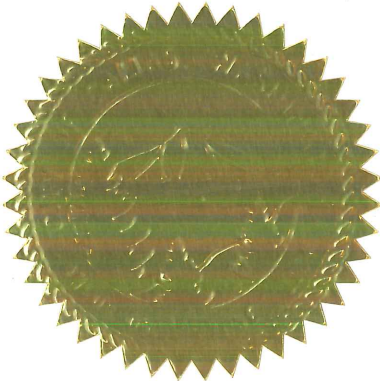
WHEREAS, the Area Agency on Aging and Disabilities of Southwest Washington and HOPE Dementia Support have partnered to co-sponsor Dementia Friends Clark County; and

WHEREAS, Dementia Friends Clark County has created programs and resources to help our local communities understand what dementia is and how it affects people;

NOW THEREFORE, I, Steve Hogan, Mayor of the City of Camas, do hereby proclaim May 2022, as:

“Dementia Friends Month”

in the City of Camas and encourage citizens to become Dementia Friends by learning what it is like for those living with dementia.



In witness whereof, I have set my hand and caused the seal of the City of Camas to be affixed this 2nd day of May, 2022.

Steve Hogan, Mayor



Staff Report

May 2, 2022, Council Regular Meeting

Public Hearing for the Annual Amendments to the Camas Municipal Code

Presenter: Madeline Sutherland, Planner

Time Estimate: 15 minutes

Phone	Email
360.817.1568	msutherland@cityofcamas.us

BACKGROUND: Annual Amendments to the Camas Municipal Code.

SUMMARY: As part of the city’s annual code improvement project, the amendments include corrections to typos, citations, or punctuation, and to clarify sections of the Camas Municipal Code (CMC) that were challenging to administer over the past review cycle. This report includes an evaluation of each amendment in accordance with the review criteria at CMC Section 18.51.030.

Planning Commission held a public hearing on January 19, 2022 and received public testimony on several of the proposed code changes. Some of the suggestions from the public were then incorporated in the recommendation from the Planning Commission to the City Council. Specifically, the suggested language changes included changing the definition of “Substance Abuse Treatment Facilities” to “Residential Treatment Facility” thereby matching up with State definitions. The other addition to the definition included the terms “Sober Living Home” and “Transitional Housing.”

Upon the closure of the Planning Commission public hearing, staff found that the inclusion of some additional terms within the definition as recommended had created issues of compliance with the Fair Housing Act. As such, staff and the City Attorney’s office have reviewed language with Municipal Research and Services Center and the Washington State Department of Commerce to draft language that is compliant with State and Federal requirements on fair housing (See City Attorney Memorandum, Exhibit 2).

At the April 4, 2022 City Council Meeting, Council remanded the code amendments relating to Residential Treatment Facilities, Sober Living Homes, and Transitional Housing back to Planning Commission for further discussion. A Planning Commission public hearing was held on April 19th where the recommended edits are included in Exhibit 1.

Exhibits 3, 4, and 5 are public comments relating to CMC 18.55.030 Code Interpretation Process.

EQUITY CONSIDERATIONS:

What are the desired results and outcomes for this agenda item? To correct typos, citations, punctuation and clarify sections of the Camas Municipal Code.

What's the data? What does the data tell us? N/A

How have communities been engaged? Are there opportunities to expand engagement? Public notices have been posted in the Post Record and the City website.

Who will benefit from, or be burdened by this agenda item? The code amendments will add clarity to development sections of the CMC which will benefit the public and City staff.

What are the strategies to mitigate any unintended consequences? N/A

Does this agenda item have a differential impact on underserved populations, people living with disabilities, and/or communities of color? Please provide available data to illustrate this impact. N/A

Will this agenda item improve ADA accessibilities for people with disabilities? N/A

What potential hurdles exists in implementing this proposal (include both operational and political)? N/A

How will you ensure accountabilities, communicate, and evaluate results? N/A

How does this item support a comprehensive plan goal, policy or other adopted resolution? The code amendments align with the comprehensive plan and other adopted resolutions.

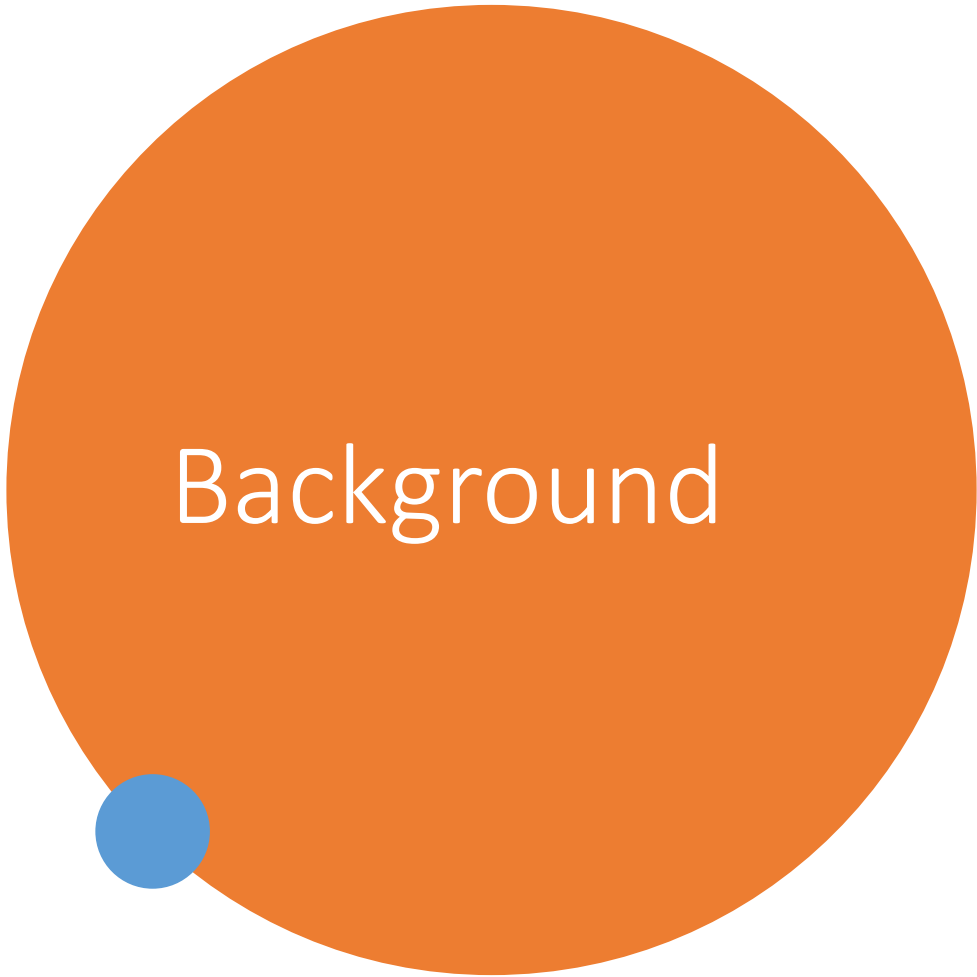
BUDGET IMPACT: The code amendments do not impact the budget.

RECOMMENDATION: Council discuss the proposed amendments, conduct a public hearing and direct the City Attorney to return with an adoptive ordinance.

Annual Code Amendments

(File No. MC21-01)

City Council Public Hearing
May 2, 2022



Background

Planning Commission Workshop:
Nov & Dec



Planning Commission Hearing:
January



Council Meeting: April



Planning Commission Hearing:
April



Council Hearing: May





Attachments

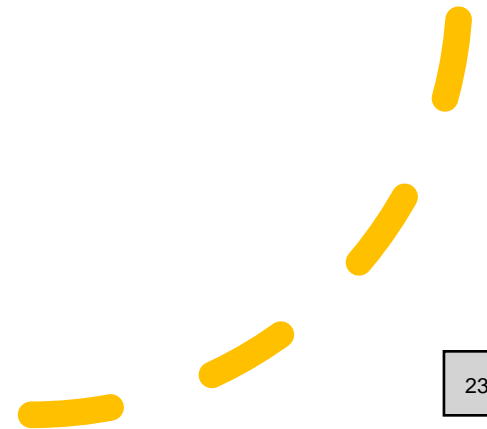
- Staff Report
- Exhibit 1 –Recommended Amendments
- Exhibit 2 –Memo from City Attorney
- Exhibit 3-5 – Public Comments
- Additional comments:
 - Dept of Commerce
 - CC Association of Realtors

Overview

- Update retaining wall application submittals
- Clarify pedestrian connection requirements
- Regulate Residential Treatment Facilities
- Temporary signs in roundabouts
- Update the permit process for code interpretation

Retaining Wall Application Submittals

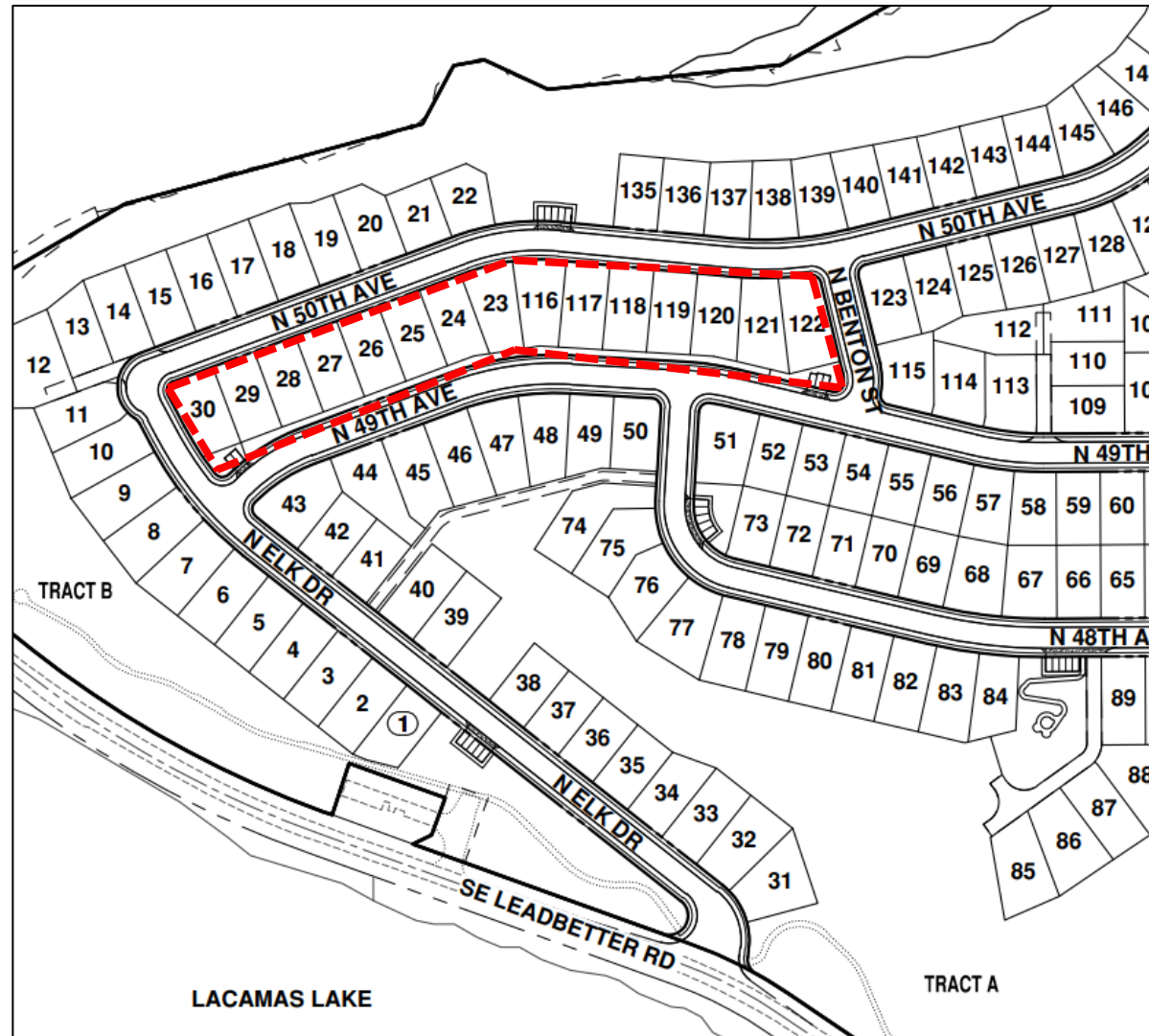
- Require cross-sections for walls over 4 feet
 - To prevent walls that exceed the maximum height permitted



CMC 17.19.040.B.10.b. - Infrastructure standards.

- i. Block lengths shall not exceed the maximum access spacing standards for the roadway class per the city's design standards manual. If block lengths greater than 600-feet are approved pursuant to CMC 17.19.040.B.10.b.iii., a midway pedestrian connection shall be provided.

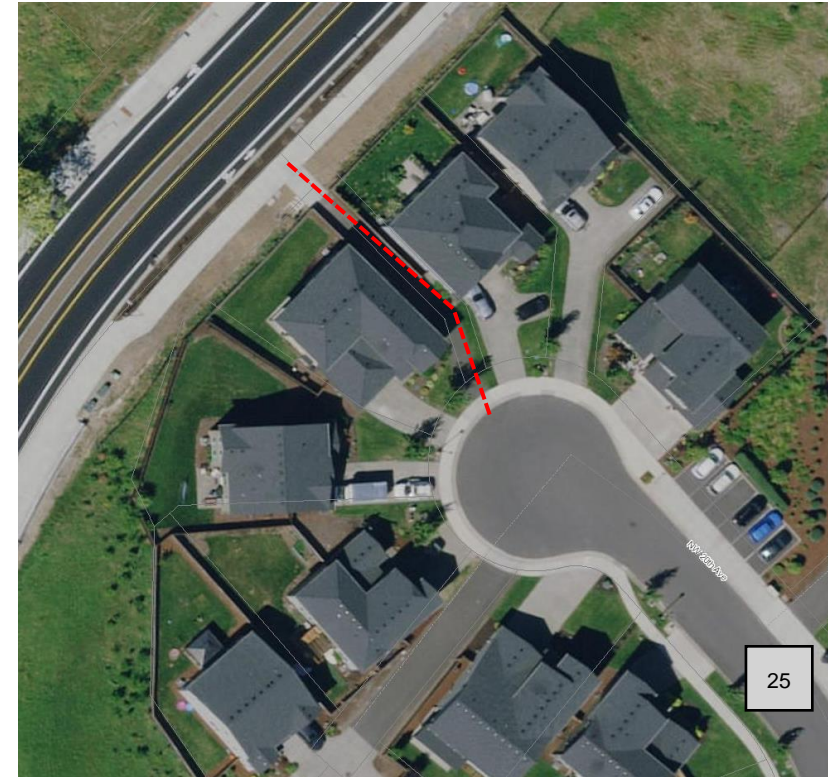
Pedestrian
Connection –
Block Lengths



CMC 17.19.040.B.10.b. - Infrastructure standards.

- ii. Cul-de-sacs and permanent dead-end streets over three hundred feet in length may be denied unless topographic or other physical constraints prohibit achieving this standard. ~~When cul-de-sacs or dead-end streets are permitted, a direct pedestrian or bicycle connection shall be provided to the nearest available street or pedestrian-oriented use.~~
- iii. When cul-de-sacs or dead-end streets are permitted that are over 300 feet, a direct pedestrian and bicycle connection shall be provided to the nearest available street or pedestrian oriented use. Pedestrian connections need to meet Design Standards Manual for ADA accessibility in accordance with PROWAG and ADAAG.
- iv. The city engineer may recommend approval of a deviation to the design standards of this section based on findings that the deviation is the minimum necessary to address the constraint and the application of the standard if impracticable due to topography, environmental sensitive lands, or existing adjacent development patterns.

