

12/14/20  
12/21/20

ORDINANCE NO. M -4325

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending text of Vancouver Comprehensive Plan Appendix E; and Vancouver Municipal Code 20.150, 20.210, 20.245, 20.410, 20.430, 20.440, 20.740, and 20.915; providing for severability; and establishing an effective date.

WHEREAS, pursuant to the Growth Management Act the City Council has adopted a Comprehensive Plan for the City of Vancouver (Ordinance M-3994), and Title 20 zoning standards (last amended through Ordinance M-4034); and

WHEREAS, the Vancouver Planning Commission reviewed the proposed changes at duly advertised work sessions on September 8, and October 13, 2020, and duly advertised public hearings on October 13 and 27, 2020, and at those hearings, in consideration of cumulative impacts of all the proposed Comprehensive Plan changes, voted to recommend approval of the Comprehensive Plan and zoning text amendments described herein for adoption to the City Council; and

WHEREAS, the City Council conducted a duly advertised public work session on November 16, a first reading of the proposed ordinance on December 14, and a public hearing on December 21 2020, following which the Council agrees with the Planning Commission recommendations for changes addressed herein; and

WHEREAS, the cumulative environmental impacts of the proposed 2020 Comprehensive Plan and zoning changes have been reviewed and determined to be nonsignificant pursuant to the State Environmental Policy Act. Notices of Determinations of Non-significance (DNS) were issued on September 23, 2020 for the proposed Comprehensive Plan and zoning text changes,

and no SEPA comments or appeals were received; and

WHEREAS, the City Council finds and concludes that the proposed changes are consistent with the policies and provisions of the Comprehensive Plan that encourage orderly development within the community and the Growth Management Act pursuant to the requirements of Chapter 36.70A. RCW; and

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

**Section 1. Findings and Conclusions.** The Planning Commission findings and conclusions as set forth in the staff reports for the October 13 and October 27, 2020, public hearings, are hereby adopted as the City Council's findings of fact; and

**Section 2. Comprehensive Plan Text Change.** Vancouver Comprehensive Plan 2011-2030 Appendix E, Other Plans and Documents adopted by Reference, Item 1, 7<sup>th</sup> bullet, last adopted by Ordinance M-4147, is amended as follows:

*Vancouver Parks, Recreation and Natural Areas Comprehensive Plan 2014, and ~~2017-2022~~ 2021-2030-Capital Facilities Plan*

**Section 3. Zoning Code Text Changes.**

**A. VMC 20.150., which was adopted by Ordinance M-3643, and last amended by M-4179, is amended as follows.**

- **20.150.040A**            **Meanings of Specific Words and Terms A through D.**

**Alteration of Watercourse.** Any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.

**Areas of Special Flood Hazards.** Lands in the flood plain subject to a 1% or greater chance of flooding in any given year. Designations on Flood Insurance Rate Maps always include the letter A. Also referred to as "Frequently Flooded Areas." "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

**Area of Shallow Flooding:** A designated zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. Also referred to as the sheet flow area.

**Arterial.** Any principal arterial, minor arterial, or collector arterial streets.

**ASCE 24.** The most recently published version of ASCE 24, flood resistant design and construction, published by the American Society of Civil Engineers.

• **20.150.040B**                      **Meanings of Specific Words and Terms E through H.**

**Elevated Building.** For insurance purposes, a non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

**Elevation Certificate.** An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support a request for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

**Essential Facility (applies in Frequently Flood Areas).** This term has the same meaning as "Essential Facility" defined in ASCE 24. Table 1-1 in ASCE 24-14 further identifies building occupancies that are essential facilities.

**Existing Manufactured Home Park or Subdivision (applies in Frequently Flood Areas).** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the community.

**Expansion to an Existing Manufactured Home Park or Subdivision (applies in Frequently Flood Areas).** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**Flood or Flooding.** A general and temporary condition of partial or complete inundation of normally dry land area from the overflow of inland or tidal waters and/or the unusual and rapid accumulation or runoff of surface waters from any source.

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:
  - a. The overflow of inland or tidal waters.
  - b. The unusual and rapid accumulation or runoff of surface waters from any source.
  - c. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by

some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(a) of this definition.

**Flood Elevation Study.** An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).

**Flood Insurance Rate Map (FIRM).** The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

**Flood Insurance Study.** The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Maps and the water surface elevation of the base flood.

**Floodplain Administrator.** The community official designated by title to administer and enforce the floodplain management regulations.

