

11/22/21

12/06/21

ORDINANCE NO. M -4354

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver zoning map, and VMC 20.180, 20.230, 20.320, 20.410, 20.440, 20.450, 20.912; 20.920, and 20.790; 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 a duly advertised work session on July 27, 2021, and duly advertised public hearing on October 12, 2021, and at that hearing voted to recommend approval of zoning text amendments described herein for adoption to the City Council; and

WHEREAS, the City Council conducted a duly advertised first reading of the proposed ordinance on November 22, 2021, and a public hearing on December 6, 2021, following which the Council agrees with the Planning Commission recommendations, and identified one additional zoning code text correction; and

WHEREAS, the cumulative environmental impacts of the proposed 2021 zoning changes have been reviewed and determined to be nonsignificant pursuant to the State Environmental Policy Act. Notices of Determinations of Nonsignificance (DNS) were issued on October 8, 2021 for the proposed zoning 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 report for the October 12, 2021 public hearing are hereby adopted as the City Council's findings of fact; and

Section 2. Zoning Map Amendment. The Vancouver Zoning Map, established as part of the Vancouver Comprehensive Plan 2011-2030, adopted through Ordinance M-3994, is amended to remove the Vancouver Lake Greenway District overlay zoning designation from parcel 986028822 and add the Vancouver Lake Greenway District overlay zoning designation to parcel 986026887. Vancouver Municipal Code Figure 20.450.030-2 is correspondingly amended to remove parcel 98602882 from its boundaries and to add parcel 986026887 to its boundaries.

Section 3. Zoning Code Text Changes.

A. VMC 20.180.150, which was adopted by Ordinance M-3643 and last amended by Ordinance M-4097, is amended as follows.

VMC 20.180.050 Revisions.

Development review fees. Effective January 1, 2010, and January 1st of each year thereafter, development review fees shall be adjusted by an amount equal to the percentage change in the Consumer Price Index for the ~~Portland-Salem, Oregon-Washington-Seattle-Tacoma-Bellevue~~ Metropolitan Area for Wage Earners and Clerical Workers (CPI-W) for the preceding year ending on June 30 prepared by the Department of Labor, Bureau of Labor Statistics or a replacement index applicable to the City of Vancouver. Each such newly adjusted fee shall be rounded to the nearest whole dollar with fifty ~~(\$.50)~~ cents (\$0.50) or more being rounded to the next higher dollar and forty-nine ~~(\$.49)~~ cents (\$0.49) or less to the lower dollar. Fees based on valuation, per head or device, per lineal foot or square foot and per section shall be excluded from rounding to

the nearest whole dollar. (Ord. M-4097 § 1, 11/03/2014; Ord. M-3895 § 2, 11/17/2008; Ord. M-3643, 01/26/2004)

A. Vested application. Type I, II, or III applications shall be considered under this chapter and the zoning, development and other land use control ordinances contained in the VMC, and any uncodified ordinances modifying the same, in effect on the date a fully complete application is filed with the city. For the purposes of this section, a vested application shall mean that the applicant is entitled to implement the development proposal described in the application, under the zoning, development and land use ordinances applied by the city in its review of the application without being subject to changes in development regulations subsequent to the submittal date except to the extent allowed by the city's police power to protect the public health, safety, and welfare.

Once an application is approved and if the approval contains a detailed description of the uses, including a detailed site plan drawn to scale, specifying the location of all buildings and improvements to be constructed in conjunction with the use(s), and such site plan is consistent with all laws and regulations in effect at the time the original application vested, then all ~~permit~~ land use applications in connection with the approved use(s) and/or site plan are vested to the laws and regulations in effect at the time of the vesting of the original permit application, until the land use approval expires.