Pedestrian Connection - Cul-de-sacs



Overview

- Residential Treatment Facilities (RTFs)
- Sober Living Homes
- Transitional Housing

Essential Public Facility

- RCW 36.70A.200:
 - A RTF is considered an Essential Public Facility and may not be a prohibited

Fair Housing Act

- Disability/Handicap: Includes individuals recovering from drug or alcohol addiction
- No city may treat *“a residential structure occupied by persons of handicaps differently than a similar residential structure”*

Sober Living Homes

- Houses “persons with handicaps”
- Similar to an “Adult Family Home”
 - Treat as Single-Family Home
 - No more than 8 beds allowed to differentiate between an RTF
- Allow in same zones as Hotels and Single-Family Homes

Transitional Housing

- Separate from RTFs and Sober Living Homes
- Cannot prohibit in any zones that allow for Single-Family Homes or Hotels
- Allow in same zones as “Permanent Supportive Housing”

Residential Treatment Facilities (RTFs)

- More commercial in nature than Sober Living Home
- Requires more services than Sober Living
- 1,000-ft spatial distancing

RTFs, Sober Living Homes, & Transitional Housing

“Residential treatment facility (RTF)” means a facility meeting applicable state and federal standards that provides support services including, but not limited to, counseling, rehabilitation and medical supervision for the need of drug or alcohol treatment. An RTF may function as a residence, day-treatment facility, or a combination thereof. An RTF may be staffed by resident or nonresident staff and may include more than eight unrelated individuals. An RTF shall not be located within 1,000 feet of public and private schools, public parks, public libraries, other RTFs, or similar uses.

“Sober Living Homes” means a home-like environment that promotes healthy recovery from a substance use disorder and supports persons recovering from a substance use disorder through the use of peer recovery support. Sober living homes are limited to no more than eight unrelated individuals.

“Transitional housing” means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

RTFs, Sober Living Homes, & Transitional Housing

CMC 18.07.030 - Table 1—Commercial and industrial land uses.

Zoning Districts	NC	DC	CC	RC	MX	BP	LI/BP	LI	HI
Group Home	C	P	P	X	P	X	X	X	X
Adult Family Home	C	P	P	X	P	X	X	X	X
Single Family Dwelling	X	X	X	X	P	X	X	X	X
<u>Sober Living Homes</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Permanent Supportive Housing	C	P	X/P ¹⁰	X/P ¹⁰	P	X	X	X	X
Hotel/motel	X	C	C	P	P	P	X	P	X
<u>Transitional Housing</u>	<u>C</u>	<u>P</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>
Nursing, rest, convalescent, retirement home	C	P	P	P	P	X	X	X	X
<u>Residential Treatment Facility¹²</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

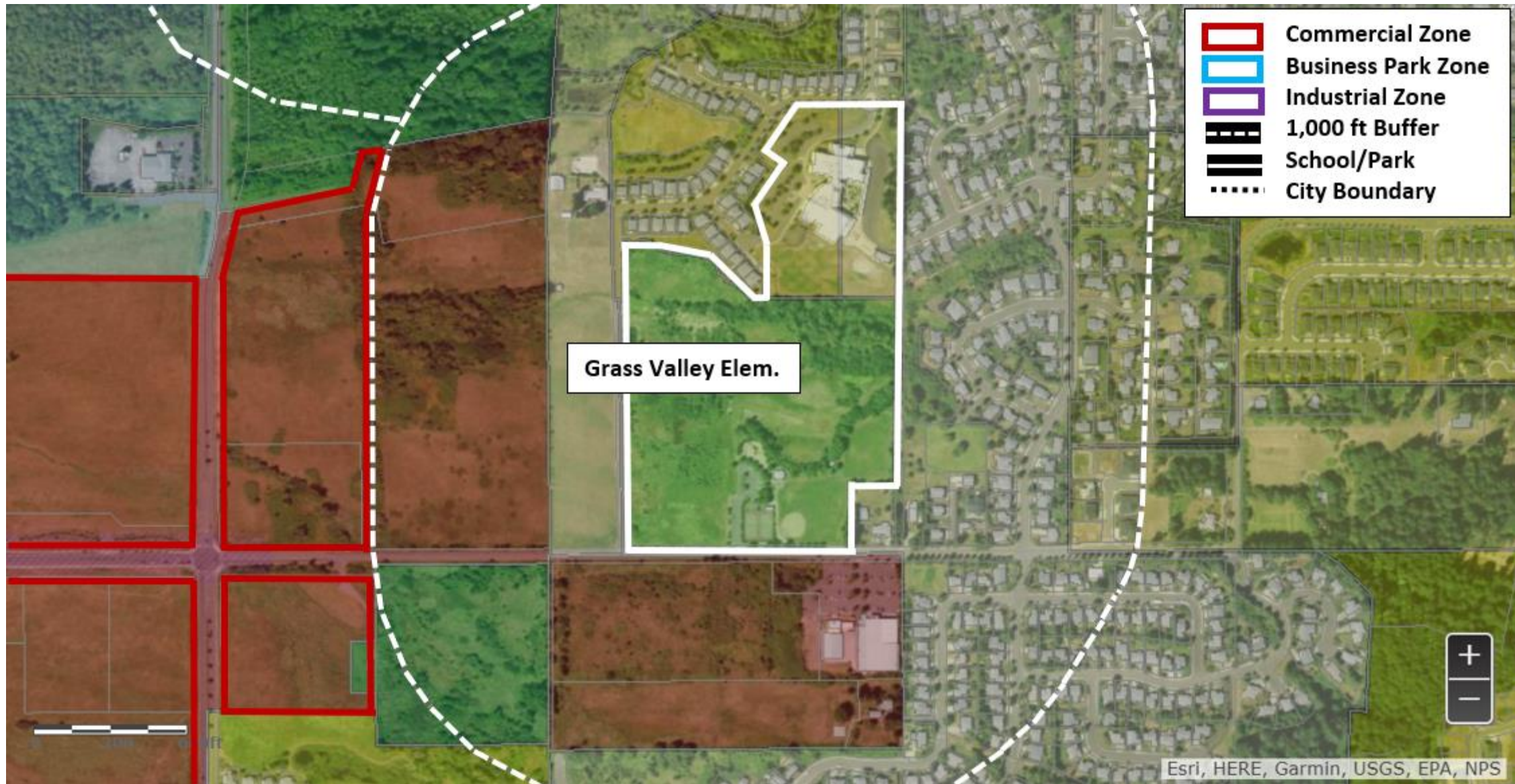
Footnote 12: A Residential Treatment Facility shall not be located within 1,000 feet of public and private schools, public parks, public libraries, other RTFs or similar uses.

RTFs, Sober Living Homes, and Transitional Housing

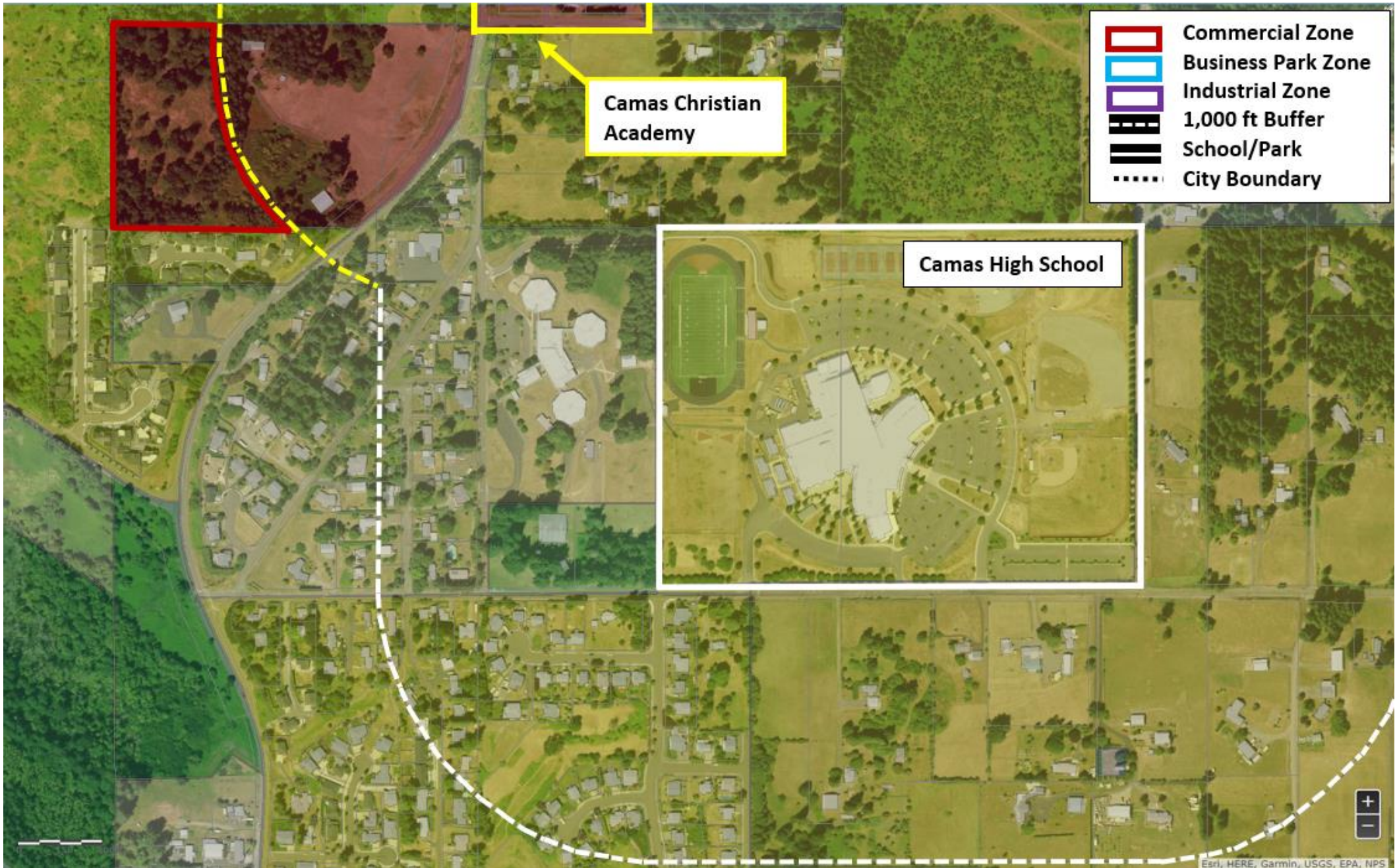
CMC 18.07.040 Table 2—Residential and multifamily land uses.

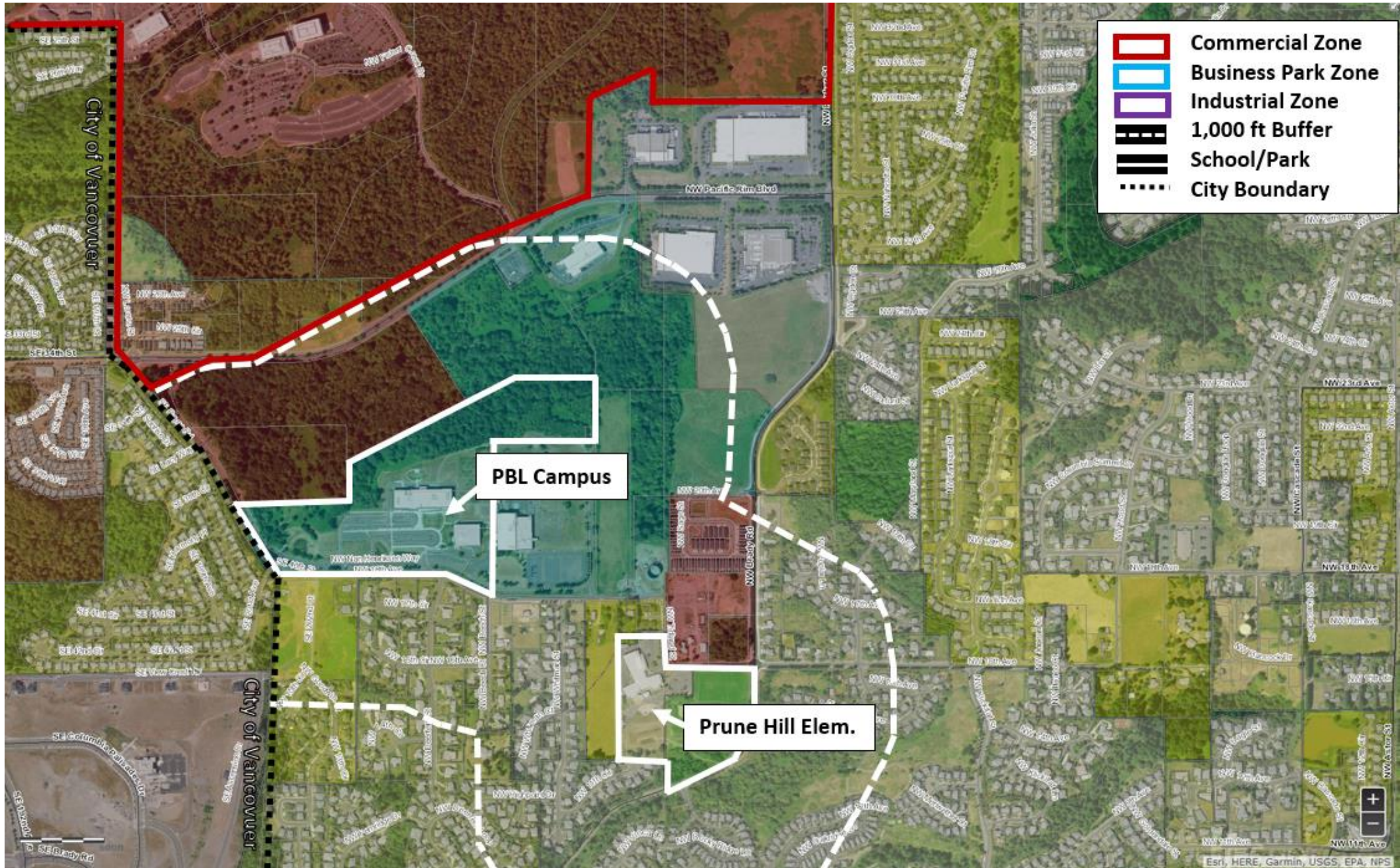
Zoning Districts	R	MF
Adult family home, residential care facility, supported living arrangement, or housing for the disabled	P	P
Group Home	P	P
Single Family Dwelling	P	P
<u>Sober Living Homes</u>	<u>P</u>	<u>P</u>
Permanent Supportive Housing	C/P ²	P
<u>Transitional Housing</u>	<u>P</u>	<u>P</u>
Nursing, rest, convalescent, retirement home	C	P
<u>Residential Treatment Facility⁵</u>	<u>X</u>	<u>C</u>

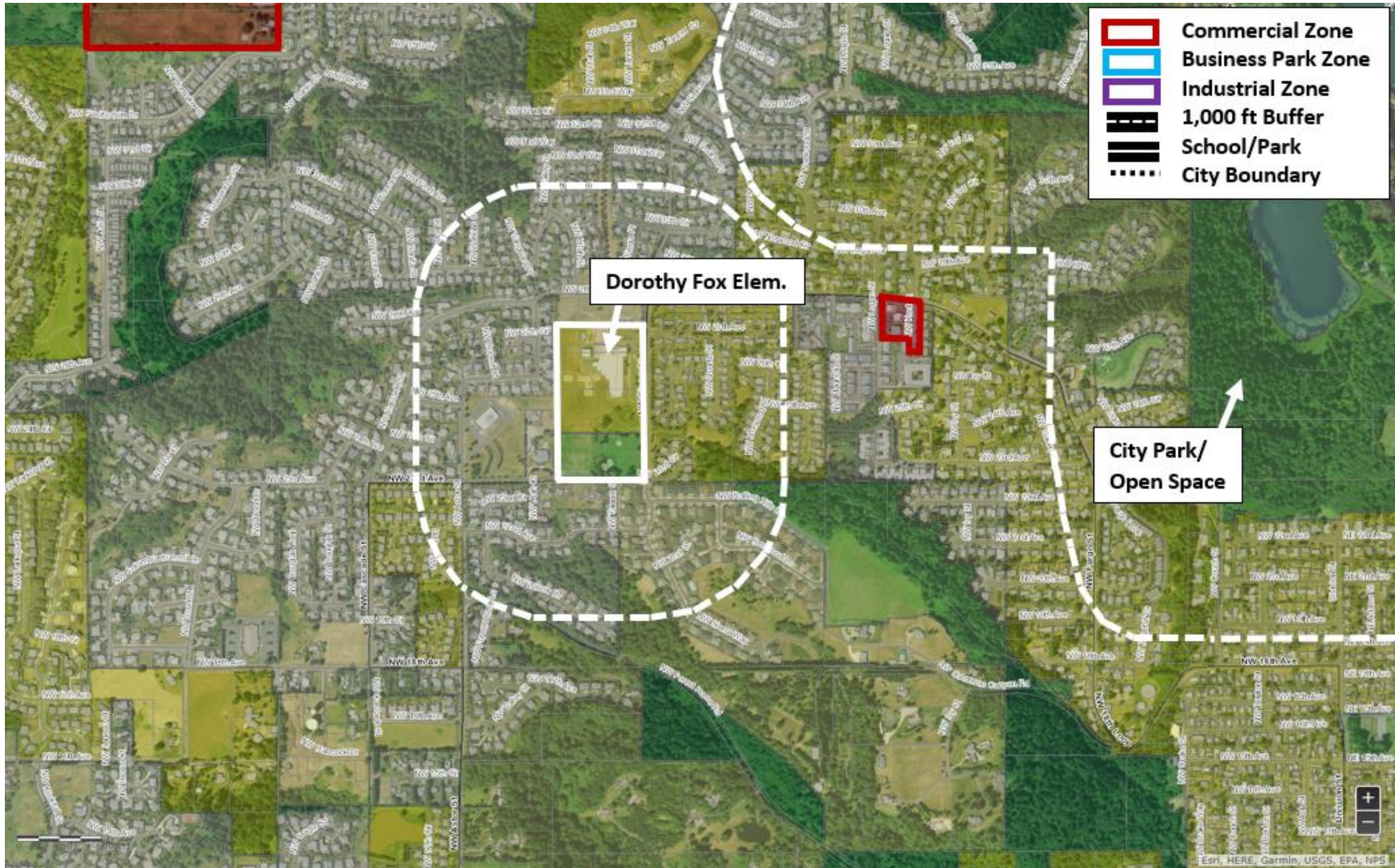
Footnote 5: A Residential Treatment Facility shall not be located within 1,000 feet of public and private schools, public parks, public libraries, other RTFs, or similar uses.