**Flood-Proofing.** A combination of structural and nonstructural additions, changes or adjustments to properties and structures which are subject to flooding, primarily for the reduction or elimination of flood damage to properties, water, sanitary facilities, structures, and contents of buildings in the flood hazard area. Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

**Floodplain or Flood Prone Area.** Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

**Floodway.** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot a designated height. Also referred to as "Regulatory Floodway."

**Functionally Dependent Use (applies in Frequently Flood Areas).** A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

**Historic Structure (applies in Frequently Flooded Areas).** Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - a. By an approved state program as determined by the Secretary of the Interior, or
  - b. Directly by the Secretary of the Interior in states without approved programs.

- **20.150.040D**      **Meanings of Specific Words and Terms M through P.**

**Mean Sea Level.** For purposes of the National Flood Insurance Program, the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

**New Manufactured Home Park Or Subdivision (applies in Frequently Flooded Areas).** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations adopted by the community.

- **20.150.040E**      **Meanings of Specific Words and Terms Q through T.**

**Reasonably Safe from Flooding.** Development that is designed and built to be safe from flooding based on consideration of current flood elevation studies, historical data, high water marks and other reliable data known to the community. In unnumbered A zones where flood elevation information is not available and cannot be obtained by practicable means, reasonably safe from flooding means that the lowest floor is at least two feet above the Highest Adjacent Grade.

**B. VMC 20.210, last amended by M-3959, is amended as follows:**

- **20.210.080.D.** Application for a pre-application conference. ~~To request a pre-application conference, an applicant shall submit the required fee, and 12 sets of the following information:~~ Application - Fees. The applicant must submit a completed application form as prescribed by the planning official with applicable fee per Chapter 20.180 VMC. The planning official may waive submittal requirements upon request if found to be inapplicable to the proposed development:
  1. Completed and signed Pre-application Conference Request form provided by the planning official.
  2. ~~Folded and collated plans of the proposed development drawn to scale, no larger than 24" x 36"~~ Information legible for digital reproduction and clearly marked with the following: project name; vicinity map; scale; north arrow; date; applicant's name, phone and fax numbers; contact person's name, phone and fax numbers.

**C. VMC 20.245.030.A, which was adopted by Ordinance M-3643, and last amended by M-3959, is amended as follows.**

- 20.245.030.A.** Submission requirements. The applicant must submit a completed application form as prescribed by the planning official with applicable fee per Chapter 20.180 VMC. ~~An applicant for conditional use permit shall submit an application~~ containing the following information:
1. Narrative describing the proposed uses for the site, hours of operation, hours and the frequency of deliveries, and construction schedule.
  2. Drawn to scale site plan, legible for digital reproduction, showing accurate representation of the size and shape of the parcel(s), including easements of any kind, all dimensions, and parcel orientation. Include north arrow.

**D. VMC 20.260, which was adopted by Ordinance M-3643, and last amended by M-3840, is amended as follows:**

- **20.260.020.B.2.** Higher-Density Residential Zoning Districts. In the R-18, R-22, R-30, and R-35 zoning districts, an applicant with a planned development approval may develop the site to contain a mixture of uses subject to the minimum and maximum density provisions of the underlying zone, as contained in Chapters 20.420.040 VMC, plus ~~5%~~ 15% per the density bonus provisions of 20.260.060 (D) VMC.
- **20.260.060.D.2.** Density bonuses. An applicant for a planned development shall be entitled to an automatic residential density bonus of ~~5%~~ 15% above the maximum density allowed in the underlying base zone on the portions of the site devoted to housing.
- **20.260.060.B.4.** The Planning Commission or Hearings Examiner can reduce the minimum lot size requirement for attached and detached single family residential uses in planned developments.

**E. VMC 20.410, adopted by Ordinance M-3643 and last amended by M-4255, is amended as follows:**

- **20.410.030-1 Use Table**

USE	R-2	R-4	R-6	R-9
Single Dwelling, Attached	<u>L18</u>	<u>L18</u>	<u>L18</u>	<u>L18</u>

~~18 Subject to VMC 20.260.020(B)(1)(a)(2), planned development, and subject to VMC 20.910.050, Zero Lot Line Developments, and VMC 20.920, Infill Developments.~~

- **20.410.040-1**  
Minimum and Maximum Densities and Lot Sizes<sup>1</sup>

~~1The minimum and maximum density factors shall only be used for calculating densities of planned unit developments governed by VMC 20.260, infill development, density transfer, and situations where an existing house is allowed on a larger than maximum lot size per VMC 20.410.040.C.2.c (Exceptions). Minimum densities shall be calculated based on the gross area of the site minus any public rights-of-way, street tracts, private road easements, lots for dwellings existing on December 11, 2004, and designated critical areas."~~

