

MEMORANDUM

RE: Development Recommendations
From: Andrew Parish, Permit Runner IV
Client: Priya Patel
Proposed Development Description:

“Pet-A-Palooza” domestic animal retail and service center
Parcel #79040000
NE Birch and NE 5th, Camas WA 98607

I. Project Summary:

Ms. Patel is interested in developing a pet-themed retail center upon the proposed site (Figure 1) with uses including dog grooming, animal day care, pet-centric retail, a veterinary clinic with accessory housing, and a Humane Society animal shelter with accessory offices. The following is a description of the site and its zoning designation, consideration of the proposed uses, design requirements, and the process by which the proposal can be approved.

II. Zoning and Overlays

The site is zoned Regional Commercial (RC), which “provides apparel, home furnishings, and general merchandise in depth and variety, as well as providing services for food clusters and some recreational activities. Regional commercial is the largest of the commercial zones and is designed to serve the region or a significant portion of the region’s population.” (18.05.050)

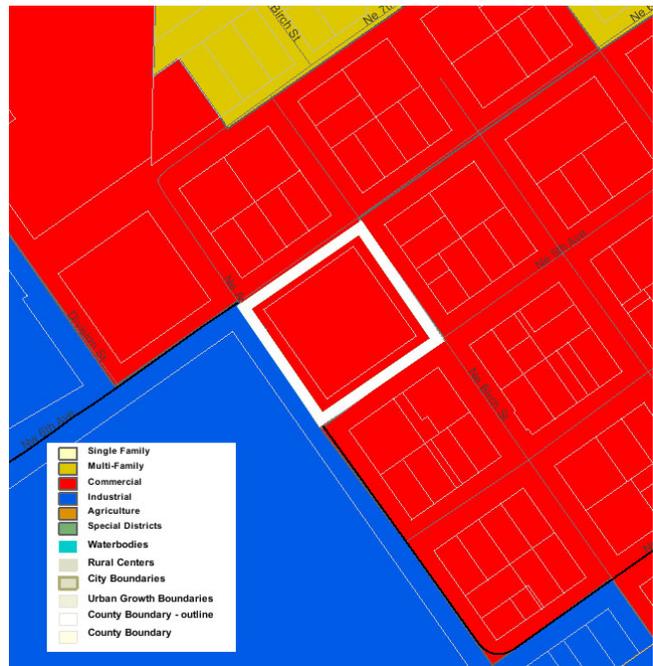


Figure 1 - Site and Comprehensive Plan Designation

There are no floodplain, environmental, or special design overlays affecting the property. The site is adjacent to a heavy industrial area and proximate to multifamily housing.

III. Uses

A wide range of commercial, industrial, and recreational uses are permitted within the RC designation. Most of Ms. Patel’s proposed uses are permitted outright, while those uses involving the commercial boarding or sheltering of animals will require a conditional use permit (Table 1). Veterinary clinics are permitted within the zone, however residences connected to a business are prohibited. These are seen as more appropriate for “Neighborhood Commercial” areas, rather than in high-intensity, regionally-serving commercial areas. The veterinary clinic might also be suitable for a “Home Occupation” (18.39) in a residential district. The options available to the client in locating an accessory residence in an RC zone are discussed in Section V, should she wish to pursue them.

Table 1 - Proposed Uses

Proposed Use	Title 18.03.30 Definition	Authorization	Design Review?
<i>Dog Grooming</i>	"Pet Shop" - establishments engaged in the retail sale of pets, pet food, supplies and the grooming of pets and other small animals.	Permitted	Yes
<i>Pet-Centric Retail</i>			
<i>Doggie Daycare</i>	"Kennel, commercial/boarding" - any premises or building in which four or more dogs or cats at least four months of age kept commercially for board, propagation or sale.	Conditional	Yes
<i>Humane Society with Attached Offices</i>	"Animal Shelter" *	Conditional	Yes
	"Professional Offices" - an office containing activities such as those offered by a physician, surgeon, dentist, lawyer, architect, engineer, accountant, artist or teacher, real estate or insurance sales.	Permitted	Yes
<i>Veterinary Clinic with Accessory Apartment</i>	"Veterinarian clinic" - a facility established to provide examination, diagnostic, and health maintenance services for medical and services for medical and surgical treatment of companion animals on an outpatient basis. A veterinarian clinic operates during regular business hours and discharges all patients prior to closing time.	Permitted	Yes
	"Residence accessory to and connected with a business" *	Prohibited	No

* No Definition Provided in 18.03.30

IV. Design

Design standards for the RC zone are less stringent than many other zone designations. There are no restraints on minimum/maximum lot area, width, depth, coverage, yards, or building height (18.09.030), and RC is exempt from the intersection vision clearance area design standard (18.17.030). However, all commercial uses save laundries, adult daycare, and stockbrokerages are required to undergo design review (see section V).

Parking

Title 18.11 describes a number of parking requirements that must be met in a parking plan to be submitted with the development application. "The plan shall clearly indicate the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping," and other required features. Additionally, the parking facility must be completed before an occupancy permit can be issued (18.11.080). Table 2 lists the parking requirements of Ms. Patel's proposed uses.