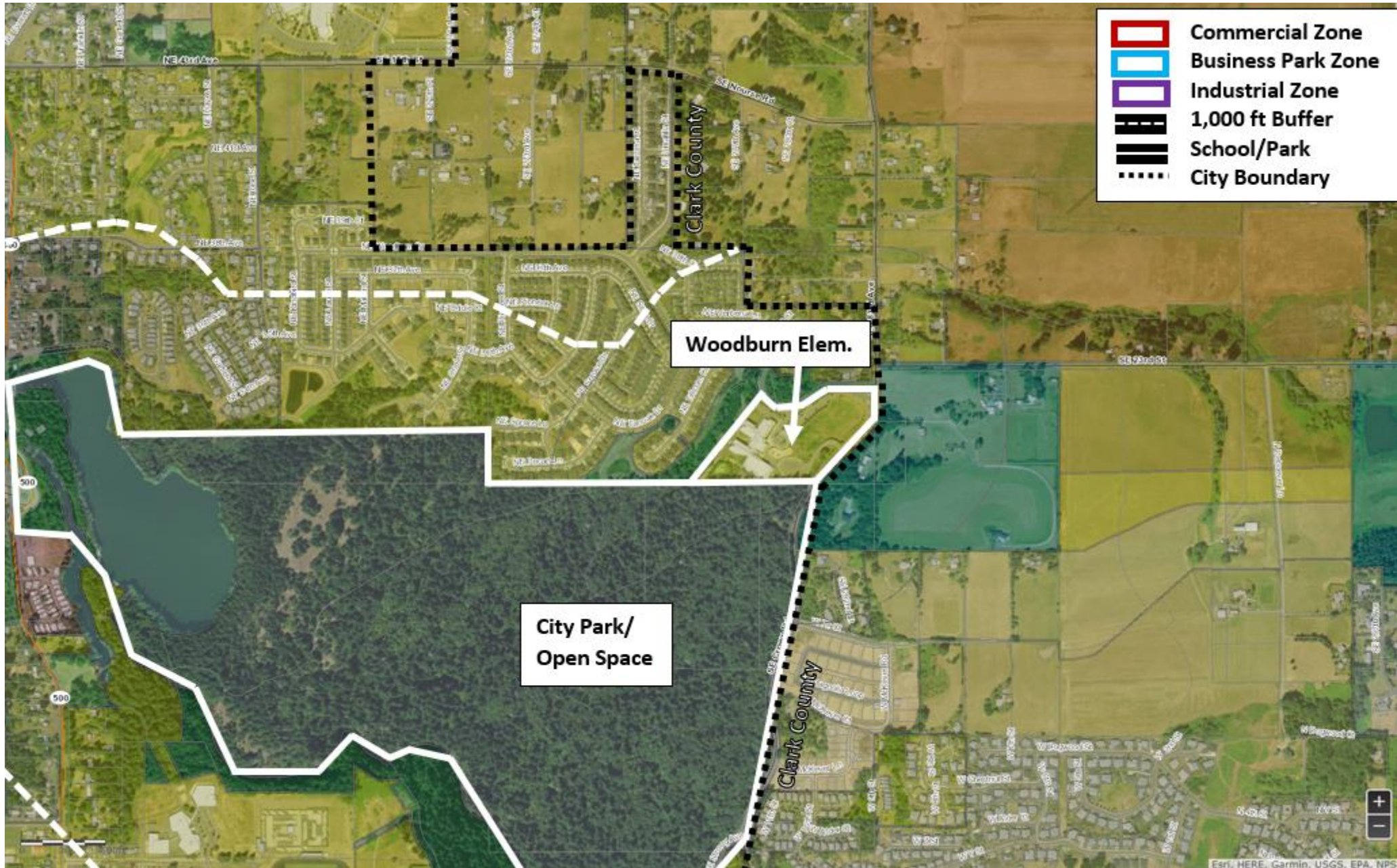


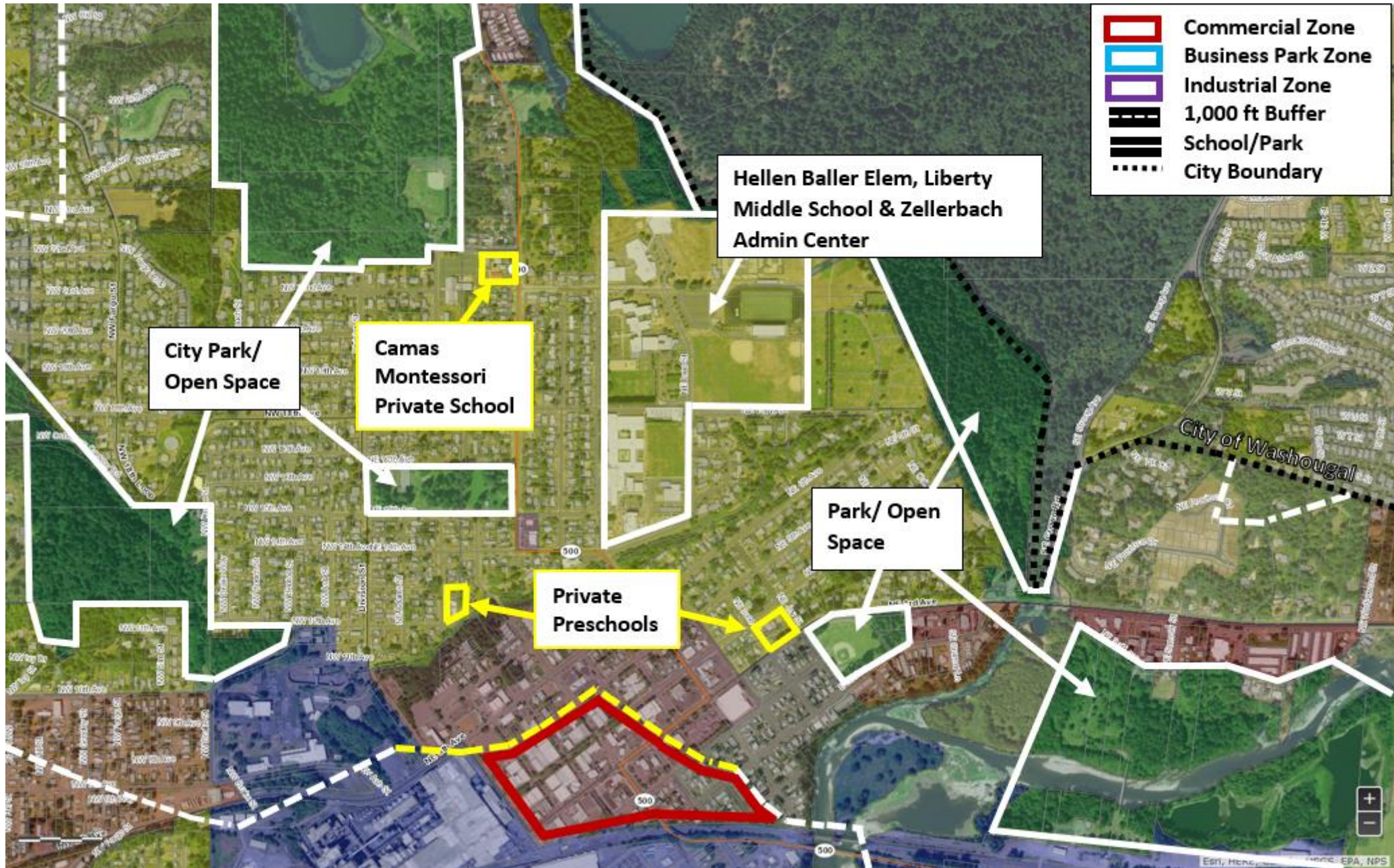












Development Sign

“Not to be less than 6 sf”

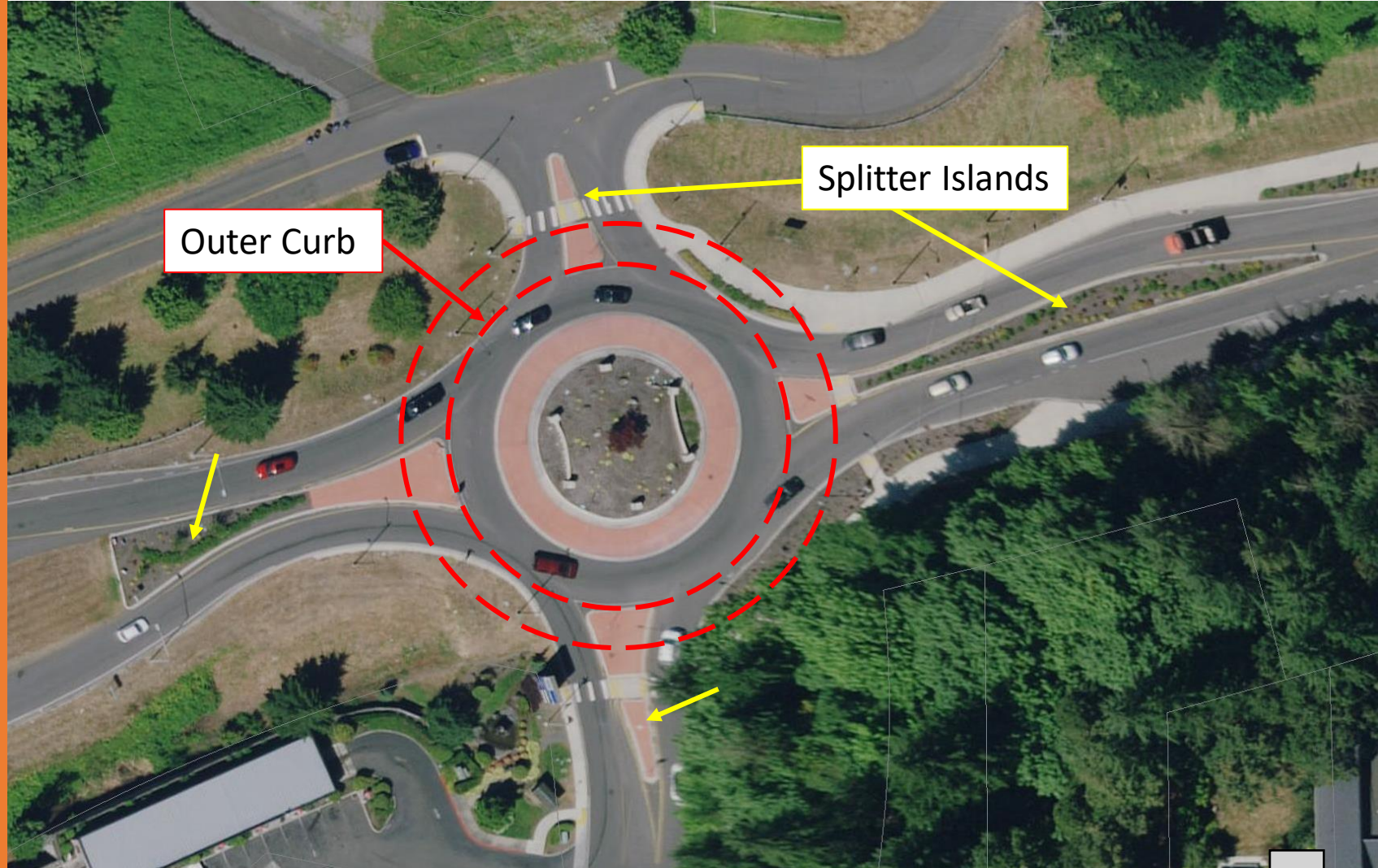


Code Interpretation Permit Process

- Type I: “do not require interpretation...”
- Type II: “involve the exercise of some interpretation and discretion...”

Temporary Signs

- Preventing signs in center islands, splitter islands and 10' of outer curb





Next Steps

- Discuss proposed amendments
- Conduct a public hearing
- Direct City Attorney to return with adoptive ordinance

Exhibit 1: Recommended Annual Code Amendments (MC21-01)

The code amendments below in red are the proposed amendments by Planning Commission and Staff.

CMC 17.09.030.B.5- Preliminary short plat approval.

- f. Location of existing and proposed sidewalks, street lighting, and street trees,
- q. Show location and height of proposed retaining walls. Provide cross sections for retaining walls over 4-feet in height.

CMC 17.11.030.B.6 - Preliminary subdivision plat approval.

- e. Location of existing and proposed sidewalks, street lighting and street trees,
- p. Show location and height of proposed retaining walls. Provide cross sections for retaining walls over 4-feet in height.

CMC 17.19.030.D.5. - Tract, block and lot standards.

- d. d. To protect the character of the immediate neighborhood, the city may impose special conditions, where feasible, including access configuration and separation, pedestrian connectivity, setbacks, fencing and landscaping;

CMC 17.19.040.B.10.b. - Infrastructure standards.

- i. Block lengths shall not exceed the maximum access spacing standards for the roadway class per the city's design standards manual. If block lengths greater than 600-feet are approved pursuant to CMC 17.19.040.B.10.b.iii., a midway pedestrian connection shall be provided.
- ii. Cul-de-sacs and permanent dead-end streets over three hundred feet in length may be denied unless topographic or other physical constraints prohibit achieving this standard. ~~When cul-de-sacs or dead-end streets are permitted, a direct pedestrian or bicycle connection shall be provided to the nearest available street or pedestrian-oriented use.~~
- iii. When cul-de-sacs or dead-end streets are permitted that are over 300 feet, a direct pedestrian and bicycle connection shall be provided to the nearest available street or pedestrian oriented use. Pedestrian connections need to meet Design Standards Manual for ADA accessibility in accordance with PROWAG and ADAAG.
- iv. The city engineer may recommend approval of a deviation to the design standards of this section based on findings that the deviation is the minimum necessary to address the constraint and the application of the standard if impracticable due to topography, environmental sensitive lands, or existing adjacent development patterns.

CMC 17.19.040.C.2. – Infrastructure standards.

- b. Duplex, tri-plex, and townhome units ~~may have up to two sewer services at the discretion of the engineering and public works departments.~~ shall each have a dedicated sewer lateral, unless otherwise approved by the Public Works Director or designee.

CMC 18.03.030 – Definitions for land uses

"Nursing, rest or convalescent home" means an establishment which provides full-time care for three or more chronically ill or infirm persons. Such care shall not include surgical, drug or alcohol treatment services, or obstetrical or acute illness services. See residential treatment facility (RTF) definition for drug and alcohol treatment services.

“Residential treatment facility (RTF)” means a facility meeting applicable state and federal standards that provides support services including, but not limited to, counseling, rehabilitation and medical supervision for the need of drug or alcohol treatment. An RTF may function as a residence, day-treatment facility, or a combination thereof. An RTF may be staffed by resident or nonresident staff and may include more than eight unrelated individuals. An RTF shall not be located within 1,000 feet of public and private schools, public parks, public libraries, other RTFs, or similar uses.

"Sober Living Homes" means a home-like environment that promotes healthy recovery from a substance use disorder and supports persons recovering from a substance use disorder through the use of peer recovery support. Sober living homes are limited to no more than eight unrelated individuals.

"Transitional housing" means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

CMC 18.07.030 - Table 1—Commercial and industrial land uses.

