From:	Jeffrey Delapena
To:	Eric Golemo
Cc:	Oliver Orjiako; Jose Alvarez
Subject:	FW: DEAB Response to Planning Commission - Multifamily code
Date:	Thursday, September 3, 2026 4:19:00 PM
Attachments:	DEAB Multi-Family Code Amendment Comments.2026.08.19.pdf DEAB_Proposed_MF Code_Revisions_September 2026.pdf Apartment Comparison.2026.08.18.pdf image001.png image002.png image003.png image004.png

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Good day, Eric,

Thank you for forwarding DEAB's comments related to tonight's Public Hearing.

I am forwarding to additional staff. These will be added to the Comprehensive Plan Index of Record and brought to the attention of the Planning Commission.

Best,

Jeff Delapena
Program Assistant
COMMUNITY PLANNING

564.397.4558

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From: Eric Golemo <egolemo@sgaengineering.com>
Sent: Thursday, September 3, 2026 4:14 PM
To: 'Mike Odren' <modren@gomackay.com>; Victoria Abram <Victoria.Abram@clark.wa.gov>; Shannon Nashif <Shannon.Nashif@clark.wa.gov>; Cnty Community Planning <CommunityPlanning@clark.wa.gov>; Jeffrey Delapena <Jeffrey.Delapena@clark.wa.gov>
Cc: 'Seth Halling' <SethH@aks-eng.com>; 'Houston Aho' <houstona@ahoconstruction.com>; 'Les MacDonald' <lmacdonald@crwwd.com>; 'Sherrie Jones' <sherrie@swca.org>; 'Terry Wollam'

<terry@wollamassociates.com>; 'Jamie Howsley' <Jamie.howsley@jordanramis.com>; 'Andrew Gunther' <andrew@plsengineering.com>; 'Ryan Wilson' <Ryan@wilsonarchitects.us>; Shannon Nashif <Shannon.Nashif@clark.wa.gov>; Nelson Holmberg <nholmberg@biaofclarkcounty.org>; Justin Wood CCAR <ga@ccrealtors.com>
Subject: RE: DEAB Response to Planning Commission - Multifamily code

EXTERNAL: 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.

Shannon, Victoria, and Jeffrey,
Attached are the documents we discussed that need to be forwarded to planning commission for the hearing this evening.
It includes a revised Comment Letter, Specific code language, and an analysis of existing multifamily projects.
Thanks,
Eric

From: Mike Odren <modren@gomackay.com>
Sent: Wednesday, August 19, 2026 3:53 PM
To: Victoria Abram <Victoria.Abram@clark.wa.gov>
Cc: Mike Odren <modren@gomackay.com>; Eric Golemo <egolemo@sgaengineering.com>; Seth Halling <SethH@aks-eng.com>; Houston Aho <houstona@ahoconstruction.com>; Les MacDonald <lmacdonald@crwwd.com>; Sherrie Jones <sherrie@swca.org>; Terry Wollam <terry@wollamassociates.com>; Jamie Howsley <Jamie.howsley@jordanramis.com>; Andrew Gunther <andrew@plsengineering.com>; Ryan Wilson <Ryan@wilsonarchitects.us>; Shannon Nashif <Shannon.Nashif@clark.wa.gov>
Subject: DEAB Response to Planning Commission

Good afternoon, Victora.

Would you please forward the attached DEAB response to the multi-family code updates to the Planning Commission as soon as possible?

Thanks!

Mike

Mike Odren, RLA
Project Manager, Shareholder

o 360.713.6262
gomackay.com

Memorandum

TO: Clark County Council

FROM: Development and Engineering Advisory Board (DEAB)

DATE: September 3, 2026

RE: DEAB Proposed Code Revisions - Phase 2 Multifamily Code Updates

Purpose of this markup. This working draft converts DEAB's August 2026 policy comments into specific code changes to the County's July 15, 2026 draft housing amendments. It is intended to give County staff clear, implementable language to review with DEAB and the HOSAP Committee before the code advances.

Markup legend: County draft / retained text ~~DEAB deletion~~ **DEAB addition**

Important: The density numbers below are a recommended starting point for DEAB discussion. The structural changes - flexibility, preserved housing types, realistic density calculations, phasing, family-unit credit, and amenity-area coordination - are the more important policy direction. County staff and legal counsel should reconcile numbering, cross-references, and formatting in the final ordinance.

1. Summary of Recommended Changes

The table below summarizes DEAB's recommended revisions to the County's proposed Phase 2 multifamily housing code. The accompanying markup provides the specific proposed code language.