Table 2 - Parking Requirements

Proposed Use	Parking Requirement
Veterinary Clinic	1 space / 250sf floor area
Office	1 space / 250sf floor area
Retail < 5,000sf	1 space / 300sf floor area
Retail > 5,000sf	17 spaces plus 1 / 1,500sf
Apartment – 1 bedroom/2+ bedrooms	1.5 / 2

Landscaping

Detailed landscaping plans that include the type and location of plants and other materials must be submitted with the application (18.13.040). A total of 15% of the gross site area must be landscaped in the RC zone. Additionally, there are a number of landscaping requirements for parking areas, including landscaped perimeters, a maximum of 15 contiguous parking spaces without a landscaped divider strip, and a minimum ratio of tree to parking stalls (18.13.050).

Signs

Generally, all signs are permitted in the RC designation. However, a master sign permit is required for signs that total more than 10% of the wall area (18.15.050). Additionally, the following signs are specifically prohibited by the city (18.15.080):

- Signs attached to a telephone pole
- Signs that obstruct the view or could be confused with traffic signage
- Signs advertising illegal activities
- Signs emitting smoke or sound
- Posters on exterior walls

Flexible Development

As an incentive to promote sustainable features, efficient land use, and greater flexibility, the City offers an optional procedure that rewards commercial developments with reduced parking requirements (18.26.010). A proposal that exceeds the minimum score of 0.3 on the "Flexible Development Score Sheet" may reduce the off-street parking provided by 25%, and a project that incorporates a green roof may further reduce that amount.

V. Application Process

Table 3 summarizes the application process and the time required to make a decision. Each step is described at length below.

Table 3 - Application Timeline

Step	Time Requirement
• Pre-Application Meeting	No more than 6 months prior to application
• Application Submittal	Letter of Completeness issued within 28 days of receipt. If incomplete, applicant has 180 days to submit required information.
• Type III Decisions (Design Review, Conditional Use Permits)	Within 14 days of issuing the Letter of Completeness, the City will mail a Notice of Application. This cannot be sent less than 14 days before a public hearing.
• Decision	The City will generally issue a decision within 120 days of mailing the Letter of Completeness.
• Appeal	Appeal to a hearings examiner must occur within 14 days of the decision, and issue a decision within 45 days of the appeal. Judicial appeal must occur within 21 days of a decision.
• Zoning Code Changes	May only be submitted in January.

Pre-Application Meeting

A pre-application meeting is required for those submitting a Type II or Type III permit, such as the conditional use permits Ms. Patel will need for the kennel. This meeting must be held within 6 months prior to the application date. A completed application form and site plan are required for the meeting, as is the \$290 fee for each Type III permit sought. In this meeting, City staff will discuss the proposal, concerns they have, and the application process.

Application

The application consists of the following items (18.55.110):

- A completed application form and required fees;
- A complete list of permit approvals sought;
- A mailing list and mailing labels of owners of real property within 300 feet of the parcel;
- A detailed narrative description of the proposed development, existing site conditions, existing buildings, public facilities and services, and other natural features. The narrative will also explain how the criteria will be met, and address any other information required by staff during the pre-application meeting;
- Necessary drawings, as specified by the planning director (As site plan and design review will be required, these will likely be numerous and detailed);
- A copy of the pre-application meeting notes;
- A sign must be placed at the site of the development describing the proposal, the types of permit applications being considered, a site plan, contact information of applicant and the City, and notice of a public hearing.

A letter of completeness will be issued within twenty-eight days. Upon receiving a letter stating that the application is incomplete, there is a 180-day window to submit missing information. After the application is declared complete, the City has 120 days to review it and make a decision, unless extensions are agreed upon between the applicant and the City.

Site Plan Review

Prior to receiving a building permit, all new structures must undergo a site plan review to ensure the development is compatible with City ordinances about public utilities, traffic, parking, and other features falling under the City's purview. This review is considered a Type II Procedure, meaning that there is some discretion involved but no public hearing is required for the community development director to make a decision. The required components of a site plan are (18.18.40):

- A written description addressing scope of project, the nature and size in gross floor area of each use, and the total area covered by impervious surfaces;
- A vicinity map showing site boundaries, existing roads, and accesses within and bounding the site;
- A topographic map based upon a site survey delineating contours, existing and proposed, at no less than five-foot intervals. Existing streams, marshes, and other natural features included;
- Site plans drawn no smaller than 1":50' showing location and size of uses, buffer areas, areas of disturbance or construction outside building footprints, yards, open spaces and landscaped areas, existing structures, easements, and utilities;

- A circulation plan with all access points, size and location of all driveways and parking and loading areas, existing and proposed pedestrian circulation system. A traffic impact study required if site would generate 100 or more daily trips (based on ITE Trip Generation Manual);
- A preliminary drainage and stormwater runoff plan;
- A utility plan;
- A plot plan of all landscaping, including materials and plant types used;
- Typical building elevation and architectural style;
- An engineer estimate of costs for site improvements, both public and private.

