

Susan Ellinger

From: Susan Ellinger
Sent: Friday, April 5, 2024 1:29 PM
To: James Kessi; Elizabeth Decker; Jose Alvarez
Cc: Steve Waugh; Brent Davis
Subject: RE: FW: DEAB Comments and Additional Requested Changes - Middle Housing & Smaller Single-Family Proposed Code Changes Summary - Drafts of UDC 40.220 – Urban Residential Districts - for 2025

Hi James –

You are correct, the housing ordinance that will be considered on April 16 only includes zero lot line developments as a permitted use in the R1-5, R1-6 and R1-7.5 zones. We will discuss internally about the possibility of including this in the next round of housing code changes, but that phase will focus on multi-family and regulated affordable housing code.

I have copied Brent Davis on this email, as this seems like a possible biannual code change. Thank you!



Susan Ellinger
She/her/hers
Planner III
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564.397.4516



From: James Kessi <james.kessi@gmail.com>
Sent: Thursday, April 4, 2024 3:17 PM
To: Elizabeth Decker <edecker@jetplanning.net>; Jose Alvarez <Jose.Alvarez@clark.wa.gov>; Susan Ellinger <Susan.Ellinger@clark.wa.gov>
Cc: Steve Waugh <swaugh@hsr-capital.com>
Subject: Re: FW: DEAB Comments and Additional Requested Changes - Middle Housing & Smaller Single-Family Proposed Code Changes Summary - Drafts of UDC 40.220 – Urban Residential Districts - for 2025

Hi All,
Here is an item to add to the top of list of requested additional changes that did not get done with this round, but should be considered with the next code update - in 2025?
Please confirm that this request has been received and entered into the system for future reference and changes.
thanks
James

Item #1 40.260.260-p. Zero Lot Line Developments should be a Permitted uses and to be allowed in all 5 zones-

Should be updated to include Permitted P in the R1-10 and 1-20 zones as well.

Table 40.220.010-1. Uses needs to be updated - as per attached - to be consistent to allow Zero Lot Line Uses as P- Permitted in all 5 zones.

Item #1 for this Table line p. Zero Lot Line Developments each of the 5 zones in this needs to be updated to "P" - permitted (similar to line t. Compact Lot Developments)

Table 40.220.010-1. Uses						
	R1-20	R1-10	R1-7.5	R1-6	R1-5	Special Standards
m n. Residential P.U.D.	R/A	R/A	R/A	R/A	R/A	40.520.080
p o. Single-family attached dwelling units (townhouses)	R/A P²	R/A P²	R/A P²	R/A P²	R/A P²	40.260.155 40.520.080
o p. Zero lot-line developments	P X	P X	P R/A	P R/A	P R/A	40.260.260
p q. Residential care homes and facilities	C	C	C	C	C	40.260.180
q r. Temporary dwellings	P	P	P	P	P	40.260.210
r s. Cottage housing	X P	X P	P	P	P	40.260.073
<u>t.</u> Compact lot developments	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>40.260.072</u>
s u. Staffed residential homes	C	C	C	C	C	40.260.205
2. Services, Business.						
a. Temporary modular tract sales and construction offices	P	P	P	P	P	
b. Model homes	P	P	P	P	P	40.260.175
c. Roadside farm stand	P	P	P	P	P	40.260.025

May 31, 2023 Draft based on code downloaded January 3, 2023

On Wed, Oct 25, 2023 at 9:24 AM James Kessi <james.kessi@gmail.com> wrote:

Hi Elizabeth, I also forgot to ask did you have any questions on the specific changes to the code sections that I had outlined? Did any of them not make sense? Do you see positive reasons to get those changes made? Let me know. Thanks, James.

On Tue, Oct 10, 2023 at 3:11 PM Elizabeth Decker <edecker@jetplanning.net> wrote:

Hi James,

I'm still working through these and some other changes discussed at our forum meeting last week, and I'll be in touch next week if I have further questions.

Thanks,
ED

On Fri, Oct 6, 2023 at 11:48 AM Elizabeth Decker <edecker@jetplanning.net> wrote:

Hi James,

Thanks for compiling and thinking through how these draft standards could be applied. I'm not available this afternoon to discuss, just heading out to another commitment. I want to take some time to read through the comments next week and I'll be in touch after that.

Thanks, and have a good weekend.
Elizabeth

On Fri, Oct 6, 2023 at 9:45 AM James Kessi <james.kessi@gmail.com> wrote:

Hi Elizabeth,

I would also like to discuss some of these issues with you.

