



## **CITY COUNCIL REGULAR MEETING AGENDA**

**Monday, May 15, 2017, 7:00 PM**

**City Hall, 616 NE 4th Avenue**

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NOTE: There are two public comment periods included on the agenda. Anyone wishing to address the City Council may come forward when invited; please state your name and address. Public comments are typically limited to three minutes, and written comments may be submitted to the City Clerk. Special instructions for public comments will be provided at the meeting if a public hearing or quasi-judicial matter is scheduled on the agenda.

### **I. CALL TO ORDER**

### **II. PLEDGE OF ALLEGIANCE**

### **III. ROLL CALL**

### **IV. PUBLIC COMMENTS**

### **V. CONSENT AGENDA**

- A. Approve the minutes of the May 1, 2017, Camas City Council Meeting and the Workshop minutes of May 1, 2017.

 [May 1, 2017 Camas City Council Regular Meeting Minutes - Draft](#)

[May 1, 2017 Camas City Council Workshop Meeting Minutes - Draft](#)

- B. Approve the automated clearing house and claim checks as approved by the Finance Committee.
- C. Authorize the write-off of the April 2017 Emergency Medical Services (EMS) billings in the amount of \$76,388.15. This is the monthly uncollectable balance of Medicare and Medicaid accounts that are not collectable after receiving payments from Medicare, Medicaid and secondary insurance. (Submitted by Pam O'Brien)

NOTE: Any item on the Consent Agenda may be removed from the Consent Agenda for general discussion or action.

### **VI. NON-AGENDA ITEMS**

- A. Staff
- B. Council

### **VII. MAYOR**

- A. Announcements
- B. Taiwanese American Heritage Proclamation

 [Taiwanese American Heritage Proclamation](#)

C. Gun Violence Awareness Proclamation

 [Gun Violence Awareness Proclamation](#)

D. National Public Works Proclamation

 [National Public Works Week Proclamation](#)

E. Mayor's Volunteer Spirit Award

 [May 2017 Francher and Uta](#)

## VIII. MEETING ITEMS

A. Public Hearing for Minor Amendments to Camas Municipal Code (CMC) Title 17 Land Development (MC16-07)

Details: As part of a periodic code update, the proposed minor amendments to Title 17 Land Development of the CMC includes updates to clarify sections that may have been challenging to administer since the last review update, new additions and corrections including typos. Planning Commission conducted a public hearing on April 18, 2017, and forwarded a recommendation of approval with opposition from one Commissioner. Staff presented the proposed amendments to Council during the May 1, 2017 workshop. The staff report summarizes the proposed amendments and addresses questions from Council and comments received (to date) during the State Environmental Policy Act (SEPA) comment period, ending May 11, 2017.

Presenter: Sarah Fox, Senior Planner

Recommended Action: Staff recommends that Council conduct a public hearing, deliberate and move to approve the amendments. If approved, an ordinance has been prepared for adoption.

 [Staff Report to Council for Public Hearing](#)

[Staff Presentation to Council](#)

[Exhibit 1 - Amendments to Title 17 with Comments](#)

[Exhibit 2 - Added Text to Title 17](#)

[Exhibit 3 - SEPA comments from Joe Turner, Hearings Examiner](#)

[Exhibit 4 - Access Spacing Standards](#)

B. Ordinance No. 17-005 Amendments to Camas Municipal Code (CMC) Title 17 Land Development

Details: An ordinance adopting amendments to Title 17 Land Development of the CMC. The amendments are part of a periodic code update, which include updates to clarify sections that may have been challenging to administer since the last review update, new additions and corrections including typos. A public hearing was held on April 18, 2017 before the Planning Commission. Staff brought the amendments before Council during the May 1, 2017 workshop and to the May 15, 2017 public hearing.

Presenter: Sarah Fox, Senior Planner

Recommended Action: Staff recommends Council move to adopt Ordinance No. 17-005 and publish according to law.

 [Ordinance 17-005 Adopting Amendments to Title 17](#)

[Exhibit A - Amendments to Title 17](#)

[Exhibit B - New Sections](#)

[Exhibit C - Figure for Double Frontage Lots](#)

C. Public Hearing Considering an Ordinance Amending the City of Camas' 2017 Budget Ordinance No. 16-023

Details: Council will have the opportunity to consider public testimony for an ordinance which amends the 2017-2018 Biennial Budget adopted in Ordinance No.16-023. This budget contains 17 carry forward packages, 4 administrative packages and 11 supplemental packages for a total of \$5,385,668. Under the Revised Code of Washington (RCW) 35A.34.150, Council is to consider public testimony followed by a period of five days before a vote can be taken.

Presenter: Cathy Huber Nickerson, Finance Director

Recommended Action: Staff recommends that an ordinance be placed on the June 5, 2017 Regular Meeting Agenda for Council's consideration.

 [Ordinance Amending 2017 Budget](#)

[Attachment A - Spring Budget Omnibus](#)

D. Ordinance No. 17-006 Granting Electric Lightwave LLC a Non-Exclusive Franchise for the Transmission of Telecommunications

Details: Ordinance No. 17-006 provides a valid agreement, per Camas Municipal Code (CMC) Chapter 5.45, for Electric Lightwave LLC to own, operate and maintain the fiber optic lines within the public rights of way of Camas. This ordinance prohibits Electric Lightwave LLC from providing cable television service. A public hearing was held during the May 1, 2017 Regular Council Meeting. There was no public testimony received.

Presenter: James Carothers, Engineering Manager

Recommended Action: Staff recommends Council move to adopt Ordinance No. 17-006 and publish according to law.

 [Ordinance No. 17-006 Electric Lightwave Franchise](#)

## IX. PUBLIC COMMENTS

## X. ADJOURNMENT

NOTE: The City welcomes participation of its citizens in the public meeting process. Effort will be made to ensure anyone with special needs can participate. For more information call 360.834.6864.



## **CITY COUNCIL REGULAR MEETING MINUTES - DRAFT**

**Monday, May 1, 2017, 7:00 PM**

**City Hall, 616 NE 4th Avenue**

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### **I. CALL TO ORDER**

Mayor Scott Higgins called the meeting to order at 7:01 p.m.

### **II. PLEDGE OF ALLEGIANCE**

### **III. ROLL CALL**

Present: Greg Anderson, Bonnie Carter, Don Chaney, Tim Hazen, Steve Hogan and Shannon Turk

Excused: Melissa Smith

Staff: Bernie Bacon, Phil Bourquin, Pete Capell, James Carothers, Cathy Huber Nickerson, Shawn MacPherson, Robert Maul, Steve Wall and Alicia Pacheco (intern)

Press: No one from the press was present

### **IV. PUBLIC COMMENTS**

Adam Brice, president of IAFF Local 2444 East Clark Professional Fire Fighters, commented about the IAFF union.

### **V. CONSENT AGENDA**

- A. Approved the minutes of the April 17, 2017, Camas City Council Meeting and the Workshop minutes of April 17, 2017.

 [April 17, 2017 Camas City Council Workshop Meeting Minutes - draft](#)  
[April 17, 2017 Camas City Council Regular Meeting Minutes - draft](#)

- B. Approved automated clearing house and claim checks numbered 133039 to 133158 in the amount of \$447,388.41. Approved automated clearing house, direct deposit and payroll checks numbered 7347 to 7357 and payroll accounts payable checks numbered 133025 through 133038 in the amount of \$1,742,750.85. Approved electronic payments for the month of April in the amount of \$96,951.16.
- C. Authorized the Mayor, or his designee, to sign the Consultant Services Contract with CH2M Inc. in the amount of \$14,584 for the first phase of the Wastewater Local Limits Development project and preparation of the Local Limits Sampling and Evaluation Plan. (Submitted by Sam Adams)

 [Local Limits Development Plan Scope of Work](#)  
[Local Limits Development Plan Agreement](#)

- D. Authorized the Mayor to execute a Professional Services Contract with W. Todd Pascoe, PLLC, Attorneys at Law to provide indigent defense in Camas Municipal Court. W. Todd Pascoe, PLLC, Attorneys at Law have been providing indigent defense in Camas Municipal Court. Their previous Professional Services Contract has expired. (Submitted by Peter Capell)

 [Pascoe Professional Services Contract](#)

- F. Approved the Green Mountain Planned Residential Development (PRD) Final Plats for Phase 1 A/B, 1D, and 1E. (Submitted by Robert Maul, Planning Manager)

 [Final Plat Staff Report](#)  
[Improvement Deferral Agreement](#)  
[PLAT -Phases 1A and 1B-Page 1](#)  
[PLAT -Phases 1A and 1B-Page 2](#)  
[PLAT - Phase 1D](#)  
[PLAT - Phase 1E](#)

Mayor Higgins announced that item E. Award the Forest Home Slide Repair project, was removed from the Consent Agenda for further discussion.

**It was moved by Council Member Anderson, seconded by Council Member Carter, to approve the Consent Agenda as amended. The motion carried unanimously.**

## **VI. ITEMS REMOVED FROM THE CONSENT AGENDA**

- A. Awarded the Forest Home Road Slide Repair project to the lowest responsive bidder. Bids were opened on Friday, April 28, 2017, and the results were provided Monday, May 1, 2017. The engineering estimate for this project is \$520,000. This project is funded by Federal Highway Emergency Relief (ER) funds and local storm drainage funds. (Submitted by James Carothers)

**It was moved by Council Member Hogan, seconded by Council Member Turk, that this Action Item be approved as amended. The motion carried unanimously.**

## **VII. NON-AGENDA ITEMS**

- A. Staff

There were no comments from staff.

- B. Council

There were no comments from Council.

## VIII. MAYOR

### A. Announcements

There were no announcements from Mayor Higgins.

## IX. MEETING ITEMS

### A. Public Hearing for Electric Lightwave, LLC Franchise Agreement

Details: Conducted a public hearing to provide citizens an opportunity to give public testimony regarding the proposal of an ordinance to establish an agreement between the City of Camas and Electric Lightwave, LLC (ELI), a subsidiary of Zayo. This ordinance allows ELI to install, operate and maintain fiber optic telecommunication lines within the City of Camas rights-of-way. This agreement prohibits ELI from providing cable television service.

Presenter: James Carothers, Engineering Manager

 [Electric Lightwave Franchise DRAFT Ordinance](#)

Mayor Scott Higgins opened the public hearing at 7:13 p.m.

The following members of the public spoke:

Two representatives of Zayo communications, Vancouver, WA, introduced themselves.


The public hearing was closed at 7:14 p.m.

**It was moved by Council Member Turk, seconded by Council Member Hazen, to approve the Electric Lightwave, LLC Franchise Agreement and directed staff to place the ordinance on the May 15, 2017 Council Regular Meeting Agenda. The motion carried unanimously.**

### B. Ordinance No. 17-004 Amending Chapter 2.72 of the Camas Municipal Code (CMC) Relating to Post-Retirement Medical Insurance

Details: This ordinance amends CMC Chapter 2.72 eliminating sections relating employee life insurance policies, medical insurance, vision and dental plans, which do not reflect current practices. Those benefits are addressed in labor contracts and the Non-Represented Employee Handbook. The ordinance was discussed during the March 2, 2017, and April 17, 2017, Workshops.

Presenter: Pete Capell, City Administrator

 [Ordinance 17-004 Amending CMC 2.72](#)  
[Draft CMC Chapter 2.72 Post-Retirement Medical Insurance - Redline](#)  
[Draft CMC Chapter 2.72 Post-Retirement Medical Insurance](#)

**It was moved by Council Member Carter, seconded by Council Member Hogan, that Ordinance No. 17-004 be read by title only. The motion carried unanimously.**

**It was moved by Council Member Carter, seconded by Council Member Hogan, that Ordinance No. 17-004 be adopted and published according to law. The motion carried unanimously.**

- C. Resolution No. 17-004 Confirming the Appointment of the Camas Municipal Court Judges  
Details: The Camas Municipal Code (CMC) Chapter 2.40.020 provides that the Mayor shall appoint as municipal judges, subject to confirmation by the city council, all duly elected district court judges of the Clark County District Court. Resolution 17-004 affirms the appointment and confirmation of the municipal judges.  
Presenter: Peter Capell, City Administrator

 [Resolution No. 17-004 Appointing the Municipal Court Judge](#)

**It was moved by Council Member Carter, seconded by Council Member Hazen, that Resolution No. 17-004 be read by title only. The motion carried unanimously.**

**It was moved by Council Member Carter, seconded by Council Member Hazen, that Resolution No. 17-004 be adopted. The motion carried unanimously.**

#### **X. PUBLIC COMMENTS**

No one from the public wished to speak.

#### **XI. ADJOURNMENT**

The meeting adjourned at 7:19 p.m.

NOTE: The City welcomes participation of its citizens in the public meeting process. Effort will be made to ensure anyone with special needs can participate. For more information call 360.834.6864.



## **CITY COUNCIL WORKSHOP MEETING MINUTES - DRAFT**

**Monday, May 1, 2017, 4:30 PM**

**City Hall, 616 NE 4th Avenue**

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### **I. CALL TO ORDER**

Mayor Scott Higgins called the meeting to order at 4:30 p.m.

### **II. ROLL CALL**

Present: Greg Anderson, Bonnie Carter, Don Chaney, Tim Hazen, Steve Hogan and Shannon Turk

Excused: Melissa Smith

Staff: Sam Adams, Bernie Bacon, Phil Bourquin, Pete Capell, James Carothers, Sarah Fox, Cliff Free, Jennifer Gorsuch, Cathy Huber Nickerson, Mitch Lackey, Leona Langlois, Robert Maul, Connie Urquhart and Alicia Pacheco (intern)

Press: No one from the press was present

### **III. PUBLIC COMMENTS**

No one from the public wished to speak.

### **IV. WORKSHOP TOPICS**

#### **A. Community Development Block Grant (CDBG) Update**

Details: Representatives from Clark County Community Services updated Council about the CDBG Program.


Presenter: Samantha Whitley, Program Coordinator and Rebecca Royce, Program Coordinator, Clark County Community Services

Samantha Whitley and Rebecca Royce provided an update to Council.

#### **B. Downtown Camas Association (DCA) Annual Update**

Details: DCA updated Council regarding accomplishments in 2016 and goals for 2017.

Presenter: Carrie Schulstad, Executive Director and Dawn White, Treasurer

 [2017 DCA Update to Council](#)  
[2016 Accomplishments Flyer](#)  
[The Power of a Main Street Program](#)  
[DCA Statement of Operations](#)

Carrie Schulstad and Dawn White provided an update to Council.

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- C. Minor Amendments to Camas Municipal Code (CMC) Title 17 Land Development Details: As part of a periodic code update, the proposed minor amendments to Title 17 Land Development of the CMC included updates to clarify sections that may have been challenging to administer since the last review update, new additions and corrections including typos. The staff report summarized the proposed amendments and includes two attachments. Exhibit 1 is the redlined version of the draft amendments that illustrates the proposed changes and Exhibit 2 is a clean version of the proposed amendments. Planning Commission conducted a public hearing on April 18, 2017, and forwarded a recommendation of approval with one opposed.  
Presenters: Sarah Fox, Senior Planner

 [Staff Report to Council](#)  
[Exhibit 1 Amendments to Title 17 with redlines](#)  
[Exhibit 2 Amendments to Title 17 without redlines](#)  
[Staff Presentation to Council](#)

This item has been placed on the May 15, 2017 City Council Regular Meeting Agenda for Council's consideration, following a public hearing.

- D. Lacamas Lake Open Space Annexation  
Details: The City of Camas owns approximately 57 acres of land at the eastern end of Lacamas Lake, and west of Everett Street. The land is located within the adopted Urban Growth Boundary, but it has not been formally incorporated within the city limits. The Parks and Recreation Department would like to build a trail system on the property and do so under City of Camas regulations. As such, annexation would be required.  
Presenter: Robert Maul, Planning Manager

 [Staff Report](#)  
[Lacamas Property Fact Sheet 1](#)  
[Lacamas Property Fact Sheet 2](#)  
[Annexation Area](#)

Maul summarized the information with Council and discussion ensued.

- E. Community Development Miscellaneous and Updates  
Details: This is a placeholder for miscellaneous or emergent items.  
Presenter: Peter Capell, City Administrator

Bourquin provided an update to Council regarding wireless communication proposals, the latest economic development ad-hoc committee meeting, and a Camas Meadows Drive development.

- F. Forest Home Road Slide Repair Bid  
Details: Bids for construction of the Forest Home Road Slide Repair project were opened on Friday, April 28, 2017. Staff presented the bids at the May 1, 2017 City Council Workshop. Council was asked to consider awarding this project to the lowest responsive bidder on the May 1, 2017 Regular Council Meeting Agenda.  
Presenter: James Carothers, Engineering Manager

This item was also placed on the May 1, 2017 Regular Council Meeting Agenda.

**G. Public Works Miscellaneous and Updates**

Details: This is a placeholder for miscellaneous or emergent items.

Presenter: Steve Wall, Public Works Director

Wall provided an update to Council regarding the Lacamas Lane Slide Repair project, Economic Development staffing, and the North Shore Sewer Transmission Main project being coordinated with the School District; it will begin soon along Everett St. Wall also informed Council about two trees located on the west side of City Hall that will likely need to be removed and replaced.

**H. City Administrator Miscellaneous Updates and Scheduling**

Details: This is a placeholder for miscellaneous or scheduling items.

Presenter: Peter Capell, City Administrator

Capell informed Council about the indigent defense contract on the May 1, 2017 Consent Agenda. He also commented about the City Council's Special Workshop meeting for the City's Strategic Plan update scheduled May 8, 2017. Capell talked about the four Lean Process Improvement projects staff are working on, the State Auditor's Office City annual audit exit interview, and a closed session for the salary study today.

**V. COUNCIL COMMENTS AND REPORTS**

Chaney commented about the North Shore development area.

Hogan commented about the City's annual recycling event this weekend.

Anderson attended East County Fire and Rescue (ECFR) meeting and will be attending the C-TRAN meeting.

Carter attended the Planning Commission meeting and will attend the Library Board of Trustees meeting

Turk attended the Sister City meeting and will be participating in the ivy removal volunteer effort on May 6, 2017, at Fallen Leaf Lake Park.

**VI. PUBLIC COMMENTS**

No one from the public wished to speak.

**VII. ADJOURNMENT**

The meeting adjourned at 6:08 p.m.

NOTE: The City welcomes participation of its citizens in the public meeting process. Effort will be made to ensure anyone with special needs can participate. For more information call 360.834.6864.

~ PROCLAMATION ~

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

WHEREAS, Taiwanese Americans have made enormous contributions to the diversity and prosperity of American society, consistently contributing to the promotion of democracy and security for their motherland of Taiwan; and

WHEREAS, Taiwanese Americans have succeeded as successful and notable artists, Nobel Laureate, scientists, researchers, engineers, human rights activists, and business leaders; 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 the spirit of community that binds us together as one nation.

NOW, THEREFORE, BE IT RESOLVED that I, Scott Higgins, Mayor of Camas, do hereby proclaim **May 21-27, 2017**, as

***“Taiwanese American Heritage Week”***

in Camas, Washington 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 15th day of May, 2017



\_\_\_\_\_  
Scott Higgins, Mayor

~ PROCLAMATION ~

WHEREAS, every day, 93 Americans are killed by gun violence and more than 200 have sustained non-fatal firearm injuries over the last 5 years; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from dangerous people; and

WHEREAS, to help honor the lives cut short and the countless survivors injured by shootings every day; a national coalition of organizations designated June 2, 2017, as the third annual National Gun Violence Awareness Day; and

WHEREAS, June 2, 2017, would have been the 20th birthday of Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just weeks later; and

WHEREAS, wearing orange on June 2<sup>nd</sup> was an idea inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; chosen because hunters wear orange to announce themselves to other hunters and it is a color that symbolizes the value of human life; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our children safe.

NOW, THEREFORE BE IT RESOLVED that I, Scott Higgins, Mayor of Camas, do hereby proclaim **June 2, 2017**, as

***"Gun Violence Awareness Day"***

in Camas, Washington and encourage all citizens to support the efforts to prevent the tragic effects of gun violence.



In witness whereof, I have set my hand and caused the seal of the City of Camas to be affixed this 15th day of May, 2017

\_\_\_\_\_  
Scott Higgins, Mayor

## ~ PROCLAMATION ~

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings and solid waste collection; and

WHEREAS, the health, safety and comfort of the City of Camas community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design and construction, are vitally dependent upon the efforts and skill of public works managers and staff; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform;

NOW, THEREFORE, BE IT RESOLVED that I, Scott Higgins, Mayor of Camas, do hereby proclaim the week of **May 21-27, 2017**, as

### ***"National Public Works Week"***

in Camas, Washington and encourage all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions, which City of Camas public works managers and staff make every day, to our health, safety, comfort and quality of life.