Zoning Districts	NC	DC	CC	RC	MX	BP	LI/BP	LI	HI
Group Home	C	P	P	X	P	X	X	X	X
Adult Family Home	C	P	P	X	P	X	X	X	X
Single Family Dwelling	X	X	X	X	P	X	X	X	X
<u>Sober Living Homes</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Permanent Supportive Housing	C	P	X/P ¹⁰	X/P ¹⁰	P	X	X	X	X
Hotel/motel	X	C	C	P	P	P	X	P	X
<u>Transitional Housing</u>	<u>C</u>	<u>P</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>
Nursing, rest, convalescent, retirement home	C	P	P	P	P	X	X	X	X
<u>Residential Treatment Facility¹²</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

Footnote 12: A Residential Treatment Facility shall not be located within 1,000 feet of public and private schools, public parks, public libraries, other RTFs or similar uses.

CMC 18.07.040 Table 2—Residential and multifamily land uses.

Zoning Districts	R	MF
Adult family home, residential care facility, supported living arrangement, or housing for the disabled	P	P
Group Home	P	P
Single Family Dwelling	P	P
<u>Sober Living Homes</u>	<u>P</u>	<u>P</u>
Permanent Supportive Housing	C/P ²	P
<u>Transitional Housing</u>	<u>P</u>	<u>P</u>
Nursing, rest, convalescent, retirement home	C	P
<u>Residential Treatment Facility⁵</u>	<u>X</u>	<u>C</u>

Footnote 5: A Residential Treatment Facility shall not be located within 1,000 feet of public and private schools, public parks, public libraries, other RTFs, or similar uses.

CMC 18.15.100.A – Temporary signs

4. Location. Temporary signs are prohibited from being placed within the center island of roundabouts, any splitter islands adjacent to any roundabout, and within 10 feet of the outer curb of all circulatory travel lanes that are within the public right-of-way of any roundabout.

CMC 18.43.070 - Expiration and renewal.

A conditional use permit shall automatically expire one year after the date it was granted, unless a building permit conforming to the plans for which the CUP was granted is obtained within that period of time. A CUP shall automatically expire unless substantial construction of the proposed development is completed within two years from the date the CUP is granted. The hearing examiner may authorize longer periods for a CUP, if appropriate for the project. The hearing examiner may grant a single renewal of the CUP, if the party seeking the renewal can demonstrate extraordinary circumstances or conditions not known or foreseeable at the time the original application for a CUP was granted, which would warrant such a renewal of a CUP. Expiration, renewals or extensions of any conditional use permit shall be governed by the terms of CMC 18.55.260

CMC 18.55.110 - Application—Required information.

H. Signage for Type III applications and short subdivisions: Prior to an application being deemed complete and Type III applications are scheduled for public hearing, the applicant shall post one four-foot by eight-foot sign per road frontage, unless a different size (not to be less than 6 square feet) is approved by the Director. The sign shall be attached to the ground with a minimum of two

four-inch by four-inch posts or better. The development sign shall remain posted and in reasonable condition until a final decision of the city is issued, and then shall be removed by the applicant within fourteen days of the notice of decision by the city. The sign shall be clearly visible from adjoining rights-of-way and generally include the following:

1. Description of proposal,
2. Types of permit applications on file and being considered by the City of Camas,
3. Site plan,
4. Name and phone number of applicant, and City of Camas contact for additional information,
5. If a Type III application, then a statement that a public hearing is required and scheduled. Adequate space shall be provided for the date and location of the hearing to be added upon scheduling by the city.

CMC 18.55.355 - Code conflicts.

1) Code Interpretation:

- A. Purpose. The purpose of this chapter to provide a process for interpreting and applying the provisions of Title 16, 17 and 18.
- B. Responsibility. It shall be the responsibility of the Director to review and resolve any questions regarding the proper interpretation or application of the provisions of Title 16, 17 and 18 pursuant to the procedures set forth in this chapter. The Director's decision shall be in keeping with the spirit and intent of this title and of the comprehensive plan. The director's decision shall be in writing and kept on permanent file.

2) Procedure:

- A. Application. ~~Any person with authorization of the property owner may request in writing the director's interpretation of a code provision of Title 16, 17 or 18 when it pertains to a specific property by means of a Type II Type I application pursuant to Section 18.55.030. An application may be submitted in writing for a Director's interpretation of a code provision of Title 16, 17 or 18 when it pertains to a specific property by means of a Type II application pursuant to Section 18.55.030.~~ The Director may independently initiate an interpretation of any conflicting or unclear provisions of this Title.
- B. Multiple Applications. If an application for an interpretation is associated with any pending land use application(s) subject to Title 16, 17, or 18, then the application for the interpretation may be submitted by any person whose property, residence or business is or will likely be impacted by a project and shall be combined with the associated application(s) and is subject to the highest level of procedure that applies to any of the applications; provided that a code interpretation under this subsection that is requested by a person other than the project applicant or property owner shall not be considered unless it is requested within 60-days after an application has been determined to be complete or prior to the conclusion of the public comment period, if any, whichever is later.
- ~~and shall may be combined with the associated application(s) and is subject to the highest level of procedure that applies to any of the applications, Section 18.55.030.~~
- C. Codification. To ensure that the director's interpretations are applied consistently over time, the director shall on an annual basis initiate a Type IV text amendment to this code for the purpose of codifying interpretations pursuant to Chapter 18.55. The codified interpretations shall be located in Chapter 18.55.355—Code Conflicts, or in the chapter of the code governing the subject matter of the interpretation, whichever may be more appropriate.

- D. Appeals. Any official interpretation of the provisions of Title 16, 17, and 18 may be appealed by any aggrieved party, pursuant to the appeal procedures set forth in Chapter 18.55.

M E M O R A N D U M

TO: Robert Maul, Interim Community Development Director
FROM: David Schultz, Assistant City Attorney
DATE: March 25, 2022
RE: Sober Homes/Transitional Homes/Recovery Residence

This memorandum is provided in response to questions related to the inclusion of “sober homes” and “transitional homes” in the proposed amendment to CMC 18.03.030, as recommended by the Planning Commission during the meeting of January 19, 2022. As you know, originally the staff report reference to this code amendment did not include or discuss these terms. During the meeting itself a recommendation was made and adopted to include both terms within the Code provision under consideration.

Our office and your staff have now been provided with sufficient opportunity to review this issue which included an inquiry to the Municipal Research and Services Center as well as input from the Department of Commerce. Your office is recommending, per CMC 18.55.320, that a revised staff report be prepared and the matter remanded back to the Planning Commission for further consideration. This memorandum will be included as part of said review.

Based upon the recommendation of MRSC and review of other sources as set forth below there is the possibility that adoption of any ‘local zoning option’, such as inclusion of ‘sober homes’ or ‘transitional homes’ in any code amendment, may violate the Fair Housing Act and other applicable statutes. Accordingly, our office concurs in your recommendation related to a remand back to the Planning Commission on this matter.

As a starting point, please note RCW 36.70A.200, relating to essential public facilities.

(1)(a) The comprehensive plan of each county and city that is planning under RCW 36.70A.040 shall include a process for identifying and siting essential public facilities. Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities, **and inpatient facilities including substance abuse facilities, mental health facilities, group homes**, community facilities as defined in RCW 72.05.020, and secure community transition facilities as defined in RCW 71.09.020.

(b) Unless a facility is expressly listed in (a) of this subsection, essential public facilities do not include facilities that are operated by a private entity in which persons are detained

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in custody under process of law pending the outcome of legal proceedings but are not used for punishment, correction, counseling, or rehabilitation following the conviction of a criminal offense. Facilities included under this subsection (1)(b) shall not include facilities detaining persons under *RCW 71.09.020 (6) or (15) or chapter 10.77 or 71.05 RCW.

(c) The department of children, youth, and families may not attempt to site new community facilities as defined in RCW 72.05.020 east of the crest of the Cascade mountain range unless there is an equal or greater number of sited community facilities as defined in RCW 72.05.020 on the western side of the crest of the Cascade mountain range.

(2) Each county and city planning under RCW 36.70A.040 shall, not later than September 1, 2002, establish a process, or amend its existing process, for identifying and siting essential public facilities and adopt or amend its development regulations as necessary to provide for the siting of secure community transition facilities consistent with statutory requirements applicable to these facilities.

(3) Any city or county not planning under RCW 36.70A.040 shall, not later than September 1, 2002, establish a process for siting secure community transition facilities and adopt or amend its development regulations as necessary to provide for the siting of such facilities consistent with statutory requirements applicable to these facilities.

(4) The office of financial management shall maintain a list of those essential state public facilities that are required or likely to be built within the next six years. The office of financial management may at any time add facilities to the list.

(5) No local comprehensive plan or development regulation may preclude the siting of essential public facilities.

(6) No person may bring a cause of action for civil damages based on the good faith actions of any county or city to provide for the siting of secure community transition facilities in accordance with this section and with the requirements of chapter 12, Laws of 2001 2nd sp. sess. For purposes of this subsection, "person" includes, but is not limited to, any individual, agency as defined in RCW 42.17A.005, corporation, partnership, association, and limited liability entity.

(7) Counties or cities siting facilities pursuant to subsection (2) or (3) of this section shall comply with RCW 71.09.341.

(8) The failure of a county or city to act by the deadlines established in subsections (2) and (3) of this section is not:

(a) A condition that would disqualify the county or city for grants, loans, or pledges under RCW 43.155.070 or 70A.135.070;

(b) A consideration for grants or loans provided under RCW 43.17.250(3); or

(c) A basis for any petition under RCW 36.70A.280 or for any private cause of action.

In Washington, inpatient facilities, including substance abuse facilities, mental health facilities, group homes, are expressly defined as 'essential public facilities.' As such, the City cannot

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preclude the siting of an essential public facility through local zoning.

The next main consideration is keeping the City of Camas Code in compliance with the Fair Housing Act:

“No city may enact or maintain an ordinance, development regulation, zoning regulation or official control, policy, or administrative practice which treats a residential structure occupied by persons with handicaps differently than a similar residential structure occupied by a family or other unrelated individuals. As used in this section, "handicaps" are as defined in the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3602). RCW 35A.63.240.”

“Disability” under the Fair Housing Act has been interpreted as including individuals recovering from drug or alcohol addiction and as such discriminatory housing practices involving those recovering from addiction is unlawful. According to the U.S. Department of Justice, the Fair Housing Act prohibits discrimination on the basis of disability in all types of housing transactions. The Act defines persons with a disability to mean those individuals with mental or physical impairments that substantially limit one or more major life activities. The term mental or physical impairment may include conditions such as blindness, hearing impairment, mobility impairment, HIV infection, mental retardation, alcoholism, drug addiction, chronic fatigue, learning disability, head injury, and mental illness. See <https://www.justice.gov/crt/fair-housing-act-1#disability>. I have also attached the Washington Housing Policy Act which sets forth strong goal statements and legislative findings on the topic of fair housing. The City, in fashioning the Code amendment at issue, should be mindful of allowing reasonable accommodation to allow those individuals with disabilities to reside in the community of their choice with the minimal restrictions required by law.

The MRSC research also addressed “transitional housing” and concluded that the inclusion of “transitional housing” into the definition of Residential Treatment Facilities as proposed would violate a newly adopted statute relating to transitional housing, permanent supportive housing, indoor emergency shelters, and indoor emergency housing:

“A city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed. Effective September 30, 2021, a city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit. Reasonable occupancy, spacing, and intensity of use requirements may be imposed by ordinance on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety. Any such requirements on occupancy, spacing, and

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intensity of use may not prevent the siting of a sufficient number of permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters necessary to accommodate each city's projected need for such housing and shelter under RCW 36.70A.070(2)(a)(ii).” RCW 35.21.683

The original definition as proposed by staff provided: “substance abuse treatment facility (SATF) . . . means a facility meeting applicable state and federal standards that provides support services including, but not limited to, counseling, rehabilitation and medical supervision for the need of drug or alcohol treatment. An SATF may function as a residence, day-treatment facility, or a combination thereof. A SATF may be staffed by resident or nonresident staff. A SATF shall not be located within 1,000 feet of public and private schools, public parks, public libraries, other SATF, or similar uses.” This definition also potentially will have issues meeting the Fair Housing Act’s requirements.

As noted above, a “substance abuse facility” is considered an essential public facility, and cannot be prohibited. Because “disability” under the Federal Fair Housing Act has been interpreted as including individuals recovering from drug or alcohol addiction, discriminatory housing practices involving those recovering from addiction would be unlawful. Accordingly, The City’s definition may be too broad, and as a result violate the legal standards. The revised staff report as proposed includes definitions for “recovery residence,” and “transitional housing,” which would appear to mitigate the potential expansion of the City’s definition of SATF. For example, Oxford Housing and the like have been around for a while, however, I did not find one currently located in Camas on the registry. I have attached the proposed changes to “Table 1” hereto.

As addressed in the updated report, reasonable questions include whether the number of “residential treatment facility” residents should be capped, whether the City should seek to limit clustering of residential treatment facilities and whether the City should require that “recovery residences” be properly licensed. The Fair Housing Amendment Act of 1988 requires reasonable accommodation to enable people with disabilities to live in the community of their choice. Consistent with the reasonable accommodation requirement, the City may consider addressing the size and capping the number of residents at both an SATF and Recovery Residence.

Residential Treatment Facility, Sober Living Homes, and Transitional Housing Code Updates

The proposed code amendments below are in red text. The current code is in black text.

"Sober Living Homes" means a home-like environment that promotes healthy recovery from a substance use disorder and supports persons recovering from a substance use disorder through the use of peer recovery support. Sober living homes are limited to no more than eight unrelated individuals.

(RCW 41.05.760)

"Transitional housing" means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

(RCW 84.36.043.2.c)

"Residential treatment facility (RTF)" means a facility meeting applicable state and federal standards that provides support services including, but not limited to, counseling, rehabilitation and medical supervision for the need of drug or alcohol treatment. An RTF may function as a residence, day-treatment facility, or a combination thereof. An RTF may be staffed by resident or nonresident staff and shall include more than eight unrelated individuals, otherwise the use is considered a sober living home. An RTF shall not be located within 1,000 feet of public and private schools, public parks, public libraries, other RTFs, or similar uses.

CMC 18.07 - Table 1—Commercial and industrial land uses.

Zoning Districts	NC	DC	CC	RC	MX	BP	LI/BP	LI	HI
Group Home	C	P	P	X	P	X	X	X	X
Adult Family Home	C	P	P	X	P	X	X	X	X
Single Family Dwelling	X	X	X	X	P	X	X	X	X
<u>Sober Living Homes</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Permanent Supportive Housing	C	P	X/P ¹⁰	X/P ¹⁰	P	X	X	X	X
Hotel/motel	X	C	C	P	P	P	X	P	X
<u>Transitional Housing</u>	<u>C</u>	<u>P</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>
<u>Residential Treatment Facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

CMC 18.07 Table 2—Residential and multifamily land uses.

Zoning Districts	R	MF
Adult family home, residential care facility, supported living arrangement, or housing for the disabled	P	P
Group Home	P	P
Single Family Dwelling	P	P
<u>Recovery Residences/Sober Living Homes</u>	<u>P</u>	<u>P</u>
Permanent Supportive Housing	C/P ²	P
<u>Transitional Housing</u>	<u>P</u>	<u>P</u>
<u>Residential Treatment Facility</u>	<u>X</u>	<u>C</u>

CERTIFICATION OF ENROLLMENT

SENATE BILL 5584

Chapter 478, Laws of 1993

53rd Legislature
1993 Regular Session

WASHINGTON HOUSING POLICY ACT

EFFECTIVE DATE: 7/25/93

Passed by the Senate April 20, 1993
YEAS 33 NAYS 7

JOEL PRITCHARD
President of the Senate

Passed by the House April 18, 1993
YEAS 93 NAYS 1

BRIAN EBERSOLE
**Speaker of the
House of Representatives**

Approved May 17, 1993

MIKE LOWRY
Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5584** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN
Secretary

FILED

May 17, 1993 - 2:14 p.m.