Are you available anytime this afternoon for a quick call between noon and 3pm?

thanks
James

James Kessi P.E.
Kessi Engineering & Consulting
Civil Engineering - Stormwater - Planning
T (360) 991-9300 E James.Kessi@gmail.com

On Thu, Oct 5, 2023 at 4:41 PM James Kessi <james.kessi@gmail.com> wrote:

Hi County and All,

a. We agree and support the DEAB Consolidated recommended code changes as attached.

b. In addition, there are five (5) additional critical housekeeping changes that we are requesting to be made (**see attached 01.1 Attachment A-Council Summary Memo & Code 6-30-23 w JK Item 1-5 Changes 9-1-23.pdf**)

We have tried to actually use the current draft standards and apply it to an actual 20 acre site in the R1-10 zone and actual 8 acre site in the R1-6 zone (as compared to the current zoning standards) and discovered several issues that should be changed and need to be updated to improve the code.

c. To highlight the additional critical points, the 5 important critical changes Items #1, #2, #3, #4, #5 are show as attached and as requested below to be made to the code before it goes to the next meeting or next step are as follows and as attached.

d. Please let me know if you have any questions and comments.

thanks

James

James Kessi P.E.

Kessi Engineering & Consulting

Civil Engineering - Stormwater - Planning

T (360) 991-9300 E James.Kessi@gmail.com

Item #1 40.260.260-p. Zero Lot Line Developments should be a Permitted uses and allowed in all 5 zones.

Table 40.220.010-1. Uses needs to be updated - as per attached - to be consistent to allow Zero Lot Line Uses as P- Permitted in all 5 zones.

Item #1 for this Table line p. Zero Lot Line Developments each of the 5 zones in this needs to be updated to "P" - permitted (similar to line t. Compact Lot Developments)

Table 40.220.010-1. Uses						
	R1-20	R1-10	R1-7.5	R1-6	R1-5	Special Standards
m n. Residential P.U.D.	R/A	R/A	R/A	R/A	R/A	40.520.080
p o. Single-family attached dwelling units (townhouses)	R/A P²	R/A P²	R/A P²	R/A P²	R/A P²	40.260.155 40.520.080
o p. Zero lot-line developments	P X	P X	P R/A	P R/A	P R/A	40.260.260
p q. Residential care homes and facilities	C	C	C	C	C	40.260.180
q i. Temporary dwellings	P	P	P	P	P	40.260.210
r s. Cottage housing	X P	X P	P	P	P	40.260.073
<u>t.</u> Compact lot developments	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>40.260.072</u>
s u. Staffed residential homes	C	C	C	C	C	40.260.205
2. Services, Business.						
a. Temporary modular tract sales and construction offices	P	P	P	P	P	
b. Model homes	P	P	P	P	P	40.260.175
c. Roadside farm stand	P	P	P	P	P	40.260.025

May 31, 2023 Draft based on code downloaded January 3, 2023

Item #2. - For Table 40.220.010-4. Single-Family Attached (Townhouse) Lot Standards, Minimum Lot Area - needs to be updated to Minimum AVERAGE lot Area - to be consistent with the other definitions.

12 ¹² Interior side setbacks for lots that abut pedestrian accessways in a tract may be
 13 reduced by fifty percent (50%) when pedestrian accessways are required per Section
 14 40.350.015(E).

15 ¹³ Lot coverage for lots that abut pedestrian accessways may be increased by ten
 16 percent (10%) when pedestrian accessway in a tract or easement are required per
 17 Section 40.350.015(E).

18 **Item #2 change to Minimum Average Lot Area**

Table 40.220.010-4. Single-Family Attached (Townhouse) Lot Standards					
Subject	R1-20	R1-10	R1-7.5	R1-6	R1-5
Min. to Max. Residential Density (d.u./acre)¹	1.4 – 5.4	2.9 – 10.2	4.1 – 21.8	5.1 – 21.8	6.2 – 21.8
Minimum lot area (sq. ft.)	4,000	3,000	2,000	2,000	2,000
Minimum lot width (feet)²	25			18	
Minimum lot depth (feet)	70			50	
Maximum building height for dwelling (feet)			35		
Maximum building height for detached garage (feet)			18		
Front setback for dwelling (feet)³			10		
Front setback to garage door (feet)			18		
Street side setback (feet)			10		
Side setback (feet)^{3,4,5,7}			0 or 5		
Rear setback (with no alley) (feet)^{4,7}			0 or 5		

May 31, 2023 Draft based on code downloaded January 3, 2023

Item #3 - in the Compact Development Standards 40.260.072 - request to remove the 3 acre size limitation. The Compact Standards should have the added flexibility to be used in all 5 zones and for any size parcel.