In witness whereof, I have set my hand and caused the seal of the City of Camas to be affixed this 15<sup>th</sup> day of May, 2017.

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Scott Higgins, Mayor

# Mayor's VOLUNTEER SPIRIT AWARD

in the City of Camas, presented to

## FRANCHER DONALDSON & UTA ZUENDEL

For their vital and proactive service to our community. Francher as an active member of the Friends & Foundation of the Camas Library, which enriches the programs and services our Library offers; and Uta's instrumental role in the beautification of Downtown Camas and continued efforts to enhance the charm of our City.



Dated this 15th day of May, 2017

A handwritten signature in blue ink, appearing to read "Scott Higgins", is written over a horizontal line.

Scott Higgins, Mayor





## STAFF REPORT

# MINOR AMENDMENTS TO TITLE 17 LAND DEVELOPMENT OF CAMAS MUNICIPAL CODE

FILE# MC16-07

**To:** Mayor Higgins

City Council

**FROM:** Sarah Fox, Senior Planner on behalf of the Planning Commission

**DATE:** May 9, 2017

**Public Hearing:** May 15, 2017

**NOTICES:** The Department of Commerce acknowledged receipt of the proposed amendments on April 11, 2017 (Material ID #23591). A State Environmental Policy Act (SEPA) determination of non-significance for a non-project actions was published on April 27, 2017 with a comment period ending on May 11, 2017. A comment from Joe Turner, the city's Hearings Examiner, was received at the writing of this report.

A notice for the public hearing was published in the Camas Post Record on May 4, 2017 (Legal publication #582185). The notice for the public hearing before Planning Commission was published on April 6, 2017 (Legal publication #580420).

### SUMMARY

As part of our periodic code update (similar to the Title 16 Environment code update), the proposed minor amendments to Title 17 Land Development of the Camas Municipal Code (CMC) include updates to clarify sections that may have been challenging to administer since the past review cycle, new additions and corrections or typos.

Planning Commission conducted a public hearing on April 18, 2017 and forwarded a recommendation of support with one objection. The objection was in regard to the amendment to prohibit the development of cul-de-sacs unless there are topographic or physical constraints (Refer to proposed Section 17.19.040(B)(10)(b)(ii)).

The proposed CMC amendments are provided along with a draft ordinance and resolution. Staff discussed the amendments at a workshop session before Council on May 1, 2017. Responses to two questions to staff are included within this report, along with responses to SEPA comments from Joe Turner, the city's Hearings Examiner (Turner) that were received prior to the writing of this report.

Staff has proposed amendments within the following sections of Title 17:

# Title 17 Land Development

## CHAPTER 17.01 GENERAL PROVISIONS

CMC17.01.050.B *Preliminary plats and preliminary short plats*- The survey content section of the code included language regarding statements and monumentation, which only applies to final plats and short plats, not preliminary plats or surveys. As such, the sections addressing statements and monumentation were relocated to CMC 17.21.060 *Final plat and short plat procedures for land divisions*.

## CHAPTER 17.07 BOUNDARY LINE ADJUSTMENTS

There was considerable discussion on the proposed changes to this section at the workshop before the Planning Commission and at the public hearing. Staff explained that there have been several Boundary Line Adjustment (BLA) applications that are proposed along unimproved streets. Some of those BLA applications included adjustments to property lines in order to avoid future street improvements.

For this reason, the proposed change provides staff a prompt to verify if the street is built to current standards, and if it isn't, then staff can evaluate whether the proposed adjustment would thwart future improvements. The proposed change to the current draft CMC removed the proportionality analysis requirement from the first draft. However, staff continues to recommend that the need for analysis of street dedication be added to this section.

Comment from Turner: No nexus or proportionality, since no increase in the number of lots or other transportation impacts.

Response: The amendment prompts an analysis by staff, and places the burden on staff, not the applicant.

Question from Council: At the workshop before Council, staff was asked whether the discretionary language of "numerous and frequent" at subsection "F" of Section 17.07.040 could be better defined.

*"Boundary line adjustments that are used to circumvent subdivision or short subdivision procedures set forth in this title are not allowed. Factors which indicate that the boundary line adjustment process is being used in a manner inconsistent with statutory intent include: **numerous and frequent adjustments** to existing contiguous lot boundaries, and/or a **large number** of contiguous lots being proposed for boundary line adjustments at the same time."*[Emphasis added]

Response: Staff discussed this question and considered options within the framework of boundary line adjustments as Type I permits, which do not require interpretation of policy or legal judgment in evaluating approval standards. A potential solution is proposed, which would amend the Purpose and Intent statement of the chapter to clarify that BLAs are typically an adjustment between two lots (See below). This amendment would provide for a level of comparison without creating a definition that could inadvertently affect other code sections.

#### 17.07.010 - Purpose and intent.

*It is the purpose and intent of this chapter to provide an efficient and timely process that allows consistent review of boundary line adjustments to ensure such actions do not create nonconformities with zoning and other city regulations, to provide a permanent record of boundary line adjustments, and to ensure provisions are made for necessary access and utility easements. A boundary line adjustment is generally between two lots.*

### CHAPTER 17.09 SHORT SUBDIVISIONS

CMC17.09.040 *Expiration*- The amendment in this section includes removing the language regarding the expiration of short plats, which states "Effective until December 31, 2014." This date has passed and should be removed.

### CHAPTER 17.11 SUBDIVISIONS

CMC 17.11.060 *Expiration*- Amendments to this section include removing city council as the approval authority to extend timelines for phased development and allow applicants to revise an expired preliminary plat only pursuant to an approved phasing plan with specific timelines.

### CHAPTER 17.15 BINDING SITE PLAN (BSP)

CMC17.15.050 *Improvements*- The minor amendment to this section includes replacing the word "bonded" with "secured".

### CHAPTER 17.19 DESIGN AND IMPROVEMENT STANDARDS

**Building Envelopes.** The development code uses a measurement tool in single-family zones to analyze if there is adequate area for a residential structure, at CMC 17.19.030.D.3 *Building Envelopes*. Currently this section of code only defines what an adequate size building envelope should be in the single family residential zones, and does not have a standard for multifamily zones. This measurement tool is not a setback standard. The practical purpose is to determine during evaluation of proposed preliminary plats if there needs to be adjustments to a lot width or depth for the pie-shaped lots (or other odd-shaped lots) to accommodate at least a 40-foot by 40-foot building. The amendments to this section would define an adequate building envelope in multi-family zones.

**Double Frontage Lots.** A double-frontage lot is when a single row of lots has street frontage on both the front and the back of the lot. Currently the code does not allow this design of lots, unless it separates the subdivision from an arterial or collector road. That provision is not proposed to change. The provisions regarding the design of the double-frontage lots (when allowed) are discretionary and often must be clarified through SEPA mitigation measures (Refer to CMC 17.19.030.D.6 *Double Frontage Lots*). As such, staff has proposed to clarify the intent of the provisions and the design standards to avoid future misinterpretations, or SEPA mitigation. The intent is to safely separate the residential structures in the subdivision from arterial and

collector traffic, and to avoid creating an unattractive massing of tall buildings along that corridor, which negatively affects those traveling (walking, biking, or driving) on that roadway.

Proposed amendments will clarify the standards for landscape buffers between the lot and the road. A new figure to this section of code is also proposed to graphically represent the design intent of the provisions.

Comment from Turner: 17.19.030.D.6.a "A ten foot landscaped tract is provided along the real property line to visually buffer the rear yards from public view and vehicular access." – Should this say "visually buffer the rear yards from public view and prevent vehicular access"?

Response: Staff concurs, and incorporated this change to the proposed amendments.

Comment from Turner: 17.19.030.D.6.a.ii. "The lot must provide pedestrian access to the sidewalk including vehicular access to a rear-loaded garage is required."

- Pedestrian access to WHICH sidewalk? - Only for lots with front yard abutting an arterial? Not clear from the language used.
- Rear-loaded garage requirement only for lots with front yard abutting an arterial? Not clear from the language used.

Response: Staff concurs, and added the words "collector and arterial" to subsection "a.ii". As to the second part of this question, this section of code is only addressing double-frontage lots that are along an arterial or collector, not standard lots elsewhere.

Comment from Turner: 17.19.030.D.6.b - Side and rear building? facades visible from an arterial or collector...?- Avoid large blank walls on side and rear building facades.

Response: Staff concurs, and incorporated the word "building" before the word "facades" throughout this section.

**Tracts and Trails.** The code currently references trails to be 15-feet wide at CMC 17.19.030.E Tracts and Trails. This language is in conflict with the 2014 Parks, Recreation and Open Space (PROS) Comprehensive Plan, which includes trail standards for different trail types. Staff proposes a change to match the standards of the PROS plan.

**CMC 17.19.030.F Landscaping.** The development community has expressed concern that if street trees are installed prior to construction of homes they could be damaged by the home building construction equipment. The proposed amendments to this section include removing the current language that requires the installation or bonding of trees prior to final plat approval but rather require the developer to a) install the trees adjacent to or within common areas and landscape tracts prior to final acceptance and b) install trees adjacent to individual lots prior to final occupancy or install and bond prior to expiration of the two-year warranty period.

**CMC 17.19.040.B.6 Extension.** The amendments to this section are to incorporate Comprehensive Plan Policy LU-3.3 *Encourage connectivity between neighborhoods (vehicular and pedestrian) to support citywide connectivity and pedestrian access.*

Comment from Turner: 17.19.040.B.6.a "Where appropriate, streets and pedestrian/bicycle paths shall be extended to the boundaries of the plat to ensure access to neighboring properties. The city's goal is to have an integrated system of local streets vehicular and pedestrian circulation

whenever practical. Where platted streets touch, they shall connect and show extension to adjoining streets."

- What is "appropriate"? – Extension not precluded by existing development or critical areas?
- "Where platted streets **touch**, they shall connect and show extension to adjoining streets." – Touch what? The boundaries of the site?
- What about where existing pedestrian/bicycle paths touch, should extension also be required?

Response: The amendment originally proposed to add only "pedestrian/bicycle paths" to this section. The provisions that Mr. Turner highlighted is current language and was not proposed to change. However, upon further analysis, Staff concurs that the current language is not clear and has proposed the following additional amendment.

17.19.040.B.6.a ~~"Where appropriate, s~~Streets and pedestrian/bicycle paths shall be extended to the boundaries of the plat to ensure access to neighboring properties, ~~unless the presence of critical areas render such extension infeasible.~~ The ~~city's goal is design shall contribute to to have~~ an integrated system of ~~local streets~~-vehicular and pedestrian circulation ~~whenever practical. Where platted streets touch, they shall connect and show extension to adjoining streets."~~

**CMC 17.19.040.B.10 Street Layout.** The proposed additions to this section are in response to the Hearings Examiner's comment that our current cross circulation standards are very subjective, and therefore ineffective. The proposed amendments include a requirement to submit a circulation plan that includes features such as topography, environmental sensitive lands, existing and proposed streets/bicycle and pedestrian pathways/trails/transit, etc. Further, the proposed amendments in this section also incorporates two comprehensive plan policies, of Camas 2035. Comprehensive Plan Policy T-1.3: *Construct streets that are interconnected and avoid long cul-de-sacs or dead ends. Block lengths should be less than 1,000 feet* and Comprehensive Plan Policy T-2.3: *Include pedestrian and bicycle linkages in the construction of cul-de-sacs and other forms of dead-end streets. Existing dead end streets should be retrofitted to provide bicycle and pedestrian linkages as practicable.*

The presentation to the Planning Commission included examples of long cul-de-sacs that have been designed in recent preliminary plats, in absence of a cross circulation standard. Staff also explained that the steep terrain of Camas makes emergency response difficult (or impossible) when there is only one long roadway to a group of homes, particularly during ice storm events. The proposed amendment is consistent with the engineering Design Standard Manual<sup>1</sup> for access spacing by roadway class as adopted within the Transportation Impact Fee studies.

**CMC 17.19.040.B.11 Access Management.** The proposed amendment in this section includes removing language that is already addressed in CMC 17.19.030.D.6 *Double Frontage Lots*.

Question from Council: At the workshop before Council, staff was asked whether the intersection spacing requirements applied to private streets.

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<sup>1</sup> The Design Standard Manual is updated periodically, and will include a table with the access spacing standards for easier reference, then locating the standard within the TIF studies.

Response: Intersection spacing standards apply to private roads, driveways, alleys and any roadway type that intersects with a public road. Also, private roads are more restricted than public roads and are only allowed in limited circumstances (Refer to CMC17.19.040 A).

## CHAPTER 17.21 PROCEDURES FOR PUBLIC IMPROVEMENTS

**CMC 17.21.040 Improvement Agreements.** The current language allows for applicants to bond for all improvements prior to final plat approval. The proposed amendment requires the applicant to complete all the improvements prior to final plat approval unless there is an extenuating circumstance or other factors beyond their control.

**CMC 17.21.050 Financial security agreement.** Proposed amendments to this section include removing the term “bond” to “financial security”, since there are other financial security options other than just bonds. Another change to this section is listing the types of financial securities in order of priority. Further, the amount of financial security proposed increased to ensure the City is covered if the developer is unable to complete the work.

**CMC 17.21.060 Final plat or short plat procedures for land divisions.** As discussed above under Chapter 17.01 General Provisions, a new section was added for the inclusion of statements and monumentation under contents for a final plat or short plat.

## CHAPTER 17.23 EXCEPTIONS, PENALTIES, SEVERABILITY, LIABILITY

**CMC 17.23.010 Exception Criteria.** The proposed amendment to this section includes using a gender neutral term by replacing the word “his” with “the applicant's”.

## RECOMMENDATION

Staff recommends that Council conduct a public hearing, deliberate, and move to recommend approval of the amendments to Title 17 Land Development.

An ordinance and a resolution were prepared consistent with the proposal.



# Camas Municipal Code (CMC)

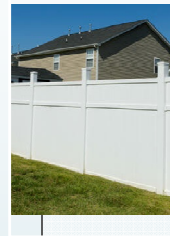
## Title 17 Land Development

Public Hearing      May 15, 2017

## Staff Report Highlights



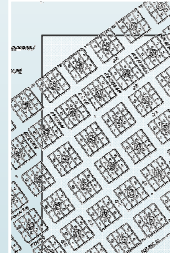
Boundary Line  
Adjustments



Double Frontage  
Lots



Building Envelopes  
for Multi-family Lots



Circulation and  
Block Lengths



Questions for Staff

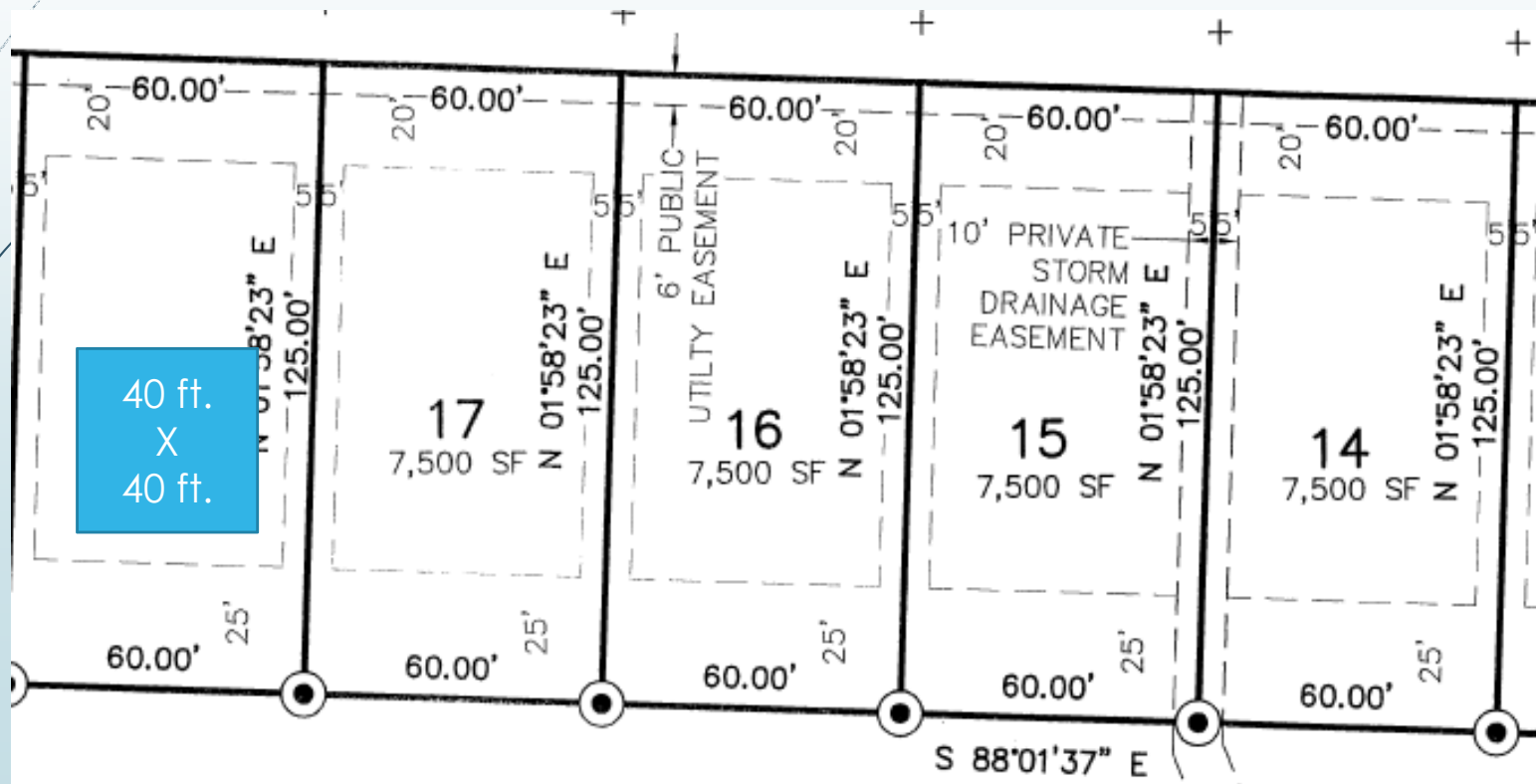
# Boundary Line Adjustments CMC17.07.040 (I)

- Example – before adjustments (Red lines and text)
  - There are four (4) lots
- Example – after adjustments (Yellow lines)
  - Note that north street is not to current standards. (e.g. narrow pavement and no sidewalks)
  - There are still four (4) lots



## CMC Section 17.19.030 (D3) Tract, block and lot standards

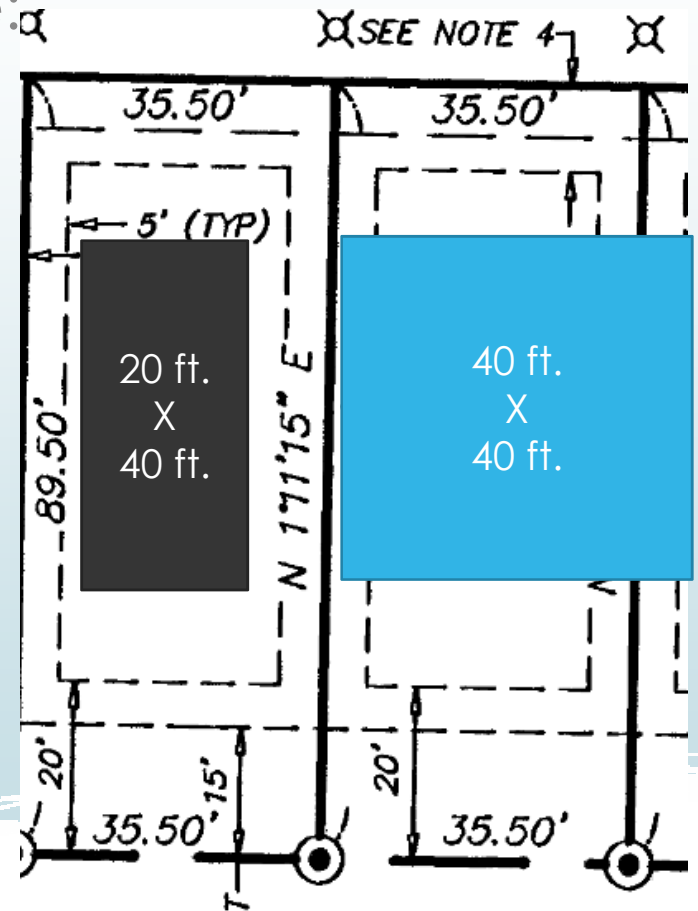
Single-family example:





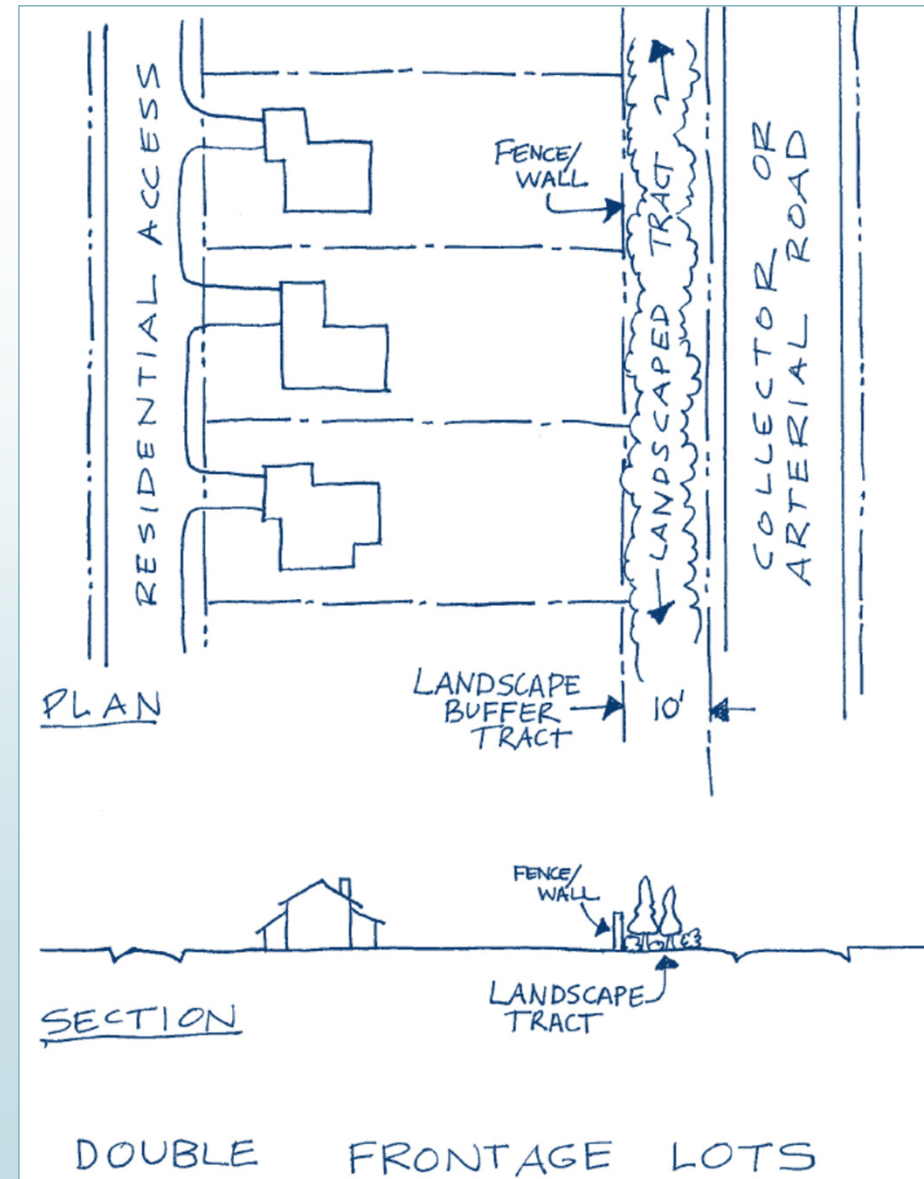
# CMC Section 17.19.030

Building Envelopes - Multifamily example:



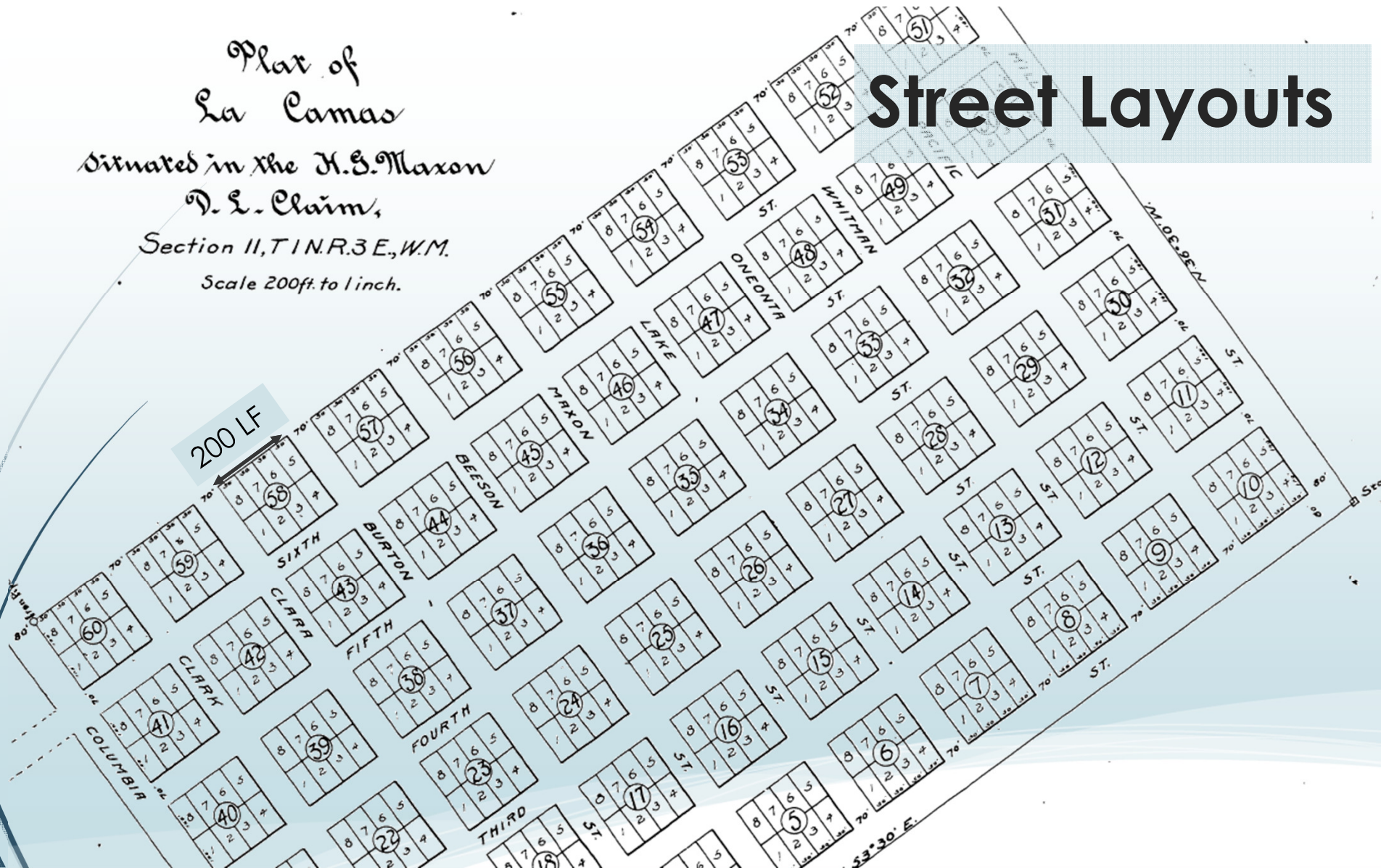
# Double Frontage Lots

(Proposed Figure 17.19-1)



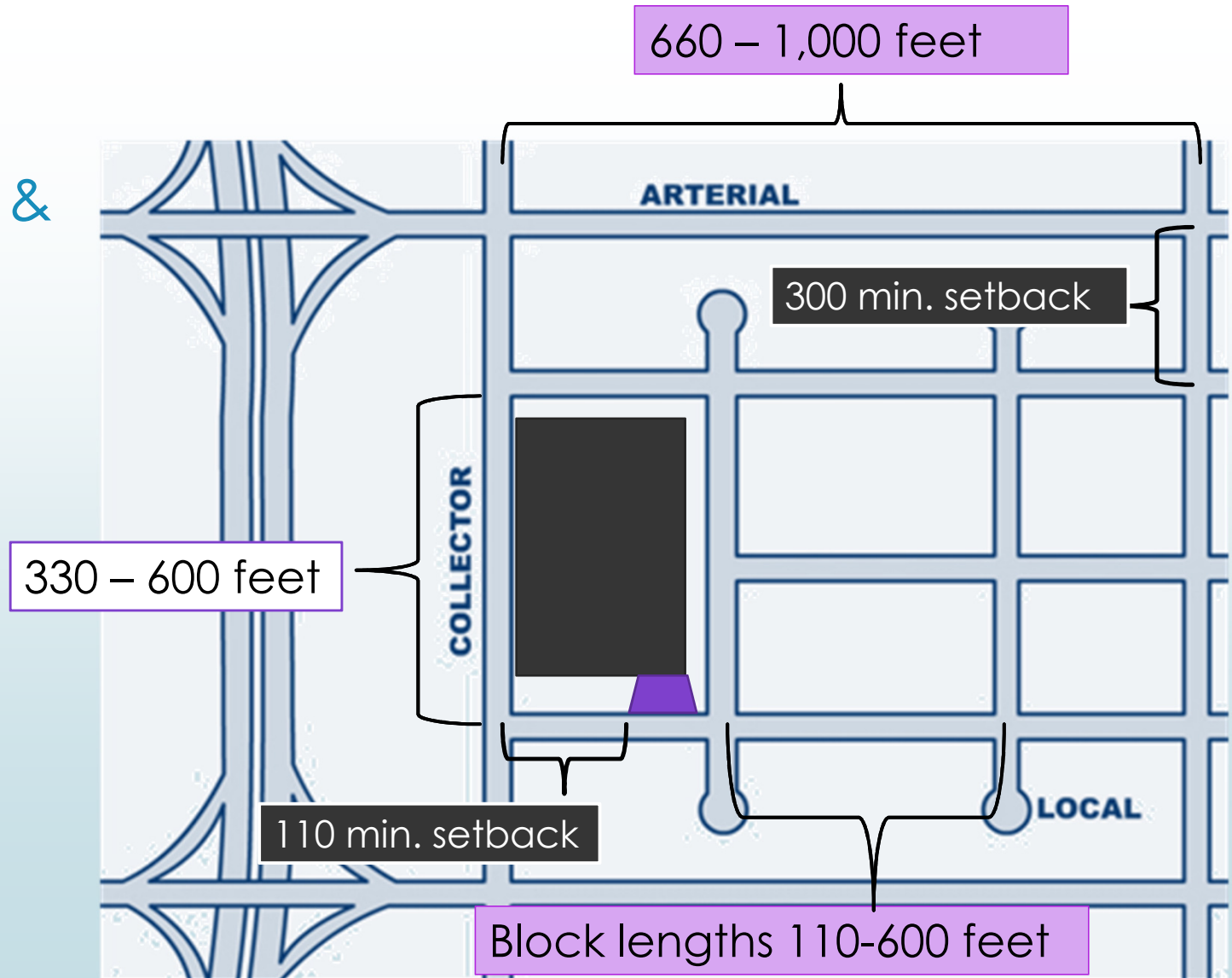
Plan of  
La Camas  
Situated in the H.S. Maxon  
D. L. Claim,  
Section 11, T.1 N. R. 3 E., W. 4 M.  
Scale 200ft. to 1 inch.

# Street Layouts





## Access Spacing & Block Lengths



## Addition to Design Standards Manual (and revise resolutions)

### Access Spacing Standards

Roadway Class	Min. Access Spacing***	Max. Access Spacing	Min. Intersection & Driveway Setback	New Residential Access Permitted
Arterial	660 feet	1,000 feet	300 feet	No**
Collector	330 feet	600 feet	110 feet*	No**
Local	110 feet	600 feet	n/a	Yes

*Notes to table:*

*\*Based on turn design speed of 20 mph*

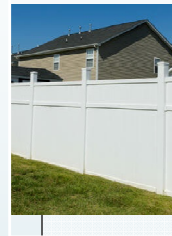
*\*\*Temporary access may be permitted or combined for landlocked parcels*

*\*\*\*Includes non-residential driveways*

## Questions For Staff?



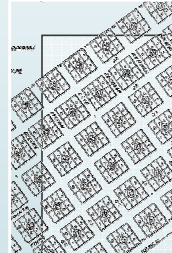
Boundary Line  
Adjustments



Double Frontage  
Lots



Building Envelopes  
for Multi-family Lots



Circulation and  
Block Lengths



Open Public  
Hearing

## Amendments to Camas Municipal Code Title 17 Land Development

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Note: The proposed amendments are shown as strike-through ~~text~~ or underlined text. No other deletions or amendments are intended or inferred.

### 17.01.050 - Survey content.

- B. ~~Residential surveys or plats~~ Preliminary plats and preliminary short plats shall also include the following:
1. Lot and phase numbers beginning with the number one and numbered consecutively without omission or duplication.
  2. Tracts to be dedicated to any public or private purpose shall be distinguished from lots intended for general development with notes stating their purpose and any limitations.
  3. Building Envelopes. The ~~survey or~~ plat shall identify the potentially buildable area, to include identification of required setbacks.
  4. Land Inventory. The land inventory shall include the following:
    - a. Total acreage;
    - b. Total developed acreage;
    - c. Total lot area;
    - d. Total infrastructure acreage (includes storm pond);
    - e. Total tract area (if not included in subsection (B)(4)(d) or (f) of this section);
    - f. Total acreage of critical areas (i.e., wetlands, steep slopes, buffer zones, stream beds, conservation areas);
    - g. Total acreage of recreational open spaces (not included in subsection (B)(4)(e) or (f) of this section i.e., that portion of land set aside for trails).

## Chapter 17.07 - BOUNDARY LINE ADJUSTMENTS

### 17.07.010 - Purpose and intent.

It is the purpose and intent of this chapter to provide an efficient and timely process that allows consistent review of boundary line adjustments to ensure such actions do not create nonconformities with zoning and other city regulations, to provide a permanent record of boundary line adjustments, and to ensure provisions are made for necessary access and utility easements. A boundary line adjustment is generally between two lots.

**Commented [SF1]:** Added to address concern raised by Council at workshop.

### 17.07.040 - Approval criteria.

- B. The adjustment will not create nonconforming lots, with respect to zoning dimension and area standards, zoning setbacks and lot area coverage standards identified in CMC Chapter 18.09 or to fire, building, or other applicable codes.

## Short Subdivisions

### 17.09.040 - Expiration.

- A. ~~(Effective until December 31, 2014.) If the short plat is not recorded within seven years of the date of preliminary short plat approval, the short plat shall become null and void. Upon written request by the developer prior to the expiration date, the Community Development Director may grant an extension of not more than two years. The Director shall consider economic conditions and such other circumstances as may warrant the extension. If the Director denies a request for an extension, the developer may appeal that decision to the City Council by filing a written notice of appeal with the Director not later than thirty days after the date of the decision.~~
- A. ~~(Effective December 31, 2014.)~~ If the short plat is not recorded within five years of the date of preliminary short plat approval, the short plat shall become null and void. Upon written request by the developer prior to the expiration date, the Community Development Director may grant an extension of not more than four years. The Director shall consider economic conditions and such other circumstances as may warrant the extension. If the Director denies a request for an extension, the developer may appeal that decision to the City Council by filing a written notice of appeal with the Director not later than thirty days after the date of the decision.

## Subdivisions

### 17.11.060 - Expiration.

- D. For an application timely submitted pursuant to terms of CMC Section 17.11.040, ~~city council~~ the approval authority may, upon approval of the preliminary plat, extend the proposed timeline for phased development to seven years maximum from date of preliminary approval to the final plat of the last phase.
- E. Expired subdivisions or expired phases of subdivisions must make a new land use application, and shall not be permitted to amend or revise the expired preliminary plats unless a phasing plan was approved with specific timelines, as specified with the approved plat.

## Chapter 17.15 - BINDING SITE PLAN (BSP)

### 17.15.050 - Improvements.

Prior to the issuance of a building permit for construction within a binding site plan, all improvements required to adequately service that portion of the plan for which the building permit will be issued shall be installed or ~~bonded-secured~~ in accordance with CMC Chapters 17.19 and 17.21.

## Chapter 17.19 - DESIGN AND IMPROVEMENT STANDARDS

### Sections:

### 17.19.020 - Improvements, supervision, inspections and permits required.

- A. Required Improvements.
1. Every developer shall be required to grade and pave streets and alleys, install curbs and gutters, sidewalks, monuments, sanitary and storm sewers, water mains, fire hydrants, street lights and street name signs, underground transmission lines, provide and install centralized mail delivery boxes as determined by the U.S. Postal Service, together with all appurtenances in accordance with specifications and standards in the Camas

Design Standards Manual, the six-year street plan, and other state and local adopted standards and plans as may be applicable.

### 17.19.030 - Tract, block and lot standards.

- D. Lots. The lot size, width, shape and orientation shall conform to zoning provisions and the following:
3. Building Envelopes. No lot shall be created without a building envelope of a size and configuration suitable for the type of development anticipated:
    - a. For single-family ~~detached housing~~residential zones, a suitable size and configuration generally includes a building envelope capable of siting a forty-foot by forty-foot square dwelling within the building envelope.
    - b. For multi-family zones, a suitable size and configuration generally includes a building envelope of twenty-feet by forty-feet.
    - b.c. Other factors in considering the suitability of the size and configuration of any residential lot include the presence of, or proximity to critical areas, adjoining uses or zones, egress and ingress, and necessary cuts and fills.
  5. Flag lots, access tracts, and private roads may be permitted only when the community development director or designee finds the applicant meets the criteria listed hereinafter:
    - a. The pole of a flag lot must be a minimum of twenty feet wide with a minimum of twelve feet of pavement and shall serve no more than one lot;
    - b. The structure(s) accessed by a flag lot, access tract, or private road will be required to furnish a minimum of two off-street parking spaces per residential unit. Under no circumstances will required parking be allowed along the flag pole lot;
    - c. ~~Primary structures accessed by flag lots, access tracts, or private roads are required to have automatic fire sprinklers;~~
    - c.d. An approved address sign, in accordance with the Camas Municipal Code, must be posted for each residence where the flag lot leaves the public road or access tract; and
    - d.e. To protect the character of the immediate neighborhood, the city may impose special conditions, where feasible, including access configuration and separation, setbacks, fencing and landscaping;
  6. Double Frontage Lots. Residential lots which have street frontage along two opposite lot lines shall be avoided, ~~except for lots which provide separation of a residential development from a traffic arterial or collector, in which case additional lot depth of at least twenty feet will be provided to act as a buffer strip, or ten-foot landscape tract with ten-foot additional lot depth, or a combination of both to achieve twenty-foot additional depth between the lot and the traffic arterial; except for double frontage lots adjacent to an arterial or collector, which must comply with the following design standards:~~
    - a. ~~Landscaping. A ten foot landscaped tract is provided along the real property line to visually buffer the rear yards from public view and prevent vehicular access. The ten foot landscaped tract shall include a minimum 2-inch caliper trees every 30-feet on center, three-foot tall shrubs that form a continuous screen, groundcover plants that fully cover the remainder of the landscaped area, and maintained in perpetuity by the homeowner's association.~~
      - i. ~~If the front of the structure faces a collector or arterial street, the ten foot landscape tract is not required; and~~
      - ii. ~~The lot must provide pedestrian access to the sidewalkarterial or collector, and includinge vehicular access to a rear-loaded garage is required.~~
    - b. ~~Fencing and Walls. A sight-obscuring fence or masonry wall shall be located at the line that separates the lot from the 10-foot landscape tract (See Figure 17.19-1). The design must include:~~
      - i. ~~The height of the fence or wall shall be a minimum 4-feet tall along a collector and 6-feet tall along an arterial.~~
      - ii. ~~The fence or wall shall include columns or physical indentations in the fence or wall at least every fifty lineal feet to reduce the massing effect of the fencing material.~~

Commented [SF2]: Modified per SEPA comments from Joe Turner.