C. VMC 20.230.030-1, which was adopted by Ordinance M-3643 and last amended by Ordinance M-3946, is amended as follows.

Table 20.230.030-1. Conversion of County Plan and Zone Designations to City Plan and Zone Designations

Clark County Comprehensive Plan Designation	Clark County Zone	City of Vancouver Zone Designation	City of Vancouver Comprehensive Plan Designation
Urban Low Density Residential	R1-20	R-2 or R-6 ¹	Urban Lower Density
	R1-10	R-4 or R-6 ¹	
	R1-7.5	R-6	
	R1-6	R-9	
	R1-5	R-9	
Urban Medium Density Residential	R-12	R-9 or R-18 ¹	Lower Density Residential or Higher Density Residential
	R-18	R-18	Urban Higher Density

Clark County Comprehensive Plan Designation	Clark County Zone	City of Vancouver Zone Designation	City of Vancouver Comprehensive Plan Designation
	R-22	R-22	
Urban High Density Residential	R-30	R-30	
	R-43	R-35	
Urban Medium Density Residential	OR-15	R-18 or OCI ¹	Higher Density Residential or Industrial
	OR-18	R-18 or OCI ¹	
	OR-22	R-22 or OCI ¹	
Urban High Density Residential	OR-30	R-30 or OCI ¹	
	OR-43	R-35 or OCI ¹	
Neighborhood Commercial Commercial (C)	C2 NC	CN or CC ¹	Commercial and Mixed Use
Community Commercial or General Commercial Commercial (C)	C3 CC	CC	
	C4 CC	CC or CG ¹	
General Commercial Commercial (C)	C4 GC	CG	
Mixed Use	MX	MX	
Employment Center Industrial (I)	OC	OCI	Industrial; Low Density; Residential, High Density Residential, Commercial Mixed Use, and Industrial designations are consistent with RGX zone
Employment Center Industrial (I)	BP	OCI or IL ¹	
Employment Center or Light Industrial	ML IL	IL or RGX	

Clark County Comprehensive Plan Designation	Clark County Zone	City of Vancouver Zone Designation	City of Vancouver Comprehensive Plan Designation
<u>Industrial (I)</u>			
Heavy Industrial	MH <u>IH</u>	IH	
Airport, Light Industrial, Heavy Industrial, or Public Facility	A	A, IL, IH, OR-OC±	
All Categories – Except Mixed Use	U(niversity)	Any R zone, CC or CG (by CUP only) ¹	Public Facility
<u>Parks/ Open Space P/OS</u>	Parks/WL	OS/ <u>Park (P)</u>	Open Space (applicable zone based on Development Code definitions and characteristics of property)
		OS/ <u>Greenway (GW)</u>	
		OS/ <u>Natural Area (NA)</u>	
Surface Mining Overlay	S	SM	Surface Mining Overlay
Airport Environs Overlay	AE-1, AE-2	Pick from existing designations & zones based on footnote 1 below	
Historic Preservation Overlay	Site Specific		
Interchange Area Overlay District	Plan-Based		

¹Final determination to be based on a comprehensive land use plan meeting the requirements of VMC 20.230.030.C, or written findings that address existing uses, abutting uses, zone purpose, zone location criteria, allowed uses, and identify a zone designation that would allow desired existing uses, approved uses, or in-process development plans to continue as conforming uses.

D. VMC 20.320.050, which was adopted by Ordinance M-3643 and last amended by Ordinance M-4179, is amended as follows.

VMC 20.320.050 Final Plat Application.

A. *Final plat application and fees.* A complete application, including all supplemental documentation and correct number of copies, shall be filed with the planning official along with all associated fees per Chapter 20.180 VMC.

B. *Proposed final plat.* The proposed final plat shall be prepared by a surveyor in accordance with the provisions of the Survey Recording Act (Chapter 18.90 RCW) as it now exists or hereafter amended. The plat shall consist of one or more pages of a size acceptable to the recording authority, and drawn to a minimum scale of one inch equals 50 feet. The drawing shall contain the following:

1. Date, north arrow and scale;
2. Name of subdivision and applicable project numbers;
3. Letter height must not be less than 0.08 inches;
4. Heavy dashed line around the exterior boundary;
5. All section, township, municipal and county lines lying within or adjacent to the subdivision;
6. Legend;
7. The location of all monuments or other evidence used as ties to establish the subdivision's boundaries, and all permanent monuments with linear dimension, including dimensions to every curb screw;
8. The boundary of the subdivision with complete bearings and linear distances;
9. The length and bearings of all straight lines and the radii, arcs and semi-tangents of all curves;
10. The length of all lot lines, together with bearings and other data necessary for the location of any lot line in the field;
11. Identification of areas to be dedicated or reserved clearly indicated with location, size and purpose. These may include rights-of-way width, public easements, private easements, specific utility easement and type, open space tracts, wetland, etc.;
12. Numbers assigned to all lots, indication of the acreage and/or square footage of each lot, and letters assigned to all blocks within the subdivision;
13. Surveyor's Certification on the face of the plat by a registered land surveyor:

~~I, _____, registered as a land surveyor by the state of Washington, certify that this plat is based on an actual survey of the land described herein, conducted by or under my supervision, during the period of _____ through _____; that the distances, courses and angles are shown thereon correctly, and that monuments other than those monuments approved for setting at a later date have been set and lot corners staked on the ground as depicted on the plat.~~

I, [insert printed name of licensed surveyor], registered as a land surveyor by the state of Washington, certify that this plat is based on an actual survey of the land described herein, conducted by me or under my supervision. That the distances, courses, and angles are shown hereon correctly, and that the monuments, other than the monuments approved for setting at a later date, have been set and lot corners staked on the ground as depicted on the plat.

Signature of Licensed Surveyor: _____ Date Signed: _____

Professional Land Surveyor No. _____ Sealed

14. Signature blocks for the following:

- a. Director of public works;
- b. Director of community and economic development;
- c. Clark County public health signature or a letter from public health is provided confirming completion of the public health's development review process;
- d. County assessor;
- e. Auditor's certification;
- ~~f. Surveyor's certification, with license number, signature, date and seal.~~

E. VMC 20.320.070, which was adopted by Ordinance M-3643 and last amended by Ordinance M-4179, is amended as follows.

VMC 20.320.070 Technical Standards. {for subdivisions}

A. *Subdivision Layout and Required Improvements.*

1. *Principles of acceptability.* The short subdivision or subdivision shall conform to the comprehensive plan. The short subdivision or subdivision shall conform to the requirements of the state law and to the standards established by this title.

a. *Street improvement standards.* All proposed streets and street improvements shall comply with the provisions of VMC Title 11 and approved transportation standards details on file with the public works department.

- b. *Blocks.* The length, width and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated; consideration of the needs for convenient access, circulation, control, safety of motor vehicular, bicycle and pedestrian traffic and recognition of limitations and opportunities of topography.
- c. Blocks shall not exceed 1,300 feet in length between street lines, except blocks adjacent to arterial streets or unless a previous adjacent layout or topographical conditions justify variation. The recommended minimum distance between intersections of arterial streets is 1,800 feet. Minimum length of a block shall not be less than 180 feet.
- d. Easements
1. *Utility lines.* Easements for sewers, drainage, water lines, electric lines or other public use utilities shall be provided. The size and location of the easement shall be reviewed and approved by the appropriate utility provider.
 2. *Watercourses.* If a subdivision is traversed by a watercourse, such as a drainageway, channel or stream, there shall be provided a stormwater easement for the width of the watercourse plus 15 feet on each side of the watercourse. Streets or parkways parallel to a major watercourse may be required.
 3. *Pedestrian/bicycle ways in and through residential subdivisions.* In blocks over 800 feet in length, a pedestrian/bicycle way with a minimum width of 16 feet shall be required through the middle of the block when required by the transportation manager for public convenience and safety; 12 feet of the 16-foot corridor shall be paved in a durable material. If unusual conditions require blocks longer than 1,200 feet in length, two pedestrian/bicycle ways shall be required. When required by the transportation manager for public convenience and safety, pedestrian ways shall be required to connect cul-de-sacs or to pass through unusually shaped lots.
- e. *Flag lots.* Flag lots may be permitted, provided that the minimum width of the flag stem be 15 feet for a single lot and 20 feet for a shared flag access, and it is in compliance with fire access standards contained in VMC 16.04.150. No more than four lots may be accessed from a single flag stem. A private maintenance agreement shall be recorded for driveways which serve more than one lot.
- f. *Lot side lines.* Side lines, as far as practical, shall run at right angles to the street on which the lot faces.
- g. *Lot frontage.* With the exception of flag lots, all lots shall abut on a public or private street with a minimum frontage of not less than 20 feet.
- h. *Parks and playgrounds.* The review authority shall see that appropriate provision is made for parks and playgrounds to serve the proposed subdivision.
- i. *Narrow Lot Land Divisions.* Land divisions which contain one or more residential lots having a width or less than 40 feet shall meet the development standards of VMC 20.927.040.

j. *Existing trees.* All subdivision developments shall comply with the tree and vegetation management provisions contained in Chapter 20.770 VMC, Tree, Vegetation and Soil Conservation.