Clark County Code
 40.260 SPECIAL USES AND STANDARDS

Page 5/21

1. **40.260.072 Compact Lot Developments**
2. **A. Purpose.**
3. The purposes of the compact lot development provisions are:
4. 1. To encourage development of underutilized and challenged parcels within developed portions
5. of the Low-Density Residential Districts by providing flexibility for smaller, more efficient housing.
6. 2. To diversify the county's housing stock by providing a variety of housing types, sizes and price

7. points that responds to changing household sizes and ages, such as retirees, small families, and
8. single-parent households.
9. 3. To encourage development in existing residential areas by allowing a density bonus and design
10. flexibility.
11. 4. To mitigate potential impacts of density and narrow lots through site design balancing
12. community connections and privacy.
13. 5. To integrate developments into existing neighborhoods.
14. B. Applicability.
15. 1. Compact lot developments are permitted on parcels created prior to the adoption date of this
16. ordinance that meet all of the following criteria:
17. a. ~~The parcel is three (3) acres or smaller in area, excluding any critical areas, public rights-~~
18. ~~of way, private road easements, or street tracts; and~~
19. b. The proposed development can and will be served by urban services at the time of final
20. plat or development approval. For the purposes of this Chapter, "urban services" shall mean
21. public water and sewer service as described in Chapter 40.370.
22. 2. Compact lot developments may not be used in conjunction with a Planned Unit Development
23. per Section 40.520.080.
24. 3. Compact lot developments shall also be subject to the Narrow Lot Standards of Section
25. 40.260.155.

Item #4 See Attached Page 8/12

Item #5 See Attached Page 8/12

Clark County Code
40.220 URBAN RESIDENTIAL DISTRICTS
add "and Attached"

Item #4 This is Unclear and seems to be made clear to also apply to Attached Housing as well.

shall be calculated based on the gross area of the site minus any public rights-of-way, private road easements, or street tracts. For developments that include middle housing, the maximum density shall be calculated on an equivalent lot area basis as follows: The adjusted gross area, in acres, times the maximum density times the minimum lot area for single-family detached dwellings in the zone shall equal the total maximum allowed lot area, which may be divided into any combination of middle housing lots, each meeting the applicable minimum lot size for the housing type proposed.

² Average for each individual lot.

³The average minimum lot width and depth shall include one-half (1/2) pedestrian accessways to include one-half (1/2) when the pedestrian accessway is required per

Item #5 the side yard setback should be changed to 5' and the rear yard changed to 10' to be consistent with the other code like the Attached and Compact Standards and to allow the flexibility to accomdated wider plans and for ADUs and for single level plans that need setback width flexibility to be ADA accessible

Table 40.220.010-3. Setbacks, Lot Coverage and Building Height

Zoning District	Minimum Setbacks				Maximum Lot Coverage ¹³			Maximum Building Height (feet)
	Front ³ (feet)	Side ^{4,5,10,11,12}		Rear ^{4,5,10,11} (feet)	Single-family detached	Duplex & Single-family w/ ADU	Triplex & Quadplex	
		Street (feet)	Interior (feet)					
R1-20	10 ⁸	10	10 ⁹	20	50% ¹		n/a	35 ⁷
R1-10	10 ⁸	10	5	10	50% ¹		n/a	35 ⁷
R1-7.5	10 ⁸	10	5	10	50% ¹	55%	60%	35 ⁷
R1-6	10 ⁸	10	5	10	50 55% ²	60%	65%	35 ⁷
R1-5	10 ⁸	10	5	10	50 60% ²	60%	65%	35 ⁷

¹ Carports and solar energy systems are excluded from this provision; provided, that the total lot coverage limitation is not exceeded by more than ten percent (10%) as a result of these exceptions.

² Solar energy systems are excluded from this provision; provided, that the total lot coverage limitation is not exceeded by more than ten percent (10%) as a result of this exception.

³ Front setbacks shall be measured from the edge of any street right-of-way, street tract, street easement, or driveway easement that provides access to the lot, including any separate pedestrian easement that may exist between a street and the front setback line.

⁴ Setbacks to driveway and pedestrian easements that do not provide access to a subject lot shall be a minimum of five (5) feet.

----- Forwarded message -----

From: **Steve Waugh** <swaugh@hsr-capital.com>
Date: Mon, Sep 18, 2023 at 1:16 PM
Subject: FW: DEAB Comments or Most Recent Requested Changes
To: James Kessi <james.kessi@gmail.com>

FYI

From: Susan Ellinger <Susan.Ellinger@clark.wa.gov>
Sent: Friday, September 8, 2023 3:50 PM
To: Steve Waugh <swaugh@hsr-capital.com>
Subject: RE: DEAB Comments or Most Recent Requested Changes

Hi Steve –

Please find attached the DEAB comments we discussed that include comments up until the day of the hearing. The DEAB comments are at the very end with subsequent comments that were related in date order from newest to oldest.

You may also want to check out the public comment files on the project webpage for comments made since the 7-25-23 hearing (they are too large to email):

<https://clark.wa.gov/community-planning/housing-options-study-and-action-plan>

There are some comments from the BIA that you may have interest in seeing.

Please let me know if you have any questions. Thanks!

Susan Ellinger

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From: Steve Waugh <swaugh@hsr-capital.com>
Sent: Friday, September 8, 2023 10:14 AM
To: Susan Ellinger <Susan.Ellinger@clark.wa.gov>
Subject: DEAB Comments or Most Recent Requested Changes

CAUTION: This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Steven L. Waugh

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