~~c. Architectural Design. Side and rear building facades visible from an arterial or collector shall maintain the architectural design, horizontal and vertical articulation, level of detail, and materials and colors consistent with the front building façade. Avoid large blank walls on side and rear building facades.~~

~~d. Setbacks. Minimum of 20-foot setback will be provided from the property line separating the lot from the tract that is adjacent to the arterial or collector.~~

**Commented [SF3]:** Modified per SEPA comment from Joe Turner. Added "building" throughout this subsection.

E. Tracts and Trails.

1. If land division is located in the area of an officially designated trail, in accordance with the current version of the parks, and recreation and open space comprehensive plan, provisions shall be made for reservation of the right-of-way or for easements to the city for trail purposes including the construction of the trail. A minimum fifteen-foot width shall be provided for the proposed trail. Trail standards for each trail type shall be as specified in appendix B of the parks, recreation and open space comprehensive plan or as amended.
2. Trails shall be shown as a separate layer ~~on computer disk in an electronic format~~ submitted with "as-builts" prior to final acceptance.
3. Trails, which are dedicated to the city and part of the regional trail system, shall be surveyed and dedicated by the developer prior to final acceptance.
4. Tracts and trails that are not dedicated to the city and are located within the subdivision, short plat or planned development are the responsibility of the homeowners association to maintain. Provisions must be in writing, such as in CC&R's, informing the homeowners of the responsibility and outlining the maintenance procedures in accordance with city standards.

F. Landscaping.

- ~~3. Tree planting, when required as a vegetative buffer, shall be of a species as approved by the city.~~
- ~~43. The tree planting shall be the responsibility of the land developer and shall be installed or bonded for prior to final plat approval, or as specified in the land use decision. Prior to final acceptance of any land development, the land developer shall install trees adjacent to or within all common areas and landscape tracts as specified in the Camas Design Standards Manual.~~
- ~~4. Street trees adjacent to individual lots must be installed prior to final occupancy or bonded for and installed prior to expiration of the two-year warranty period, whichever comes first.~~
- ~~54. Landscaping shall conform to plant criteria in the Camas Design Standards Manual. Any planting of trees or shrubs within the right-of-way or vision clearance area must be shown on the construction drawings for approval.~~
- ~~65. Storm drainage facilities, pump stations and other visible facilities shall be setback a minimum of thirty feet from any street or accessory structure and be landscaped in accordance with criteria in the Camas Design Standards Manual.~~

## 17.19.040 - Infrastructure standards.

Note: For the purposes of this title, the terms "street" and "road" are synonymous in meaning.

A. Private Street: Private street(s) may be authorized when all of the following occur:

- ~~7. Homes constructed to access from private roads shall have automatic fire sprinklers installed per NFPA 13D or 13R;~~

B. Streets.

6. Extension. Proposed street systems shall extend existing streets at the same or greater width unless otherwise approved by the public works department and authorized by city council in approval of the plat.

- a. ~~Where appropriate, s~~Streets and pedestrian/bicycle paths shall be extended to the boundaries of the plat to ensure access to neighboring properties, ~~unless the presence of critical areas render such extension infeasible.~~ The city's goal design shall contribute to have an integrated system of local streets vehicular and pedestrian circulation whenever practical. ~~Where platted streets touch, they shall connect and show extension to adjoining streets.~~
- b. Grading of steep topography may be necessary to achieve this objective.

Commented [SF4]: Modified to address SEPA comments from Joe Turner

10. Street Layout. Street layout shall provide for the most advantageous development of the land development, adjoining area, and the entire neighborhood. Evaluation of street layout shall take into consideration potential circulation solutions for vehicle, bicycle and pedestrian traffic, and, where feasible, street segments shall be interconnected.

a. Circulation Plan. Applicants shall submit a circulation plan at application which includes the subject site and properties within six hundred (600) feet of the proposed development site. The plan shall incorporate the following features both onsite and offsite:

i. The circulation plan shall be to an engineering scale at 1" = 100' or the scale may be increased or decreased at a scale approved by the Director;

ii. Existing and proposed topography for slopes of ten (10) percent or greater, with contour intervals not more than 10 feet;

iii. Environmental sensitive lands (geologic hazards, wetlands, floodplain, shoreline, etc.)

iv. Existing and proposed streets, bicycle/pedestrian pathways, trails, transit routes; and

v. Site access points for vehicles, pedestrians, bicycles, and transit.

b. Cross-circulation shall be provided that meets the following:

i. Block lengths shall not exceed the maximum access spacing for the roadway class less than 1,000 feet measured from the centerline per the city's Design Standards Manual.

ii. Cul-de-sacs and permanent dead-end streets shall be prohibited 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. When cul-de-sacs or dead-end streets are allowed, they shall be limited to no more than 300-feet measured at the centerline of the nearest intersection.

iii. 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.

ac. While it is important to minimize the impact to the topography from creating an integrated road system, improved site development and circulation solutions shall not be sacrificed to minimize the amount of cut and fill requirements of the proposal.

bd. Where critical areas are impacted, the standards and procedures for rights-of-way in the critical areas overlay zone shall be followed.

ee. When the proposed development's average lot size is seven thousand four hundred square feet or less, one additional off-street parking space shall be required for every five units, notwithstanding the requirements of CMC Chapter 18.11. These spaces are intended to be located within a common tract.

df. When, on the basis of topography, projected traffic usage or other relevant facts, it is unfeasible to comply with the foregoing right-of-way, tract and street width standards, the approval authority, upon

recommendation from the city engineer, may permit a deviation from the standards of Table 17.19.040-1 and Table 17.19.040-2.

- ~~eg.~~ The city engineer or designee may determine a wider width is necessary due to site circumstances, including but not limited to topography, traffic volume, street patterns, on-street parking, lot patterns, land use and bike and transit facilities that justify an increase in width.
- ~~fh.~~ When existing streets adjacent to or within land to be developed are of inadequate width, additional right-of-way shall be provided at the time of land development.

11. Access Management.

- a. Access to all marginal access streets shall be restricted so as to minimize congestion and interference with the traffic carrying capacity of such street, and to provide separation of through and local traffic in accordance with CMC 17.19.030.D.6. The restrictions imposed shall be in accordance with the Camas Design Standards Manual.
- b. The city engineer may grant exceptions to the access restriction policies and standards when no other feasible access alternative exists.
- ~~c. In addition to restricting access, where a residential development abuts or contains an existing or proposed marginal street, the city may also require reverse frontage lots with suitable depth, appropriate fencing with landscaping or masonry walls contained in a non-access reservation with a minimum ten-foot width along the real property line, or such other treatment as may be necessary for adequate protection of residential properties and for the separation of through and local traffic.~~

## 17.21.040 - Improvement agreements.

- A. Required Improvements. ~~Before any development receives~~ Prior to final plat approval, the developer shall install required improvements and replace or repair any such improvements, which are damaged during the development. In lieu of installation of all required improvements, the developer may execute and file with the city for review and approval by the public works director an agreement guaranteeing completion of such improvements together with any needed replacement or repair only when completion of improvements prior to final plat approval is impracticable due to extenuating circumstances or other factors beyond the control of the applicant as determined by the city. The agreement shall:
  - 1. Specify the period of time within which all work required would be completed. The time for completion shall not exceed two years from the date of final approval of the plat. The agreement may provide for reasonable extensions of time for completion of work. Extensions must be requested, approved by the city council, and properly secured in advance of the required initial completion date;
  - 2. Require notice by the developer to the public works director promptly upon completion of all required improvements;
  - 3. Provide for notice of approval or disapproval by the public works director of the improvement within a reasonable time after receiving notice of completion;
  - 4. Require ~~bond or other~~ financial security to be provided by the subdivider pursuant to CMC Section 17.21.050;
  - 5. Provide that if the developer fails to complete all required work within the period specified, the city may take steps to demand performance of the developer's obligation within a reasonable time not to exceed ninety days from the date of demand;
  - 6. Provide that if the required improvements are not completed within that time, the city may take action to require the subdivider to forfeit the financial security;
  - 7. Provide that the city shall be entitled to recover all costs of such action including reasonable attorney's fees;
  - 8. Provide that following recovery of the proceeds of the financial security, those proceeds shall be used to complete the required improvements and pay the costs incurred; and

9. Provide that should the proceeds of the financial security be insufficient for completion of the work and payment of the costs, the city shall be entitled to recover the deficiency from the developer.
- B. Maintenance Agreement. Regardless of whether all required improvements are completed prior to final approval, as a condition of such approval the developer shall execute an agreement to assure successful operation of all improvements. The agreement shall:
  1. Require the developer to post a ~~bond or other~~ financial security in an amount equal to at least ~~ten~~ twenty five percent of the total cost of all required improvements to secure successful operation of all required improvements and full performance of the developer's maintenance obligation. Such financial security shall be effective for a two-year period following final acceptance of installation of all required improvements;

#### 17.21.050 - ~~Bonds and other~~ Financial security agreements.

- A. ~~Bond Financial Security~~ Requirements. To assure full performance of the agreements required herein, the developer shall provide one or more of the following in a form approved by the city attorney within a time fixed by the city engineer, which shall include a reasonable amount of time to complete said improvements, but shall not exceed two years. Below are options in order of preference:
  1. ~~3. A cash deposit made with the City of Camas.~~
  2. An assignment of account with a financial institution, which holds the money in an account until such time the city signs a written release. The assignment of account will allow the city to withdraw the funds in the event the provisions of the agreement are not met; ~~and~~
  3. A letter of credit as acceptable to the City finance director; and
  4. A surety bond executed by a surety company authorized to transact business in the state of Washington. Surety bonds may be performance, maintenance/warranty bonds, erosion control/wetland, or subdivision improvement bonds.
  3. ~~A cash deposit made with the City of Camas.~~
- B. Amount of Financial Security.
  1. For site plan or subdivision improvement bonds, the financial security provided shall be at least one hundred ~~fifty~~ five percent of the estimated cost of the improvements to be completed, all related engineering and incidental expenses, final survey monumentation and preparation of reproducible mylar or electronic records in a format approved by public works and meeting current public works drawing standards of the "as-built" improvements. The subdivider shall provide an estimate of these costs for acceptance by the public works director.
  2. For two-year warranty or maintenance bonds, the financial security provided shall be at least twenty five ~~ten~~ percent of the cost estimate provided in subsection (B)(1) of this section.
  3. Erosion prevention and wetland bonds shall equal two hundred percent of the erosion prevention and sediment control items or wetland management items from the estimate provided in subsection (B)(1) of this section.
- C. Defective Work. The acceptance of improvements by the city shall not prevent the city from making a claim against the developer for any defective work if such is discovered within two years after the date of completion of the work.

Commented [SF5]: Added to address concerns raised at Council workshop.

#### 17.21.060 - Final plat or short plat procedures for land divisions.

- B. Contents of Final Plat or Short Plat.
  1. The final plat or short plat shall include the survey information in CMC Section 17.05.050(A) and (B).
  2. Statements. The plat shall include the following statements and certificates of dedication when required:
    - a. A certificate with the seal of and signature of the surveyor responsible for the survey and preliminary plat in accordance with RCW 58.09.080.
    - b. Certification of examination and approval by the county assessor.
    - c. Recording certificate for completion by the Clark County auditor.

- d. Signature lines for the City of Camas community development director or designee, and fire chief or designee.
- e. Certification by the city engineer or designee that the developer has complied with the following:
  - i. All improvements have been installed or financially secured for in accordance with the requirements of this title and with the preliminary plat approval;
  - ii. All improvements can or will meet current public works drawing standards for road, utility and drainage construction plans;
  - iii. Original and reproducible mylar or electronic records in a format approved by the public works director or designee and certified by the designing engineer as being "as constructed" have been submitted or financially secured for city records.
- f. City of Camas finance director certificate that states there are no delinquent special assessments, and that all special assessments on any of the property that is dedicated as streets, alleys or for other public use are paid in full at the date of certification.
- g. Signature line for the mayor of the City of Camas.

C. Monumentation.

- 1. Imprinted Monument. All monuments set in land division shall be at least one-half-inch by twenty-four-inch steel bar or rod, or equivalent, with durable cap imprinted with the license number of the land surveyor setting the monument.
- 2. Centerline Monument. After paving, except as provided in CMC Chapter 17.19, monuments shall be driven flush with the finished road surface at the following intersections:
  - a. Centerline intersections;
  - b. Points of intersection of curves if placement falls within the paved area; otherwise, at the beginnings and endings of curves;
  - c. Intersections of the plat boundaries and street centerlines.
- 3. Property Line Monumentation. All front corners, rear corners, and beginnings and endings of curbs shall be set with monuments, except as provided in CMC Chapter 17.19. In cases where street curbs are concentric and/or parallel with front right-of-way lines, front property line monumentation may be provided by brass screws or concrete nails at the intersections of curb lines and the projections of side property lines. If curb monumentation is used, it shall be noted on the plat, and also that such monumentation is good for projection of line only and not for distance.
- 4. Post-Monumentation. All monuments for exterior boundaries of the land division shall be set and referenced on the plat prior to plat recording. Interior monuments need not be set prior to recording if the developer certifies that the interior monuments shall be set within ninety days of final land division construction inspection by the public works department, and if the developer guarantees such interior monumentation.
- 5. Post-Monumentation Bonding. In lieu of setting interior monuments prior to final plat recording as provided in CMC Chapter 17.19, the public works director may accept a performance bond in an amount and with surety and conditions satisfactory to the director or other secure method as the public works director may require, providing for and securing the actual setting of the interior monuments.

D. Final Plat or Short Plat Approval Review Procedures.

- 1. Referral to Other Departments and Agencies. The community development department shall distribute the final plat or short plat to all departments and agencies receiving the preliminary plat or short plat, and to any other departments, special purpose districts and other governmental agencies deemed necessary for their review and comments.
- 2. Departmental Approval. The community development department and other interested departments and agencies shall review the final plat or short plat, legal descriptions and lot closures and submit to the community development department written comments with respect to the final plat or short plat decision criteria.
- 3. The community development department shall return the redlined plat or short plat with all department comments to the applicant's architect or engineer, and a copy of the comments to the applicant.

**EC.** Criteria for Final Plat or Short Plat Approval. The approval authority for subdivision final plats is the city council, and the community development department is the approval authority for short plats. If a subdivision, then all documents deemed necessary by the city for final plat approval must be submitted to the community development department no later than a minimum of fourteen calendar days prior to the city council meeting. The following criteria is the basis for approval:

1. That the proposed final plat or short plat bears the required certificates and statements of approval as required in CMC Section 17.01.050(C);
2. That the title insurance report furnished by the developer/owner confirms the title of the land, and the proposed subdivision is vested in the name of the owner(s) whose signature(s) appears on the plat certificate;
3. That the facilities and improvements required to be provided by the developer/owner have been completed or, alternatively, that the developer/owner has submitted with the proposed final plat or short plat an improvement bond or other security in conformance with CMC Section 17.21.040;
4. That the plat or short plat is certified as accurate by the land surveyor responsible for the plat or short plat;
5. That the plat or short plat is in substantial conformance with the approved preliminary plat or short plat; and
6. That the plat or short plat meets the requirements of Chapter 58.17 RCW and other applicable state and local laws which were in effect at the time of preliminary plat or short plat approval.

**ED.** Signing the Plat or Short Plat. Once the community development department verifies that all corrections have been made, the applicant shall submit two mylar copies for signature.

**EE.** Filing the Plat or Short Plat. The applicant shall file the final plat or short plat with the recording division of the Clark County auditor's office. The plat or short plat will be considered complete when a copy of the recorded documents are returned to the City of Camas Community Development Department.

**EF.** Permits for one sales office and/or one model home per plat or phase may be issued after the final plat is recorded, and prior to final acceptance, after review and approval by the city consistent with CMC 18.07.040 Table 2. Building permits for any other residential or commercial buildings will not be issued until after final acceptance.

### 17.21.070 - Final acceptance.

- B. The city shall accept all improvements within all land divisions, and applicable site plan developments, provided:
4. Upon approval of the engineering department that the improvements are complete, a warranty bond equal to ~~twenty five~~ percent of the cost of the improvement for a period not to exceed two years shall be submitted to the city to warranty all improvements in accordance with CMC Section 17.21.050(B)(2). The public works director or city engineer may grant an exception to this bonding requirement for certain outstanding items; and

## Chapter 17.23 - EXCEPTIONS, PENALTIES, SEVERABILITY, LIABILITY

### 17.23.010 - Exceptions.

A. Exception Criteria.

1. Land Division. Except as provided in subsection (A)(2) or (A)(3) of this section, exceptions from the requirements of this title may be granted when undue hardship may be created as a result of strict compliance with the provisions of this title. Any authorization for exception may prescribe conditions deemed necessary or desirable for the public interest. An exception shall not be granted unless:
  - a. There are special physical circumstances or conditions affecting the property, such that the strict application of the provisions of this code would deprive the applicant of the reasonable use or development of ~~his~~ the applicant's land;

## New Sections to Camas Municipal Code

### 17.01.050 A5f

f. The width and location of existing trails both public and private.

### 17.01.050 A6

6. A certificate with the seal of and signature of the surveyor responsible for the survey and preliminary plat in accordance with RCW 58.09.080.

### 17.07.040 I

I. If lots to be adjusted are located adjacent to an unimproved street, then the City may determine if dedication of additional land is necessary to comply with the minimum public right of way requirements.

From: Joe Turner [mailto:jtpc@frontier.com]  
 Sent: Friday, May 05, 2017 3:41 PM  
 To: Community Development Email  
 Subject: Comments re Title 17 amendments

Attached are my comments/suggestions regarding the proposed amendments to Title 17 of the Camas Code.

Joe Turner  
 Camas Hearing Examiner

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17.07.040.I – allows city to request ROW dedication as a condition of boundary line adjustments – not sure that would pass constitutional muster. No nexus or proportionality, since no increase in the number of lots or other transportation impacts.

17.19.030.D.6.a “A ten foot landscaped tract is provided along the real property line to visually buffer the rear yards from public view and vehicular access.” – should this say “visually buffer the rear yards from public view and prevent vehicular access”?

17.19.030.D.6.a.ii. “ The lot must provide pedestrian access to the sidewalk including vehicular access to a rear-loaded garage is required.”

- pedestrian access to WHICH sidewalk? - only for lots with front yard abutting an arterial? Not clear from the language used.

– rear-loaded garage requirement only for lots with front yard abutting an arterial? Not clear from the language used.

17.19.030.D.6.b - Side and rear building? facades visible from an arterial or collector...?

- Avoid large blank walls on side and rear building facades.

17.19.030.E.1 “[i]ncluding the construction of the trail to the standard for the specified trail type.”?

17.19.040.B.6.a “Where appropriate, streets and pedestrian/bicycle paths shall be extended to the boundaries of the plat to ensure access to neighboring properties. The city's goal is to have an integrated system of local streets vehicular and pedestrian circulation whenever practical. Where platted streets touch, they shall connect and show extension to adjoining streets.”

- What is “appropriate”? – extension not precluded by existing development or critical areas?

- “Where platted streets touch, they shall connect and show extension to adjoining streets.” – touch what? The boundaries of the site?

- What about where existing pedestrian/bicycle paths touch, should extension also be required?

**Access Spacing Standards**

<b>Roadway Class</b>	<b>Minimum Access Spacing***</b>	<b>Maximum Access Spacing</b>	<b>Minimum Intersection &amp; Driveway Setback</b>	<b>New Residential Access Permitted</b>
<b>Arterial</b>	660 feet	1,000 feet	300 feet	No**
<b>Collector</b>	330 feet	600 feet	110 feet*	No**
<b>Local</b>	110 feet	600 feet	n/a	Yes

Notes to Table:

\*Based on turn design speed of 20 mph

\*\*Temporary access may be permitted or combined for landlocked parcels

\*\*\*Includes non-residential driveways

## ORDINANCE NO. 17-005

AN ORDINANCE adopting amendments to Title 17 Land Development of the Camas Municipal Code.

The Council of the City of Camas do ordain as follows:

### Section I

The following sections of the Camas Municipal Code are amended as set forth in the attached Exhibit "A": 17.01.050 B, B3; 17.07.010; 17.07.040 B; 17.09.040 A; 17.11.060 D, E; 17.15.050; 17.19.020 A1; 17.19.030 D3, D5, D6, E, F3, F4, F5, F6; 17.19.040 B6a, 10a, 10b, 11a; 17.21.040 A, A4, B1; 17.21.050 A, B1, B2; 17.21.060 B, C, D, E, F, G, H; 17.21.070 B4; 17.23.010 A1a.

### Section II

The following sections of the Camas Municipal Code are hereby repealed: 17.01.050 C, D; 17.19.030 D5c, F3; 17.19.040 A7, B11c.

### Section III

There is hereby added to the Camas Municipal Code the following new Subsections as set forth in the attached Exhibit "B": 17.01.050 A5f; 17.01.050 A6; 17.07.040 I.

### Section IV

The section title of the Camas Municipal Code Section 17.21.050 is hereby amended to be titled "Financial Security Agreements".