**F. VMC 20.430, adopted by Ordinance M-3643 and last amended by M-4255 is amended to read as follows:**

- **20.430.050A.**  
CX, CC, and CG Zones. The following special use limitations apply ~~within the CX zone.~~

1. Artisan and Specialty Goods Production uses ~~in CX zone.~~

a. The Artisan and Specialty Goods Production structure shall not encompass more than ten thousand (10,000) square feet of area. The ten thousand (10,000) square feet total shall include all storage areas associated with the manufacturing operation. These types of uses are limited in size to assure that they will not dominate the commercial area and to limit the potential impacts on residential and commercial uses. Upon application the Planning Official may increase the square feet of area by no more than 20% if it is determined that the additional area will not adversely impact neighboring uses and improvements, and will be consistent with the intent of the ~~CX~~ Zoning District.

- **20.430.060.B.2.d.** Development standards shall be as specified in the MX column of Table 20.430.040-~~2-1~~

**G. VMC 20.440, adopted by Ordinance M-3643, and last amended by Ordinance M-4255, is amended as follows:**

**20.440.030-1 Use Table**

USE	OCI	IL	IH	ECX
Recreational Marijuana Growing or Processing	X	<del>L34</del> <u>36</u>	<del>L34</del> <u>36</u>	X

11 (Reserved for future use) Electroplating and related uses not permitted.

36 Subject to compliance with VMC 20.884, Marijuana Businesses

**H. VMC 20.740 which was adopted by Ordinance M-3643, is amended as follows:**

- **20.740.090 Unauthorized Critical Areas Alterations and Enforcement.**

E. Noncompliance in Frequently Flooded Areas. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions), shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction be subject to enforcement under Section 20.740.090.A. Nothing herein contained shall prevent the City of Vancouver from taking such other lawful action as is necessary to prevent or remedy any violation.

- **20.740.120 Frequently Flooded Areas.**

This ordinance shall apply to all special flood hazard areas within the boundaries of the City of Vancouver.

A. Designation.

Frequently Flooded Areas are the Areas of Special Flood Hazards identified by the Federal Insurance Administration and the Federal Emergency Management Agency (FEMA), respectively, in scientific and

engineering reports entitled, *Flood Insurance Study: Clark County, Washington and Incorporated Areas, Volumes 1 and 2 (Numbers 53011CV001A and 53011CV002A, respectively)*, effective September 5, 2012 and any revisions thereto, with accompanying Flood Insurance Rate Maps (FIRMs and their digital version, DFIRMs) and any revisions thereto, are hereby adopted by reference and declared to be part of this ordinance. The Flood Insurance Study (FIS), FIRMs and DFIRMs are available from the Planning Official, 415 West 6th Street, Vancouver, WA 98660. (See VMC 20.150.040 Meanings of Specific Words and Terms for definitions for Areas of Special Flood Hazards, Floodplain, Floodway, and Frequently Flooded Areas.)

~~Portions of channel migration zones located outside areas of special flood hazards are not designated as frequently flooded areas.~~

When base flood elevation (BFE) data has not been provided in frequently flooded areas (Zone A), the Planning Official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source in order to administer the provisions of this chapter. This best available information for flood hazard area identification shall be the basis for regulation until a new FIRM/DFIRM is issued.

B. Compliance

All development within special flood hazard areas is subject to the terms of this ordinance and other applicable regulations.

C. Penalties For Noncompliance

See VMC 20.740.090

D. Abrogation and Greater Restrictions

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

E. Interpretation (Not mandatory)

In the interpretation and application of this ordinance, all provisions shall be:

- 1) Considered as minimum requirements;
- 2) Liberally construed in favor of the governing body; and,
- 3) Deemed neither to limit nor repeal any other powers granted under state statutes.

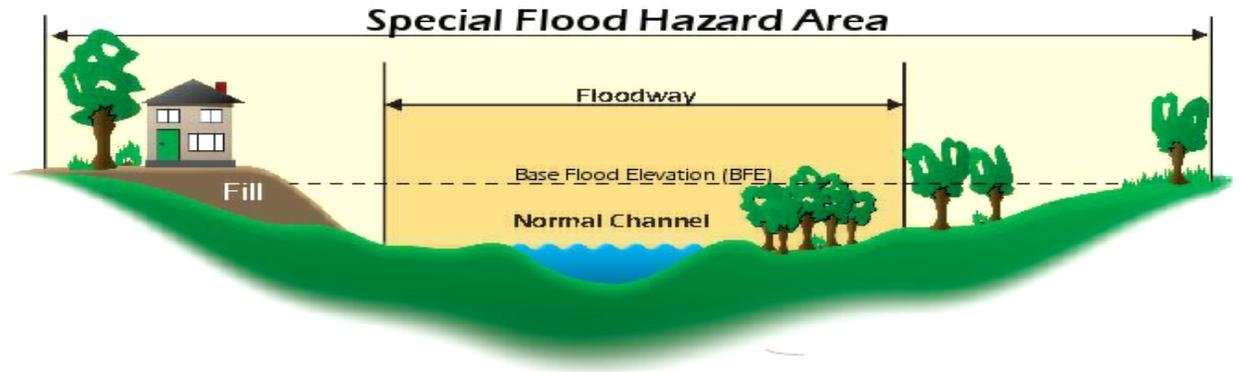
F. Warning And Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Vancouver, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

G. Severability

This ordinance and the various parts thereof are hereby declared to be severable. Should any Section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the Section so declared to be unconstitutional or invalid.

**Figure 20.740.120-1. Frequently Flooded Areas/Areas of Special Flood Hazards**



*Adapted from Floodplain Management: A Local Administrator's Guide to the National Flood Insurance Program, Fifth Edition, FEMA Region 10*

H. Designation of the Floodplain Administrator (44 CFR 59.22(b)(1)).

The Land Use Program Manager is hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.

1. Duties & Responsibilities of the Floodplain Administrator

Duties of the (Floodplain Administrator) shall include, but not be limited to:

a. Permit Review

Review all development permits to determine that:

1. The permit requirements of this ordinance have been satisfied;
2. All other required state and federal permits have been obtained;
3. The site is reasonably safe from flooding;
4. The proposed development is not located in the floodway. If located in the floodway, assure the encroachment provisions of Section 5.4-1 are met;
5. Notify FEMA when annexations occur in the Special Flood Hazard Area.

6. Performance Standards. Except as noted, the following standards apply to all structures and development (including but not limited to the placement of manufactured homes, substantial improvement, roads, railroads, trails, dikes, levees, or water, sewer, stormwater conveyance, gas, power, cable, fiber optic or telephone facilities) in all areas of special flood hazards and channel migration zones (CMZs). Additional restrictions apply in the floodway.

7. Anchoring. All new construction including substantial improvements and all types of manufactured homes shall:

a. Be elevated on a permanent foundation and securely anchored to an adequate foundation system to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy.

10. Residential Construction (including Manufactured Homes).

c. Elevation

1. BFE Established. The lowest floor (including basement) of new residential structures (including but not limited to reconstruction, substantial improvement, the placement or replacement of all types of manufactured homes) shall be elevated at least 1 foot above base flood elevation. Structures shall be elevated using means other than

fill (such as extended foundation or other enclosure walls, piles, or columns) whenever feasible. Mechanical equipment and utilities shall be waterproofed or elevated at least one foot above the BFE.

d. Fully Enclosed Areas Below Lowest Floor. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited unless designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters. Designs for meeting this requirement must be certified by a qualified professional (in this case, a registered professional engineer or architect), or must meet or exceed the following minimum criteria:

4. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for automatic entry and exit of floodwaters.

11. Non-Residential Construction. New construction and substantial improvement of any nonresidential structure shall either be elevated (VMC [20.740.120\(C\)\(11\)\(a or b\)](#)) or flood-proofed (VMC [20.740.120\(C\)\(11\)\(c\)](#)):

a. Be Elevated: BFE Established.

1. Have the lowest floor, including basement, elevated at least one foot above the base flood elevation or elevated as required by ASCE 24, whichever is greater; ~~and~~

2. Meet the same standards for space below the lowest floor as described in [20.740.120\(C\)\(8\)\(d\)](#) and VMC [20.740.120\(C\)\(10\)\(d\)](#) (1-3); and

3. Have mechanical equipment and utilities waterproofed or elevated at least one foot above the BFE, or as required by ASCE 24, whichever is greater.

c. Be Flood-proofed. Together with attendant utility and sanitary facilities shall:

1. Be flood-proofed so that below one foot (or more) above the base flood elevation, the structure is watertight with walls substantially impermeable to the passage of water or dry flood-proofed to the elevation required by ASCE 24, whichever is greater;

12. Critical Facilities.

a. Critical facilities housing vulnerable populations and emergency services shall be prohibited in the floodway.

b. In areas of special flood hazard except the floodway and in CMZs, construction of new critical facilities shall be prohibited unless the applicant demonstrates that:

1. No feasible alternative site is available; and either:

a. The lowest floor, entrances, egresses, and to the extent feasible access routes are elevated to 3 feet above the base flood elevation or to the elevation of the 500-year flood, whichever is higher ~~lower~~; or