**Secretary of State
State of Washington**

SENATE BILL 5584

AS AMENDED BY THE HOUSE

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session**By** Senators Franklin, Winsley, McAuliffe, Skratek, M. Rasmussen, Hargrove, Wojahn, Niemi, Drew and Pelz

Read first time 02/04/93. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to housing; amending RCW 43.185.110, 43.185A.020,
 2 and 35.82.070; adding new sections to chapter 43.63A RCW; adding new
 3 sections to chapter 35.63 RCW; adding new sections to chapter 35A.63
 4 RCW; adding new sections to chapter 36.70 RCW; adding new sections to
 5 chapter 36.70A RCW; and adding a new chapter to Title 43 RCW.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

8 (a) Housing is of vital state-wide importance to the health,
 9 safety, and welfare of the residents of the state;

10 (b) Safe, affordable housing is an essential factor in stabilizing
 11 communities;

12 (c) Residents must have a choice of housing opportunities within
 13 the community where they choose to live;

14 (d) Housing markets are linked to a healthy economy and can
 15 contribute to the state's economy;

16 (e) Land supply is a major contributor to the cost of housing;

17 (f) Housing must be an integral component of any comprehensive
 18 community and economic development strategy;

1 (g) State and local government must continue working cooperatively
 2 toward the enhancement of increased housing units by reviewing,
 3 updating, and removing conflicting regulatory language;

4 (h) State and local government should work together in developing
 5 creative ways to reduce the shortage of housing;

6 (i) The lack of a coordinated state housing policy inhibits the
 7 effective delivery of housing for some of the state's most vulnerable
 8 citizens and those with limited incomes; and

9 (j) It is in the public interest to adopt a statement of housing
 10 policy objectives.

11 (2) The legislature declares that the purposes of the Washington
 12 housing policy act are to:

13 (a) Provide policy direction to the public and private sectors in
 14 their attempt to meet the shelter needs of Washington residents;

15 (b) Reevaluate housing and housing-related programs and policies in
 16 order to ensure proper coordination of those programs and policies to
 17 meet the housing needs of Washington residents;

18 (c) Improve the delivery of state services and assistance to very
 19 low-income and low-income households and special needs populations;

20 (d) Strengthen partnerships among all levels of government, and the
 21 public and private sectors, including for-profit and nonprofit
 22 organizations, in the production and operation of housing to targeted
 23 populations including low-income and moderate-income households;

24 (e) Increase the supply of housing for persons with special needs;

25 (f) Encourage collaborative planning with social service providers;

26 (g) Encourage financial institutions to increase residential
 27 mortgage lending; and

28 (h) Coordinate housing into comprehensive community and economic
 29 development strategies at the state and local level.

30 NEW SECTION. **Sec. 2.** It is the goal of the state of Washington to
 31 coordinate, encourage, and direct, when necessary, the efforts of the
 32 public and private sectors of the state and to cooperate and
 33 participate, when necessary, in the attainment of a decent home in a
 34 healthy, safe environment for every resident of the state. The
 35 legislature declares that attainment of that goal is a state priority.

36 NEW SECTION. **Sec. 3.** The objectives of the Washington housing
 37 policy act shall be to attain the state's goal of a decent home in a

1 healthy, safe environment for every resident of the state by
2 strengthening public and private institutions that are able to:

3 (1) Develop an adequate and affordable supply of housing for all
4 economic segments of the population;

5 (2) Assist very low-income and special needs households who cannot
6 obtain affordable, safe, and adequate housing in the private market;

7 (3) Encourage and maintain home ownership opportunities;

8 (4) Reduce life cycle housing costs while preserving public health
9 and safety;

10 (5) Preserve the supply of existing affordable housing;

11 (6) Provide housing for special needs populations;

12 (7) Ensure fair and equal access to the housing market;

13 (8) Increase the availability of mortgage credit at low interest
14 rates; and

15 (9) Coordinate and be consistent with the goals, objectives, and
16 required housing element of the comprehensive plan in the state's
17 growth management act in RCW 36.70A.070.

18 NEW SECTION. **Sec. 4.** Unless the context clearly requires
19 otherwise, the definitions in this section apply throughout this
20 chapter.

21 (1) "Affordable housing" means residential housing that is rented
22 or owned by a person or household whose monthly housing costs,
23 including utilities other than telephone, do not exceed thirty percent
24 of the household's monthly income.

25 (2) "Department" means the department of community development.

26 (3) "Director" means the director of community development.

27 (4) "Nonprofit organization" means any public or private nonprofit
28 organization that: (a) Is organized under federal, state, or local
29 laws; (b) has no part of its net earnings inuring to the benefit of any
30 member, founder, contributor, or individual; and (c) has among its
31 purposes significant activities related to the provision of decent
32 housing that is affordable to very low-income, low-income, or moderate-
33 income households and special needs populations.

34 (5) "Regulatory barriers to affordable housing" and "regulatory
35 barriers" mean any public policies (including those embodied in
36 statutes, ordinances, regulations, or administrative procedures or
37 processes) required to be identified by the state or local government
38 in connection with its strategy under section 105(b)(4) of the

1 Cranston-Gonzalez national affordable housing act (42 U.S.C. 12701 et
2 seq.).

3 (6) "Tenant-based organization" means a nonprofit organization
4 whose governing body includes a majority of members who reside in the
5 housing development and are considered low-income households.

6 NEW SECTION. **Sec. 5.** (1) The department shall establish the
7 affordable housing advisory board to consist of twenty-one members.

8 (a) The following eighteen members shall be appointed by the
9 governor:

10 (i) Two representatives of the residential construction industry;

11 (ii) Two representatives of the home mortgage lending profession;

12 (iii) One representative of the real estate sales profession;

13 (iv) One representative of the apartment management and operation
14 industry;

15 (v) One representative of the for-profit housing development
16 industry;

17 (vi) One representative of the nonprofit housing development
18 industry;

19 (vii) One representative of homeless shelter operators;

20 (viii) One representative of lower-income persons;

21 (ix) One representative of special needs populations;

22 (x) One representative of public housing authorities as created
23 under chapter 35.82 RCW;

24 (xi) Two representatives of the Washington association of counties,
25 one representative shall be from a county that is located east of the
26 crest of the Cascade mountains;

27 (xii) Two representatives of the association of Washington cities,
28 one representative shall be from a city that is located east of the
29 crest of the Cascade mountains;

30 (xiii) One representative to serve as chair of the affordable
31 housing advisory board;

32 (xiv) One representative at large.

33 (b) The following three members shall serve as ex officio,
34 nonvoting members:

35 (i) The director or the director's designee;

36 (ii) The executive director of the Washington state housing finance
37 commission or the executive director's designee; and

1 (iii) The secretary of social and health services or the
2 secretary's designee.

3 (2)(a) The members of the affordable housing advisory board
4 appointed by the governor shall be appointed for four-year terms,
5 except that the chair shall be appointed to serve a two-year term. The
6 terms of five of the initial appointees shall be for two years from the
7 date of appointment and the terms of six of the initial appointees
8 shall be for three years from the date of appointment. The governor
9 shall designate the appointees who will serve the two-year and three-
10 year terms. The members of the advisory board shall serve without
11 compensation, but shall be reimbursed for travel expenses as provided
12 in RCW 43.03.050 and 43.03.060.

13 (b) The governor, when making appointments to the affordable
14 housing advisory board, shall make appointments that reflect the
15 cultural diversity of the state of Washington.

16 (3) The affordable housing advisory board shall serve as the
17 department's principal advisory body on housing and housing-related
18 issues, and replaces the department's existing boards and task forces
19 on housing and housing-related issues.

20 (4) The affordable housing advisory board shall meet regularly and
21 may appoint technical advisory committees, which may include members
22 of the affordable housing advisory board, as needed to address specific
23 issues and concerns.

24 (5) The department, in conjunction with the Washington state
25 housing finance commission and the department of social and health
26 services, shall supply such information and assistance as are deemed
27 necessary for the advisory board to carry out its duties under this
28 section.

29 (6) The department shall provide administrative and clerical
30 assistance to the affordable housing advisory board.

31 NEW SECTION. **Sec. 6.** The affordable housing advisory board shall:

32 (1) Analyze those solutions and programs that could begin to
33 address the state's need for housing that is affordable for all
34 economic segments of the state, and special needs populations,
35 including but not limited to programs or proposals which provide for:

36 (a) Financing for the acquisition, rehabilitation, preservation, or
37 construction of housing;

1 (b) Use of publicly owned land and buildings as sites for
2 affordable housing;

3 (c) Coordination of state initiatives with federal initiatives and
4 financing programs that are referenced in the Cranston-Gonzalez
5 national affordable housing act (42 U.S.C. Sec. 12701 et seq.), as
6 amended, and development of an approved housing strategy as required in
7 the Cranston-Gonzalez national affordable housing act (42 U.S.C. Sec.
8 12701 et seq.), as amended;

9 (d) Identification and removal, where appropriate and not
10 detrimental to the public health and safety, or environment, of state
11 and local regulatory barriers to the development and placement of
12 affordable housing;

13 (e) Stimulating public and private sector cooperation in the
14 development of affordable housing; and

15 (f) Development of solutions and programs affecting housing,
16 including the equitable geographic distribution of housing for all
17 economic segments, as the advisory board deems necessary;

18 (2) Consider both homeownership and rental housing as viable
19 options for the provision of housing. The advisory board shall give
20 consideration to various types of residential construction and
21 innovative housing options, including but not limited to manufactured
22 housing;

23 (3) Review, evaluate, and make recommendations regarding existing
24 and proposed housing programs and initiatives including but not limited
25 to tax policies, land use policies, and financing programs. The
26 advisory board shall provide recommendations to the director, along
27 with the department's response in the annual housing report to the
28 legislature required in section 12 of this act; and

29 (4) Prepare and submit to the director, by each December 1st,
30 beginning December 1, 1993, a report detailing its findings and make
31 specific program, legislative, and funding recommendations and any
32 other recommendations it deems appropriate.

33 **NEW SECTION. Sec. 7.** A new section is added to chapter 43.63A RCW
34 to read as follows:

35 (1) The department shall, in consultation with the affordable
36 housing advisory board created in section 5 of this act, report to the
37 legislature on the development and placement of accessory apartments.

1 The department shall produce a written report by December 15, 1993,
2 which:

3 (a) Identifies local governments that allow the siting of accessory
4 apartments in areas zoned for single-family residential use; and

5 (b) Makes recommendations to the legislature designed to encourage
6 the development and placement of accessory apartments in areas zoned
7 for single-family residential use.

8 (2) The recommendations made under subsection (1) of this section
9 shall not take effect before ninety days following adjournment of the
10 1994 regular legislative session.

11 (3) Unless provided otherwise by the legislature, by December 31,
12 1994, local governments shall incorporate in their development
13 regulations, zoning regulations, or official controls the
14 recommendations contained in subsection (1) of this section. The
15 accessory apartment provisions shall be part of the local government's
16 development regulation, zoning regulation, or official control. To
17 allow local flexibility, the recommendations shall be subject to such
18 regulations, conditions, procedures, and limitations as determined by
19 the local legislative authority.

20 (4) As used in this section, "local government" means:

21 (a) A city or code city with a population that exceeds twenty
22 thousand;

23 (b) A county that is required to or has elected to plan under the
24 state growth management act; and

25 (c) A county with a population that exceeds one hundred twenty-five
26 thousand.

27 NEW SECTION. **Sec. 8.** A new section is added to chapter 35.63 RCW
28 to read as follows:

29 Any local government, as defined in section 7 of this act, that is
30 planning under this chapter shall comply with section 7(3) of this act.

31 NEW SECTION. **Sec. 9.** A new section is added to chapter 35A.63 RCW
32 to read as follows:

33 Any local government, as defined in section 7 of this act, that is
34 planning under this chapter shall comply with section 7(3) of this act.

35 NEW SECTION. **Sec. 10.** A new section is added to chapter 36.70 RCW
36 to read as follows:

1 Any local government, as defined in section 7 of this act, that is
2 planning under this chapter shall comply with section 7(3) of this act.

3 NEW SECTION. **Sec. 11.** A new section is added to chapter 36.70A
4 RCW to read as follows:

5 Any local government, as defined in section 7 of this act, that is
6 planning under this chapter shall comply with section 7(3) of this act.

7 NEW SECTION. **Sec. 12.** (1) The department shall, in consultation
8 with the affordable housing advisory board created in section 5 of this
9 act, prepare and from time to time amend a five-year housing advisory
10 plan. The purpose of the plan is to document the need for affordable
11 housing in the state and the extent to which that need is being met
12 through public and private sector programs, to facilitate planning to
13 meet the affordable housing needs of the state, and to enable the
14 development of sound strategies and programs for affordable housing.
15 The information in the five-year housing advisory plan must include:

16 (a) An assessment of the state's housing market trends;

17 (b) An assessment of the housing needs for all economic segments of
18 the state and special needs populations;

19 (c) An inventory of the supply and geographic distribution of
20 affordable housing units made available through public and private
21 sector programs;

22 (d) A status report on the degree of progress made by the public
23 and private sector toward meeting the housing needs of the state;

24 (e) An identification of state and local regulatory barriers to
25 affordable housing and proposed regulatory and administrative
26 techniques designed to remove barriers to the development and placement
27 of affordable housing; and

28 (f) Specific recommendations, policies, or proposals for meeting
29 the affordable housing needs of the state.

30 (2)(a) The five-year housing advisory plan required under
31 subsection (1) of this section must be submitted to the legislature on
32 or before February 1, 1994, and subsequent plans must be submitted
33 every five years thereafter.

34 (b) Each February 1st, beginning February 1, 1995, the department
35 shall submit an annual progress report, to the legislature, detailing
36 the extent to which the state's affordable housing needs were met
37 during the preceding year and recommendations for meeting those needs.

1 NEW SECTION. **Sec. 13.** A new section is added to chapter 43.63A
2 RCW to read as follows:

3 (1) The department shall be the principal state department
4 responsible for coordinating federal and state resources and activities
5 in housing, except for programs administered by the Washington state
6 housing finance commission under chapter 43.180 RCW, and for evaluating
7 the operations and accomplishments of other state departments and
8 agencies as they affect housing.

9 (2) The department shall work with local governments, tribal
10 organizations, local housing authorities, nonprofit community or
11 neighborhood-based organizations, and regional or state-wide nonprofit
12 housing assistance organizations, for the purpose of coordinating
13 federal and state resources with local resources for housing.

14 NEW SECTION. **Sec. 14.** A new section is added to chapter 43.63A
15 RCW to read as follows:

16 The department shall provide technical assistance and information
17 to state agencies and local governments to assist in the identification
18 and removal of regulatory barriers to the development and placement of
19 affordable housing. In providing assistance the department may:

20 (1) Analyze the costs and benefits of state legislation, rules, and
21 administrative actions and their impact on the development and
22 placement of affordable housing;

23 (2) Analyze the costs and benefits of local legislation, rules, and
24 administrative actions and their impact on the development and
25 placement of affordable housing;

26 (3) Assist state agencies and local governments in determining the
27 impact of existing and anticipated actions, legislation, and rules on
28 the development and placement of affordable housing;

29 (4) Investigate techniques and opportunities for reducing the life
30 cycle housing costs through regulatory reform;

31 (5) Develop model standards and ordinances designed to reduce
32 regulatory barriers to affordable housing and assisting n their
33 adoption and use at the state and local government level;

34 (6) Provide technical assistance and information to state agencies
35 and local governments for implementation of legislative and
36 administrative reform programs to remove barriers to affordable
37 housing;

38 (7) Prepare state regulatory barrier removal strategies;

1 (8) Provide staffing to the affordable housing advisory board
2 created in section 5 of this act; and

3 (9) Perform other activities as the director deems necessary to
4 assist the state, local governments, and the housing industry in
5 meeting the affordable housing needs of the state.

6 **Sec. 15.** RCW 43.185.110 and 1991 c 204 s 4 are each amended to
7 read as follows:

8 ~~((The director shall prepare an annual report and shall send copies
9 to the chair of the house of representatives committee on housing, the
10 chair of the senate committee on commerce and labor, and one copy to
11 the staff of each committee that summarizes the housing trust fund's
12 income, grants and operating expenses, implementation of its program,
13 and any problems arising in the administration thereof. The director
14 shall promptly appoint a low income housing assistance advisory
15 committee composed of a representative from each of the following
16 groups: Apartment owners, realtors, mortgage lending or servicing
17 institutions, private nonprofit housing assistance programs, tenant
18 associations, and public housing assistance programs.))~~ The affordable
19 housing advisory ((group)) board established in section 5 of this act
20 shall advise the director on housing needs in this state, including
21 housing needs for persons who are mentally ill or developmentally
22 disabled or youth who are blind or deaf or otherwise disabled,
23 operational aspects of the grant and loan program or revenue collection
24 programs established by this chapter, and implementation of the policy
25 and goals of this chapter. Such advice shall be consistent with
26 policies and plans developed by regional support networks according to
27 chapter 71.24 RCW for the mentally ill and the developmental
28 disabilities planning council for the developmentally disabled.

29 **Sec. 16.** RCW 43.185A.020 and 1991 c 356 s 11 are each amended to
30 read as follows:

31 The affordable housing program is created in the department of
32 community development for the purpose of developing and coordinating
33 public and private resources targeted to meet the affordable housing
34 needs of low-income households in the state of Washington. The program
35 shall be developed and administered by the department with advice and
36 input from the ~~((low income [housing] assistance advisory committee~~

1 ~~established in RCW 43.185.110))~~ affordable housing advisory board
2 established in section 5 of this act.

3 **Sec. 17.** RCW 35.82.070 and 1991 c 167 s 1 are each amended to read
4 as follows:

5 An authority shall constitute a public body corporate and politic,
6 exercising public and essential governmental functions, and having all
7 the powers necessary or convenient to carry out and effectuate the
8 purposes and provisions of this chapter, including the following powers
9 in addition to others herein granted:

10 (1) To sue and be sued; to have a seal and to alter the same at
11 pleasure; to have perpetual succession; to make and execute contracts
12 and other instruments, including but not limited to partnership
13 agreements and joint venture agreements, necessary or convenient to the
14 exercise of the powers of the authority; to participate in the
15 organization or the operation of a nonprofit corporation which has as
16 one of its purposes to provide or assist in the provision of housing
17 for persons of low income; and to make and from time to time amend and
18 repeal bylaws, rules and regulations, not inconsistent with this
19 chapter, to carry into effect the powers and purposes of the authority.

20 (2) Within its area of operation: To prepare, carry out, acquire,
21 lease and operate housing projects; to provide for the construction,
22 reconstruction, improvement, alteration or repair of any housing
23 project or any part thereof; to agree to rent or sell dwellings forming
24 part of the projects to or for persons of low income. Where an
25 agreement or option is made to sell a dwelling to a person of low
26 income, the authority may convey the dwelling to the person upon
27 fulfillment of the agreement irrespective of whether the person is at
28 the time of the conveyance a person of low income. Leases, options,
29 agreements, or conveyances may include such covenants as the authority
30 deems appropriate to assure the achievement of the objectives of this
31 chapter.

32 (3) To acquire, lease, rent, sell, or otherwise dispose of any
33 commercial space located in buildings or structures containing a
34 housing project or projects.

35 (4) To arrange or contract for the furnishing by any person or
36 agency, public or private, of services, privileges, works, or
37 facilities for, or in connection with, a housing project or the
38 occupants thereof; and (notwithstanding anything to the contrary

1 contained in this chapter or in any other provision of law) to include
2 in any contract let in connection with a project, stipulations
3 requiring that the contractor and any subcontractors comply with
4 requirements as to minimum wages and maximum hours of labor, and comply
5 with any conditions which the federal government may have attached to
6 its financial aid of the project.

7 (5) To lease or rent any dwellings, houses, accommodations, lands,
8 buildings, structures or facilities embraced in any housing project and
9 (subject to the limitations contained in this chapter) to establish and
10 revise the rents or charges therefor; to own or manage buildings
11 containing a housing project or projects as well as commercial space or
12 other dwelling units that do not constitute a housing project as that
13 term is defined in this chapter: PROVIDED, That notwithstanding the
14 provisions under subsection (1) of this section, dwelling units made
15 available or sold to persons of low income, together with functionally
16 related and subordinate facilities, shall occupy ~~((at least thirty~~
17 ~~percent of the interior space of any individual building other than a~~
18 ~~detached single family or duplex residential building or mobile or~~
19 ~~manufactured home and))~~ at least fifty percent of the interior space in
20 the total development owned by the authority or at least fifty percent
21 of the total number of units in the development owned by the authority,
22 whichever produces the greater number of units for persons of low
23 income, and for mobile home parks, the mobile home lots made available
24 to persons of low income shall be at least fifty percent of the total
25 number of mobile home lots in the park owned by the authority; to own,
26 hold, and improve real or personal property; to purchase, lease, obtain
27 options upon, acquire by gift, grant, bequest, devise, or otherwise
28 including financial assistance and other aid from the state or any
29 public body, person or corporation, any real or personal property or
30 any interest therein; to acquire by the exercise of the power of
31 eminent domain any real property; to sell, lease, exchange, transfer,
32 assign, pledge, or dispose of any real or personal property or any
33 interest therein; to sell, lease, exchange, transfer, or dispose of any
34 real or personal property or interest therein at less than fair market
35 value to a governmental entity for any purpose when such action assists
36 the housing authority in carrying out its powers and purposes under
37 this chapter, to a low-income person or family for the purpose of
38 providing housing for that person or family, or to a nonprofit
39 corporation provided the nonprofit corporation agrees to sell the

1 property to a low-income person or family or to use the property for
2 the provision of housing for persons of low income for at least twenty
3 years; to insure or provide for the insurance of any real or personal
4 property or operations of the authority against any risks or hazards;
5 to procure or agree to the procurement of insurance or guarantees from
6 the federal government of the payment of any bonds or parts thereof
7 issued by an authority, including the power to pay premiums on any such
8 insurance.

9 (6) To invest any funds held in reserves or sinking funds, or any
10 funds not required for immediate disbursement, in property or
11 securities in which savings banks may legally invest funds subject to
12 their control; to purchase its bonds at a price not more than the
13 principal amount thereof and accrued interest, all bonds so purchased
14 to be canceled.

15 (7) Within its area of operation: To investigate into living,
16 dwelling and housing conditions and into the means and methods of
17 improving such conditions; to determine where slum areas exist or where
18 there is a shortage of decent, safe and sanitary dwelling
19 accommodations for persons of low income; to make studies and
20 recommendations relating to the problem of clearing, replanning and
21 reconstructing of slum areas, and the problem of providing dwelling
22 accommodations for persons of low income, and to cooperate with the
23 city, the county, the state or any political subdivision thereof in
24 action taken in connection with such problems; and to engage in
25 research, studies and experimentation on the subject of housing.

26 (8) Acting through one or more commissioners or other person or
27 persons designated by the authority: To conduct examinations and
28 investigations and to hear testimony and take proof under oath at
29 public or private hearings on any matter material for its information;
30 to administer oaths, issue subpoenas requiring the attendance of
31 witnesses or the production of books and papers and to issue
32 commissions for the examination of witnesses who are outside of the
33 state or unable to attend before the authority, or excused from
34 attendance; to make available to appropriate agencies (including those
35 charged with the duty of abating or requiring the correction of
36 nuisances or like conditions, or of demolishing unsafe or insanitary
37 structures within its area of operation) its findings and
38 recommendations with regard to any building or property where

1 conditions exist which are dangerous to the public health, morals,
2 safety or welfare.

3 (9) To initiate eviction proceedings against any tenant as provided
4 by law. Activity occurring in any housing authority unit that
5 constitutes a violation of chapter 69.41, 69.50 or 69.52 RCW shall
6 constitute a nuisance for the purpose of RCW 59.12.030(5).

7 (10) To exercise all or any part or combination of powers herein
8 granted.

9 No provisions of law with respect to the acquisition, operation or
10 disposition of property by other public bodies shall be applicable to
11 an authority unless the legislature shall specifically so state.

12 (11) To agree (notwithstanding the limitation contained in RCW
13 35.82.210) to make such payments in lieu of taxes as the authority
14 finds consistent with the achievement of the purposes of this chapter.

15 (12) Upon the request of a county or city, to exercise any powers
16 of an urban renewal agency under chapter 35.81 RCW or a public
17 corporation, commission, or authority under chapter 35.21 RCW.
18 However, in the exercise of any such powers the housing authority shall
19 be subject to any express limitations contained in this chapter.

20 (13) To exercise the powers granted in this chapter within the
21 boundaries of any city, town, or county not included in the area in
22 which such housing authority is originally authorized to function:
23 PROVIDED, HOWEVER, The governing or legislative body of such city,
24 town, or county, as the case may be, adopts a resolution declaring that
25 there is a need for the authority to function in such territory.

26 ~~((13))~~ (14) To administer contracts for assistance payments to
27 persons of low income in accordance with section 8 of the United States
28 Housing Act of 1937, as amended by Title II, section 201 of the Housing
29 and Community Development Act of 1974, P.L. 93-383.

30 ~~((14))~~ (15) To sell at public or private sale, with or without
31 public bidding, for fair market value, any mortgage or other obligation
32 held by the authority.

33 ~~((15))~~ (16) To the extent permitted under its contract with the
34 holders of bonds, notes, and other obligations of the authority, to
35 consent to any modification with respect to rate of interest, time and
36 payment of any installment of principal or interest security, or any
37 other term of any contract, mortgage, mortgage loan, mortgage loan
38 commitment, contract or agreement of any kind to which the authority is
39 a party.

1 (~~(16)~~) (17) To make, purchase, participate in, invest in, take
2 assignments of, or otherwise acquire loans to persons of low income to
3 enable them to acquire, construct, reconstruct, rehabilitate, improve,
4 lease, or refinance their dwellings, and to take such security therefor
5 as is deemed necessary and prudent by the authority.

6 (~~(17)~~) (18) To make, purchase, participate in, invest in, take
7 assignments of, or otherwise acquire loans for the acquisition,
8 construction, reconstruction, rehabilitation, improvement, leasing, or
9 refinancing of land, buildings, or developments for housing for persons
10 of low income. For purposes of this subsection, development shall
11 include either land or buildings or both.

12 (a) Any development financed under this subsection shall be subject
13 to an agreement that for at least twenty years the dwelling units made
14 available to persons of low income together with functionally related
15 and subordinate facilities shall occupy at least (~~thirty percent of~~
16 ~~the interior space of any individual building other than a detached~~
17 ~~single family or duplex residential building or mobile or manufactured~~
18 ~~home and shall occupy at least~~) fifty percent of the interior space in
19 the total development or at least fifty percent of the total number of
20 units in the development, whichever produces the greater number of
21 units for persons of low income. For mobile home parks, the mobile
22 home lots made available to persons of low income shall be at least
23 fifty percent of the total number of mobile home lots in the park.
24 During the term of the agreement, the owner shall use its best efforts
25 in good faith to maintain the dwelling units or mobile home lots
26 required to be made available to persons of low income at rents
27 affordable to persons of low income. The twenty-year requirement under
28 this subsection (18) (a) shall not apply when an authority finances the
29 development by nonprofit corporations or governmental units of
30 dwellings or mobile home lots intended for sale to persons of low and
31 moderate income, and shall not apply to construction or other short-
32 term financing provided to nonprofit corporations or governmental units
33 when the financing has a repayment term of one year or less.

34 (b) In addition, if the development is owned by a for-profit
35 entity, the dwelling units or mobile home lots required to be made
36 available to persons of low income shall be rented to persons whose
37 incomes do not exceed fifty percent of the area median income, adjusted
38 for household size, and shall have unit or lot rents that do not exceed
39 fifteen percent of area median income, adjusted for household size,

1 unless rent subsidies are provided to make them affordable to persons
2 of low income.

3 For purposes of this subsection (~~((17))~~) (18) (b), if the development
4 is owned directly or through a partnership by a governmental entity or
5 a nonprofit organization, which nonprofit organization is itself not
6 controlled by a for-profit entity or affiliated with any for-profit
7 entity that a nonprofit organization itself does not control, it shall
8 not be treated as being owned by a for-profit entity when the
9 governmental entity or nonprofit organization exercises legal control
10 of the ownership entity and in addition, (i) the dwelling units or
11 mobile home lots required to be made available to persons of low income
12 are rented to persons whose incomes do not exceed sixty percent of the
13 area median income, adjusted for household size, and (ii) the
14 development is subject to an agreement that transfers ownership to the
15 governmental entity or nonprofit organization or extends an irrevocable
16 right of first refusal to purchase the development under a formula for
17 setting the acquisition price that is specified in the agreement.

18 (c) Commercial space in any building financed under this subsection
19 that exceeds four stories in height shall not constitute more than
20 twenty percent of the interior area of the building. Before financing
21 any development under this subsection the authority shall make a
22 written finding that financing is important for project feasibility or
23 necessary to enable the authority to carry out its powers and purposes
24 under this chapter.

25 (~~((18))~~) (19) To contract with a public authority or corporation,
26 created by a county, city, or town under RCW 35.21.730 through
27 35.21.755, to act as the developer for new housing projects or
28 improvement of existing housing projects.

29 NEW SECTION. **Sec. 18.** A new section is added to chapter 43.63A
30 RCW to read as follows:

31 (1) The legislature finds that:

32 (a) The trend toward smaller household sizes will continue into the
33 foreseeable future;

34 (b) Many of these households are in housing units that contain more
35 bedrooms than occupants;

36 (c) There are older homeowners on relatively low, fixed income who
37 are experiencing difficulties maintaining their homes; and

1 (d) There are single parents, recently widowed persons, people in
2 the midst of divorce or separation, and handicapped that are faced with
3 displacement due to the high cost of housing.

4 (2) The legislature declares that the purpose of section 19 of this
5 act is to develop a pilot program designed to:

6 (a) Provide home-matching services that can enable people to
7 continue living in their homes while promoting continuity of home
8 ownership and community stability; and

9 (b) Counter the problem of displacement among people on relatively
10 low, fixed incomes by linking people offering living space with people
11 seeking housing.

12 NEW SECTION. **Sec. 19.** A new section is added to chapter 43.63A
13 RCW to read as follows:

14 (1) The department may develop and administer a home-matching
15 program for the purpose of providing grants and technical assistance to
16 eligible organizations to operate local home-matching programs. For
17 purposes of this section, "eligible organizations" are those
18 organizations eligible to receive assistance through the Washington
19 housing trust fund, chapter 43.185 RCW.

20 (2) The department may select up to five eligible organizations for
21 the purpose of implementing a local home-matching program. The local
22 home-matching programs are designed to facilitate: (a)
23 Intergenerational homesharing involving older homeowners sharing homes
24 with younger persons; (b) homesharing arrangements that involve an
25 exchange of services such as cooking, housework, gardening, or
26 babysitting for room and board or some financial consideration such as
27 rent; and (c) the more efficient use of available housing.

28 (3) In selecting local pilot programs under this section, the
29 department shall consider:

30 (a) The eligible organization's ability, stability, and resources
31 to implement the local home-matching program;

32 (b) The eligible organization's efforts to coordinate other support
33 services needed by the individual or family participating in the local
34 home-matching program; and

35 (c) Other factors the department deems appropriate.

36 (4) The eligible organizations shall establish criteria for
37 participation in the local home-matching program. The eligible
38 organization shall make a determination of eligibility regarding the

1 individuals' or families' participation in the local home-matching
2 program. The determination shall include, but is not limited to a
3 verification of the individual's or family's history of making rent
4 payments in a consistent and timely manner.

5 NEW SECTION. **Sec. 20.** A new section is added to chapter 35.63 RCW
6 to read as follows:

7 No city may enact or maintain an ordinance, development regulation,
8 zoning regulation or official control, policy, or administrative
9 practice which treats a residential structure occupied by persons with
10 handicaps differently than a similar residential structure occupied by
11 a family or other unrelated individuals. As used in this section,
12 "handicaps" are as defined in the federal fair housing amendments act
13 of 1988 (42 U.S.C. Sec. 3602).

14 **Sec. 21.** A new section is added to chapter 35A.63 RCW to read as
15 follows:

16 No city may enact or maintain an ordinance, development regulation,
17 zoning regulation or official control, policy, or administrative
18 practice which treats a residential structure occupied by persons with
19 handicaps differently than a similar residential structure occupied by
20 a family or other unrelated individuals. As used in this section,
21 "handicaps" are as defined in the federal fair housing amendments act
22 of 1988 (42 U.S.C. Sec. 3602).

23 NEW SECTION. **Sec. 22.** A new section is added to chapter 36.70 RCW
24 to read as follows:

25 No county may enact or maintain an ordinance, development
26 regulation, zoning regulation or official control, policy, or
27 administrative practice which treats a residential structure occupied
28 by persons with handicaps differently than a similar residential
29 structure occupied by a family or other unrelated individuals. As used
30 in this section, "handicaps" are as defined in the federal fair housing
31 amendments act of 1988 (42 U.S.C. Sec. 3602).

32 NEW SECTION. **Sec. 23.** A new section is added to chapter 36.70A
33 RCW to read as follows:

34 No county or city that plans or elects to plan under this chapter
35 may enact or maintain an ordinance, development regulation, zoning

1 regulation or official control, policy, or administrative practice
2 which treats a residential structure occupied by persons with handicaps
3 differently than a similar residential structure occupied by a family
4 or other unrelated individuals. As used in this section, "handicaps"
5 are as defined in the federal fair housing amendments act of 1988 (42
6 U.S.C. Sec. 3602).

7 NEW SECTION. **Sec. 24.** This chapter may be known and cited as the
8 "Washington housing policy act."

9 NEW SECTION. **Sec. 25.** Sections 1 through 6, 12, and 24 of this
10 act shall constitute a new chapter in Title 43 RCW.

Passed the Senate April 20, 1993.

Passed the House April 18, 1993.

Approved by the Governor May 17, 1993.

Filed in Office of Secretary of State May 17, 1993.

RCW 71.12.550**Local authorities may also prescribe standards.**

This chapter shall not prevent local authorities of any city, or city and county, within the reasonable exercise of the police power, from adopting rules and regulations, by ordinance or resolution, prescribing standards of sanitation, health and hygiene for establishments as defined in this chapter, which are not in conflict with the provisions of this chapter, and requiring a certificate by the local health officer, that the local health, sanitation and hygiene laws have been complied with before maintaining or conducting any such institution within such city or city and county.

[1959 c 25 § 71.12.550. Prior: 1949 c 198 § 64; Rem. Supp. 1949 § 6953-63.]

RCW 71.12.455**Definitions.**

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of health.

(2) "Elopement" means any situation in which an admitted patient of a psychiatric hospital who is cognitively, physically, mentally, emotionally, and/or chemically impaired wanders, walks, runs away, escapes, or otherwise leaves a psychiatric hospital or the grounds of a psychiatric hospital prior to the patient's scheduled discharge unsupervised, unnoticed, and without the staff's knowledge.

(3) "Establishment" and "institution" mean:

(a) Every private or county or municipal hospital, including public hospital districts, sanitariums, homes, psychiatric hospitals, residential treatment facilities, or other places receiving or caring for any person with mental illness, mentally incompetent person, or chemically dependent person; and

(b) Beginning January 1, 2019, facilities providing pediatric transitional care services.

(4) "Immediate jeopardy" means a situation in which the psychiatric hospital's noncompliance with one or more statutory or regulatory requirements has placed the health and safety of patients in its care at risk for serious injury, serious harm, serious impairment, or death.

(5) "Pediatric transitional care services" means short-term, temporary, health and comfort services for drug exposed infants according to the requirements of this chapter and provided in an establishment licensed by the department of health.

(6) "Psychiatric hospital" means an establishment caring for any person with mental illness or substance use disorder excluding acute care hospitals licensed under chapter 70.41 RCW, state psychiatric hospitals established under chapter 72.23 RCW, and residential treatment facilities as defined in this section.

(7) "Residential treatment facility" means an establishment in which twenty-four hour on-site care is provided for the evaluation, stabilization, or treatment of residents for substance use, mental health, co-occurring disorders, or for drug exposed infants.

(8) "Secretary" means the secretary of the department of health.

(9) "Technical assistance" means the provision of information on the state laws and rules applicable to the regulation of psychiatric hospitals, the process to apply for a license, and methods and resources to avoid or address compliance problems. Technical assistance does not include assistance provided under chapter 43.05 RCW.

(10) "Trained caregiver" means a noncredentialed, unlicensed person trained by the establishment providing pediatric transitional care services to provide hands-on care to drug exposed infants. Caregivers may not provide medical care to infants and may only work under the supervision of an appropriate health care professional.

[2020 c 115 § 6. Prior: 2017 c 263 § 2; 2001 c 254 § 1; 2000 c 93 § 21; 1977 ex.s. c 80 § 43; 1959 c 25 § 71.12.455; prior: 1949 c 198 § 53; Rem. Supp. 1949 § 6953-52a. Formerly RCW 71.12.010, part.]

NOTES:

Reviser's note: The definitions in this section have been alphabetized pursuant to RCW 1.08.015(2)(k).

Findings—Intent—Effective date—2020 c 115: See notes following RCW 71.12.700.

Findings—Intent—2017 c 263: "The legislature finds that more than twelve thousand infants born in Washington each year have been prenatally exposed to opiates, methamphetamines, and other drugs. Prenatal drug exposure frequently results in infants suffering from neonatal abstinence syndrome and its accompanying withdrawal symptoms after birth. Withdrawal symptoms may include sleep problems, excessive crying, tremors, seizures, poor feeding, fever, generalized convulsions, vomiting, diarrhea, and hyperactive reflexes. Consequently, the legislature finds that drug exposed infants have unique medical needs and benefit from specialized health care that addresses their withdrawal symptoms. Specialized care for infants experiencing neonatal abstinence syndrome is based on the individual needs of the infant and includes: Administration of intravenous fluids and drugs such as morphine; personalized, hands-on therapeutic care such as gentle rocking, reduction in noise and lights, and swaddling; and frequent high-calorie feedings.

The legislature further finds that drug exposed infants often require hospitalization which burdens hospitals and hospital staff who either have to increase staffing levels or require current staff to take on additional duties to administer the specialized care needed by drug exposed infants.

The legislature further finds that drug exposed infants benefit from early and consistent family involvement in their care, and families thrive when they are provided the opportunity, skills, and training to help them participate in their child's care.

The legislature further finds that infants with neonatal abstinence syndrome often can be treated in a nonhospital clinic setting where they receive appropriate medical and nonmedical care for their symptoms. The legislature, therefore, intends to encourage alternatives to continued hospitalization for drug exposed infants, including the continuation and development of pediatric transitional care services that provide short-term medical care as well as training and assistance to caregivers in order to support the transition from hospital to home for drug exposed infants." [2017 c 263 § 1.]

Purpose—Intent—Severability—1977 ex.s. c 80: See notes following RCW 4.16.190.

RCW 71.12.460**License to be obtained—Penalty.**

No person, association, county, municipality, public hospital district, or corporation, shall establish or keep, for compensation or hire, an establishment as defined in this chapter without first having obtained a license therefor from the department of health, complied with rules adopted under this chapter, and paid the license fee provided in this chapter. Any person who carries on, conducts, or attempts to carry on or conduct an establishment as defined in this chapter without first having obtained a license from the department of health, as in this chapter provided, is guilty of a misdemeanor and on conviction thereof shall be punished by imprisonment in a county jail not exceeding six months, or by a fine not exceeding one thousand dollars, or by both such fine and imprisonment. The managing and executive officers of any corporation violating the provisions of this chapter shall be liable under the provisions of this chapter in the same manner and to the same effect as a private individual violating the same.

[2001 c 254 § 2; 2000 c 93 § 22; 1989 1st ex.s. c 9 § 226; 1979 c 141 § 133; 1959 c 25 § 71.12.460. Prior: 1949 c 198 § 54; Rem. Supp. 1949 § 6953-53.]

NOTES:

Effective date—Severability—1989 1st ex.s. c 9: See RCW 43.70.910 and 43.70.920.

RCW 35.63.220**Treatment of residential structures occupied by persons with handicaps.**

No city may enact or maintain an ordinance, development regulation, zoning regulation or official control, policy, or administrative practice which treats a residential structure occupied by persons with handicaps differently than a similar residential structure occupied by a family or other unrelated individuals. As used in this section, "handicaps" are as defined in the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3602).

[1993 c 478 § 20.]

RCW 41.05.760**Recovery residences—Registry.**

(1) The authority shall establish and maintain a registry of approved recovery residences. The authority may contract with a nationally recognized recovery residence certification organization based in Washington to establish and maintain the registry.

(2) The authority or the contracted entity described in subsection (1) of this section shall determine that a recovery residence is approved for inclusion in the registry if the recovery residence has been certified by a nationally recognized recovery residence certification organization based in Washington that is approved by the authority or if the recovery residence is a chapter of a national recovery residence organization with peer-run homes that is approved by the authority as meeting the following standards in its certification process:

(a) Peers are required to be involved in the governance of the recovery residence;

(b) Recovery support is integrated into the daily activities;

(c) The recovery residence must be maintained as a home-like environment that promotes healthy recovery;

(d) Resident activities are promoted within the recovery residence and in the community through work, education, community engagement, or other activities; and

(e) The recovery residence maintains an environment free from alcohol and illicit drugs.

(3) Nothing in this section requires that a recovery residence become certified by the certifying organization approved by the authority in subsection (2) of this section or be included in the registry, unless the recovery residence decides to participate in the recovery residence program activities established in this chapter.

(4) For the purposes of this section, "recovery residence" means a home-like environment that promotes healthy recovery from a substance use disorder and supports persons recovering from a substance use disorder through the use of peer recovery support.

[2019 c 264 § 2.]

NOTES:

Findings—2019 c 264: "(1) The legislature finds that substance use disorder is a disease impacting the whole family and the whole society and requires a system of care that includes prevention, treatment, and recovery services that support and strengthen impacted individuals, families, and the community at large.

(2) The legislature further finds that access to quality recovery housing is crucial for helping individuals remain in recovery from substance use disorder beyond treatment. Furthermore, recovery housing serves to preserve the state's financial investment in a person's treatment. Without access to quality recovery housing, individuals are much less likely to recover from substance use disorder and more likely to face continued issues that impact their well-being, their families, and their communities. These issues include death by overdose or other substance use disorder-related medical complications; higher health care costs; high use of emergency departments and public health care systems; higher risk for involvement with law enforcement and incarceration; and an inability to obtain and maintain employment. These challenges are compounded by an overall lack of affordable housing nationwide.

(3) The legislature recognizes that recovery is a long-term process and requires a comprehensive approach. Recognizing the potential for fraudulent and unethical recovery housing operators, this act is designed to address the quality of recovery housing in the state of Washington." [2019 c 264 § 1.]

RCW 84.36.043**Nonprofit organization property used in providing emergency or transitional housing to low-income homeless persons or victims of domestic violence.**

(1) The real and personal property used by a nonprofit organization in providing emergency or transitional housing for low-income homeless persons as defined in RCW 35.21.685 or 36.32.415 or victims of domestic violence who are homeless for personal safety reasons is exempt from taxation if:

- (a) The charge, if any, for the housing does not exceed the actual cost of operating and maintaining the housing; and
- (b)(i) The property is owned by the nonprofit organization; or
- (ii) The property is rented or leased by the nonprofit organization and the benefit of the exemption inures to the nonprofit organization.

(2) As used in this section:

(a) "Homeless" means persons, including families, who, on one particular day or night, do not have decent and safe shelter nor sufficient funds to purchase or rent a place to stay.

(b) "Emergency housing" means a project that provides housing and supportive services to homeless persons or families for up to sixty days.

(c) "Transitional housing" means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

(3) This exemption is subject to the administrative provisions contained in RCW 84.36.800 through 84.36.865.

[1998 c 174 § 1; 1991 c 198 § 1; 1990 c 283 § 2; 1983 1st ex.s. c 55 § 12.]

NOTES:

Effective dates—1983 1st ex.s. c 55: See note following RCW 82.08.010.

Madeline Sutherland

From: Marie Tabata-Callerame <aikotabcal@hotmail.com>
Sent: Tuesday, April 26, 2022 2:07 PM
To: Steve Hogan; Greg Anderson; Marilyn Boerke; Bonnie Carter; Don Chaney; Leslie Lewallen; Tim Hein; Shannon Roberts
Cc: Jeff Swanson; Robert Maul; Madeline Sutherland
Subject: Fw: Code Amendments to CMC 18.55.355 - Please Expand, instead of limiting, Code Interpretation Requests
Attachments: CMC Changes to Any Person.png; CMC 18 55 355 Any person.png

City Councilors,

Since you will be deciding about whether to limit Code Interpretation Requests ("CIR") at the next Council meeting, I thought I would add an important point that I missed. The State requires a CIR process, but why? I have a few ideas:

- CIR process allows a citizen to get a straight-forward answer to a straight-forward question. "Does this code apply to this property?" "Yes, it does," or "No, it does not, and here is why" This is important for a busy city government that has hundreds of other priorities.
- Specific process: It provides a system for answering code questions - no more answer via emails to or from various people. Having a set process that ends with the Director avoids the "he said/she said" emails like what happened in the Dorothy Fox case.
- Accountability: The City's answer to a CIR would likely have detailed legal explanation about the code's applicability to the property in question. The citizen can be assured that their question will be addressed specifically.
- **To avoid a law suit!**
 - Having this process means that citizens do not have to go to court to get an official answer to their code questions. They pay a fee to the City and submit a specific code question. It is a very narrow request.
 - This can help avoid future and larger court-related attorney's fees. This will save money.

FYI - Why did a CIR end up in court recently re: the Biofilter? What was litigated was not the CIR itself, but the City staff's decision to NOT answer a CIR. The way I see it, the way to avoid that in the future is not to limit who can use the CIR process, but instead open it up while still making sure property owners are protected.

Also, while I did not address it before, the City's additions to the next paragraph limiting the ability of a non property owner to apply for a CIR seems to me unfair. 1) When is Camas law NOT supposed to apply to any Camas property? and 2) How is a neighbor to know about a CIR application or decision if no notice has been published? Word of mouth? Therefore I think the following proposed language should be deleted: ". . . a code interpretation under this subsection that is requested by a person other than the project applicant or property owner shall not be considered unless it is requested within 60-days after an application has been determined to be complete or prior to the conclusion of the public comment period, if any, whichever is later."

Summary: The CIR process is a good process that has been under-utilized by staff and citizens. While a CIR might take more staff time in the short-term to answer than an email, the CIR process provides a record of the decision, a clear process, accountability, and likely \$ savings. These are all things the Citizens of Camas have been saying they want and that our newly elected leaders have been saying they will give us. I think expanding access to that process, or at a minimum, not restricting access is a win-win.

Thanks for reading and serving our community!

Marie T-C
(360) 448-7925
(312) 933-2293 cell

From: Madeline Sutherland <MSutherland@cityofcamas.us>
Sent: Tuesday, April 19, 2022 8:51 AM
Cc: aikotabcal@hotmail.com <aikotabcal@hotmail.com>; Robert Maul <RMaul@cityofcamas.us>; David Schultz <DSchultz@cityofcamas.us>
Subject: FW: Code Amendments to CMC 18.55.355

Commissioners,

Below is a public comment we received yesterday. The hearing for the code updates tonight will only include residential treatment facilities. However, a public hearing before Council on May 2nd will discuss all code updates. I have copied Marie, who provided the public comment.

See you all at 7 pm tonight.

Regards,



Madeline Sutherland, AICP

Planner
Desk 360-817-7237

Cell 360-326-5524
www.cityofcamas.us | msutherland@cityofcamas.us

From: Marie Tabata-Callerame <aikotabcal@hotmail.com>
Sent: Monday, April 18, 2022 10:47 AM
To: Steve Hogan <shogan@cityofcamas.us>; Greg Anderson <ganderson@cityofcamas.us>; Marilyn Boerke

<MBoerke@cityofcamas.us>; Bonnie Carter <BCarter@cityofcamas.us>; Don Chaney <dchaney@cityofcamas.us>
 Lewallen <LLewallen@cityofcamas.us>; Tim Hein <THein@cityofcamas.us>; Shannon Roberts
 <SRoberts@cityofcamas.us>; thull@cityofcamas.us; meshghi@cityofcamas.us; wmontgomery@cityofcamas.us;
 mmaroon@cityofcamas.us; gniles@cityofcamas.us; jwalsh@cityofcamas.us; shigh@cityofcamas.us
Cc: Jeff Swanson <JSwanson@cityofcamas.us>; Steve Wall <SWall@cityofcamas.us>; Robert Maul
 <RMaul@cityofcamas.us>; Madeline Sutherland <MSutherland@cityofcamas.us>
Subject: Code Amendments to CMC 18.55.355

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Hello Mayor, Council Members, and Planning Commissioners!

I would like to ask some questions about CMC 18.55.355 (up for amendment) which creates the ability for a citizen to make a Code Interpretation Request pursuant to state law. I was thinking beforehand of suggesting a change and didn't realize that the City does annual changes or that they were this month. 😊 I am unclear about the next step in the amendment process so I am sending this email to the Council and the Planning Commissioners in hopes that it can be considered. Please forward to anyone I may have missed - I could not find a current list of Commissioners.

I thought the Council had some very good questions for the staff at the last meeting. I would like to share my thoughts as well. Before I do, the redlining had an error that confused me until I re-read the original. The original language being deleted is:

"Any person may request in writing the director's interpretation of a code provision of Title 16, 17 or 18 when it pertains to a specific property or project by means of a Type I application pursuant to Section 18.55.030."