### Section V

There is hereby added to the Camas Municipal Code the new Figure, as set forth in the attached Exhibit "C", for reference within Figure 17.19-1 Double Frontage Lots.

### Section VI

This Ordinance shall take force and be in effect five days from and after its publication according to law.

PASSED BY the Council and APPROVED by the Mayor this \_\_\_\_ day of May, 2017.

SIGNED: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
Clerk

APPROVED as to form:

\_\_\_\_\_  
City Attorney

## Amendments to Camas Municipal Code Title 17 Land Development

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Note: The proposed amendments are shown as strike-through ~~text~~ or underlined text. No other deletions or amendments are intended or inferred.

### 17.01.050 - Survey content.

- B. ~~Residential surveys or plats~~ Preliminary plats and preliminary short plats shall also include the following:
1. Lot and phase numbers beginning with the number one and numbered consecutively without omission or duplication.
  2. Tracts to be dedicated to any public or private purpose shall be distinguished from lots intended for general development with notes stating their purpose and any limitations.
  3. Building Envelopes. The ~~survey or~~ plat shall identify the potentially buildable area, to include identification of required setbacks.
  4. Land Inventory. The land inventory shall include the following:
    - a. Total acreage;
    - b. Total developed acreage;
    - c. Total lot area;
    - d. Total infrastructure acreage (includes storm pond);
    - e. Total tract area (if not included in subsection (B)(4)(d) or (f) of this section);
    - f. Total acreage of critical areas (i.e., wetlands, steep slopes, buffer zones, stream beds, conservation areas);
    - g. Total acreage of recreational open spaces (not included in subsection (B)(4)(e) or (f) of this section i.e., that portion of land set aside for trails).

## Chapter 17.07 - BOUNDARY LINE ADJUSTMENTS

### 17.07.010 - Purpose and intent.

It is the purpose and intent of this chapter to provide an efficient and timely process that allows consistent review of boundary line adjustments to ensure such actions do not create nonconformities with zoning and other city regulations, to provide a permanent record of boundary line adjustments, and to ensure provisions are made for necessary access and utility easements. A boundary line adjustment is generally between two lots.

### 17.07.040 - Approval criteria.

- B. The adjustment will not create nonconforming lots, with respect to zoning dimension and area standards, zoning setbacks and lot area coverage standards identified in CMC Chapter 18.09 or to fire, building, or other applicable codes.

## Short Subdivisions

### 17.09.040 - Expiration.

- A. ~~(Effective until December 31, 2014.) If the short plat is not recorded within seven years of the date of preliminary short plat approval, the short plat shall become null and void. Upon written request by the developer prior to the expiration date, the Community Development Director may grant an extension of not more than two years. The Director shall consider economic conditions and such other circumstances as may warrant the extension. If the Director denies a request for an extension, the developer may appeal that decision to the City Council by filing a written notice of appeal with the Director not later than thirty days after the date of the decision.~~
- A. ~~(Effective December 31, 2014.)~~ If the short plat is not recorded within five years of the date of preliminary short plat approval, the short plat shall become null and void. Upon written request by the developer prior to the expiration date, the Community Development Director may grant an extension of not more than four years. The Director shall consider economic conditions and such other circumstances as may warrant the extension. If the Director denies a request for an extension, the developer may appeal that decision to the City Council by filing a written notice of appeal with the Director not later than thirty days after the date of the decision.

## Subdivisions

### 17.11.060 - Expiration.

- D. For an application timely submitted pursuant to terms of CMC Section 17.11.040, ~~city council~~ the approval authority may, upon approval of the preliminary plat, extend the proposed timeline for phased development to seven years maximum from date of preliminary approval to the final plat of the last phase.
- E. Expired subdivisions or expired phases of subdivisions must make a new land use application, and shall not be permitted to amend or revise the expired preliminary plats unless a phasing plan was approved with specific timelines, as specified with the approved plat.

## Chapter 17.15 - BINDING SITE PLAN (BSP)

### 17.15.050 - Improvements.

Prior to the issuance of a building permit for construction within a binding site plan, all improvements required to adequately service that portion of the plan for which the building permit will be issued shall be installed or ~~bonded~~ secured in accordance with CMC Chapters 17.19 and 17.21.

## Chapter 17.19 - DESIGN AND IMPROVEMENT STANDARDS

### Sections:

### 17.19.020 - Improvements, supervision, inspections and permits required.

- A. Required Improvements.
1. Every developer shall be required to grade and pave streets and alleys, install curbs and gutters, sidewalks, monuments, sanitary and storm sewers, water mains, fire hydrants, street lights and street name signs, underground transmission lines, provide and install centralized mail delivery boxes as determined by the U.S. Postal Service, together with all appurtenances in accordance with specifications and standards in the Camas

Design Standards Manual, the six-year street plan, and other state and local adopted standards and plans as may be applicable.

### 17.19.030 - Tract, block and lot standards.

- D. Lots. The lot size, width, shape and orientation shall conform to zoning provisions and the following:
3. Building Envelopes. No lot shall be created without a building envelope of a size and configuration suitable for the type of development anticipated:
    - a. For single-family ~~detached housing~~residential zones, a suitable size and configuration generally includes a building envelope capable of siting a forty-foot by forty-foot square dwelling within the building envelope,
    - b. For multi-family zones, a suitable size and configuration generally includes a building envelope of twenty-feet by forty-feet.
    - ~~b.c.~~ Other factors in considering the suitability of the size and configuration of any residential lot include the presence of, or proximity to critical areas, adjoining uses or zones, egress and ingress, and necessary cuts and fills;
  5. Flag lots, access tracts, and private roads may be permitted only when the community development director or designee finds the applicant meets the criteria listed hereinafter:
    - a. The pole of a flag lot must be a minimum of twenty feet wide with a minimum of twelve feet of pavement and shall serve no more than one lot;
    - b. The structure(s) accessed by a flag lot, access tract, or private road will be required to furnish a minimum of two off-street parking spaces per residential unit. Under no circumstances will required parking be allowed along the flag pole lot;
    - ~~c. Primary structures accessed by flag lots, access tracts, or private roads are required to have automatic fire sprinklers;~~
    - cd. An approved address sign, in accordance with the Camas Municipal Code, must be posted for each residence where the flag lot leaves the public road or access tract; and
    - de. To protect the character of the immediate neighborhood, the city may impose special conditions, where feasible, including access configuration and separation, setbacks, fencing and landscaping;
  6. Double Frontage Lots. Residential lots which have street frontage along two opposite lot lines shall be avoided,~~except for lots which provide separation of a residential development from a traffic arterial or collector, in which case additional lot depth of at least twenty feet will be provided to act as a buffer strip, or ten-foot landscape tract with ten-foot additional lot depth, or a combination of both to achieve twenty-foot additional depth between the lot and the traffic arterial; except for double frontage lots adjacent to an arterial or collector, which must comply with the following design standards:~~
    - a. Landscaping. A ten foot landscaped tract is provided along the real property line to visually buffer the rear yards from public view and prevent vehicular access. The ten foot landscaped tract shall include a minimum 2-inch caliper trees every 30-feet on center, three-foot tall shrubs that form a continuous screen, groundcover plants that fully cover the remainder of the landscaped area, and maintained in perpetuity by the homeowner's association:
      - i. If the front of the structure faces a collector or arterial street, the ten foot landscape tract is not required; and
      - ii. The lot must provide pedestrian access to the sidewalkarterial or collector, and includinge vehicular access to a rear-loaded garage is required.
    - b. Fencing and Walls. A sight-obscuring fence or masonry wall shall be located at the line that separates the lot from the 10-foot landscape tract (See Figure 17.19-1). The design must include:
      - i. The height of the fence or wall shall be a minimum 4-feet tall along a collector and 6-feet tall along an arterial.
      - ii. The fence or wall shall include columns or physical indentations in the fence or wall at least every fifty lineal feet to reduce the massing effect of the fencing material.

c. Architectural Design. Side and rear building facades visible from an arterial or collector shall maintain the architectural design, horizontal and vertical articulation, level of detail, and materials and colors consistent with the front building façade. Avoid large blank walls on side and rear building facades.

d. Setbacks. Minimum of 20-foot setback will be provided from the property line separating the lot from the tract that is adjacent to the arterial or collector.

E. Tracts and Trails.

1. If land division is located in the area of an officially designated trail, in accordance with the current version of the parks, and recreation and open space comprehensive plan, provisions shall be made for reservation of the right-of-way or for easements to the city for trail purposes including the construction of the trail. A minimum fifteen-foot width shall be provided for the proposed trail. Trail standards for each trail type shall be as specified in appendix B of the parks, recreation and open space comprehensive plan or as amended.
2. Trails shall be shown as a separate layer on computer disk in an electronic format submitted with "as-builts" prior to final acceptance.
3. Trails, which are dedicated to the city and part of the regional trail system, shall be surveyed and dedicated by the developer prior to final acceptance.
4. Tracts and trails that are not dedicated to the city and are located within the subdivision, short plat or planned development are the responsibility of the homeowners association to maintain. Provisions must be in writing, such as in CC&R's, informing the homeowners of the responsibility and outlining the maintenance procedures in accordance with city standards.

F. Landscaping.

- ~~3. Tree planting, when required as a vegetative buffer, shall be of a species as approved by the city.~~
- ~~43. The tree planting shall be the responsibility of the land developer and shall be installed or bonded for prior to final plat approval, or as specified in the land use decision. Prior to final acceptance of any land development, the land developer shall install trees adjacent to or within all common areas and landscape tracts as specified in the Camas Design Standards Manual.~~
- ~~4. Street trees adjacent to individual lots must be installed prior to final occupancy or bonded for and installed prior to expiration of the two-year warranty period, whichever comes first.~~
- ~~54. Landscaping shall conform to plant criteria in the Camas Design Standards Manual. Any planting of trees or shrubs within the right-of-way or vision clearance area must be shown on the construction drawings for approval.~~
- ~~65. Storm drainage facilities, pump stations and other visible facilities shall be setback a minimum of thirty feet from any street or accessory structure and be landscaped in accordance with criteria in the Camas Design Standards Manual.~~

## 17.19.040 - Infrastructure standards.

Note: For the purposes of this title, the terms "street" and "road" are synonymous in meaning.

A. Private Street: Private street(s) may be authorized when all of the following occur:

- ~~7. Homes constructed to access from private roads shall have automatic fire sprinklers installed per NFPA 13D or 13R;~~

B. Streets.

6. Extension. Proposed street systems shall extend existing streets at the same or greater width unless otherwise approved by the public works department and authorized by city council in approval of the plat.
- a. ~~Where appropriate, s~~Streets and pedestrian/bicycle paths shall be extended to the boundaries of the plat to ensure access to neighboring properties, unless the presence of critical areas render such extension infeasible. ~~The city's goal~~design shall contribute is to have an integrated system of local streets-vehicular and pedestrian circulation whenever practical. Where platted streets touch, they shall connect and show extension to adjoining streets.
  - b. Grading of steep topography may be necessary to achieve this objective.

...

10. Street Layout. Street layout shall provide for the most advantageous development of the land development, adjoining area, and the entire neighborhood. Evaluation of street layout shall take into consideration potential circulation solutions for vehicle, bicycle and pedestrian traffic, and, where feasible, street segments shall be interconnected.

a. Circulation Plan. Applicants shall submit a circulation plan at application which includes the subject site and properties within six hundred (600) feet of the proposed development site. The plan shall incorporate the following features both onsite and offsite:

i. The circulation plan shall be to an engineering scale at 1" = 100' or the scale may be increased or decreased at a scale approved by the Director;

ii. Existing and proposed topography for slopes of ten (10) percent or greater, with contour intervals not more than 10 feet;

iii. Environmental sensitive lands (geologic hazards, wetlands, floodplain, shoreline, etc.)

iv. Existing and proposed streets, bicycle/pedestrian pathways, trails, transit routes; and

v. Site access points for vehicles, pedestrians, bicycles, and transit.

b. Cross-circulation shall be provided that meets the following:

i. Block lengths shall ~~benot~~ exceed the maximum access spacing for the roadway class less than 1,000 feet, measured from the centerline per the city's Design Standards Manual.

ii. Cul-de-sacs and permanent dead-end streets shall be prohibited 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. When cul-de-sacs or dead-end streets are allowed, they shall be limited to no more than 300-feet measured at the centerline of the nearest intersection.

iii. 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.

ac. While it is important to minimize the impact to the topography from creating an integrated road system, improved site development and circulation solutions shall not be sacrificed to minimize the amount of cut and fill requirements of the proposal.

bd. Where critical areas are impacted, the standards and procedures for rights-of-way in the critical areas overlay zone shall be followed.

ee. When the proposed development's average lot size is seven thousand four hundred square feet or less, one additional off-street parking space shall be required for every five units, notwithstanding the requirements of CMC Chapter 18.11. These spaces are intended to be located within a common tract.

df. When, on the basis of topography, projected traffic usage or other relevant facts, it is unfeasible to comply with the foregoing right-of-way, tract and street width standards, the approval authority, upon

recommendation from the city engineer, may permit a deviation from the standards of Table 17.19.040-1 and Table 17.19.040-2.

- ~~eg.~~ The city engineer or designee may determine a wider width is necessary due to site circumstances, including but not limited to topography, traffic volume, street patterns, on-street parking, lot patterns, land use and bike and transit facilities that justify an increase in width.
- ~~fh.~~ When existing streets adjacent to or within land to be developed are of inadequate width, additional right-of-way shall be provided at the time of land development.

11. Access Management.

- a. Access to all marginal access streets shall be restricted so as to minimize congestion and interference with the traffic carrying capacity of such street, and to provide separation of through and local traffic in accordance with CMC 17.19.030.D.6. The restrictions imposed shall be in accordance with the Camas Design Standards Manual.
- b. The city engineer may grant exceptions to the access restriction policies and standards when no other feasible access alternative exists.
- ~~c. In addition to restricting access, where a residential development abuts or contains an existing or proposed marginal street, the city may also require reverse frontage lots with suitable depth, appropriate fencing with landscaping or masonry walls contained in a non-access reservation with a minimum ten-foot width along the real property line, or such other treatment as may be necessary for adequate protection of residential properties and for the separation of through and local traffic.~~

## 17.21.040 - Improvement agreements.

- A. Required Improvements. ~~Before any development receives~~ Prior to final plat approval, the developer shall install required improvements and replace or repair any such improvements, which are damaged during the development. In lieu of installation of all required improvements, the developer may execute and file with the city for review and approval by the public works director an agreement guaranteeing completion of such improvements together with any needed replacement or repair only when completion of improvements prior to final plat approval is impracticable due to extenuating circumstances or other factors beyond the control of the applicant as determined by the city. The agreement shall:
  - 1. Specify the period of time within which all work required would be completed. The time for completion shall not exceed two years from the date of final approval of the plat. The agreement may provide for reasonable extensions of time for completion of work. Extensions must be requested, approved by the city council, and properly secured in advance of the required initial completion date;
  - 2. Require notice by the developer to the public works director promptly upon completion of all required improvements;
  - 3. Provide for notice of approval or disapproval by the public works director of the improvement within a reasonable time after receiving notice of completion;
  - 4. Require ~~bond or other~~ financial security to be provided by the subdivider pursuant to CMC Section 17.21.050;
  - 5. Provide that if the developer fails to complete all required work within the period specified, the city may take steps to demand performance of the developer's obligation within a reasonable time not to exceed ninety days from the date of demand;
  - 6. Provide that if the required improvements are not completed within that time, the city may take action to require the subdivider to forfeit the financial security;
  - 7. Provide that the city shall be entitled to recover all costs of such action including reasonable attorney's fees;
  - 8. Provide that following recovery of the proceeds of the financial security, those proceeds shall be used to complete the required improvements and pay the costs incurred; and

9. Provide that should the proceeds of the financial security be insufficient for completion of the work and payment of the costs, the city shall be entitled to recover the deficiency from the developer.
- B. Maintenance Agreement. Regardless of whether all required improvements are completed prior to final approval, as a condition of such approval the developer shall execute an agreement to assure successful operation of all improvements. The agreement shall:
  1. Require the developer to post a ~~bond or other~~ financial security in an amount equal to at least ~~ten~~ twenty five percent of the total cost of all required improvements to secure successful operation of all required improvements and full performance of the developer's maintenance obligation. Such financial security shall be effective for a two-year period following final acceptance of installation of all required improvements;

#### **17.21.050 - ~~Bonds and other f~~Financial security agreements.**

- A. ~~Bond~~ Financial Security Requirements. To assure full performance of the agreements required herein, the developer shall provide one or more of the following in a form approved by the city attorney within a time fixed by the city engineer, which shall include a reasonable amount of time to complete said improvements, but shall not exceed two years. Below are options in order of preference:
  1. ~~3. — A cash deposit made with the City of Camas.~~
  2. An assignment of account with a financial institution, which holds the money in an account until such time the city signs a written release. The assignment of account will allow the city to withdraw the funds in the event the provisions of the agreement are not met; ~~and~~
  3. A letter of credit as acceptable to the City finance director; and
  4. A surety bond executed by a surety company authorized to transact business in the state of Washington. Surety bonds may be performance, maintenance/warranty bonds, erosion control/wetland, or subdivision improvement bonds.
  3. ~~A cash deposit made with the City of Camas.~~
- B. Amount of Financial Security.
  1. For site plan or subdivision improvement bonds, the financial security provided shall be at least one hundred ~~fiftyfive~~ percent of the estimated cost of the improvements to be completed, all related engineering and incidental expenses, final survey monumentation and preparation of reproducible mylar or electronic records in a format approved by public works and meeting current public works drawing standards of the "as-built" improvements. The subdivider shall provide an estimate of these costs for acceptance by the public works director.
  2. For two-year warranty or maintenance bonds, the financial security provided shall be at least twenty five ~~ten~~ percent of the cost estimate provided in subsection (B)(1) of this section.
  3. Erosion prevention and wetland bonds shall equal two hundred percent of the erosion prevention and sediment control items or wetland management items from the estimate provided in subsection (B)(1) of this section.
- C. Defective Work. The acceptance of improvements by the city shall not prevent the city from making a claim against the developer for any defective work if such is discovered within two years after the date of completion of the work.

#### **17.21.060 - Final plat or short plat procedures for land divisions.**

- B. Contents of Final Plat or Short Plat.
  1. The final plat or short plat shall include the survey information in CMC Section 17.05.050(A) and (B).
  2. Statements. The plat shall include the following statements, and certificates of dedication when required:
    - a. A certificate with the seal of and signature of the surveyor responsible for the survey and preliminary plat in accordance with RCW 58.09.080.
    - b. Certification of examination and approval by the county assessor.
    - c. Recording certificate for completion by the Clark County auditor.

- d. Signature lines for the City of Camas community development director or designee, and fire chief or designee.
- e. Certification by the city engineer or designee that the developer has complied with the following:
  - i. All improvements have been installed or financially secured for in accordance with the requirements of this title and with the preliminary plat approval;
  - ii. All improvements can or will meet current public works drawing standards for road, utility and drainage construction plans;
  - iii. Original and reproducible mylar or electronic records in a format approved by the public works director or designee and certified by the designing engineer as being "as constructed" have been submitted or financially secured for city records.
- f. City of Camas finance director certificate that states there are no delinquent special assessments, and that all special assessments on any of the property that is dedicated as streets, alleys or for other public use are paid in full at the date of certification.
- g. Signature line for the mayor of the City of Camas.

C. Monumentation.

- 1. Imprinted Monument. All monuments set in land division shall be at least one-half-inch by twenty-four-inch steel bar or rod, or equivalent, with durable cap imprinted with the license number of the land surveyor setting the monument.
- 2. Centerline Monument. After paving, except as provided in CMC Chapter 17.19, monuments shall be driven flush with the finished road surface at the following intersections:
  - a. Centerline intersections;
  - b. Points of intersection of curves if placement falls within the paved area; otherwise, at the beginnings and endings of curves;
  - c. Intersections of the plat boundaries and street centerlines.
- 3. Property Line Monumentation. All front corners, rear corners, and beginnings and endings of curbs shall be set with monuments, except as provided in CMC Chapter 17.19. In cases where street curbs are concentric and/or parallel with front right-of-way lines, front property line monumentation may be provided by brass screws or concrete nails at the intersections of curb lines and the projections of side property lines. If curb monumentation is used, it shall be noted on the plat, and also that such monumentation is good for projection of line only and not for distance.
- 4. Post-Monumentation. All monuments for exterior boundaries of the land division shall be set and referenced on the plat prior to plat recording. Interior monuments need not be set prior to recording if the developer certifies that the interior monuments shall be set within ninety days of final land division construction inspection by the public works department, and if the developer guarantees such interior monumentation.
- 5. Post-Monumentation Bonding. In lieu of setting interior monuments prior to final plat recording as provided in CMC Chapter 17.19, the public works director may accept a performance bond in an amount and with surety and conditions satisfactory to the director or other secure method as the public works director may require, providing for and securing the actual setting of the interior monuments.