2. *Procedure for installation.* In addition to other requirements, improvements installed by the developer of the short subdivision or subdivision, either as a requirement of these regulations or at his own option, shall conform to the requirements of this title and improvement standards, specifications, inspections and procedures as set forth by the city and administered by the department of public works and community and economic development department, and shall be installed in accordance with the following procedures:

a. Public work shall not commence until civil engineering plans, prepared in accordance with the requirements of the city, have been approved by the city: all required permits have been obtained and a pre-construction conference has been conducted. Public work shall not be commenced until the city has been notified in advance.

b. If work has been discontinued for any reason, it shall not be resumed until the city has been notified.

c. Public improvements shall be constructed under the inspection and to the satisfaction of the director of public works or their designee. The city may require changes in typical sections and details in the public interest if unusual conditions arise during construction to warrant the change.

d. All underground utilities, sanitary sewers and storm drains installed in the streets by the developer of the short subdivision or subdivision shall be constructed prior to the surfacing of streets. Stubs for service connections and underground utilities and sanitary sewers shall be placed to a length precluding the necessity for disturbing the street improvements when surface connections are made.

e. A plan showing all improvements "as built" shall be filed with the development review services upon the completion of the improvements.

f. *Public improvements required.* Improvements to be installed at the expense of the owner of the short subdivision or subdivision are as follows:

i. All full-width streets, sidewalks, curbs and gutters, including alleys, within or adjacent to the subdivision or short subdivision; streets adjacent but only partially within the short subdivision or subdivision; and the extension of short subdivision or subdivision streets to the intercepting paving line of existing streets with which short subdivision or subdivision streets intersect shall be graded for the full right-of-way width and improved to the city's improvement standards and specifications.

ii. *Half-width roads.* In situations where the property being developed does not permit full-width public streets, half roads having a minimum right-of-way or easement and roadway improvement width of one-half of the design width may be permitted when placed adjacent to adjoining property so long as there is no physical obstruction or development constraint prohibiting the completion of the street on such adjoining

property; provided, that public street half-width shall be a minimum of 20 feet wide. Public half-width streets serving six or more parcels shall be required to dedicate additional right-of-way as necessary to provide for a minimum of one foot of right-of-way beyond the edge of the sidewalk. Further, additional right-of-way or easement may be required between the edge of the roadway and the property line for construction clearance, slopes or other features. Half-width public streets shall serve a maximum of 200 ADT. If the number of trips generated is greater than 200 ADT, the street shall be widened to full-width standards. Parking shall be prohibited along any half-width street and necessary signs and pavement markings shall be the responsibility of the developer.

iii. ~~*Bench marks*~~ *Benchmarks*. When required, elevation ~~bench marks~~ benchmarks shall be established within the subdivision with elevations to U.S. Geological Survey datum.

iv. *Drainage systems*. Surface drainage systems shall be provided within the subdivision or short subdivision. The design of the drainage system within the short subdivision or subdivision shall be in accordance with the standards set forth by Chapter 14.25 VMC, as administered by the department of public works.

v. *Erosion control and stormwater quality*. Facilities shall be provided within the short subdivision or subdivision to enhance stormwater runoff and protect existing and future drainage facilities. The design of the erosion control and stormwater quality system shall be in accordance with the standards set forth by the city, pursuant to Chapters 14.24 and 14.25 VMC, as administered by the department of public works.

vi. *Sanitary sewers*. Sanitary sewers shall be installed to serve the short subdivision or subdivision and to connect the short subdivision or subdivision to existing mains. ~~It is the event that it is impractical to connect the short subdivision or subdivision to the city trunk sewer system, the review authority may authorize the use of septic tanks if the lot area is adequate, taking into consideration the physical characteristics of the area determined by the county health department.~~

F. VMC 20.410.040, which was adopted by Ordinance M-3643 and last amended by Ordinance M-4325, is amended as follows.

VMC 20.410.040 Minimum and Maximum Densities. *{in single family zones}*

A. *Purpose*. The purpose of this section is to establish minimum and maximum densities in each residential zoning district. To ensure the quality and density of development envisioned, the maximum density establishes the ceiling for development in each zoning district based on minimum lot size. To ensure that property develops at or near the density envisioned for the zone, the minimum density for each zoning district is set at just above the maximum density of the next less intense zone.