Code Section	Issue	Recommended DEAB Change
40.200.040(B)(1)(a)	Minimum density calculation	Exclude required site areas that cannot reasonably accommodate residential buildings, including certain common parking/circulation, fire access, stormwater, amenity, and other required facilities.
NEW 40.200.040(B)(1)(c)	Family-sized unit density credit	For minimum-density compliance only, count studio/1-bedroom units as 1.0, 2-bedroom units as 1.25, and 3+ bedroom units as 1.5. Use actual unit count for maximum density.
40.220.020 Table 40.220.020-1	Permitted residential uses	Preserve viable housing options, including duplexes, townhouses, cottage housing, and limited detached housing, instead of prohibiting them in the new R/OR districts.
40.220.020 Table 40.220.020-2	Minimum and maximum densities	Retain higher maximum densities but reduce minimums to: R-24/OR-24 = 12-24 du/ac; R-36/OR-36 = 18-36 du/ac; R-50/OR-50 = 24-50 du/ac. These are still higher than they were but more practical to achieve.
40.220.020 Footnote 2	Small and constrained sites	Exempt existing lots under 20,000 sq. ft. from minimum density and allow otherwise permitted residential housing types without requiring the minimum density.
40.220.020(C)(6)	Phased development	Allow individual phases to vary above or below the minimum, provided the cumulative density of completed phases meets the minimum at the completion of each phase and at final buildout.
40.220.020(C)(9)-(10)	Amenity and landscaping overlap	Allow landscaped portions of qualifying amenity areas to count toward minimum site-landscaping requirements.
40.230.020 Table 40.230.020-1	Mixed-use housing options	Restore townhouses and limited detached ownership housing; retain broader cottage-housing flexibility rather than narrowing permitted housing choices.

Code Section	Issue	Recommended DEAB Change
40.230.020(E)(1)(d)	MX minimum density	Reduce the proposed MX minimum from 24 to 16 du/ac while retaining the 50 du/ac maximum. This is a difficult threshold to hit when uses are integrated. How are commercial areas credited against density? More flexible standards may be easier to implement.
40.260.150(C)(2)	Amenity/landscaping coordination	Allow required site landscaping to also qualify as amenity area when it independently meets the amenity-area standards.
40.260.150(D)(4)	Private amenity-area privacy	Replace an absolute screening requirement with a flexible, objective standard for reasonable privacy that does not require reducing otherwise permitted density.
40.260.150(E)(2)	Common amenity-area layout	Delete the mandatory two-sided building-abutment requirement and replace it with a flexible standard for resident access and natural surveillance.
40.260.150(E)(4)(b)	Stormwater integration	Allow qualifying unfenced LID/stormwater features to occupy up to 50% of required amenity area when designed as a functional visual or recreational amenity.
40.340.010	Multifamily parking	No change to the proposed 0.5-space/unit regulatory minimum. Address feasibility through density flexibility so projects are not effectively forced to design to the minimum parking ratio.
NEW 40.540.035	Unit-lot subdivisions	Create a Type I administrative unit-lot subdivision process to support fee-simple ownership of townhouses and middle housing while applying zoning standards to the parent site.

2. CCC 40.200.040 - Minimum and Maximum Calculations

DEAB rationale: The draft still counts amenity areas, certain common areas, and other required site functions toward minimum density even when those areas cannot reasonably accommodate residential buildings. DEAB also recommends a family-sized-unit credit so minimum-density rules do not favor studios and one-bedroom units.

40.200.040(B)(1)(a) - Minimum density / developable area

a. Minimum density or floor area ratio will be based on the developable area of the lot that remains after subtracting:

(1) Land devoted to public right-of-way or private street easements, **private streets or alleys, common parking areas, drive aisles, required fire-access lanes, and stormwater facilities that cannot be integrated into usable amenity or landscaping areas,** public parks and trails, required landscaping including required landscaping within setbacks, and drainageways;

(2) Land designated by covenant or public dedication to be permanently maintained in an undeveloped state because the land is identified as sensitive due to the presence of steep slopes, unstable land, historical or archaeological sites, wetlands and buffers, or other permanent physical development limitations as may be determined by the responsible official.

~~All other lands shall be considered in the calculation of minimum density including required setbacks not counted towards required landscaping, private recreation amenity areas under Section 40.260.150, or other common areas.~~ **Required amenity areas under Section 40.260.150 and other common areas or facilities required by this title or an approved engineering plan may also be deducted to the extent those areas are unavailable for residential building placement.**

NEW 40.200.040(B)(1)(c) - Family-sized unit credit

c. For purposes of determining compliance with minimum residential density only, dwelling units shall be credited as follows: (1) studio and one-bedroom units = 1.0 dwelling unit; (2) two-bedroom units = 1.25 dwelling units; and (3) three-bedroom or larger units = 1.5 dwelling units. Actual dwelling-unit count shall continue to be used for maximum-density calculations.

Reference model: *City of Vancouver VMC 20.180.030(C), which uses 1.0 / 1.25 / 1.5 values for minimum-density calculations.*

3. CCC 40.220.020 - Residential and Office Residential Districts

A. Table 40.220.020-1 - Preserve viable housing types

DEAB rationale: The County draft consolidates the zones and then changes several existing residential options to prohibited uses. DEAB recommends preserving existing housing choices where they can satisfy the applicable density and development standards.

Residential Use	County Draft R-24 / R-36 / R-50	DEAB R-24 / R-36 / R-50	County Draft OR-24 / OR-36 / OR-50	DEAB OR-24 / OR-36 / OR-50
Duplex dwellings	~~X / X / X~~	**P / P / X**	~~X / X / X~~	**P / P / X**
Triplex and quadplex dwellings	~~P / P / X~~	**P / P / X**	~~P / P / X~~	**P / P / X**
Single-family attached (townhouses)	~~X / X / X~~	**R/A / R/A / R/A**	~~X / X / X~~	**R/A / R/A / R/A**
Single-family detached	~~X / X / X~~	**R/A / R/A / X**	~~X / X / X~~	**R/A / R/A / X**
Cottage housing	~~X / X / X~~	**P / P / X**	~~X / X / X~~	**P / P / X**

P = permitted; R/A = review and approval; X = prohibited. The proposed statuses generally preserve housing options available in the predecessor zones rather than creating new low-density permissions in the highest-density zone.

B. Table 40.220.020-2 - Minimum and maximum residential density

DEAB rationale: DEAB supports the higher maximum densities but recommends lower minimums so existing successful suburban multifamily products remain feasible. The following values are a working DEAB recommendation for discussion.

Zone	County Draft (du/ac)	DEAB Proposed (du/ac)
R-24	~~18 - 24~~	**12 - 24**
R-36	~~24 - 36~~	**18 - 36**
R-50	~~40 - 50~~	**24 - 50**
OR-24	~~18 - 24~~	**12 - 24**
OR-36	~~24 - 36~~	**18 - 36**
OR-50	~~40 - 50~~	**24 - 50**

C. Footnote 2 - Existing small lots

2 Existing lots recorded prior to [effective date of the ordinance] less than 20,000 square feet in size shall be exempt from minimum density **and may utilize any residential use allowed in Table 40.220.020-1 for the applicable zone without being required to achieve the minimum density**.

D. 40.220.020(C)(6) - Phased development

DEAB rationale: Allow individual phases to vary based on infrastructure, financing, ownership, and logical construction sequencing, provided the cumulative density of all completed phases meets the minimum density at the completion of each phase and the overall development meets the minimum density at final buildout.

6. Minimum and Maximum Densities within the R and OR Districts. For uses other than manufactured home parks, the review authority shall find that the established minimum densities will be achieved by all proposed land divisions or site plans ~~for each individual phase and~~ at total project buildout. **Individual phases may be above or below the minimum density, provided the cumulative density of all completed phases meets the minimum density at the completion of each phase and the overall development meets the minimum density at final buildout.** The applicant shall demonstrate that all required densities will be achieved.

~~(2) The development shall provide for phasing in which each phase meets the minimum density; or~~

b. For all other projects including multifamily and detached single-family structures, the density of the project ~~for each individual phase and~~ at total project buildout shall meet the minimum density. **Individual phases may be above or below the minimum density, provided the cumulative density of all completed phases meets the minimum density at the completion of each phase and the overall development meets the minimum density at final buildout.**

E. 40.220.020(C)(9)-(10) - Coordinate landscaping and amenity areas

10. Amenity Areas. Amenity areas shall be provided as required in Section 40.260.150. ~~Amenity areas shall not be counted towards the minimum site landscaping.~~ **Portions of amenity areas that are landscaped to at least the applicable L1 standard may be counted toward the minimum site-landscaping requirement. Hardscape and other non-landscaped portions shall not count toward the minimum site-landscaping requirement.**

4. CCC 40.230.020 - Mixed Use District

A. Table 40.230.020-1 - Restore ownership-oriented housing options

DEAB rationale: The draft removes townhouse and detached ownership products even though they can contribute to density, provide fee-simple ownership, and may be the most practical product on smaller or constrained MX sites.

Residential Uses - **Single-family detached dwelling: P, subject to Footnote 2. Townhouse dwelling: P.** Duplex dwelling: P. Triplex and quadplex dwelling: P. Multifamily dwelling: P. Cottage housing: P.

Footnote 2: ~~Permitted with existing residences only.~~ **Single-family detached dwellings may account for no more than thirty percent (30%) of the total dwelling units on the development site.**

Cottage housing Footnote 4: Provided they account for no more than ~~thirty percent (30%)~~ **fifty percent (50%)** of the total dwelling units on the development site.

B. 40.230.020(E)(1)(d) - MX minimum density

d. A minimum density of ~~twenty-four (24)~~ **sixteen (16)** dwelling units per acre is required. This shall be based on the developable area devoted to residential use.

e. The maximum density shall be fifty (50) dwelling units per acre.

5. CCC 40.260.150 - Multifamily Residential Amenity Area Standards

A. 40.260.150(C)(2) - Allow coordinated landscaping credit

2. Parking areas, required setbacks, ~~required site landscaping,~~ and driveways do not qualify as amenity areas. **Required site landscaping may qualify as amenity area when it is located within a qualifying amenity area and independently satisfies the applicable amenity-area standards of this section.**

B. 40.260.150(D)(4) - Replace absolute screening mandate

~~4. Private outdoor amenity areas for multifamily residential units shall be screened from view from common amenity areas, other residential dwelling units, abutting land uses, and public or private streets through the use of landscaping, fencing, wall, change of grade or other similar design element.~~ **4. Private outdoor amenity areas shall be designed to provide reasonable privacy from common amenity areas, other dwelling units, abutting land uses, and public or private streets to the extent practicable through building orientation, landscaping, screening, grade changes, or similar design features. Compliance with this subsection shall not require a reduction in otherwise permitted density.**

C. 40.260.150(E)(2) - Delete two-sided building-abutment requirement

~~2. Common outdoor amenity areas shall be abutted by dwelling units or common areas on at least two sides that include windows and/or entrances facing onto the amenity areas to enhance residents' access to such spaces and to allow for surveillance that contributes to greater public safety.~~

2. Common outdoor amenity areas shall be located and designed to provide convenient resident access and reasonable opportunities for natural surveillance. Compliance may be demonstrated through adjacent dwelling units or common areas, pedestrian connections, site orientation, lighting, or other site-design features.

D. 40.260.150(E)(4)(b) - Stormwater integration

Stormwater low-impact-development features that are not fenced, such as rain gardens and infiltration planters, may be integrated in outdoor common amenity areas provided they do not exceed ~~twenty-five percent (25%)~~ **fifty percent (50%)** of the total required amenity area **when the facility is designed as an accessible visual or recreational amenity and does not reduce the functional usability required by this section**.

6. CCC 40.340.010 - Parking

DEAB rationale: DEAB generally supports lowering the regulatory minimum. The concern is not the 0.5-space minimum itself; it is a density standard that effectively forces projects to design at or near that minimum when market demand, lenders, or residents may require more parking.

DEAB recommendation: **No change to the proposed 0.5-space-per-dwelling-unit minimum for multifamily housing. Address the feasibility issue through the lower minimum-density standards and density-calculation revisions above.**

7. Separate Follow-Up Amendment - Unit Lot Subdivisions

DEAB rationale: The current housing-code package does not include the land-division provisions needed to create individually owned unit lots within middle-housing or townhouse developments. DEAB recommends adding this tool in Chapter 40.540 as a companion amendment.

Concept language for a new CCC 40.540.035 - Unit Lot Subdivisions

A. Purpose. To facilitate fee-simple ownership of attached and detached middle-housing units while allowing the parent development site to comply with zoning and development standards as a whole.

B. Applicability. Unit-lot subdivision may be used for townhouses, duplexes, triplexes, quadplexes, cottage housing, and other residential developments where individual dwelling units are intended for separate ownership.

C. Parent Site Compliance. The parent development site shall comply with applicable density, setbacks, lot coverage, landscaping, open space, access, parking, and other development standards. Individual unit lots are not required to independently satisfy minimum lot area, lot width, lot depth, setbacks between units within the same development, or lot-coverage standards.

D. Access and Common Elements. Each unit lot shall have legal access to a public or private street. Common access, utilities, parking, open space, stormwater facilities, and other shared elements may be located in tracts or easements and shall be maintained through recorded covenants or another mechanism approved by the responsible official.

E. Review Process. A unit-lot subdivision shall be reviewed through a Type I administrative review process.

F. Plat Notes. The final plat shall identify unit lots, common tracts/easements, shared maintenance obligations, and any development standards applied to the parent site rather than individual unit lots.

8. Draft Sections Reviewed - No Additional DEAB Markup Recommended at This Time

- 40.100.070 - Definitions (STEP housing / co-living changes)
- 40.230.010 - Commercial Districts
- 40.250.120 - Manufactured Home Park Overlay
- 40.260.060 - Co-Living
- 40.260.072 - Compact Lot Developments (subject to separate unit-lot subdivision recommendation above)
- 40.260.076 - Emergency Shelters / STEP housing
- 40.260.140 - Manufactured Home Park Standards
- Appendix F - Highway 99 Standards

9. Recommended Staff / DEAB / HOSAP Work Session

DEAB recommends that the specific markups above be tested against actual Clark County projects before final adoption. The work session should compare the County draft and DEAB alternative using representative R-24, R-36, R-50, MX, small infill, constrained, and phased sites.

- Confirm whether the revised minimum-density ranges allow recently constructed, financeable projects to comply.
- Test market-rate parking levels (including approximately 1.5 spaces/unit) without forcing the project below minimum density.
- Test two- and three-bedroom family units using the proposed density-credit method.
- Test townhouse and other ownership products on small and constrained sites.

• Test amenity-area, landscaping, stormwater, access, fire, and density requirements together rather than in isolation.

10. Source Documents

• Clark County Residential Code Updates Draft Memo, July 23, 2026 - https://clark.wa.gov/media/document/232916
• CCC 40.200.040 Minimum and Maximum Calculations - https://clark.wa.gov/media/document/231831
• CCC 40.220 Urban Residential Districts - https://clark.wa.gov/media/document/231836
• CCC 40.230.020 Mixed Use District - https://clark.wa.gov/media/document/231846
• CCC 40.260.150 Multifamily Amenity Area Standards - https://clark.wa.gov/media/document/231876
• CCC 40.340.010 Parking - https://clark.wa.gov/media/document/231881
• City of Vancouver VMC Title 20, Chapter 20.180 Density Requirements (family-unit density values), current through 2026.

Memorandum

TO: Clark County Council
FROM: Development and Engineering Advisory Board (DEAB)
DATE: August 13, 2026
RE: DEAB Comments on the Housing Action Plan - (Phase 2) Multifamily Code Updates

The Development and Engineering Advisory Board (DEAB) has reviewed the July 15, 2026 draft code amendments associated with Phase 2 of the Housing Options Study and Action Plan (HOSAP) and the Comprehensive Plan update.

DEAB previously provided comments on the proposed multifamily code updates in October 2025. Those comments continue to apply. DEAB supports the overall goals of creating additional housing opportunities, increasing housing capacity, improving affordability, and removing unnecessary regulatory barriers. Many of the proposed amendments are positive steps toward those goals.

However, DEAB continues to have concerns that several provisions may have unintended consequences that reduce flexibility, make otherwise viable projects infeasible, and ultimately result in less housing being constructed. As the code has become more detailed, these concerns have become more apparent.

DEAB recommends the following:

1) DEAB supports increasing maximum densities but does not support significantly increasing minimum densities.

DEAB continues to support increasing maximum density. Higher maximum densities provide flexibility and allow the market and individual site conditions to determine when additional density is appropriate.

Minimum density is different. A maximum provides an opportunity; a minimum creates a mandate and less flexibility. Density incentivizes itself. But raising the minimum densities to the point where projects are no longer economically viable or incompatible / inappropriate with the surrounding area will prevent development. It will not meet the goals to meet housing affordability and will not meet the real comprehensive plan goals.

The proposed code would establish density ranges of approximately 18-24 units per acre in the R-24 zone, 24-36 units per acre in the R-36 zone, and 40-50 units per acre in the R-50 zone. The MX district would also increase from a 12-unit-per-acre minimum to 24 units per acre.

DEAB members conducted an analysis on actual multifamily projects recently designed and developed in Clark County and comparable suburban areas; the proposed minimums appear substantially higher than typical development patterns (see attached spreadsheet). These are not hypothetical projects - they are examples of housing that has actually been financed, permitted, and constructed in this market.

Garden-style apartment (three-story walk-up) projects are the predominant apartment type successfully constructed outside urban cores in the area. Apartment densities in this area typically range from 18-22 units per acre. Most, if not all, recent projects that were successfully developed under existing multifamily zoning would not meet the proposed minimum densities. Some are significantly off, and a 40-unit-per-acre minimum appears well above the density of multifamily products currently demonstrating economic viability in the suburban Clark County market. The ones with a minimum of 24 units per acre may be able to meet the minimum density if parking is reduced below what is considered commercially viable, which is typically 1.5 parking stalls per unit. Alternatively, the units would need to primarily be one bedroom and studio units. This unfortunately fails to provide needed family housing.

Another interesting point is that the City of Vancouver is allowing much lower densities in areas outside the urban core with similar character to county areas. The City of Vancouver adopted a minimum of 16 units per acre and no maximum densities in their multi-family zone. They also apply density bonuses for 2- and 3-bedroom units to prevent disincentivizing much needed family housing. The county should be in line with the city minimum densities outside the urban core and consider adopting similar density bonuses discussed later in this memo.

DEAB understands the County is setting these high minimum densities to meet assumptions in the Comprehensive Plan. Also understood is that the Comprehensive Plan update is pretty far along. We would propose staff make the code mode flexible and reduce the minimum densities, but keep the density assumptions the same. Instead of pivoting this late in the game, they could monitor and adjust the plan accordingly as we see how actual development patterns play out in reality.

The higher minimum density apartment types that would be required under the proposed code require a fundamentally different development product, construction type, parking strategy, and economic model than the garden-style apartments commonly developed in suburban Clark County. Those development types may be appropriate in certain locations, particularly urban centers or areas with strong transit service, but they will not necessarily be appropriate or economically viable everywhere that is being proposed for higher-density housing.

DEAB recommends retaining substantially more flexibility in minimum densities while allowing higher maximum densities. Density tends to incentivize itself where market conditions, land values, infrastructure, and surrounding development support it. Requiring densities that the market or individual site cannot support may simply prevent development.

2) Conduct site-specific review before automatically converting existing properties to higher-density zones.

DEAB is particularly concerned about the proposed automatic blanket upzoning of sites to the higher density zones without a review for compatibility with surrounding areas. For example, properties previously zoned R-18 and R- 22 going to R-36 and properties previously zoned R-30 and R- 43 going to R-50. The issue is further exacerbated by the increased minimum densities previously noted. In some locations, the minimum development intensity could increase dramatically, approaching twice the density historically expected under the existing zoning.

The character, infrastructure, surrounding uses, parcel configuration, transit availability, and market conditions of properties vary considerably. Some sites may reasonably support higher densities, like those in an urban core. Others may be much more appropriately developed in the density zone below it.

Applying R-36 and R-50 zoning with 24 and 40-unit-per-acre minimum broadly, without a site-specific analysis, has the potential to create situations where the zoning designation requires a development intensity that would otherwise be considered infeasible or incompatible with the surrounding area.

DEAB recommends reviewing upzoned areas more carefully and ensuring the proposed zone is appropriate for that location based upon actual site context rather than automatically converting entire existing zoning categories.

3) Do not remove viable housing types from multifamily and mixed-use zones.

DEAB continues to oppose eliminating otherwise viable residential uses simply to prioritize one particular housing product.

The proposed code removes or restricts townhouses, detached housing, cottage housing, duplexes, triplexes, and quadplexes from various multifamily and mixed-use districts. The MX amendments would also remove townhouses and restrict cottage housing to 30 percent of the dwelling units.

These housing types provide flexibility and can be particularly valuable on smaller, irregular, transitional, or constrained parcels where conventional apartment development may not be feasible.

Townhouses and other individually platted housing products also provide an important homeownership opportunity. Although similar buildings can sometimes be constructed as apartments or condominiums, those forms of ownership and financing are not interchangeable. Condominium development can be considerably more difficult to finance and deliver, and rental housing does not provide the same homeownership opportunity.

The County's housing strategy should encourage a range of housing products rather than unintentionally favoring rental apartments at the expense of ownership housing.

DEAB recommends retaining existing residential housing options wherever they can meet the applicable density standards and other development requirements.

4) Provide additional flexibility for small and constrained sites.

Smaller infill parcels are particularly sensitive to minimum density requirements.

A parcel under approximately one-half acre may have limited frontage, irregular geometry, existing utilities, access constraints, stormwater requirements, setbacks, landscaping, fire access, parking, and other site limitations. A relatively small amount of land devoted to one of these requirements can substantially affect the number and arrangement of units that can realistically be constructed.

A recently proposed revision exempting lots under 20,000 square foot from minimum density requirements is a welcome change and addresses part of the issue. But the exemption needs to apply not only to minimum density but also to housing-type restrictions and dimensional standards where necessary to make small sites usable.

DEAB recommends creating reasonable exceptions or flexibility for smaller and constrained sites.

5) Revise the minimum density calculation to reflect land that cannot reasonably support dwelling units.

The proposed minimum density calculation is an improvement because it allows certain areas, such as rights-of-way, private street easements, required landscaping, drainageways, and certain environmentally constrained lands, to be deducted from the density calculation.

However, other areas that materially reduce the usable development area remain included in the minimum density calculation. These can include amenity areas, certain setbacks, common areas, internal parking and drive aisles, stormwater facilities, and other areas necessary to serve the development.

This can create an artificial density calculation in which the code requires residential units based upon land that cannot practically accommodate residential buildings.

DEAB recommends that the County evaluate the calculation using actual site plans and allow appropriate deductions for areas that are necessary to serve the development but cannot reasonably be occupied by housing.

6) Allow flexibility between phases when the overall development meets minimum density.

The proposed code appears to require minimum density to be satisfied within each individual phase as well as at final project buildout.

Development phasing is frequently driven by infrastructure, market timing, property ownership, financing, and logical construction sequencing. One phase may reasonably exceed the minimum while another phase falls somewhat below it, even though the completed development meets or exceeds the overall density requirement.

Requiring every phase to independently satisfy the same minimum unnecessarily removes flexibility without increasing the ultimate number of dwelling units.

DEAB recommends allowing density to be evaluated across an approved overall development or master plan rather than requiring every phase to independently meet the minimum.

7) Make the amenity-area standards flexible and objective.

DEAB supports creating usable and meaningful amenity areas rather than simply requiring leftover open space.

The revised standards contain several positive concepts, including allowing private and indoor amenity areas to contribute toward the requirement. However, the standards should avoid creating rigid site-design requirements that interfere with otherwise functional projects. For example, one requirement is as follows:

> *2. Common outdoor amenity areas shall be abutted by dwelling units or common areas on at least two sides that include windows and/or entrances facing onto the amenity areas to enhance residents' access to such spaces and to allow for surveillance that contributes to greater public safety.*

This section appears to be oddly specific and is contradicted by Section 40.260.150.E.4 and 5, which requires each common area to be improved as indicated in the proposed code. This will not be able to be completed if each common outdoor amenity area needs to be abutted by dwelling units or common areas on at least two sides that include windows and/or entrances. Many of those required features are often placed centrally to a project, such as a sport court, swimming pool and pol deck, play structures or the like, and would not necessarily abut a residential building, particularly on two sides.

DEAB recommends removing proposed section 40.260.150.E.2 from the Multifamily Residential Amenity Area Standards to avoid contradictory language and provide flexibility in meeting this section.

Another example, the proposed requirement that private outdoor amenity areas be "screened" from other units, common areas, adjoining uses, and streets, may be difficult to interpret consistently. The term should either reference an objective screening standard or be revised so applicants and reviewers have a common understanding of what is required. Likewise, required amenity areas should be coordinated with landscaping, setbacks, stormwater, and other open-space requirements so the same development objective does not result in multiple overlapping land-consumption requirements.

DEAB supports proposed Section 40.260.150.F to allow flexibility in meeting the common amenity area requirements, particularly on constrained sites.

8) Ensure parking reductions remain an option rather than becoming necessary to achieve minimum density.

DEAB generally supports reductions in mandatory parking requirements and allow developers to provide parking based upon the needs of the project and market. However, there is an important distinction between allowing less parking and establishing density requirements that effectively force a project to provide less parking than its residents or the financing market require.

Some proposed minimum densities may only be achievable on typical suburban sites by significantly reducing parking. Approximately 1.5 parking spaces per unit remains common for market-rate suburban projects and can be an important consideration in project underwriting and financing outside of downtown cores. Banks will not finance projects not considered economically viable.

Additionally, providing less than 1.5 parking spaces per unit may have the unintended consequence of forcing residents to park in adjacent neighborhoods or along adjacent roads (whether on-street parking is allowed or not). While reducing the number of parking stalls per multi-family unit from 1.5 parking spaces to 0.5 parking spaces per unit will allow a reduction in required parking, this appears to done in order to accommodate the additional units required with the upzoning of parcels but fails to recognize the reality that each unit may have at least one vehicle, which means any particular project, if proposed with minimum parking, has the potential to cause issues with residents parking off-site.

Parking reform should provide flexibility, not create a situation where an otherwise viable project must undersupply parking simply to comply with minimum density.

9) Avoid inadvertently discouraging family-sized housing.

Density calculations based solely upon the number of dwelling units can favor smaller units because a studio apartment and a three-bedroom apartment each count as one dwelling unit.

When minimum density is aggressive, this can create a strong incentive to construct more studio and one-bedroom units because they allow the project to reach the required unit count within the available building envelope.

The City of Vancouver adopted a density bonus for 2- and 3-bedroom units to prevent disincentivizing much needed family housing. In Vancouver, 2-bedroom units count as 1.25 density units and 3-bedroom units count as 1.5 density units.

The objective should be to increase the overall housing supply while still encouraging a range of unit sizes that serve different households.

DEAB recommends adopting similar density bonuses as the City of Vancouver and consider a density bonus for larger units or another mechanism that avoids penalizing projects for providing two- and three-bedroom family housing.

10) Consider additional tools that support ownership-oriented middle housing.

The County should also consider development tools that make individually owned middle-housing projects easier to create including Unit Lot Subdivisions (ULS) and simplified 2 lot-split procedures where appropriate.

The state bills that passed require cities to adopt them. Nothing in the bill or guidance says urban areas in counties are “excluded” or prohibitive from utilizing this provision; it just doesn’t require them to adopt it. This is basically the same applicability language as in all the middle housing code bills. Adoption was required for cities, but counties were not “excluded” from utilizing these provisions.

These provisions go hand in hand with the middle housing options and code. They were intended to, and should, be implemented together. Without complementary ownership tools, middle-housing policy may unintentionally increase the supply of rental products while limiting opportunities for individual ownership and household equity-building.

DEAB recommends adopting Unit Lot Subdivisions (ULS) and simplified 2 lot-split procedures. They promote equity and opportunity, preserve homeownership opportunities, while still allowing compact housing forms and efficient use of urban land.

11) Stress-test the proposed code using actual development sites before adoption.

DEAB strongly recommends testing the proposed standards against a representative group of actual Clark County development sites before final adoption.

The test should include:

- Existing multifamily projects that have been successfully constructed;
- Small infill parcels;
- Irregular and constrained parcels;
- Existing R-30 properties proposed to become R-50;
- R-24 and R-36 sites;
- Mixed-use sites;
- Projects containing two- and three-bedroom units; and
- Sites with typical parking, stormwater, landscaping, access, fire, and amenity requirements.

The goal should not simply be to determine whether a hypothetical site plan can technically meet the code. The test should determine whether a reasonable, marketable, financeable project can meet the proposed standards.

If existing successful projects cannot be constructed under the new code, that is an important indication that additional flexibility may be necessary.

Conclusion

DEAB supports the County's efforts to increase housing capacity and appreciates many of the proposed changes intended to reduce regulatory barriers. We support increasing maximum density, reducing unnecessary parking mandates, simplifying development standards, and improving flexibility.

At the same time, the success of the Comprehensive Plan will ultimately be measured by housing that is actually constructed - not theoretical capacity shown in a planning model.

The County should be cautious about increasing minimum densities, eliminating viable housing types, or establishing standards that work mathematically but not economically or physically on actual sites. Greater flexibility will allow individual projects to respond to market demand, site conditions, neighborhood context, and changing housing needs while still advancing the County's overall housing objectives.

DEAB recommends that staff continue working with DEAB and other development, housing, real estate, and design professionals to stress-test and refine the proposed code before final adoption.

APARTMENT DENSITY COMPARISON TABLE

Primarily Garden Style Apartments (3-Story Walk-Up) Which is the Predominant Style Outide Urban Cores

Job Name & Job Number	Zoning	Jusrisdiction	Net Site Area		Density	Min.Density Required under Proposed Code	Parking
#1531-Delyria Brush Prairie Apartments	R-30	Clark County	573,730 sf/13.17 Acres	332	25.2	40	1.9
The Reserve Apartments Ph.V	PUD/ Masterplan	Vancouver	218,654 sf/5.02 Acres	106	21.12	N/A COV Project	1.5
RRC Group Apartments	R-30	Clark County	216,518 sf/4.97 Acres	120	22.51	40	1.5
NE 179th Street West Apartments	Office Residential (OR-22)	Clark County	315,396 sf/7.24 Acres	159	21.96	24	1.5
NE 179th Street East Apartments	Office Residential (OR-22)	Clark County	251,094 sf/5.76 Acres	124	21.52	24	1.5
Hazel Dell Apartments	R-22	Clark County	38,103 sf/0.87 acres	19	21.8	24	2.1
South Ridge Apartments	Office Residential (OR-22)	Clark County	263,305 sf/6.04 Acres	131	21.6	24	1.9
NE 68th Street Apartments	R-30	Clark County	69,854 sf/1.60 Acres	30	18.75	40	1.6
CTC 720 Apartments	PUD/ Masterplan	Vancouver	493,173 sf/11.32 Acres	240	21.2	N/A COV Project	2.06
192nd Avenue Apartments	PUD/ Masterplan	Vancouver	438,756 sf/10.07 Acres	222	22.04	N/A COV Project	1.8
North Glen Villas	R-18	Clark County	429,867 sf/9.87 Acres	152	15.4	24	1.5
The Jax	R-30	Clark County	77,231 sf/1.77 Acres	50	28.2	40	1.5
Jailen's Pointe Apartments Phases 1&2	R-30	Clark County	217,760 sf/5.00 Acres	136	27.2	40	1.52
Leilani Pointe Apartments	R-30	Clark County	134,992 sf/3.10 Acres	72	23.2	40	1.54
LOTI Apartments	R-30	Clark County	70,495 sf/1.62 Acres	48	29.6	40	1.5

NOTES:

1.5 parking stalls / unit is a minimum to for it to be considered commercially viable outside downtown cores.

It is also a threshold for obtaining financing, because banks will not finance Projects not considered commercially viable

COV Projects outsite the urban Core are shown for reference, If located in the county they would likely be subjected to 40 units per acre Min.

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