D. Final Plat or Short Plat Approval Review Procedures.

- 1. Referral to Other Departments and Agencies. The community development department shall distribute the final plat or short plat to all departments and agencies receiving the preliminary plat or short plat, and to any other departments, special purpose districts and other governmental agencies deemed necessary for their review and comments.
- 2. Departmental Approval. The community development department and other interested departments and agencies shall review the final plat or short plat, legal descriptions and lot closures and submit to the community development department written comments with respect to the final plat or short plat decision criteria.
- 3. The community development department shall return the redlined plat or short plat with all department comments to the applicant's architect or engineer, and a copy of the comments to the applicant.

**EG.** Criteria for Final Plat or Short Plat Approval. The approval authority for subdivision final plats is the city council, and the community development department is the approval authority for short plats. If a subdivision, then all documents deemed necessary by the city for final plat approval must be submitted to the community development department no later than a minimum of fourteen calendar days prior to the city council meeting. The following criteria is the basis for approval:

1. That the proposed final plat or short plat bears the required certificates and statements of approval as required in CMC Section 17.01.050(C);
2. That the title insurance report furnished by the developer/owner confirms the title of the land, and the proposed subdivision is vested in the name of the owner(s) whose signature(s) appears on the plat certificate;
3. That the facilities and improvements required to be provided by the developer/owner have been completed or, alternatively, that the developer/owner has submitted with the proposed final plat or short plat an improvement bond or other security in conformance with CMC Section 17.21.040;
4. That the plat or short plat is certified as accurate by the land surveyor responsible for the plat or short plat;
5. That the plat or short plat is in substantial conformance with the approved preliminary plat or short plat; and
6. That the plat or short plat meets the requirements of Chapter 58.17 RCW and other applicable state and local laws which were in effect at the time of preliminary plat or short plat approval.

**ED.** Signing the Plat or Short Plat. Once the community development department verifies that all corrections have been made, the applicant shall submit two mylar copies for signature.

**GE.** Filing the Plat or Short Plat. The applicant shall file the final plat or short plat with the recording division of the Clark County auditor's office. The plat or short plat will be considered complete when a copy of the recorded documents are returned to the City of Camas Community Development Department.

**HF.** Permits for one sales office and/or one model home per plat or phase may be issued after the final plat is recorded, and prior to final acceptance, after review and approval by the city consistent with CMC 18.07.040 Table 2. Building permits for any other residential or commercial buildings will not be issued until after final acceptance.

## **17.21.070 - Final acceptance.**

B. The city shall accept all improvements within all land divisions, and applicable site plan developments, provided:

4. Upon approval of the engineering department that the improvements are complete, a warranty bond equal to ~~twenty five~~ ten percent of the cost of the improvement for a period not to exceed two years shall be submitted to the city to warranty all improvements in accordance with CMC Section 17.21.050(B)(2). The public works director or city engineer may grant an exception to this bonding requirement for certain outstanding items; and

## **Chapter 17.23 - EXCEPTIONS, PENALTIES, SEVERABILITY, LIABILITY**

### **17.23.010 - Exceptions.**

A. Exception Criteria.

1. Land Division. Except as provided in subsection (A)(2) or (A)(3) of this section, exceptions from the requirements of this title may be granted when undue hardship may be created as a result of strict compliance with the provisions of this title. Any authorization for exception may prescribe conditions deemed necessary or desirable for the public interest. An exception shall not be granted unless:
  - a. There are special physical circumstances or conditions affecting the property, such that the strict application of the provisions of this code would deprive the applicant of the reasonable use or development of ~~his~~ the applicant's land;

## New Sections to Camas Municipal Code

### 17.01.050 A5f

f. The width and location of existing trails both public and private.

### 17.01.050 A6

6. A certificate with the seal of and signature of the surveyor responsible for the survey and preliminary plat in accordance with RCW 58.09.080.

### 17.07.040 I

I. If lots to be adjusted are located adjacent to an unimproved street, then the City may determine if dedication of additional land is necessary to comply with the minimum public right of way requirements.

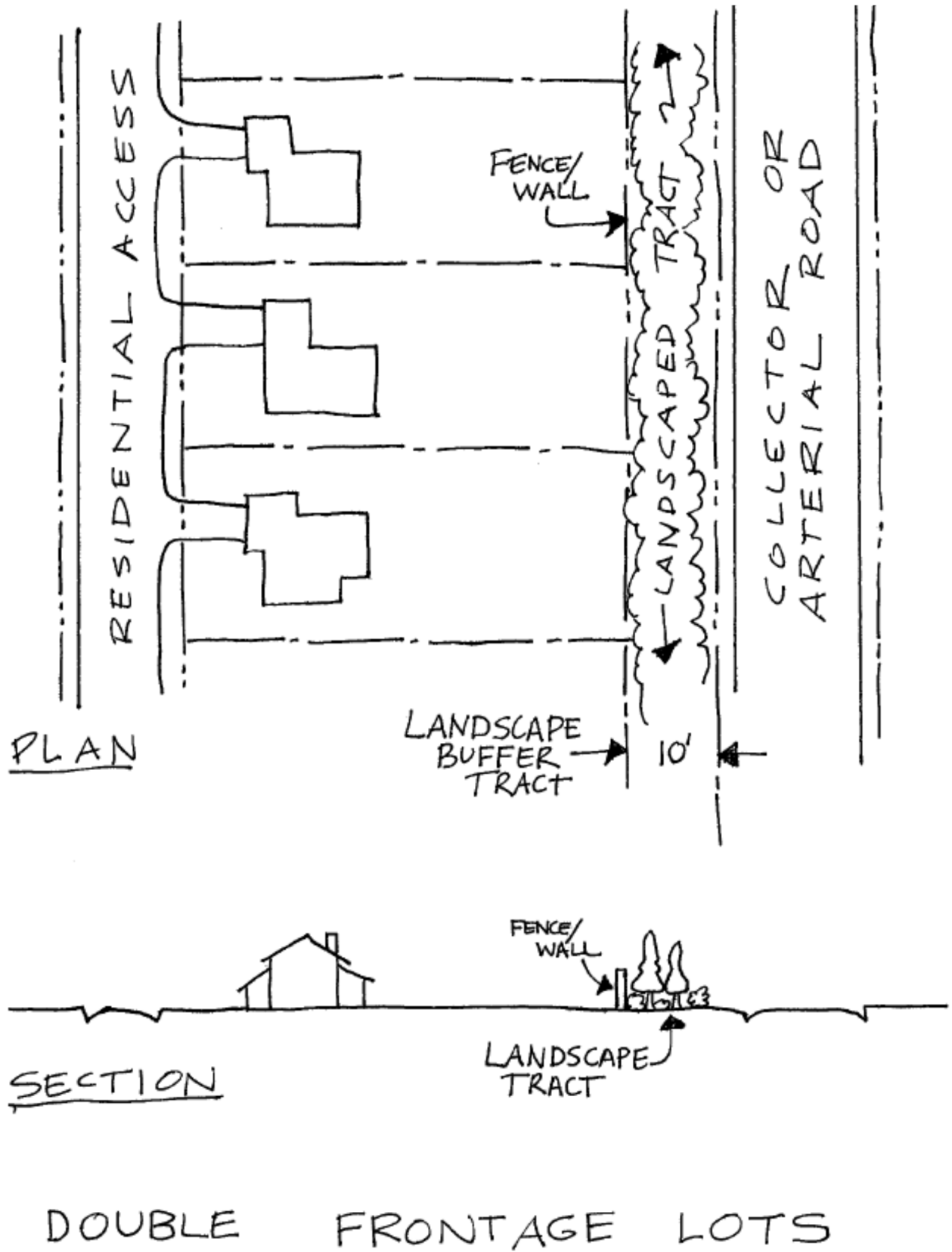


Figure 17.19-1 Double Frontage Lots

ORDINANCE NO.

AN ORDINANCE amending the City of Camas' 2017 Budget Ordinance No. 16-023.

WHEREAS, the City Council of the City of Camas approved Ordinance No. 16-023 and adopted a budget for the years 2017-2018; and

WHEREAS, the City Council of the City of Camas desires to effectively utilize and manage the City's financial resources; and,

WHEREAS, the City Council of the City of Camas finds that the proposed adjustments to the Budget for 2017 reflect revenues and expenditures that are intended to ensure the provision of vital municipal services at acceptable levels; and,

WHEREAS, funds received in excess of estimated revenues during the current fiscal year, when authorized by an ordinance amending the original budget, may be included in the expenditure limitation, pursuant to RCW 35A.34.200(1)(d); and

WHEREAS, the City desires to undertake activities, which were not foreseen at the time of adopting the 2017 budget; and

WHEREAS, pursuant to RCW 35A.34.150, the financial activities in the following funds could not have been reasonably foreseen at the time of adopting the 2017 budget, and

WHEREAS, by Ordinance No. 2708, the City of Camas established a Biennial Budget process pursuant to the provisions of RCW 35A.34, including therewith procedures for modification of the Biennial Budget; and

WHEREAS, the proposed budget modifications as set forth herein have been provided to the City Council and to the public; and

WHEREAS, a public hearing as required on the proposed budget modifications has been held as required.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMAS AS FOLLOWS:

Section I

**Budget Amendment – Effect on Fund Revenues and Expenses.** In summary form, modifications to the totals of estimated revenues and appropriations for each separate fund and the aggregate totals for all such funds combined are as shown on Attachment A for 2017.

ORDINANCE NO.

Section II

**Adoption.** The 2017 Amendments to the Budget of the City of Camas are hereby adopted.

Section III

**Effective Date.** This ordinance shall take force and be in effect five days from and after its publication according to law.

PASSED BY the Council and APPROVED by the Mayor this 5th day of June, 2017.

SIGNED: \_\_\_\_\_  
Mayor

SIGNED: \_\_\_\_\_  
Clerk

APPROVED as to form:

\_\_\_\_\_  
City Attorney

## Attachment A

**2017 Budget Amendment - Fund Summary**

	Beg Fund Balance	Budget Revenues (1)	Budget Expenses (1)	Estimated End Fund Balance	Budget Amendment Revenues	Budget Amendment Expenses	Amended Fund Balance	Note: Budget Packages
<b>Operating Funds</b>								
General	\$ 3,239,354	\$ 43,116,716	\$ (42,306,038)	\$ 4,050,032	\$ 24,500	\$ (809,565)	\$ 3,264,967	CF-1,CF-2,CF-8,CF-14,A-1,A-4,S-1,S-5,S-7,S-10,S-11
Streets	\$ 82,803	\$ 5,498,685	\$ (5,570,675)	\$ 10,813	\$ 615,796	\$ (615,796)	\$ 10,813	CF-2,CF-14,S-10
Camas/Washougal Fire & EMS	\$ 105,620	\$ 19,303,029	\$ (18,342,988)	\$ 1,065,661		\$ (40,000)	\$ 1,025,661	S-6
Cemetery	\$ 12,271	\$ 469,837	\$ (468,975)	\$ 13,133			\$ 13,133	
<b>Capital/Enterprise Funds</b>								
Unlimited GO Debt Service	\$ 39,419	\$ 1,246,000	\$ (1,248,814)	\$ 36,605			\$ 36,605	
Limited GO Debt Service	\$ -	\$ 2,316,092	\$ (2,316,092)	\$ -			\$ -	
REET	\$ 4,128,848	\$ 3,900,066	\$ (3,802,846)	\$ 4,226,068	\$ 797,050	\$ (2,277,666)	\$ 2,745,452	CF-3,CF-5,CF-6,CF-9,A-3,A-6,S-4
Park Impact Fee		\$ 1,225,103	\$ (1,391,896)	\$ (166,793)	\$ 759,420	\$ (13,376)	\$ 579,251	CF-13,A-3
Transportation Impact Fee		\$ 1,473,737	\$ (1,399,592)	\$ 74,145	\$ 168,244		\$ 242,389	A-3
Fire Impact Fee		\$ 208,871	\$ (42,038)	\$ 166,833	\$ 100,726		\$ 267,559	A-3
Friberg Rd. Construction	\$ -			\$ -	\$ 47,717	\$ (47,717)	\$ -	CF-6
Brady Road Construction	\$ 558,049	\$ 1,465,020	\$ (1,575,000)	\$ 448,069	\$ 219,312	\$ (219,312)	\$ 448,069	A-5
6th and Norwood Construction	\$ -	\$ -	\$ -	\$ -	\$ 258,209	\$ (258,209)	\$ -	CF-3
Street Lighting LED Project	\$ 1,334,099	\$ -	\$ -	\$ 1,334,099		\$ (1,334,099)	\$ -	CF-4
Larkspur	\$ -	\$ -	\$ -	\$ -	\$ 1,160,400	\$ (1,160,400)	\$ -	S-4
Bond Fund Capital Projects	\$ 303,161	\$ 951	\$ (304,112)	\$ -		\$ -	\$ -	A-5,A-6
Storm Water	\$ 2,637,876	\$ 4,098,426	\$ (3,925,434)	\$ 2,810,868	\$ 65,000	\$ (160,000)	\$ 2,715,868	S-3,S-9
Solid Waste	\$ 1,570,637	\$ 5,272,804	\$ (4,834,520)	\$ 2,008,921		\$ (30,000)	\$ 1,978,921	S-9
Water/Sewer	\$ 10,621,937	\$ 25,312,132	\$ (25,908,407)	\$ 10,025,662	\$ 2,572,083	\$ (5,207,985)	\$ 7,389,760	CF-5,CF-11,CF-15,CF-16,CF-17,A-6,S-2,S-8,S-9
W/S Capital Projects	\$ -	\$ 16,395,000	\$ (16,395,000)	\$ -	\$ 7,369,100	\$ (7,369,100)	\$ -	CF-10,CF-11,CF-12,CF-17,A-3,S-2,S-8
WS Capital Reserve	\$ 5,260,350	\$ 3,974,609	\$ (905,000)	\$ 8,329,959			\$ 8,329,959	
WS Bond Reserve	\$ 1,592,404	\$ 36,318	\$ -	\$ 1,628,722			\$ 1,628,722	
North Shore Construction Project	\$ 15,182,583	\$ 70,000	\$ (15,000,000)	\$ 252,583			\$ 252,583	
				\$ -				
<b>Reserve Funds</b>								
Lodging Tax	\$ 12,927	\$ 18,829	\$ (20,000)	\$ 11,756			\$ 11,756	
Firemen's Pension	\$ 2,507,343	\$ 65,363	\$ (231,905)	\$ 2,340,801			\$ 2,340,801	
Equipment Rental and Replacement	\$ 1,580,573	\$ 3,580,202	\$ (3,315,330)	\$ 1,845,445			\$ 1,845,445	
Retiree Medical	\$ -	\$ 171,070	\$ (171,070)	\$ -	\$ 25,569	\$ (25,569)	\$ -	
LEOFF 1 Disability Board		\$ 386,614	\$ (386,614)	\$ -			\$ -	
				\$ -				
	\$ 50,770,254	\$ 139,605,474	\$ (149,862,346)	\$ 40,513,382	\$ 14,183,126	\$ (19,568,794)	\$ 35,127,714	
				\$ -			\$ -	

(1) Budgeted revenues and expenses reflect the 2017-2018 Adopted Budget

\$ (5,385,668)