One council member asked why this change was being requested and the answer had to do with changing it to a Type II process since other processes where the the Director has more discretion to interpret are Type II. I was confused by the answer - while a Type I process "does not *require*" an interpretation, that doesn't mean the City cannot provide one for it. Should a CIR really go through a public hearing to apply Camas law to a property? I was also surprised that the City's answer did not mention that this code was pivotal in the recent Code Interpretation Request lawsuit against the City, but I imagine it was mentioned in the Executive Session. Quick summary: the court decided that the phrase "any person" did not include anyone other than the property owner or those he/she authorized.

My main question is: Is there a desire or value to limiting the application of Code Interpretation Request instead of expanding it? My thoughts are that it could be expanded in a restrictive manner to achieve better benefit for the citizens (and therefore Camas) while still avoiding creating any further burden on the city or negatively affecting anyone's property rights.

Why would it be helpful to have people other than just those "authorized by the property owner" to be able to have code interpretations done? These are the situations I could think of:

- Someone thinking about placing an offer to buy a property.
 - This would have been a great way to have avoided the Dorothy Fox Detox Facility situation by directing the potential buyer to go through a formal process instead of relying on emails.
- A property owner believes their neighbor is creating a nuisance by non-compliance with a code.
 - This could be a neighbor that is growing marijuana, blackberries, or breeding illegal animals in their yard behind a fence. Or polluting stormwater or creek water.
 - A neighbor's home value could be affected or less sell-able.
- Someone who knows a property is not yet on the market but will be soon and wants to determine whether it would be worth buying to start a specific business on it.
 - Like a foreclosure (i.e., a disgruntled property owner). Proper planning can make or break a business.
- Someone who has a small percentage ownership of a property and believes that the property decisionmakers are not complying with the Camas code.
 - Could be a member of an HOA or joint venture.
 - Could be a mortgagor worried about damage

I imagine there are more.

I think the amendment also limits Code Interpretation Requests to properties with permits applications already on them and ONLY for Type II (big projects). Currently, I believe you could request a CIR for any property, regardless of whether there was a permit applied for it. Since Type I permits are for projects that have "no recognizable impacts", why would you want to disallow requests to apply Camas law to them?

Therefore, my suggestion is the following additions instead of the proposed amendment:

Any person may request in writing the director's interpretation of a code provision of Title 16, 17 or 18 when it pertains to a specific property or project, **regardless of whether a permit application has been submitted** by means of a Type I application pursuant to Section 18.55.030. **The phrase "any person" may include any one who has a legitimate current or future interest in the specific property or in a neighboring property, regardless of whether or not a proposed project or permit is pending. Any request must be accompanied by proof that the property owner has been given notice of the code interpretation request. Such property owner may join the request or submit a separate request.** The Director may independently initiate an interpretation of any conflicting or unclear provisions of this Title.

Note that currently, and/or with the City's proposed amendment, any owner can get away with not have various Camas laws applied to his/her property as long as both he/she and the City staff do not choose to. The way I see it, this takes the power away from the laws passed by the Council and also directly from the citizens of Camas.

Thanks for your consideration and thanks as always for your willingness to serve the Citizens of Camas!

Marie T-C
Camas, WA
(360) 448-7925
(312) 933-2293 cell

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CMC 18.55.355 - Code conflicts.

1) Code Interpretation:

- A. Purpose. The purpose of this chapter to provide a process for interpreting and applying the provisions of Title 16, 17 and 18.
- B. Responsibility. It shall be the responsibility of the Director to review and resolve any questions regarding the proper interpretation or application of the provisions of Title 16, 17 and 18 pursuant to the procedures set forth in this chapter. The Director's decision shall be in keeping with the spirit and intent of this title and of the comprehensive plan. The director's decision shall be in writing and kept on permanent file.

2) Procedure:

- A. Application. ~~Any person with authorization of the property owner may request in writing the director's interpretation of a code provision of Title 16, 17 or 18 when it pertains to a specific property by means of a Type II Type I application pursuant to Section 18.55.030.~~ An application may be submitted in writing for a Director's interpretation of a code provision of Title 16, 17 or 18 when it pertains to a specific property by means of a Type II application pursuant to Section 18.55.030. The Director may independently initiate an interpretation of any conflicting or unclear provisions of this Title.
- B. Multiple Applications. If an application for an interpretation is associated with any pending land use application(s) subject to Title 16, 17, or 18, then the application for the interpretation may be submitted by any person whose property, residence or business is or will likely be impacted by a project and shall be combined with the associated application(s) and is subject to the highest level of procedure that applies to any of the applications; provided that a code interpretation under this subsection that is requested by a person other than the project applicant or property owner shall not be considered unless it is requested within 60-days after an application has been determined to be complete or prior to the conclusion of the public comment period, if any, whichever is later.



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18.55.355 - Code conflicts.

Code Interpretation:

- A. Purpose. The purpose of this chapter to provide a process for interpreting and applying the provisions of [Title 16](#), 17 and 18.
- B. Responsibility. It shall be the responsibility of the Director to review and resolve any questions regarding the proper interpretation or application of the provisions of [Title 16](#), 17 and 18 pursuant to the procedures set forth in this chapter. The Director's decision shall be in keeping with the spirit and intent of this title and of the comprehensive plan. The director's decision shall be in writing and kept on permanent file.

Procedure:

- A. Application. Any person may request in writing the director's interpretation of a code provision of [Title 16](#), 17 or 18 when it pertains to a specific property or project by means of a Type I application pursuant to [Section 18.55.030](#). The Director may independently initiate an interpretation of any conflicting or unclear provisions of this Title.
- B. Multiple Applications. If an application for an interpretation is associated with any land use application(s) subject to [Title 16](#), 17, or 18, then the application for the interpretation may be combined with the associated application(s) and is subject to the highest level of procedure that applies to any of the applications, [Section 18.55.030](#).
- C. Codification. To ensure that the director's interpretations are applied consistently over time, the director shall on an annual basis initiate a Type IV text amendment to this code for the purpose of codifying interpretations pursuant to [Chapter 18.55](#). The codified interpretations shall be located in [Chapter 18.55.355](#)—Code Conflicts, or in the chapter of the code governing the subject matter of the interpretation, whichever may be more appropriate.
- D. Appeals. Any official interpretation of the provisions of [Title 16](#), 17, and 18 may be appealed by any aggrieved party, pursuant to the appeal procedures set forth in [Chapter 18.55](#).



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • 360-725-4000
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April 25, 2022

City of Camas
Community Development
Robert Maul, Planning Manager
Madeline Sutherland, City Planner

Sent Via Electronic Mail: rmaul@cityofcamas.us, msutherland@cityofcamas.us

Re: Proposed 2022 Amendments to the Camas Municipal Code

Dear Mr. Maul and Ms. Sutherland,

Thank you for the opportunity to comment on the proposed amendments to the Camas Municipal Code (CMC) Title 18, relating to residential treatment facilities, sober living homes, and transitional housing. The proposed amendments were received by Growth Management Services on January 27, 2022, and given material identification number 2022-S-3631.

Commerce applauds the progress the City has made to identify and address the shortage of housing for people suffering from chronic mental illness or substance abuse disorders. Amending your development codes to include the new uses and definitions for residential treatment facilities, sober living homes, and transitional housing is an important step in supporting the changing dynamics of your community.

We offer the following comments on your draft amendments to the Camas Municipal Code:

- **Residential Treatment Facilities.**

As proposed, the draft regulations:

- prohibit the use in residential zoning districts, which accounts for 48% of zoning throughout the city;
- limit the use to commercial districts and industrial districts, which tend to be located along the perimeter of the city and west, furthest from the heart of the community;
- allow the use in multifamily districts, albeit through a rigorous and costly conditional use permit process;
- prohibit the use "...within 1,000 feet of public and private schools, public parks, public libraries, other RTFs, or similar uses".

We encourage you to consider reducing the tight constraints around this special needs type of housing by removing the burden of conditional use permit requirements for this use in multifamily zones, and by reducing the distance restriction. A conditional use process can complicate permitting of facilities that may have minimal impacts to the community. Development, construction, or conversion of existing buildings can become too costly for developers. The 1,000 foot distance appears to be too large to allow adequate facilities to meet this special needs housing type RCW 36.70A.070(2)(c).

We ask that you bear in mind the requirements of RCW 35A.21.430, which expressly state that requirements on occupancy, spacing, and intensity of use may not prevent the siting of a sufficient number of permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters necessary to accommodate each code city's projected need for such housing and shelter under RCW 36.70A.070(2)(a)(ii). Commerce encourages the city to ensure that the standards placed on transitional and permanent supportive housing do not inadvertently result in housing inequity racially disparate impacts, displacement or discrimination. RCW 36.70A.070(2)(e).

- **Permanent Supportive Housing**

In 2021, the legislature adopted ESSHB 1220, changing how Washington plans for housing. The bill, which supports emergency shelters and housing through local planning and development regulations, states in Section 3 that a city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed and shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed. This is codified in RCW 30.21A.430, and is copied in at the end of this letter.

Based on this statute and a review of Camas Municipal Code, Chapter 18.07, Use Authorization, Commerce would like to bring your attention to a potential conflict in the land use development standards for permanent supportive housing – the use is prohibited in the CC, RC, BP and LI commercial zoning districts, yet residential uses are permitted in CC districts and hotels are permitted in the CC, RC, BP and LI districts.

Thank you for the opportunity to comment on the City's proposed ordinance. If you have any questions about this letter, please contact Mary.Reinbold@commerce.wa.gov, or 509-638-5449. If you have questions about any other aspect of growth management, please contact me at catherine.mccoy@commerce.wa.gov, or 360-280-3147.

Sincerely,

Catherine McCoy
Senior Planner
Growth Management Services

cc:

David Andersen, AICP, Managing Director, Growth Management Services
Valerie Smith, AICP, Deputy Managing Director, Growth Management Services
Mary Reinbold, AICP, Senior Housing Planner, Growth Management Services

[RCW 30.21A.430](#)

A code city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed. Effective September 30, 2021, a code city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit. Reasonable occupancy, spacing, and intensity of use requirements may be imposed by ordinance on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety. Any such requirements on occupancy, spacing, and intensity of use may not prevent the siting of a sufficient number of permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters necessary to accommodate each code city's projected need for such housing and shelter under RCW [36.70A.070](#)(2)(a)(ii).



Dear Mayor Hogan and Fellow Councilors,

Purchasing or selling a home is one of the biggest life decisions most people make. For first-time home buyer and empty nester alike, our members are the professional REALTORS® and affiliates that make it possible.

New home buyers are the engine that drive a community's progress. Camas' schools, parks, and public facilities depend on the investment from new residents moving into the city. It is important that the real estate industry be allowed to advertise and conduct business within the city, just like a restaurant, retail store or any other business.

Unfortunately, a section in the Camas Municipal Code Annual Code Amendments would hinder the ability of our members and their clients to advertise homes and commercial properties for sale in the city by prohibiting signs within 150 ft. of the outer curb of any roundabout within the City. While we agree with the reasoning behind the code amendment, it does raise concerns about the ability of property owners and REALTORS® to advertise available properties. Real estate signs are temporary, and are an essential part of ensuring a swift transaction. This section of the amendment would also impact temporary signs used during elections, which could raise free speech implications as well.

We agree with the banning of these signs *in the center circle of roundabouts*, which will preserve public safety, as mentioned by Chief Lackey. However, the banning of signs within 150 ft. of roundabouts is a step too far. This may prevent signs at locations entering or exiting roundabouts as well. For the sake of small businesses and our political system please consider removing or amending the 150 ft. ban section from the sign code outlined in the annual amendments.

Our members and their clients appreciate the community of Camas for its rich past and look forward to its continued bright future!

Sincerely,

Justin Wood, Government Affairs Director

Clark County Association of REALTORS®

ga@ccrealtors.com | 503.917.5698

Chapter 18.05 - ZONING MAP AND DISTRICTS

18.05.020 - Districts designated.

For the purposes of the Code, the city is divided into zoning districts designated as follows:

District	Symbol	Comprehensive Plan Designation
Residential 15,000	R-15	Single-family Low
Residential 12,000	R-12	Single-family Medium
Residential 10,000	R-10	Single-family Medium
Residential 7,500	R-7.5	Single-family Medium
Residential 6,000	R-6	Single-family High
Multifamily-10	MF-10	Multifamily Low
Multifamily-18	MF-18	Multifamily High
Multifamily Cottage	MF-C	Overlay
Neighborhood Commercial	NC	Commercial
Community Commercial	CC	Commercial
Regional Commercial	RC	Commercial
Mixed Use	MX	Commercial
Downtown Commercial	DC	Commercial
Light Industrial	LI	Industrial

District	Symbol	Comprehensive Plan Designation
Heavy Industrial	HI	Industrial
Business Park	BP	Industrial
Light Industrial/Business Park	LI/BP	Industrial
Neighborhood Park	NP	Park
Special Use Park	SU	Park
Open space/Green space	OS	Open space Green space

Chapter 18.07 - USE AUTHORIZATION

18.07.010 - Establishment of uses.

The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied or maintained. The use is considered permanently established when that use will, or has been, in continuous operation for a period exceeding sixty days. A use which will operate for less than one hundred eighty days is considered a temporary use, and shall be governed by [Chapter 18.47](#) "Temporary Use Permits." All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located in the city.

18.07.020 - Interpretation of land use tables.

The land use tables in this chapter determine whether a specific use is allowed in a zone district. The zone district is located on the vertical column and the specific use is located on the horizontal rows of these tables.

- A. If the letter "X" appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for certain temporary uses.
- B. If the letter "P" appears in the box at the intersection of the column and the row, the use is allowed in that district subject to review procedures in accordance with CMC [Chapter 18.55](#) "Administration and Procedures."
- C. If the letter "C" appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review procedures specified in [Chapter 18.43](#) "Conditional Use Permits," and the general requirements of the Camas Municipal Code.

- D. If the letter "T" appears in the box at the intersection of the row, the use is temporarily permitted under the procedures of [Chapter 18.47](#) "Temporary Use Permits." Other temporary uses not listed may be authorized as provided in [Chapter 18.47](#).
- E. If a number appears in a box at the intersection of the column and the row, the use is subject to the requirements specified in the note corresponding with the number immediately following the table.
- F. Uses accessory to a use permitted or conditionally permitted in any zone may be authorized subject only to those criteria and/or processes deemed applicable by the head of the planning department.
- G. If a use is not listed under either [Section 18.07.030](#) Table 1 or [18.07.040](#) Table 2, and is not an accessory or temporary use, then the use shall be subject to a zoning code text amendment. Notwithstanding a zoning code text amendment, the community development director may determine whether a proposed land use not specifically listed in a land use table is allowed in a zone. The director shall take into consideration the following when making a determination:
 1. Whether or not the proposed use in a particular zone is similar impact to other permitted or conditional uses or is compatible with other uses; and
 2. Whether or not the proposed use is consistent with the zone's purpose.

A use listed in one table but not the other shall be considered a prohibited use in the latter.

18.07.030 - Table 1—Commercial and industrial land uses.

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

Zoning Districts	NC	DC	CC	RC	MX	BP	LI/BP	LI	HI
Group Home	C	P	P	X	P	X	X	X	X
Adult Family Home	C	P	P	X	P	X	X	X	X
Single Family Dwelling	X	X	X	X	P	X	X	X	X
<u>Sober Living Homes</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Permanent Supportive Housing	C	P	X/P ¹⁰	X/P ¹⁰	P	X	X	X	X
Hotel/motel	X	C	C	P	P	P	X	P	X
<u>Transitional Housing</u>	<u>C</u>	<u>P</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>
Nursing, rest, convalescent, retirement home	C	P	P	P	P	X	X	X	X
<u>Residential Treatment Facility¹²</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

Footnote 12: A Residential Treatment Facility shall not be located within 1,000 feet of public and private schools, public parks, public libraries, other RTFs or similar uses.

18.07.040 - Table 2—Residential and multifamily land uses.

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

Zoning Districts	R	MF
Adult family home, residential care facility, supported living arrangement, or housing for the disabled	P	P
Group Home	P	P
Single Family Dwelling	P	P
<u>Sober Living Homes</u>	<u>P</u>	<u>P</u>
Permanent Supportive Housing	C/P ²	P
<u>Transitional Housing</u>	<u>P</u>	<u>P</u>
Nursing, rest, convalescent, retirement home	C	P
<u>Residential Treatment Facility⁵</u>	<u>X</u>	<u>C</u>

Footnote 5: A Residential Treatment Facility shall not be located within 1,000 feet of public and private schools, public parks, public libraries, other RTFs, or similar uses.