Minor changes can be made to the site plan at the issuance of a building permit if they are less than 10% different from the original so long as they still meet applicable codes. Major amendments can be made, but are considered Type II Procedures.

Design Review

Design review is required for all new commercial developments (18.19.020), and must meet the adopted Design Principles (18.19.050) that address the location and screening of onsite parking, streetscape quality, visual cohesiveness, and lighting. The Camas Design Review Manual, available on the City's website, provides guidelines for meeting the City's standards. Deviations from the standards are allowed under cases of special hardship (18.19.090), but we see no justification for them for this project. The Development Director will make the final decision, but the Camas Design Review Board may hold a public meeting and provide written recommendation about the project.

Conditional Use Permits

Obtaining a conditional use permit is a Type III procedure, involving a great amount of discretion and/or evaluation of approval criteria. Upon receiving a completed application (and the \$3,650 fee), the City will mail notice of a public hearing to the owners of record, the applicant, and owners of real property within 300 feet at least fourteen days before the hearing. It is possible to consolidate the processing of all permits into one public hearing and one closed appeal, should the client choose to do so. A hearings officer will hear testimony and make a decision based on the following criteria (18.43.50):

- A.** The proposed use will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity of the proposed use, or in the district in which the subject property is situated;
- B.** The proposed use shall meet or exceed the development standards that are required in the zoning district in which the subject property is situated;
- C.** The proposed use shall be compatible with the surrounding land uses in terms of traffic and pedestrian circulation, density, building, and site design;
- D.** Appropriate measures have been taken to minimize the possible adverse impacts that the proposed use may have on the area in which it is located;
- E.** The proposed use is consistent with the goals and policies expressed in the comprehensive plan;
- F.** Any special conditions and criteria established for the proposed use have been satisfied. In granting a conditional use permit the hearings examiner may stipulate additional requirements to carry out the intent of the Camas Municipal Code and comprehensive plan.

The permit will expire in one year unless a building permit is issued.

Appeal

Any party of record (meaning any person who attended the hearing, or had testimony read into the record) believing that a Type III decision in error or there is new evidence applicable to the case can make a written request (and pay the \$330 appeal fee) to the hearings examiner, who will issue a decision on the request for reconsideration within forty-five days. Appealing to the Clark County Superior Court must occur within twenty-one days of the hearings examiner's decision.

Rezoning

The only avenues available to Ms. Patel, should she wish to include an accessory apartment to the veterinary clinic in her retail center, would be to seek the rezoning of the property to a Mixed Use (MU) designation in the City's Comprehensive Plan, or lobby City Council to change the allowable uses within the RC zone. However, allowing apartments in RC areas makes little sense with a MU designation available, and the purpose of the MU zone is to provide a greater mix of uses than a single apartment within a commercial center, so such a request is unlikely to be granted. Additionally, because rezoning requests are only addressed once a year, the earliest the proposed amendment may only be filed is in January 2013. This would significantly lengthen the process for the client, and is not recommended.

Reflection:

The zoning code is intended to implement land use objectives within the Comprehensive Plan. Clearly, compatibility-oriented Policies LU-4 and LU-11 are enacted through the site plan and design review requirements for any significant new development. Additionally, the lack of bulk/height restrictions in the Regional Commercial zone could be said to help "encourage...economic development in areas designated for commercial development," as per Policy LU-12.

Since the site was not subject to any overlays, finding what was allowed and what was required was fairly straightforward. I feel that the application process and the timelines involved could have been described in a more cohesive narrative, but at least the fees are comprehensible and accessible. Perhaps making the process involved seem convoluted is a strategy to encourage pre-application meetings.

It was a little frustrating that, despite the extreme level of detail in the Use Definitions section, some items remained undefined. "Animal Shelter" is a term used in the Use Authorizations chapter, but it does not appear in the definitions section. Does "Doggie Daycare" fall into the "Pet Retail" or the "Kennel" category? Does it hinge upon animals being kept overnight? What if they are groomed at the shop and the daycare is just an accessory use? Does it matter? When I began working on the assignment, I thought Doggie Daycare might fall into the realm of "uncategorized uses," which have very onerous requirements. And why are stockbrokers, laundromats that aren't retail, and adult day care centers the only commercial uses that do not require design review?

The parking requirements seemed to have a more sensible approach. Rather than focusing on specific uses, retail is lumped into "less than 5,000 sf" and "5,000 sf or greater" categories.

I was pleased that the "Flexible Development" option existed, though I cannot say whether it provides strong enough incentive, or goes far enough in the kind of developments it requires, to really be useful.

The annual review of proposed zoning changes mirrors what Elliott's *A Better Way to Zone* recommends. Rather than hearing proposed zoning map changes and text amendments as they arise, the City will be able to evaluate them together and, hopefully, look more closely at how the new rules would interact with the existing code. The online indexing of the Camas Municipal Code via municode.com was very useful, particularly when searching for every appearance of the term "animal" in the code, and the property locator application on the City's website is a good start on the path of internet-based development information systems.