\$ (5,385,668) Package Summary List

\$ -

original budget \$ 139,605,474 \$ 149,862,345

## Attachment A

Adjustment #	Description	Note	Fund	Current Budget	Proposed Budget	Rev Increase Exp Decrease	Rev Decrease Exp Increase	Impact to Budget
CF-1	2016 Library Collection	Library	001	\$ 130,000	\$ 141,074	001-30-594-720-69		\$ (11,074) \$ (11,074)
CF-1	Adjust Fund Balance	Library	001	\$ 4,050,032	\$ 4,038,958	001-00-508-000-00	\$ 11,074	\$ 11,074
CF-2	2016 Pavement Management	Streets	001	\$ 1,993,024	\$ 2,370,760	001-00-597-112-00		\$ (377,736) \$ (377,736)
CF-2	Adjust Fund Balance	Streets	001	\$ 4,050,032	\$ 3,672,296	001-00-508-000-00	\$ 377,736	\$ 377,736
CF-2	2016 Pavement Management	Streets	112	\$ 737,024	\$ 1,114,760	112-76-595-300-65		\$ (377,736) \$ (377,736)
CF-2	2016 Pavement Management	Streets	112	\$ 737,024	\$ 1,114,760	112-00-397-001-00	\$ 377,736	\$ 377,736
CF-3	Construction Wrap-up	6th & Norwood	316	\$ -	\$ 258,209	316-00-595-300-65		\$ (258,209) \$ (258,209)
CF-3	Construction Wrap-up	6th & Norwood	316	\$ -	\$ 258,209	316-00-397-300-00	\$ 258,209	\$ 258,209
CF-3	2016 REET Transfer	REET Capital	300	\$ -	\$ 258,209	300-00-597-316-00		\$ (258,209) \$ (258,209)
CF-3	Adjust Fund Balance	REET Capital	300	\$ 2,745,452	\$ 2,487,243	300-00-508-000-00	\$ 258,209	\$ 258,209
CF-4	Pac Rim and Remaining Proj	LED Lighting Proj	317	\$ -	\$ 1,334,099	317-00-595-630-65		\$ (1,334,099) \$ (1,334,099)
CF-4	Adjust Fund Balance	LED Lighting Proj	317	\$ 1,334,099		317-00-508-000-00	\$ 1,334,099	\$ 1,334,099
CF-5	2016 W/S Contribution Franklin	REET Capital	300	\$ -	\$ 80,460	300-00-397-424-00	\$ 80,460	\$ 80,460
CF-5	Adjust Fund Balance	REET Capital	300	\$ 2,745,452	\$ 2,825,912	300-00-308-000-00		\$ (80,460) \$ (80,460)
CF-5	2016 W/S Contribution Franklin	Water/Sewer	424	\$ -	\$ 80,460	424-00-597-300-00		\$ (80,460) \$ (80,460)
CF-5	Adjust Fund Balance	Water/Sewer	424	\$ 10,025,662	\$ 9,945,202	424-00-508-000-00	\$ 80,460	\$ 80,460
CF-6	2016 Friberg Oak Mitigation	Friberg/Strunk	314	\$ -	\$ 47,717	314-00-595-300-65		\$ (47,717) \$ (47,717)
CF-6	2016 Friberg Oak Mitigation	Friberg/Strunk	314	\$ -	\$ 47,717	314-00-397-300-00	\$ 47,717	\$ 47,717
CF-6	2016 REET Transfer	REET Capital	300	\$ -	\$ 47,717	300-00-597-314-00		\$ (47,717) \$ (47,717)
CF-6	Adjust Fund Balance	REET Capital	300	\$ 2,698,811	\$ 2,651,094	300-00-508-000-00	\$ 47,717	\$ 47,717
CF-8	2016 Crown Park Master Plan	Parks & Recreation	001	\$ 75,000	\$ 150,000	001-18-575-400-41		\$ (75,000) \$ (75,000)
CF-8	Adjust Fund Balance	Parks & Recreation	001	\$ 4,050,032	\$ 3,975,032	001-00-508-000-00	\$ 75,000	\$ 75,000
CF-9	2016 Downtown Trail-Stair Repair	REET Capital	300	\$ 0	\$ 25,000	300-00-594-765-63		\$ (25,000) \$ (25,000)
CF-9	Adjust Fund Balance	REET Capital	300	\$ 2,698,811	\$ 2,673,811	300-00-508-000-00	\$ 25,000	\$ 25,000
CF-10	2016 Water Trans Main (Slow Sands)	W/S Capital	426	\$ -	\$ 2,572,083	426-00-594-341-65		\$ (2,572,083) \$ (2,572,083)
CF-10	Transfer from W/S Fund	W/S Capital	426	\$ 2,365,000	\$ 4,937,083	426-00-397-424-00	\$ 2,572,083	\$ 2,572,083
CF-10	Intergovt. Loans	Water/Sewer	424	\$ -	\$ 2,572,083	424-00-391-800-00	\$ 2,572,083	\$ 2,572,083
CF-10	Transfer to W/S Capital Fund	Water/Sewer	424	\$ 2,365,000	\$ 4,937,083	424-00-597-426-00		\$ (2,572,083) \$ (2,572,083)
CF-11	Reservoir Project move from 18 to 17	W/S Capital	426	\$ 125,000	\$ 2,964,967	426-00-594-342-65		\$ (2,839,967) \$ (2,839,967)
CF-11	SRF Loan	W/S Capital	426	\$ -	\$ 2,040,000	426-00-391-800-00	\$ 2,040,000	\$ 2,040,000
CF-11	Transfer from SDCs	W/S Capital	426	\$ 705,000	\$ 1,504,967	426-00-397-432-00	\$ 799,967	\$ 799,967
CF-11	Transfer to Reservoir Proj from SDC	W/S Capital Reserve	432	\$ 705,000	\$ 1,504,967	432-00-597-426-00		\$ (799,967) \$ (799,967)
CF-11	Adjust Fund Balance	W/S Capital Reserve	432	\$ 8,329,959	\$ 7,529,992	432-00-508-000-00	\$ 799,967	\$ 799,967
CF-12	2016 Water Meter Repl Project	W/S Capital	426	\$ 275,000	\$ 525,000	426-00-594-360-65		\$ (250,000) \$ (250,000)
CF-12	Transfer from W/S Fund	W/S Capital	426	\$ 2,365,000	\$ 2,615,000	426-00-397-424-00	\$ 250,000	\$ 250,000
CF-12	Transfer to W/S Capital Fund	Water/Sewer	424	\$ 2,365,000	\$ 2,615,000	424-00-597-426-00		\$ (250,000) \$ (250,000)
CF-12	Adjust Fund Balance	Water/Sewer	424	\$ 10,025,662	\$ 9,775,662	424-00-508-000-00	\$ 250,000	\$ 250,000
CF-13	2016 Cooper's View Park - Sign	Park Impact Fee	301	\$ -	\$ 13,376	301-00-594-760-65	\$ -	\$ (13,376) \$ (13,376)
CF-13	Adjust Fund Balance	Park Impact Fee	301	\$ (166,793)	\$ 579,251	301-00-508-000-00	\$ 13,376	\$ 13,376
CF-14	2016 Transportation CIP	Streets	112	\$ 622,456	\$ 797,456	112-00-543-300-41		\$ (175,000) \$ (175,000)
CF-14	Transfer from Gen Fund	Streets	112	\$ 1,256,000	\$ 1,431,000	112-00-397-001-01	\$ 175,000	\$ 175,000
CF-14	Transfer to Streets	General Fund	001	\$ 1,256,000	\$ 1,431,000	112-00-597-112-00		\$ (175,000) \$ (175,000)
CF-14	Adjust Fund Balance	General Fund	001	\$ 4,050,032	\$ 3,875,032	112-00-508-000-00	\$ 175,000	\$ 175,000
CF-15	2016 Sewer Condition Analysis	Water/Sewer	424	\$ 25,000	\$ 125,000	424-00-535-810-41		\$ (100,000) \$ (100,000)
CF-15	Adjust Fund Balance	Water/Sewer	424	\$ 10,025,662	\$ 9,925,662	424-00-508-000-00	\$ 100,000	\$ 100,000
CF-16	2016 Water System Plan	Water/Sewer	424	\$ 632,102	\$ 752,102	424-00-534-810-41		\$ (120,000) \$ (120,000)
CF-15	Adjust Fund Balance	Water/Sewer	424	\$ 10,025,662	\$ 9,905,662	424-00-508-000-00	\$ 120,000	\$ 120,000
CF-17	2016 Well 6	W/S Capital	426	\$ 475,000	\$ 515,050	424-00-594-347-65		\$ (40,050) \$ (40,050)
CF-17	Transfer from W/S Fund	W/S Capital	426	\$ 2,365,000	\$ 2,405,050	424-00-397-424-00	\$ 40,050	\$ 40,050
CF-17	Transfer to W/S Capital	Water/Sewer	424	\$ 2,365,000	\$ 2,405,050	424-00-597-426-00		\$ (40,050) \$ (40,050)
CF-17	Adjust Fund Balance	Water/Sewer	424	\$ 10,025,662	\$ 9,985,612	424-00-508-000-00	\$ 40,050	\$ 40,050
A-1	Staff Reorganization	Library	001	\$ 97,500	\$ 102,925	001-30-572-100-11		\$ (5,425) \$ (5,425)
A-1	Adjust Fund Balance	General Fund	001	\$ 4,050,032	\$ 4,044,607	001-00-508-000-00	\$ 5,425	\$ 5,425
A-3	Transfer to Park Impact Fee Fund	REET Capital	300	\$ -	\$ 759,420	300-00-597-301-00		\$ (759,420) \$ (759,420)
A-3	Transfer to Transportation Imp Fee	REET Capital	300	\$ -	\$ 168,244	300-00-597-302-00		\$ (168,244) \$ (168,244)
A-3	Transfer to Fire Impact Fee Fund	REET Capital	300	\$ -	\$ 100,726	300-00-597-303-00		\$ (100,726) \$ (100,726)
A-3	Adjust Fund Balance	REET Capital	300	\$ 4,226,068	\$ 3,197,678	300-00-508-000-00	\$ 1,028,390	\$ 1,028,390
A-3	Transfer from REET Capital	Park Impact Fee Fund	301	\$ -	\$ 759,420	301-00-397-300-00	\$ 759,420	\$ 759,420
A-3	Adjust Fund Balance	Park Impact Fee Fund	301	\$ -	\$ 759,420	301-00-308-000-00		\$ (759,420) \$ (759,420)

A-3	Transfer from REET Capital	Trans Impact Fee Fund	302	\$ 150,000	\$ 318,244	302-00-397-300-00	\$ 168,244		\$ 168,244
A-3	Adjust Fund Balance	Trans Impact Fee Fund	302	\$ -	\$ 168,244	302-00-308-000-00		\$ (168,244)	\$ (168,244)
A-3	Transfer from REET Capital	Fire Impact Fee Fund	303	\$ -	\$ 100,726	303-00-397-300-00	\$ 100,726		\$ 100,726
A-3	Adjust Fund Balance	Fire Impact Fee Fund	303	\$ -	\$ 100,726	303-00-308-000-00		\$ (100,726)	\$ (100,726)
A-4	Grant funded travel	Police	001	\$ 6,500	\$ 31,000	001-00-367-110-00	\$ 24,500		\$ 24,500
A-4	Grant funded travel	Police	001	\$ 21,000	\$ 45,500	001-08-521-220-43		\$ (24,500)	\$ (24,500)
A-5	Reallocate Budget	2015 Capital Proj	318	\$ 304,112	0	318-00-594-220-62	\$ 304,112		\$ 304,112
A-5	HVAC System Upgrade-Library	2015 Capital Proj	318	\$ -	\$ 40,000	318-00-594-720-62		\$ (40,000)	\$ (40,000)
A-5	Transfer to Brady Road Project	2015 Capital Proj	318	\$ -	\$ 219,312	318-00-597-315-00		\$ (219,312)	\$ (219,312)
A-5	Transfer to Dalles St. Project	2015 Capital Proj	318	\$ -	\$ 44,800	318-00-597-300-00		\$ (44,800)	\$ (44,800)
A-5	Brady Road Construction	Brady Road	315	\$ 1,575,000	\$ 1,794,312	315-00-595-300-65		\$ (219,312)	\$ (219,312)
A-5	Transfer from Bond Proceeds	Brady Road	315	\$ -	\$ 219,312	315-00-397-318-00	\$ 219,312		\$ 219,312
A-5	Transfer from Bond Proceeds	REET Capital Fund	300	\$ -	\$ 44,800	300-00-397-318-00	\$ 44,800		\$ 44,800
A-5	Adjust Fund Balance	REET Capital Fund	300	\$ 4,226,068	\$ 4,270,868	300-00-308-000-00		\$ (44,800)	\$ (44,800)
A-6	CDBG Grant	REET Capital Fund	300	\$ -	\$ 255,200	300-00-333-140-00	\$ 255,200		\$ 255,200
A-6	Dalles Street Project	REET Capital Fund	300	\$ -	\$ 672,950	300-00-595-320-65		\$ (672,950)	\$ (672,950)
A-6	Transfer from W/S Fund	REET Capital Fund	300	\$ 80,460	\$ 453,410	300-00-397-424-00	\$ 372,950		\$ 372,950
A-6	Adjust Fund Balance	REET Capital Fund	300	\$ 4,270,868	\$ 4,226,068	300-00-508-000-00	\$ 44,800		\$ 44,800
A-6	Transfer to REET Fund	Water/Sewer	424	\$ 80,460	\$ 453,410	424-00-597-300-00		\$ (372,950)	\$ (372,950)
A-6	Adjust Fund Balance	Water/Sewer	424	\$ 10,025,662	\$ 9,652,712	424-00-508-000-00	\$ 372,950		\$ 372,950
S-1	Library - Office Ipads	Library	001	\$ 443	\$ 2,523	001-30-572-200-35		\$ (2,080)	\$ (2,080)
S-1	Adjust Fund Balance	General Fund	001	\$ 4,050,032	\$ 4,047,952	001-00-508-000-00	\$ 2,080		\$ 2,080
S-2	Matching Funds for STEP Trans Main	W/S Capital Fund	426	0	\$ 437,000	426-00-367-100-00		\$ (437,000)	\$ (437,000)
S-2	Transfer from Water/Sewer Fund	W/S Capital Fund	426	\$ 5,227,133	\$ 5,664,133	426-00-397-424-00	\$ 437,000		\$ 437,000
S-2	Transfer to W/S Capital Fund	Water/Sewer	424	\$ 5,227,133	\$ 5,664,133	424-00-597-426-00		\$ (437,000)	\$ (437,000)
S-2	Adjust Fund Balance	Water/Sewer	424	\$ 10,025,662	\$ 9,588,662	424-00-508-000-00	\$ 437,000		\$ 437,000
S-3	SW Ditch-43rd with Camas SD	Storm Water	419	\$ -	\$ 130,000	419-00-594-570-63		\$ (130,000)	\$ (130,000)
S-3	Camas School District Contribution	Storm Water	419	\$ -	\$ 65,000	419-00-367-100-00	\$ 65,000		\$ 65,000
S-3	Adjust Fund Balance	Storm Water	419	\$ 2,810,868	\$ 2,745,868	419-00-308-000-00	\$ 65,000		\$ 65,000
S-4	Design and ROW Larkspur	Larkspur	319	\$ -	\$ 1,160,400	319-00-595-300-65		\$ (1,160,400)	\$ (1,160,400)
S-4	TIB Grant	Larkspur	319	\$ -	\$ 915,000	319-00-333-205-00	\$ 915,000		\$ 915,000
S-4	REET Matching Funds	Larkspur	319	\$ -	\$ 245,400	319-00-397-300-00	\$ 245,400		\$ 245,400
S-4	Transfer to Larkspur	REET Capital Fund	300	\$ -	\$ 245,400	300-00-597-319-00		\$ (245,400)	\$ (245,400)
S-4	Adjust Fund Balance	REET Capital Fund	300	\$ 4,270,868	\$ 4,025,468	300-00-508-000-00	\$ 245,400		\$ 245,400
S-5	Retirement Backfilling	Engineering	001	\$ 778,600	\$ 808,600	001-13-518-910-11		\$ (30,000)	\$ (30,000)
S-5	Adjust Fund Balance	General Fund	001	\$ 4,050,032	\$ 4,020,032	001-00-508-000-00	\$ 30,000		\$ 30,000
S-6	EMS Level of Service Study	CWFD	115	\$ 11,557	\$ 51,557	115-00-522-720-41		\$ (40,000)	\$ (40,000)
S-6	Adjust Fund Balance	CWFD	115	\$ 1,065,661	\$ 1,025,661	115-00-508-000-00	\$ 40,000		\$ 40,000
S-7	Community Survey	Executive	001	\$ 69,861	\$ 85,861	001-03-513-100-41		\$ (16,000)	\$ (16,000)
S-7	Adjust Fund Balance	General Fund	001	\$ 4,050,032	\$ 4,034,032	001-00-508-000-00	\$ 16,000		\$ 16,000
S-8	North Shore Waterline	W/S Capital Fund	426	\$ 1,870,000	\$ 3,100,000	426-00-594-345-65		\$ (1,230,000)	\$ (1,230,000)
S-8	Camas School District Contribution	W/S Capital Fund	426	\$ 1,440,000	\$ 2,325,000	426-00-395-100-00	\$ 885,000		\$ 885,000
S-8	City Contrib - Transfer from SDCs	W/S Capital Fund	426	\$ 705,000	\$ 1,050,000	426-00-397-432-00	\$ 345,000		\$ 345,000
S-8	Transfer to W/S Capital Fund	W/S Capital Reserve	432	\$ 705,000	\$ 1,050,000	432-00-597-426-00		\$ (345,000)	\$ (345,000)
S-8	Adjust Fund Balance	W/S Capital Reserve	432	\$ 8,329,959	\$ 7,984,959	432-00-508-000-00	\$ 345,000		\$ 345,000
S-9	Utility Rate Study	Storm Water	419	\$ 157,893	\$ 187,893	419-00-553-500-41		\$ (30,000)	\$ (30,000)
S-9	Adjust Fund Balance	Storm Water	419	\$ 2,810,868	\$ 2,780,868	419-00-508-000-00	\$ 30,000		\$ 30,000
S-9	Utility Rate Study	Solid Waste	422	\$ 110,826	\$ 140,826	422-00-537-700-41		\$ (30,000)	\$ (30,000)
S-9	Adjust Fund Balance	Solid Waste	422	\$ 2,008,921	\$ 1,978,921	422-00-508-000-00	\$ 30,000		\$ 30,000
S-9	Utility Rate Study-Sewer	Water/Sewer	424	\$ 888,057	\$ 918,057	424-00-538-100-41		\$ (30,000)	\$ (30,000)
S-9	Adjust Fund Balance	Water/Sewer	424	\$ 10,025,662	\$ 9,995,662	424-00-508-000-00	\$ 30,000		\$ 30,000
S-10	Winter Storm Adjustment	Streets	112	\$ 208,000	\$ 228,000	112-00-542-300-11		\$ (20,000)	\$ (20,000)
S-10	Winter Storm Adjustment	Streets	112	\$ 949	\$ 5,949	112-00-542-300-12		\$ (5,000)	\$ (5,000)
S-10	Winter Storm Adjustment	Streets	112	\$ 44,702	\$ 58,702	112-00-542-630-47		\$ (14,000)	\$ (14,000)
S-10	Winter Storm Adjustment	Streets	112	\$ 3,000	\$ 18,000	112-00-542-660-48		\$ (15,000)	\$ (15,000)
S-10	Winter Storm Adjustment	Streets	112	\$ 882	\$ 1,882	112-00-542-900-12		\$ (1,000)	\$ (1,000)
S-10	Transfer from General Fund	Streets	112	\$ 1,256,000	\$ 1,311,000	112-00-397-001-01	\$ 55,000		\$ 55,000
S-10	Transfer to Streets	General Fund	001	\$ 1,993,024	\$ 2,048,024	001-00-597-112-00		\$ (55,000)	\$ (55,000)
S-10	Adjust Fund Balance	General Fund	001	\$ 4,050,032	\$ 3,995,032	001-00-508-000-000	\$ 55,000		\$ 55,000
S-11	AWC Retro Plan Increase	Administrative Srv	001	\$ 57,172	\$ 87,172	001-07-518-900-41		\$ (30,000)	\$ (30,000)
S-11	Adjust Fund Balance	General Fund	001	\$ 4,050,032	\$ 4,020,032	001-00-508-000-00	\$ 30,000		\$ 30,000
S-12	Additional Retirements	Streets	112	\$ 11,569	\$ 19,319	112-00-597-613-00		\$ (7,750)	\$ (7,750)
S-12	Transfer from General Fund	Streets	112	\$ 1,256,000	\$ 1,263,750	112-00-397-001-01	\$ 7,750		\$ 7,750
S-12	Transfer to Streets	General Fund	001	\$ 1,993,024	\$ 2,000,774	001-00-597-112-00		\$ (7,750)	\$ (7,750)
S-12	Adjust Fund Balance	General Fund	001	\$ 4,050,032	\$ 4,042,282	001-00-508-000-000	\$ 7,750		\$ 7,750

S-12	Additional Retirements	Water/Sewer	424	\$ 8,469	\$ 25,304	424-00-597-612-00		\$ (16,835)	\$ (16,835)
S-12	Adjust Fund Balance	Water/Sewer	424	\$ 10,025,662	\$ 10,008,827	424-00-508-000-00	\$ 16,835		\$ 16,835
S-12	Transfer from Streets	Retiree Medical	612	\$ 11,569	19319	612-00-397-112-00	\$ 7,750		\$ 7,750
S-12	Transfer from Water/Sewer	Retiree Medical	612	\$ 8,469	25304	612-00-397-424-00	\$ 16,835		\$ 16,835
S-12	Retiree Medical Costs	Retiree Medical	612	\$ 97,329	\$ 121,914	612-00-517-200-21		\$ (24,585)	\$ (24,585)
							\$ 20,981,622	\$ (20,981,622)	\$ -
Net Total							\$ 14,442,304	\$ (19,827,972)	
								\$ (5,385,668)	
								\$ (5,385,668)	
								\$ -	

Carry Forward	\$ 9,213,305	\$ (12,840,533)		
Net Balance	\$ (3,627,228)	\$ (3,627,228)	\$ -	
Administrative	\$ 2,249,264	\$ (2,627,639)		
Net Balance	\$ (378,375)	\$ (378,375)	\$ -	
Supplemental	\$ 2,979,735	\$ (4,359,800)		
Net Balance	\$ (1,380,065)	\$ (1,380,065)	\$ -	
				\$ (5,385,668)

Budget Summary				
Total	\$ 14,442,304	\$ (19,827,972)		
		\$ (5,385,668)		
		\$ (5,385,668)		
		\$ -		

## ORDINANCE 17-006

AN ORDINANCE OF THE CITY OF CAMAS GRANTING ELECTRIC LIGHTWAVE, LLC A NON-EXCLUSIVE FRANCHISE FOR THE TRANSMISSION OF TELECOMMUNICATIONS IN, THROUGH, OVER AND UNDER THE RIGHTS-OF-WAY OF THE CITY OF CAMAS.

WHEREAS, Electric Lightwave, LLC, a Delaware limited liability company ("Grantee") has requested that the City grant it the right to install, operate and maintain a fiber optic-based telecommunications system within the public Rights-of-Way of the City; and

WHEREAS, the City Council finds it desirable for the welfare of the City and its residents that such a non-exclusive franchise be granted to Grantee; and

WHEREAS, the City Council has the authority under state law to grant franchises for the use of its Rights-of-Way; and

WHEREAS, the City is willing to grant the rights requested by Grantee subject to certain terms and conditions.

NOW, THEREFORE, The City Council of the City of Camas does ordain as follows:

Section 1. Definitions. Where used in this Ordinance and the franchise granted hereby (the "Franchise") these terms have the following meanings:

A. "Affiliate" means an entity which owns or controls, is owned or controlled by, or is under common ownership with Grantee.

B. "City" means the City of Camas, a municipal corporation of the State of Washington.

C. "Emergency Situation" means an emergency involving likely loss of life or substantial property damage as determined by City in good faith.

D. "Facilities" means Grantee's fiber optic cable system constructed and operated within the City's Rights-of-Way, and shall include all cables, wires, conduits, ducts, pedestals and any associated converter, equipment or other facilities within the City's Rights-of-Way, designed and constructed for the purpose of providing Telecommunications Service not prohibited by this Ordinance.

E. "Franchise" shall mean the initial authorization or renewal thereof, granted by the City, through this Ordinance, or a subsequently adopted Ordinance, which authorizes construction and operation of the Grantee's Facilities for the purpose of offering Telecommunications Service not prohibited by this Ordinance.

F. "Franchise Area" means the present municipal boundaries of the City, and shall include any additions thereto by annexation or other legal means.

G. "Person" means an individual, partnership, association, joint stock company, trust, corporation, limited liability company or governmental entity.

H. "Rights-of-Way" means the surface and the space above and below streets, roadways, highways, avenues, courts, lanes, alleys, sidewalks, rights of way and similar public areas within the City.

I. "Telecommunications Service" means any telecommunications service, telecommunications capacity, or dark fiber, provided by the Grantee using its Facilities, either directly or as a carrier for its Affiliates, or any other Person engaged in Telecommunications Services, including, but not limited to, the transmission of voice, data or other electronic information, facsimile reproduction, burglar alarm monitoring, meter reading and home shopping, or other subsequently developed technology that carries a signal over fiber optic cable. Telecommunications Service shall also include non-switched, dedicated and private line, high capacity fiber optic transmission services to firms, businesses or institutions within the City and other lawful services not prohibited by this Ordinance. However, Telecommunications Service shall not include the provision of "cable services," as defined by 47 U.S.C. §522, as amended, for which a separate franchise would be required.