14 Appurtenant Structures (Detached Garages & Small Storage Structures)

For A Zones:

a. Appurtenant structures used solely for parking of vehicles or limited storage may be constructed such that the floor is below the BFE, provided the structure is designed and constructed in accordance with the following requirements:

1. Use of the appurtenant structure must be limited to parking of vehicles or limited storage;

2. The portions of the appurtenant structure located below the BFE must be built using flood resistant materials;

3. The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement;

4. Any machinery or equipment servicing the appurtenant structure must be elevated or floodproofed to or above the BFE;

- 5. The appurtenant structure must comply with floodway encroachment provisions in Section 5.4-1;
- 6. The appurtenant structure must be designed to allow for the automatic entry and exit of flood waters in accordance with Section 5.2-1(5).
- 7. The structure shall have low damage potential,
- 8. If the structure is converted to another use, it must be brought into full compliance with the standards governing such use, and
- 9. The structure shall not be used for human habitation.

- b. Detached garages, storage structures, and other appurtenant structures not meeting the above standards must be constructed in accordance with all applicable standards in Section 5.2-1.
- c. Upon completion of the structure, certification that the requirements of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

~~14.~~ 15. Alteration of Watercourse.

- a. The planning official shall notify adjacent communities and the state coordinating agency, Washington State Department of Ecology, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- b. Alteration or relocation of a watercourse shall be allowed only after:
  - 1. Certification by a qualified professional that the alteration or relocation:
    - a. Is the only feasible alternative or is part of a restoration project approved by the appropriate state or federal agencies;
    - b. Will not diminish the flood-carrying capacity of the watercourse;
    - c. Will not block side channels;
    - d. Will be accomplished using soft armoring techniques wherever possible;
    - e. Will avoid to the extent possible and then minimize and mitigate removal of vegetation including downed woody vegetation; and
    - f. Will not endanger development in the channel migration zone.
  - 2. The applicant provides assurance acceptable to the planning official of maintenance of the relocated channel such that the flood carrying capacity of the watercourse is not diminished.

16 Changes to Special Flood Hazard Area

- a. If a project will alter the BFE or boundaries of the SFHA, then the project proponent shall provide the community with engineering documentation and analysis regarding the proposed change. If the change to the BFE or boundaries of the SFHA would normally require a Letter of Map Change, then the project proponent shall initiate within 180 days of the information being made available, and receive approval of, a Conditional Letter of Map Revision (CLOMR) prior to approval of the development permit. The project shall be constructed in a manner consistent with the approved CLOMR.
- b. If a CLOMR application is made, then the project proponent shall also supply the full CLOMR documentation package to the Floodplain Administrator to be attached to the floodplain development permit, including all required property owner notifications.

**I. VMC 20.915.020, which was adopted by Ordinance M-3643, and last amended by Ordinance M-4223, is amended as follows:**

**20.915.020.C.** *For various types of development. For single-family and duplex residential subdivisions and short subdivisions hereinafter approved, the per-lot impact fee shall be calculated at the time of preliminary subdivision- plat or short subdivision plat approval, ~~noted on the face of the final plat,~~ and imposed on a per-lot basis at the time of building permit application.*

**Section 4. Severability.** If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any parts thereof to any other person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

**Section 5. Effective Date.** This ordinance shall go into effect 30 days after adoption.

**Section 6. Instruction to City Clerk.** The City Clerk shall transmit a copy of the revised development code to the Washington Department of Commerce.

Read First Time: December 14, 2020

Ayes: Councilmembers Fox, Paulsen, Glover, Stober, Hansen, Mayor McEnergy-Ogle

Nays: None

Absent: Councilmember Lebowsky

Read Second Time: December 21, 2020

PASSED BY THE FOLLOWING VOTE: 7-0

Ayes: Councilmembers Fox, Paulsen, Lebowsky, Glover, Stober, Hansen, Mayor McEnerny-Ogle

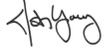
Nays: None

Absent: None

SIGNED this 21st day of December, 2020

DocuSigned by:  
  
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Anne McEnerny-Ogle, Mayor

Attest:  
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BCF6734E40E94AE...  
Natasha Ramras, City Clerk

Approved as to form:  
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Jonathon Young, City Attorney

SUMMARY

ORDINANCE NO. M -4325

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending text of Vancouver Comprehensive Plan Appendix E; and Vancouver Municipal Code 20.150, 20.210, 20.245, 20.410, 20.430, 20.440, 20.740, and 20.915; providing for severability; and establishing an effective date.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via [www.cityofvancouver.us](http://www.cityofvancouver.us) (Go to City Government and Public Records).