B. *Maximum and minimum densities.* The maximum and minimum densities for the Low-Density Residential Districts are contained in Table 20.410.040-1.

Table 20.410.040-1 Minimum and Maximum Densities and Lot Sizes ¹				
Zone	Minimum Lot Size	Maximum Net Density	Maximum Average Size	Minimum Net Density
R-2	20,000 sf	2.2	30,000 sf	1.8
R-4	10,000 sf	4.4	19,000 sf	2.3
R-6	7,500 sf	5.8	10,500 sf	4.5
R-9	5,000 sf	8.7	7,400 sf	5.9

¹ The 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 and maximum 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, or designated critical areas.

C. *Exceptions.* The following exceptions are permitted to the lot size and density provisions for the R-2- R-9 zoning districts contained in Table 20.410.040-1 above:

1. Minimum lot size/maximum density:

a. Lots developed or approved before March 11, 2004, are exempt from the requirements for minimum density. However, if a site is completely redeveloped, the new development must comply with the minimum density requirements contained in Table 20.410.010-1 above.

b. Non-residential uses are exempt from minimum lot sizes.

c. Within a development of two or more lots, the minimum lot size may be averaged as long as no lot is smaller than 80% of the minimum required lot size.

d. Legal lots of record (lots legally created) that do not meet the minimum lot size requirement may be developed with a single dwelling unit.

e. When the maximum density contains a fraction of a unit, the applicant must round to the nearest whole unit. For calculations of X.1 – X.4, this means rounding down; for calculations of X.5 – X.9, this means rounding up to the next whole unit.

2. Maximum lot size/minimum density:

- a. Non-residential uses are exempt from maximum lot sizes.
 - b. On large parcels containing an existing dwelling on March 11, 2004, a lot no greater than one acre may be created around the existing dwelling with the remainder platted to create the number of dwelling units required within the range of minimum and maximum density established for the zoning district in which the parcel is located.
 - c. When the minimum density contains a fraction of a unit, the applicant must round to the nearest whole unit. For calculations of X.1 – X.4, this means rounding down; for calculations of X.5 – X.9, this means rounding up to the next whole unit.
 - d. On sites that contain sensitive environmental conditions, all or a portion of the sensitive resources areas may be deducted from the gross lot area before the minimum and maximum densities are calculated unless the applicant chooses to transfer density per the requirements of Chapter 20.940 VMC, On-Site Density Transfers.
3. *Planned Developments.* See VMC Chapter 20.260.060 (Development Standards – Item 4) for additional exceptions to lot size requirements. (Ord. M-3931 § 10, 2009; Ord. M-3701 § 13, 2005; Ord. M-3643, 2004)

G. VMC 20.440.030, which was adopted by Ordinance M-3643 and last amended by Ordinance M-4147, is amended as follows.

VMC 20.440.030 Uses.

- A. *Types of uses.* For the purposes of this chapter, there are four kinds of use:
1. A permitted (P) use is one that is permitted outright, subject to all of the applicable provisions of this title.
 2. A limited (L) use is permitted outright, providing it is in compliance with special requirements, exceptions or restrictions.
 3. A conditional use (C) is a discretionary use reviewed through the process set forth in Chapters 20.245 and 20.210 VMC, governing conditional uses and decision-making procedures, respectively.
 4. A prohibited use (X) is one that is not permitted in a zoning district under any circumstances.
 5. Uses may also be subject to restrictions and standards set forth in the Water Resource Protection Ordinance (VMC Title 14).
- B. *Use table.* A list of permitted, limited, conditional, and prohibited uses in the industrial zoning districts is shown in Table 20.440.030-1.

Table 20.440.030-1. Industrial Zoning Districts Use Table

USE	OCI²⁰	IL¹	IH	ECX²⁷
RESIDENTIAL				
Household Living	L ²	L ²	L ²	L ²⁸
Group Living	P ²¹ /X	X	X	P ²¹ /X
Home Occupation	L ³	L ³	L ³	L ³
HOUSING TYPES				
Single Dwelling, Attached	L ²	X	X	L ²⁸
Single Dwelling, Detached	X	X	X	X
Accessory Dwelling Units	X	X	X	X
Duplexes	L ²	X	X	L ²⁸
Multi-Dwelling Units	L ²	X L ²	X	L ²⁸
Existing Manufactured Home Developments	X	X	X	X
Designated Manufactured	X	X	X	X
New Manufactured Homes	X	X	X	X
CIVIC (Institutional)				
Basic Utilities	P	P	P	P
Colleges	X	X	X	C
Community Centers	P	X	P	P
Community Recreation	L ²⁴	P	X	L ²⁴
Cultural Institutions	X	P	X	P
Day Care				
- Child Care Center	L ⁴	L ⁴	X	L ⁴

USE	OCI²⁰	IL¹	IH	ECX²⁷
- Adult Day Care	P	P	X	P
Emergency Services (except ambulance services)	P	P	P	P
Medical Centers	C	X	X	P
Parks/Open Space				
- Neighborhood Parks	P	P	P	P
- Community Parks	P	P	P	P
- Regional Parks	C	C	C	C
- Trails	P	P	P	P
Postal Service	X	P	P	X
Religious Institutions	X	X	X	X
Schools	X	X	X	X
Social/Fraternal Clubs	X	X	X	X
Transportation Facility	P/X ²⁶	P	P	P/X ²⁶
Park & Ride Facilities				
Surface	X	L ³¹	L ³¹	X
Structure	L ³¹	L ³¹	L ³¹	L ³¹
COMMERCIAL				
Commercial and Transient Lodging	X	X	X	P
Eating/Drinking Establishments	L	L ⁵	L ⁵	L ⁶
Entertainment- Oriented				
- Adult Entertainment	X	L ⁷	L ⁷	X
- Indoor Entertainment	X	X	X	X

USE	OCI²⁰	IL¹	IH	ECX²⁷
- Major Event Entertainment	X	X	X	X
Artisan Small Scale Manufacturing	X	X	X	P
General Retail				
- Sales-Oriented	L	L ⁶	L/C ⁶	L ⁶
- Personal Services	L	L ⁶	X	L ⁶
- Repair-Oriented	L	L ⁶	X	L ⁶
- Bulk Sales	X	X	X	X
- Outdoor Sales	X	X	P	X
Motor Vehicle Related				
- Motor Vehicle Sales/Rental	X	X	X	X
- Motor Vehicle Servicing/Repair	X	L ⁸	L ⁸	X
- Vehicle Fuel Sales	X	X	L ⁸	L ^{8, 29}
- EV Basic Charging Stations (accessory and stand-alone)	P	P	P	P
- EV Rapid Charging Stations (accessory and stand-alone)	P	P	P	P
- EV Battery Exchange Stations	P	P	X	P
Office				
- General	P	P	L/C ⁹	P
- Medical	P	P	X	P
- Extended	P	P	X	P
Marina (See also VMC	X	C	X	X

USE	OCI²⁰	IL¹	IH	ECX²⁷
20.760)				
Non-Accessory Parking	C ¹⁰	L ¹⁰ /X	X	L ³⁰
Self-Service Storage	P ³⁵	P ³⁵	X	X
INDUSTRIAL				
Industrial Services	P	P	P	P
Manufacturing and Production	P	P ¹¹	P ¹¹	P
Railroad Yards	X	X	P	X
Bulk Crude Oil storage and handling facilities	X ³⁴	X ³⁴	X ³⁴	X ³⁴
Petroleum/Oil Refineries	X	X	X	X
Research and Development	P	P	C	P
Warehouse/Freight Movement	X	L ¹²	P	X
Waste-Related	X	X	P ²² /X	X
Wholesale Sales	P	L ¹²	X	X
Major Utility Facilities	X	X/P ³²	L ³³	X
OTHER				
Agriculture/Horticulture	X	P	P	X
Airport/Airpark	X	L ¹⁹	P	X
Animal Kennel/Shelters	X	L ¹⁷	L ¹⁷	X
Cemeteries	X	X	C	X
Detention & Post Detention Facilities	X	C/X ¹³	C ¹⁴	X
Dog Day Care	L ¹⁵	L ¹⁵	L ¹⁵	L ¹⁵
Heliports	C	C	C	C

USE	OCI ²⁰	IL ¹	IH	ECX ²⁷
Medical Marijuana Cooperatives	X	X	X	X
Recreational Marijuana Retail	X	X	X	X
Recreational Marijuana Growing or Processing	X	L ³⁴	L ³⁴	X
Mining	C ¹⁸	C ¹⁸	C ¹⁸	C ¹⁸
Rail Lines/Utility Corridors	P/X ²³	P	P	P/X ²³
Wireless Communication Facilities	L ¹⁶	L ¹⁶	L ¹⁶	L ¹⁶

1 Due to the unique character and combination of uses in the Columbia Business Center area, uses existing prior to March 11, 2004, on parcels zoned IL in the Columbia Business Center may be altered, expanded or replaced regardless of use limitations in Table 20.440.030-1.

2 In the OCI zone, multi-family housing allowed above ground floor only as specified by VMC 20.430.060(B)(2). In all industrial zones, one caretaker residence permitted per use.

H. VMC 20.912.030, which was adopted by Ordinance M-3643 and last amended by Ordinance M-4034, is amended as follows.

VMC 20.912.030 Permits required.

A. ~~Land Use Permits. A land use permit~~ Type I site plan approval is required for any sound wall. No land use permit is required for other wall or fence; however, the standards of 20.912 shall apply, unless exempted by 20.912.040.

I. VMC 20.912.070, which was adopted by Ordinance M-3643, is amended as follows.

VMC 20.912.070 Fences and Walls in Planned Developments.

A. The City's Planning Official or the City's Hearings Examiner has the authority to approve walls and fences on the perimeters of developments that are incorporated as a design element that is part of a Planned Development or subdivision design, ~~or is useful in limiting sound impacts from sources identified in Chapter 20.912.080(B) Exceptions for sound walls.~~ The Planning Official and Hearings Examiner can exceed the standards of this chapter, except those standards for vision clearance. In all cases the Planning

Official and Hearing Examiner shall require the recording of appropriate provisions (covenants or similar methods) for maintenance to be assumed by the property owners or association of owners. (Ord. M-3643, 01/26/2004)

J. VMC 20.920.030, which was adopted by Ordinance M-3643, is amended as follows.

VMC 20.920.030 Relationship to Other Development Standards.

A. All of the provisions of the City code that would apply to a noninfill project shall apply to infill projects except as specifically modified by this Chapter. If there is a conflict between the standards of this Chapter and the provisions of any applicable overlay districts or plan districts, the overlay district or plan district standards shall supersede the standards of this Chapter.

B. Development applications which meet the eligibility criteria for infill development, as outlined in this Chapter, must comply with additional transportation standards as provided for in VMC ~~Chapter 11.96~~ 11.80.060 Infill Development Transportation Standards. (Ord. M-3643, 01/26/2004)

K. VMC 20.790.620, which was adopted by Ordinance M-3634, and last amended by Ordinance M-4105 is amended as follows.

VMC 20.790.620

B. *Conditions of approval.* Subject to 43.21C.060 RCW and 43.21C.240 RCW, the City may attach conditions to a permit or approval for a proposal so long as:

1. Such conditions are necessary to mitigate specific probable adverse environmental impacts identified in environmental documents prepared pursuant to this ordinance; and
2. Such conditions are in writing; and
3. The mitigation measures included in such conditions are reasonable and capable of being accomplished; and
4. The City has considered whether other local, State or Federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts; and
5. Such conditions are based on one or more policies in Section ~~20.790.720~~ 20.790.630 VMC and cited in the decision document.

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: November 22, 2021

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

Nays: None

Absent: None

Read Second Time: December 6, 2021


PASSED BY THE FOLLOWING VOTE: 7-0


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

Nays: None

Absent: None

SIGNED this 6th day of December, 2021

DocuSigned by:

58CB15C0632F403...
Anne McEnery-Ogle, Mayor

Attest:
DocuSigned by:

BCF6734E40E94AE...
Natasha Ramras, City Clerk

Approved as to form:

DocuSigned by:

9A7DC2E31F694A2...
Jonathon Young, City Attorney

SUMMARY

ORDINANCE NO. M -4354

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver zoning map, and VMC 20.180, 20.230, 20.320, 20.410, 20.440, 20.450, 20.912, 20.920, and 20.790; 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 (Go to City Government and Public Records).