## Section 2. Franchise Area and Authority Granted.

A. Facilities within Franchise Area. The City does hereby grant to Grantee the right, privilege, authority and franchise to construct, support, attach, connect and stretch Facilities between, maintain, repair, replace, enlarge, operate and use Facilities in, upon, over, under, along and across Rights-of-Way in the Franchise Area for purposes of telecommunications service as defined in RCW 82.04.065.

B. Permission Required to Enter onto Other City Property. Nothing contained in this Ordinance is to be construed as granting permission to Grantee to go upon any other public place other than Rights-of-Way within the Franchise Area. Permission to go upon any other property owned or controlled by the City must be sought on a case by case basis from the City.

C. Compliance with WUTC Regulations. At all times during the term of the Franchise, Grantee shall fully comply with all applicable regulations of the Washington Utilities and Transportation Commission.

## Section 3. Construction and Maintenance.

A. Grantee's Facilities shall be located, relocated and maintained within the Rights-of-Way in accordance with Camas Municipal Code ("CMC") Chapter 5.45, and so as not to interfere with the free and safe passage of pedestrian and vehicular traffic and ingress or egress to or from the abutting property and in accordance with the laws of the State of Washington. Whenever it is necessary for Grantee, in the exercise of its rights under the Franchise, to make any excavation in

The Rights-of-Way, Grantee shall obtain prior approval from the City of Camas Public Works Department, pay the applicable permit fees, and obtain any necessary permits for the excavation work pursuant to CMC Chapter 5.45, Article VIII. Upon completion of such excavation, Grantee shall restore the surface of the Rights-of-Way to the specifications established within the CMC Chapter 5.45, Article VIII. Upon completion of such excavation Grantee shall restore the surface of the Rights-of-Way to the specifications established within the CMC. If Grantee should fail to leave any portion of the excavation in a condition that meets the City's specifications per the CMC, the City may, on five (5) days' notice to Grantee, which notice shall not be required in case of an Emergency Situation, cause all work necessary to restore the excavation to a safe condition. Grantee shall pay to the City the reasonable cost of such work; which shall include, among other things, the City's overhead in obtaining completion of said work (provided that in no event shall such overhead exceed 5% of the total costs, fees and expenses of third parties).

B. Any surface or subsurface failure occurring during the term of this Agreement caused by any excavation by Grantee shall be repaired to the City's specifications, within thirty (30) days, or, upon five (5) days written notice to Grantee, the City may order all work necessary to restore the damaged area to a safe and acceptable condition and Grantee shall pay the reasonable costs of such work to the City, including City overhead (provided that in no event shall such overhead exceed 5% of the total costs, fees and expenses of third parties).

## CONSTRUCTION AND MAINTENANCE

All work done by Grantee in connection with the construction, operation, and maintenance of said fiber optic network shall be performed to the satisfaction and subject to the supervision of the city public works director or other duly constituted representative of the City.

Grantee shall not cause any permanent injury to the streets of the City or to the City's utilities located therein, nor shall Grantee in any manner unreasonably disturb or interfere with any water, gas, or sewer lines or other conduits now or hereafter laid by the City or any authorized company or corporation in said streets.

Except as to emergency repairs, Grantee shall, prior to installing, repairing, or relocating any pipe, main, conduit, or service line, file with the Public Works Department, or such other person designated by the City, plans and specifications thereof showing the work to be done, the location and nature of the installation to be made, repaired or maintained, and a schedule showing the time of beginning and completion, and shall secure the approval of the City before proceeding with any such work, and shall obtain all necessary permits and pay all applicable fees prior to proceeding with such work. Any subsequent changes in the plans, specifications, or schedules shall require the approval of the City.

## REPAIR

The Grantee shall, at its own cost and expense, promptly repair all streets and other public places in any way disturbed by the Grantee, its agents, employees, or contractors, and shall restore the same to as good a condition as the same were prior to doing any work therein. Whenever Grantee's construction, maintenance, and repair of the fiber optic require trenching in the improved roadway,

Grantee shall design and install a 0.12 foot depth asphalt pavement overlay over the entire travel lane and turn lanes impacted where Grantee has cut trenches into the improved roadway.

C. In the event of an Emergency Situation, Grantee may commence such emergency and repair work as required under the circumstances, provided that Grantee shall notify the City Public Works Director in writing as promptly as possible before such repair or emergency work commences, or as soon thereafter as possible, if advanced notice is not reasonably possible. The City may act, at any time, without prior written notice in the case of an Emergency Situation, but shall notify Grantee in writing as promptly as possible under the circumstances.

D. Grantee agrees that if any of its actions under the Franchise materially impair or damage any City property, survey monument, or property owned by a third-party, Grantee will restore, at its own cost and expense, the impaired or damaged property to the same condition as existed prior to such action. Such repair work shall be performed and completed to the reasonable satisfaction of the Public Works Director.

#### Section 4. Location and Relocation of Facilities.

##### RELOCATION

Nothing on this Ordinance shall be deemed or construed to limit the power of the proper authorities of the City of Camas to prosecute and maintain public or local improvements. Whenever in the prosecution or maintenance of such improvements it becomes necessary to remove, readjust, relocate, or change the location of Grantee's fiber optic cable and appurtenances thereto, the same shall be done by and at the sole expense of the Grantee. Grantee shall remove, readjust, relocate, or change location of Grantee's fiber optic cable within 90 days of written notification from the City unless otherwise agreed to by City. In the event Grantee fails to do so, then City may, at Grantee's sole expense, have the fiber optic cable relocated by City's contractor. In such event, Grantee shall pay the cost of relocation within 30 days of submission of an invoice by City. This Section shall only apply if applied in a non-discriminatory manner and it is necessary for all fiber optic cable and appurtenances to be moved in the same location.

A. Grantee shall place any new Facilities underground where all adjacent existing telecommunications and cable facilities are located underground. Any new Facilities to be located above-ground shall be placed on existing utility poles. No new utility poles shall be installed in connection with placement of new above-ground Facilities.

B. Grantee recognizes the need for the City to maintain adequate width for installation and maintenance of sanitary sewer, water and storm drainage utilities owned by the City and other public utility providers. Thus, the City reserves the right to maintain clear zones within the public right-of-way for installation and maintenance of said utilities. The clear zones for each Right-of-Way segment shall be noted and conditioned with the issuance of each Right-of-Way permit. If adequate clear zones are unable to be achieved on a particular Right-of-Way, Grantee shall locate in an alternate Right-of-Way, obtain easements from private property owners, or propose alternate construction methods which maintain and/or enhance the existing clear zones.

C. In the event that the City orders the Grantee to relocate its Facilities for a project which is primarily for private benefit, the private party or parties causing the need for such project shall reimburse the Grantee for the cost of relocation in the same proportion as their contribution to the total cost of the project.

D. In the event of an unforeseen Emergency Situation that creates a threat to public safety, health or welfare, the City may require the Grantee to relocate its Facilities at its own expense, any other portion of this Section notwithstanding.

#### Section 5. Indemnification.

A. Grantee shall indemnify, defend and hold the City, its agents, officers, employees, volunteers and assigns harmless from and against any and all third party claims, demands, liability, loss, cost, damage or expense of any nature whatsoever, including all costs and reasonable attorney's fees, made against them on account of injury, sickness, death or damage to persons or property which is caused by or arises out of, in whole or in part, the willful, tortious or negligent acts, failures and/or omissions of Grantee or its agents, servants, employees, contractors, subcontractors or assigns in the construction, operation or maintenance of its Facilities or in exercising the rights granted Grantee in the Franchise; *provided, however*, such indemnification shall not extend to injury or damage caused by the sole negligence or willful misconduct of the City, its agents, officers, employees, volunteers or assigns.

B. In the event any such claim or demand be presented to or filed with the City, the City shall promptly notify Grantee thereof (and in any event prior to the date that Grantee's rights to defend such claim or demand would be prejudiced), and Grantee shall have the right, at its election and at its sole cost and expense, to settle and compromise such claim or demand, provided further, that in the event any suit or action is undertaken against the City based upon any such claim or demand, the City shall likewise promptly notify Grantee thereof, and Grantee shall have the right, at its election and its sole cost and expense, to settle and compromise such suit or action, or defend the same at its sole cost and expense, by attorneys of its own election.

#### Section 6. Default.

A. If Grantee shall fail to comply with any of the provisions of the Franchise, unless otherwise provided in the Franchise, the City will serve upon Grantee a written order to comply within thirty (30) days from the date such order is received by Grantee. If Grantee is not in compliance with the Franchise after expiration of the thirty (30) day period, the City may act to remedy the violation and may charge the reasonable costs and expenses of such action to Grantee. The City may act without the thirty (30) day notice in case of an Emergency Situation. If any failure to comply with the Franchise by Grantee cannot be corrected with due diligence within said thirty (30) day period, then the time within which Grantee may so comply shall be extended for such time as may be reasonably necessary and so long as Grantee works promptly and diligently to effect such compliance. During such a period, if Grantee is not in compliance with the Franchise, and is not proceeding with due diligence in accordance with this section to correct such failure to comply, then the City may in addition, by ordinance and following written notice to

Grantee, declare an immediate forfeiture of the Franchise and all of Grantee's rights and obligations thereunder.

B. In addition to other remedies provided in this Franchise or otherwise available at law, if Grantee is not in compliance with requirements of the Franchise, and if a good faith dispute does not exist concerning such compliance, the City may place a moratorium on issuance of pending Grantee Right-of-Way use permits until compliance is achieved.

Section 7. Nonexclusive Franchise. The Franchise granted by this Ordinance is not and shall not be deemed to be an exclusive franchise. The Franchise granted by this Ordinance shall not in any manner prohibit the City from granting other and further franchises over, upon, and along the Franchise Area. The Franchise granted by this Ordinance shall not prohibit or prevent the City from using the Franchise Area or affect the jurisdiction of the City over the same or any part thereof.

Section 8. Franchise Term/Fee.

A. Unless earlier terminated by Grantee upon notice to the City, the Franchise is and shall remain in full force and effect for a period of fifteen (15) years from and after the effective date of this Ordinance, provided that the term may be extended for an additional five (5) years upon the agreement of Grantee and the City; and provided further, however, that Grantee shall have no rights under the Franchise nor shall Grantee be bound by the terms and conditions of the Franchise unless Grantee shall, within thirty (30) days after the effective date of this Ordinance, file with the City its written acceptance of the Franchise, in a form acceptable to the City Attorney.

B. If the City and Grantee fail to formally renew the Franchise prior to the expiration of its term or any extension thereof, the Franchise shall automatically continue in full force and effect until renewed or until either party gives written notice at least one hundred eighty (180) days in advance of intent not to renew the Franchise.

C. Grantee shall pay to the City a one-time administrative fee of \$2,500. Said administrative fee shall be payable within thirty (30) days of adoption of this Ordinance by the City. In addition, Grantee shall reimburse the City for the cost of publication of this Ordinance.

Section 9. Compliance with Codes and Regulations.

A. The rights, privileges and authority herein granted are subject to and governed by this Ordinance, the applicable laws of the State of Washington and the applicable laws of the United States, and all other applicable ordinances and codes of the City of Camas, as they now exist or may hereafter be amended, including but not limited to the provisions of CMC Chapter 5.45. Nothing in this ordinance limits the City's lawful power to exercise its police power to protect the safety and welfare of the general public. Any location, relocation, erection or excavation by Grantee shall be performed by Grantee in accordance with applicable federal, state and city rules and regulations, including the City's Public Works Policies and Standard Plans, and any required permits, licenses or posted fees, and applicable safety standards then in effect.

B. In the event that any territory served by Grantee is annexed to the City after the effective date of the Franchise, such territory shall be governed by the terms and conditions contained herein upon the effective date of such annexation.

C. The City acknowledges that Washington law currently limits the tax the City may impose on Grantee's activities hereunder to 6% of revenue derived from the provision of network telephone service (i.e., "telephone business" as defined in RCW 82.16.010) and that the federal Internet Tax Freedom Act prohibits the imposition of a tax or other fee on revenue derived by Grantee from Grantee's provision of Internet access services. Grantee agrees that if federal or Washington law is changed, Grantee, following not less than ninety (90) days written notice from the City, will negotiate in good faith with the City to amend the Franchise to expand the revenue base on which such tax is applied.

Section 10. Undergrounding. New Facilities shall be installed underground pursuant to Section 4 of the Franchise. Grantee acknowledges the City's policy of undergrounding of Facilities within the Franchise Area. Grantee will cooperate with the City in the undergrounding of Grantee's existing Facilities within the Franchise Area. If during the term of the Franchise, the City shall direct Grantee to underground Facilities within any Franchise Area, such undergrounding shall be at no cost to the City except as may be provided in RCW Chapter 35.99. Grantee shall comply with all federal, state, and City regulations on undergrounding. If the City undertakes any street improvement which would otherwise require relocation of Grantee's above-ground Facilities, the City may, by written notice to Grantee, direct that Grantee convert any such Facilities to underground Facilities.

Section 11. Record of Installations and Service.

A. With respect to excavations by Grantee and the City within the Franchise Area, Grantee and the City shall each comply with its respective obligations pursuant to RCW Chapter 19.122 and any other applicable state or federal law.

B. Upon written request of the City, Grantee shall provide the City with the most recent update available of any plan of potential improvements to its Facilities within the Franchise Area; provided, however, any such plan so submitted shall be for informational purposes within the Franchise Area, nor shall such plan be construed as a proposal to undertake any specific improvements within the Franchise Area.

C. As-built drawings and maps of the precise location of any Facilities placed by Grantee in any Rights-of-Way shall be made available by Grantee to the City within thirty (30) working days of the City's written request. These plans and maps shall be provided at no cost to the City and shall include hard copies and/or digital copies in a format commonly used in the telecommunications industry.

## Section 12. Shared Use of Excavations and Trenches.

A. If either the City or Grantee shall at any time after installation of the Facilities plan to make excavations in the area covered by the Franchise and as described in this Section, the party planning such excavation shall afford the other, upon receipt of written request to do so, an opportunity to share such an excavation, *provided that*: (1) such joint use shall not unreasonably delay the work of the party causing the excavation to be made or unreasonably increase its costs; (2) such joint use shall be arranged and accomplished on terms and conditions satisfactory to both parties. In addition, pursuant to RCW 35.99.070, the City may request that Grantee install additional conduit, ducts and related access structures for the City pursuant to contract, under which Grantee shall recover its incremental costs of providing such facilities to the City.

B. The City reserves the right to not allow open trenching for five years following a street overlay or improvement project. Grantee shall be given written notice at least ninety (90) days prior to the commencement of the project. Required trenching due to an emergency will not be subject to five (5) year street trenching moratoriums, but should still follow repair requirements of Section 3.

C. The City reserves the right to require Grantee to joint trench with other franchisees if both entities are anticipating trenching within the same franchise area and provided that the terms of this Section are met.

## Section 13. Insurance.

A. Grantee shall procure and maintain for the duration of the Franchise, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of work under the Franchise by Grantee, its agents, representatives or employees in the amounts and types set forth below.

1. Commercial General Liability insurance with limits no less than \$5,000,000 combined single limit for bodily injury (including death) and property damage, including premises operation, products and completed operations and explosion, collapse and underground coverage extensions;

2. Automobile liability for owned, non-owned and hired vehicles with a combined single limit of \$3,000,000 for each accident for bodily injury and property damage; and

3. Worker's compensation within statutory limits and employer's liability insurance with limits of not less than \$1,000,000 for each accident/disease/policy limit or as required by law.

B. Grantee's insurance coverage shall be primary insurance as respects the City. Any insurance, self-insurance or insurance pool coverage maintained by the City shall be in excess of Grantee's insurance and shall not contribute with it.

C. Grantee shall furnish the City with certificates of the foregoing insurance coverage or a copy of amendatory endorsements, including but not necessarily limited to the additional insured endorsement.

D. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A-:VII.

E. Grantee's maintenance of insurance as required by the Franchise shall not be construed to limit the liability of Grantee to the coverage provided by such insurance, or otherwise limit City's recourse to any remedy to which the City is otherwise entitled at law or in equity.

F. Failure to Maintain Insurance. Failure on the part of the Applicant to maintain the insurance as required shall constitute a material breach of the permit or agreement, upon which the City may, after giving ten business days' notice to the Grantee to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand.

G. Notice of Cancellation. The Grantee shall provide the City with written notice of any policy cancellation, within ten business days of its receipt of such notice.

#### Section 14. Assignment.

A. This franchise and the rights herein granted may be assigned only with the consent of the City, which the City may not unreasonably withhold, condition, or delay, but no such assignment shall be of any force or effect until a copy thereof, certified as such by the proper officials of the Grantee, shall have been filed in the office of the City Clerk, nor until the City Council of the City shall have consented to such assignment. Any such successor or assignee of the Grantee must file with the City Clerk written acceptance of the rights and privileges conferred hereby and such successor's or assignee's agreement to fully comply with and abide by and be bound by the terms of this ordinance and all the requirements hereof, and to faithfully and timely keep and perform each and every term, covenant, agreement, obligation, and condition required of or imposed upon the Grantee hereunder.

B. Notwithstanding the foregoing, Grantee, without the consent of, but upon commercially reasonable notice to the City, may assign this agreement in whole or in part to: (a) an Affiliate (as defined in this Ordinance); or (b) a lender for security purposes only.

C. Grantee may lease the Facilities or any portion thereof to another or provide capacity or bandwidth in its Facilities to another, *provided that*: Grantee at all times retains exclusive control over such Facilities and remains responsible for locating, servicing, repairing, relocating or removing its Facilities pursuant to the terms and conditions of the Franchise.

Section 15. Abandonment and Removal of Facilities. Upon the expiration, termination, or revocation of the rights granted under the Franchise, the Grantee shall remove all of its Facilities from the Rights-of-Way of the City within ninety (90) days of receiving notice from the City's Public Works Director; *provided however*, that the City may permit the Grantee's improvements

to be abandoned in place in such a manner as the City may prescribe. Upon permanent abandonment, and Grantee's agreement to transfer ownership of the Facilities to the City, the Grantee shall submit to the City a proposal and instruments for transferring ownership to the City. Any such Facilities which are not permitted to be abandoned in place which are not removed within ninety (90) days of receipt of said notice shall automatically become the property of the City; *provided however*, that nothing contained within this Section shall prevent the City from compelling the Grantee to remove any such Facilities through judicial action when the City has not permitted the Grantee to abandon said Facilities in place.

Section 16. Miscellaneous.

A. If any term, provision, condition or portion of this Ordinance shall be held to be invalid, such invalidity shall not affect the validity of the remaining portions of this Ordinance which shall continue in full force and effect. The headings of sections and paragraphs of this Ordinance are for convenience of reference only and are not intended to restrict, affect, or be of any weight in the interpretation or construction of the provisions of such sections of paragraphs.

B. Grantee shall pay for the City's reasonable administrative costs in drafting and processing this Ordinance and all work related thereto, which payment shall not exceed \$3,000. Grantee shall further be subject to all published permit fees associated with activities and the provisions of any such permit, approval, license, agreement of other document, the provisions of the Franchise shall control.

C. Failure of the City to declare any breach or default under this Franchise or any delay in taking action shall not waive such breach or default, but the City shall have the right to declare any such breach or default at any time. Failure of the City to declare one breach or default does not act as a waiver of the City's right to declare another breach or default.

D. Notwithstanding anything to the contrary herein, any determination by the City with respect to matters contained in this Ordinance and matters related to the Franchise shall be made in accordance with applicable federal law, including without limitation any applicable rules and regulations promulgated by the Federal Communications Commission, applicable state law and in a reasonable and non-discriminatory manner.

Section 17. Notice. Any notice or information required or permitted to be given to the parties under this Franchise may be sent to the following addresses unless otherwise specified:

City: Public Works Director City of Camas 616 NE 4th Avenue Camas, WA 98607	Grantee: Electric Lightwave, LLC 18110 SE 34th St., Building One Vancouver, WA 98683 Attn: Contract Administration
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Notice shall be deemed given upon receipt in the case of personal delivery, three (3) days after deposit in the United States Mail in the case of regular mail, or the next day in the case of overnight delivery.

Section 18. Effective date. This Ordinance, being in compliance with RCW 35A.47.040, shall be in force and effect five (5) days from and after its passage, approval and publication, but only if the Grantee has accepted the terms and conditions thereof.

Passed by majority vote of the Camas City Council in open meeting this \_\_\_\_ day of \_\_\_\_\_, 2017.

Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney