

Vancouver Municipal Code **Chapter 20.110, Intent and Purpose, Section 20.110.010, Intent and Purpose** shall be amended as follows:

A. Overall purpose. The purpose of this Development Code is to provide a vehicle to implement the City's Comprehensive Plan, and by reference, the requirements of the Washington State Growth Management Act (GMA).

B. Community goals. The Development Code contains regulations to manage the community's growth in a manner that ensures efficient use of land, preserves natural resources, and encourages good design. Specifically, the code is designed to implement adopted policies including:

1. Support the creation of a responsive, open government that operates in partnership with all citizens for the purpose of maximizing participation, as well as with city employees to ensure that they are empowered to effectively meet citizens' needs.

2. Celebrate the city's cultural diversity and heritage.

3. Provide diverse employment opportunities within the community, maintaining a healthy business climate that also ensures that the city's residents will be provided a full range of goods and services.

4. Commit to responsible stewardship of the city's natural resources including airsheds and watersheds, wildlife habitats and open space, with special attention paid to protecting the Columbia River, with its contribution to the city's visual character, history, and economic base.

5. Provide the city's residents with quality urban services while at the same time preserving the character of existing neighborhoods and enhancing the livability of the area.

6. Integrate land use and transportation planning to ensure the efficient use of land, promote use of alternative modes of transportation, and reduce congestion and air pollution.

C. Low Impact Development.. No requirement of this title shall be interpreted or applied in such a way as to impose a barrier to Low Impact Development. All requirements of this Title that have an effect on use of Low Impact Development may be met using functionally equivalent Low Impact Development practices as specified in the Stormwater Permit, the Stormwater Manual, or any Low Impact Development general specifications adopted by the City.

E. D. Revision of the Development Code. A major revision of the Development Code was completed in January 2004, which accomplished the following:

1. Consolidate into Title 20 all regulations affecting development within the Vancouver Municipal Code (VMC). These include appropriate regulations from: Trees/ Vegetation (Title 12); Planning (Title 18); Land Divisions (Title 19); and Environmental Review (Title 21). The revision also includes Growth Management Act (GMA) requirements by reference.

2. Condense and reorganize Title 20 to improve accessibility of information and reduce redundant and conflicting provisions.

3. Refine permit procedures to ensure certainty, efficiency, and equity of application.

4. Implement the city's goals for mixed-use and infill development in a manner that protects the character of existing neighborhoods.

5. Add provisions as necessary to improve clarity, comply with state statute and/or incorporate best planning practices.

(M-3643, Added, 01/26/2004)

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Vancouver Municipal Code **Chapter 20.150, Definitions, Section 20.150.040A, Meanings of Specific Words and Terms A through D**

**Abutting.** Contiguous or adjoining with a common boundary line, except that where two or more lots adjoin only at a corner or corners, they shall not be considered as "abutting" unless the common property line between the two parcels measures 8 feet or more in a single direction. It shall include the terms *adjacent, adjoining* and *contiguous*.

**Accept.** To receive as complete and in compliance with all submittal requirements.

**Access or Access Way.** The place, means or the way by which pedestrians and vehicles shall have safe, adequate and usable ingress and egress to a property or use as required by this title.

**Accessory Dwelling Unit (ADU).** One or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit within or attached to a single-family dwelling or in a detached building on the same lot as the primary dwelling unit. An ADU is distinguishable from a duplex in that, unlike a duplex, it is clearly subordinate to the primary dwelling unit, both in use and appearance.

**Accessory Equipment Structure.** An unstaffed structure that is subordinate and clearly incidental to the principal use or structure on the lot and may be used to house and protect the equipment necessary for processing wireless communications signals. Associated equipment may include air conditioning and emergency generators.

**Accessory Structure.** A building or structure, no larger than 800 square feet, which is clearly incidental to the primary structure on the same lot.

**Accessory Use.** A use of land or portion thereof which is clearly incidental and subordinate to the principle use of the land located on the same lot or premises.

**Acre.** A measure of land area containing 43,560 square feet.

**Actual Construction.** The actual placing of building materials in their permanent position, fastened in a permanent manner, including any excavation.

**Addition.** Means the same as enlargement.

**Adjacent.** Abutting or located directly across a street right-of-way.

**Adjoin.** Means the same as abutting.

**Adult Bookstore.** Any premises from which minors are excluded and in which the retail sale of books, magazines, newspapers, movie films, devices, slides or other photographic or written reproductions distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas is conducted as a principal use of the premise; or as an adjunct to some other business activity, but which constitutes the primary or a major attraction to the premises.

**Adult Entertainment Shows.** Any premises from which minors are excluded and in which live entertainment is provided, or any device is provided in which the subject matter is distinguished or characterized by the emphasis on matter depicting, describing or relating to specified sexual activities or displaying specified anatomical areas as the principal use of the premises or is shown as an adjunct to some

other business activity which is conducted on the premises and constitutes a major attraction; and wherein fees of any kind are charged.

**Adult Motion Picture Theater.** Any establishment from which minors are excluded in which motion pictures, slides or similar photographic reproductions are shown depicting adult entertainment as the principal use of the premises, or are shown as an adjunct to some other business activity which is conducted on the premises and constitutes a major attraction; and wherein fees of any kind are charged; and wherein such movies are shown on a regular basis, and not to include a theater showing adult movies less than 5% of the total showing time of the theater.

**Agent.** Any person authorized in writing to act on behalf of the legal owner.

**Agriculture, Existing and Ongoing.** Those activities conducted on lands defined in RCW 84.34.020(2), and those activities involved in the production of crops or livestock, for example, the operation and maintenance of farm and stock ponds or drainage ditches; the operation and maintenance of ditches, irrigation systems (including irrigation laterals, canals, or irrigation drainage ditches); changes between agricultural activities; and normal maintenance, repair, or operation of existing serviceable structures, facilities, or improved areas. Activities that bring an area into agricultural use are not part of an ongoing operation. An operation ceases to be ongoing when the area on which it is conducted is converted to a nonagricultural use or has lain idle for more than five years, unless the idle land is registered in a federal or state soils conservation program, or unless the activity is maintenance of irrigation ditches, laterals, canals, or drainage ditches related to an existing and ongoing agricultural activity. Forest practices are not included in this definition.

**Airport Approach Surface.** The surface which is longitudinally centered on an airport's extended runway centerline, extending outward and upward from the end of the primary surface. An approach surface is applied to each end of the runway based upon the type of approach procedure permitted. Because landings under instrument flight rules, using the Portland International Airport Localizer Directional Aid, are an approved procedure at Pearson Field, the following approach surface dimensions have been applied:  
Width of approach surface: 500' at inner end, 4,000' at outer end (inner end begins at end of primary surface)  
Length of approach surface: 10,000 feet  
Slope of approach surface: 34:1 (one foot vertically for every 34 feet horizontally)

**Airport Conical Surface.** The conical surface is an inclined plane beginning at the edge of the horizontal surface and extending outward at a 20:1 slope for a distance of 4,000 feet.

**Airport Horizontal Surface.** The horizontal plane 150 feet above the established airport elevation. The shape of the plane is determined by striking arcs from the end of each primary surface. The radius of each arch is connected by lines tangent to the arcs. For Pearson Field, the radius of these arcs is 5,000 feet for runways 08 and 26.

**Airport Transitional Surface.** The transitional surface is an inclined plane extending outward from the primary and approach surfaces at a 7:1 slope. From the primary surface and approach surface, the transitional surface slopes upward to the horizontal surface. The transitional surface extends outward from the approach surface a distance of 5,000 feet.

**Aisle.** The corridor by which vehicles enter into and depart from parking spaces.

**Alley.** A public right-of-way or private easement not over 30 feet wide which provides a secondary means of access to abutting lots, not intended by the city for general traffic circulation.

**Alteration, Structural.** Any change in a supporting member of a building, such as a bearing wall, column, beam or girder, floor or ceiling joist, roof rafters, roof diaphragms, foundations, piles, or retaining wall or similar components.

**Altered.** Structurally changed.

**Alternative Mode.** Refers to any means of commute transportation other than that in which the single-occupant vehicle is the dominant mode.

**Alternative Work Schedules.** Programs such as compressed work weeks that eliminate commuting trips for affected employees. For the purposes of this chapter, changing the time of when an affected employee begins his work shift shall not be considered an alternative work schedule if it only moves trips out of the peak period and does not eliminate trips.

**Amateur or Ham Radio.** Radio facilities operated for non-commercial purposes by individuals licensed by the FCC with an interest in construction and operation of radio equipment, usually as a hobby or avocation.

**Amendment.** A change in the wording, context or substance of this title or the comprehensive plan, or a change in the boundaries of a district upon the zoning district map or the boundaries of a designation on the comprehensive plan map.

**Amenity.** A natural or created feature that enhances the aesthetic and functional quality or makes more attractive or satisfying a particular property, place or area.

**Americans with Disabilities Act (ADA).** A 1990 federal law designed to bring disabled americans into the economic mainstream by providing them equal access to jobs, transportation, public facilities and services. The ADA contains requirements for most developments including accessible parking stalls, entrances and exits, pathways, and public facilities such as restrooms.

**Anadromous.** Fish that migrate up rivers and streams from the ocean to breed in fresh water.

**Annexation.** The incorporation of a land area into the City of Vancouver with a resulting change in the boundaries of the city.

**Annual Average Day/Night Sound Level (Ldn).** Calculated in decibels, the Ldn is the 24-hour logarithmic average sound level from midnight to midnight, obtained after adding 10 decibels to sound levels in the night from midnight to 7 a.m., and from 10 p.m. to midnight (0000 to 0700, and 2200 to 2400 hours), and then logarithmically average day-to-day over a 12-month period.

**Antenna.** A device used to transmit and/or receive radio or electromagnetic waves between land- and/or satellite-based structures; any device commonly consisting of poles, panels, rods, reflecting discs or similar device use for the transmission or reception of radio frequency signals, typically mounted on a supporting tower, pole, mast or building.

**Apartment.** A dwelling unit in a multiple-family building.

**Apartment House.** Means the same as Dwelling, Multiple-Family.

**Appeal.** A request for an impartial review of a land use decision or interpretation of land use-related codes rendered by Community and Economic Development, its employees or any review body of the City of Vancouver.

**Applicable Pretreatment Standards.** For any specified pollutant, city prohibitive standards, city specific pretreatment standards (local limits), State of Washington pretreatment standards, or EPA's Categorical Pretreatment Standards, whichever standard is most appropriate or most stringent.

**Applicant.** A person submitting an application for development.

**Approach Surface.** The surface which is longitudinally centered on an airport's extended runway centerline, extending outward and upward from the end of the primary surface at a slope of 20 feet horizontally for each foot vertically. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.

**Approach Zone.** An area at the end of an airport's runway which is 250 feet wide and expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet. The centerline of the zone is a continuation of the centerline of the runway.

**Approved Plan.** A plan that has been granted final approval by the appropriate approval authority.

**Archaeological Interest.** Capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques such as controlled observation, contextual measurement, controlled collection, analysis, interpretation, and explanation [WAC 25-48-020(12)].

**Archaeological Object.** An object that comprises the physical evidence of an indigenous and subsequent culture including material remains of past human life including monuments, symbols, tools, facilities, and technological by-products [WAC 25-48-020(8)].

**Archaeological Resources.** Any material remains of human life or activities that are of archaeological interest. This shall include all sites, objects, structures, artifacts, implements, and locations of prehistoric or archaeological interest, whether previously recorded or still unrecognized, including, but not limited to, those pertaining to prehistoric and historic American Indian or aboriginal burials, campsites, dwellings, and their habitation sites, including rock shelters and caves, their artifacts and implements of culture such as projectile points, arrowheads, skeletal remains, grave goods, basketry, pestles, mauls, and grinding stones, knives, scrapers, rock carvings and paintings, and other implements and artifacts of any material [WAC 25-48-020(10)]. This shall also include any material remains of human life or activities from historic periods which are located at least partially below the ground surface necessitating the use of archaeological methods for study or recovery.

**Archaeological Resource Survey.** A procedure by which an archaeologist makes a determination of the actual existence (presence or absence) of an archaeological site in a disturbance area, a preliminary assessment of the site's potential significance, and a recommendation for further evaluation, avoidance, mitigation, or recovery of resources in compliance with the provisions of this chapter.

**Archaeological Site.** Land or water areas that show evidence of artifacts of human, plant or animal activity, usually dating from periods of which only vestiges remain.

**Archaeological Site, Known, Recorded.** An archaeological site that has been recorded with the Washington State Department of Archaeology and Historic Preservation (DAHP) or its successor.

**Archaeological Site, Potentially Significant.** An archaeological site which:

1. contains archaeological objects at a density of at least 100 per cubic meter per stratigraphic or cultural unit; or
2. includes at least one feature; or
3. includes at least one relatively uncommon archaeological object; or
4. contains skeletal remains; or
5. is otherwise considered potentially significant by the archaeologist.

**Archaeologist, Professional.** "Professional archaeologist" means a person with qualifications meeting the federal secretary of the interior's standards for a professional archaeologist. Archaeologists not meeting this standard may be conditionally employed by working under the supervision of a professional archaeologist for a period of four years provided the employee is pursuing qualifications necessary to meet the federal secretary of the interior's standards for a professional archaeologist. During this four-year period, the professional archaeologist is responsible for all findings. The four-year period is not subject to renewal. RCW 27.53.030(8).

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

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

**Assessed Value.** The value at which property is appraised for tax purposes.

**Attached Antenna.** An antenna is that affixed to an existing structure other than a wireless communication support structure.

**Attached Sidewalks.** Those sidewalks abutting the back of a curb.

**Automobile Wrecking.** The dismantling or disassembling of motor vehicles, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles or their parts. Three or more dismantled, obsolete or inoperable motor vehicles on one lot shall constitute a wrecking yard.

**Average.** The arithmetic mean.

**Average Daily Attendance (ADA).** Regarding School Impact Fees, the average number of students attending an elementary or secondary school and used for the design of the facility.

**Awning.** A hood or cover which projects from the wall of a building, of a type which may be retracted, folded or collapsed against the face of a supporting building.

**Banner.** An on-site sign such as those used to announce an open house or a grand opening, or to make a special announcement. Normally, it is constructed of fabric and is without a rigid frame.

**Base Flood.** The flood having a 1% chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood." Designated on Flood Insurance Rate Maps by the letter A.

**Base Flood Elevation.** The elevation that the base flood is expected to reach. Also referred to as the "100-year flood elevation."

**Basement.** A portion of a building included between a floor, with its level 2 feet or more below the level from which the height of the building is measured, and the ceiling next above said floor. For the purposes of VMC 20.740.120, Frequently Flooded Areas, basement means any area of a building having its floor subgrade (below ground level) on all sides.

**Base zone.** The zoning designation applicable to a parcel of property irrespective of an Overlay District as reflected on the Vancouver Zoning Map.

**Beach Nourishment.** With respect to bank erosion hazard areas, beach nourishment is the placement of sand or soil to fill an eroding bank.

**Berm.** A mound of earth, typically linear in form and generally used as a buffer between uses or properties.

**Best Management Practices.** Systems of practices and management measures that:

1. control soil loss and reduce water quality degradation caused by nutrients, animal waste, toxics, and sediment; and
2. minimize adverse impacts to surface water and groundwater flow, circulation patterns, and to the chemical, physical, and biological characteristics of fish and wildlife habitat conservation areas, wetlands and buffers.

**Bike Lane.** Lanes on an improved street which are designated for use by cyclists and separated from vehicular traffic either by striping or small concrete barrier.

**Bikeway.** A pathway, paved and separated from streets and sidewalks, designed to be used by cyclists.

**Binding Site Plan.** A type of land division that segregates a portion of a legal lot created for the sale or lease of commercially- or industrially-zoned property; placement of manufactured homes or travel trailers on leased sites; and creation of condominiums pursuant to 58.17.040 RCW.

**Bioengineering Techniques.** Techniques that apply the principles of the biological, ecological, and soils sciences and structural engineering to build structures which, using live plant materials as a main structural component, stabilize the soil against erosion, sedimentation, and flooding. Also referred to as "soft armoring techniques."

**Biomass Generation.** A major utility facility that provides for the production or collection of organic materials such as wood and agricultural residues and municipal solid waste that are primarily organic materials and the conversion or use of that material for the production of heat, electricity, or substitute fuels through several processes including, but not limited to, burning, pyrolysis, or anaerobic digestion.

**Block.** A group of lots, tracts or parcels within well defined and fixed boundaries.

**Bog.** A type of wetland where (1) organic (peat or muck) soil layers comprise at least 16 of the first 32 inches of the soil profile; or (2) there is more than 70% cover of mosses at ground level and more than 30% of the total shrub and herbaceous cover consists of species listed in Table 3 – Characteristic Bog Species in Washington State found in Hruby, 2004, Washington State Wetlands Rating System for Western Washington, Ecology publication #04-06-025, or as revised by Ecology. Many bogs have soils classified as peat or muck, are nutrient poor, have a low pH (acidic), and are fed largely by rainfall rather than streams or groundwater.



**Boundary Adjustment.** The minor alteration of the boundary between two lots or tracts which does not result in the creation of any additional lot(s); also known as boundary line adjustment.

**Breezeway.** A structure for the principal purpose of connecting the main building or buildings on a property with other main buildings or accessory buildings.

**Buffer.** An area that is contiguous to and protects a critical area and which is required for the continued maintenance, functioning, and/or structural stability of a critical area.

**Building.** Any structure having a roof and walls, used or built for the shelter or enclosure of persons, animals or property of any kind.

**Building Envelope.** That portion of a legal lot exclusive of the areas required for front, side, and rear yards and other required open spaces and which is available for siting and constructing a building or buildings.

**Building Height.** The vertical distance from the average grade to the average height of the roof peak of the building, except in a shoreline jurisdictional area, in which case the height shall be measured from average existing grade (prior to development) to the highest point of a structure (see also WAC 173.27.030). For exceptions subject to airport height limits located within the approach, transitional and horizontal surfaces refer to Airport definitions and Sections 20.570 and 20.630.050 VMC.

**Building, Main.** A building within which is conducted the principal use permitted on the lot, as provided in this title.

**Building Permit.** The permit required for new construction and additions pursuant to Title 17 of the Vancouver Municipal Code (VMC).

**Business Complex.** Any building containing more than one business, or any group of buildings in close proximity to one another sharing parking, ownership, and ingress or egress.

**Caliper.** The diameter of a tree trunk measured at 6 feet above the ground for up to and including 4 inches caliper size, and one foot above the ground for larger trees.

**Canopy.** A permanent roofed structure attached to and supported by the building.

**Canopy, Auto Dealership Plan District.** A structure, enclosure, or shelter constructed of fabric or pliable materials supported by any manner, except by air or the contents it protects, and open without sidewalls or drops on 75% or more of the perimeter, consistent with Vancouver Fire Code Title 16, Section 16.04.060 and the International Fire Code (IFC).

**Capital Facilities Plan.** The City of Vancouver Capital Facilities Plan element of the Comprehensive Plan adopted pursuant to Chapter 36.70A RCW and RCW 82.02.050, and as such plan is amended.

**Caretaker Residence.** A single unit providing a complete independent living space for one or more persons, including permanent facilities for living, sleeping, eating, cooking and sanitation (same as Dwelling).

**Central Business District.** This area is the section of Vancouver defined as the commercial business district bounded by 4th Plain Boulevard to the north, Columbia River to the south, I-5 to the east, and Lincoln Avenue to the west. This can apply to other areas as developed in the city, with similar zoning.

**Certificate of Concurrency.** A document issued by the transportation manager pursuant to Section 20.980.120 VMC indicating: the location or other description of the property on which a development is proposed; the type of development application for which the certificate of concurrency is issued; an identification of any affected transportation corridor and TMZ; the specific uses, densities, intensities, and any transportation system improvements, strategies, or other mitigation measures that were considered in the determination to issue the certificate, and which are authorized or required for development of the property; the amount of capacity within the affected transportation corridor or TMZ that is reserved for the development described in the certificate, and a statement that the reservation of capacity is non-transferable to other development(s); any conditions required pursuant to Section 20.980.120 VMC; and an effective date.

**Change of Use.** Any use that differs from the previous use as defined in Chapter 20.160, Use Classifications.

**Citizens Band Radio.** Two-way radio facilities operated for a short-range personal and business communications, without necessity of a federal license, pursuant to 47 CFR Part 95.

**City.** The City of Vancouver, Washington.

**City Council or Council.** The City Council of the City of Vancouver, Washington.

**City Standards.** Shall mean standard specifications, technical drawings, detail drawings and other information the city has adopted as minimum standards.

**Clark County Cultural Resources Inventory.** The comprehensive inventory of historic resources within the boundaries of Clark County including resources identified in the Clark County cultural resources inventory and other inventories by local jurisdictions within Clark County.

**Clearing.** The destruction or removal of vegetation from a site by physical, mechanical, chemical or other means. This does not include landscape maintenance or pruning consistent with accepted horticultural practices, such as those recommended by the Washington State University Extension Service, which does not impair the health or survival of the trees or native vegetation.

**Closed Record Approval Hearing.** An administrative hearing to approve or deny a project permit that is on the record to the City Council following an open record predecision hearing as defined by WAC 197-11-775 before the planning commission or hearings examiner.

**Co-location.** The use of a single wireless communications support structure or the use of a site by more than one wireless communications provider.

**Commercial Nursery, or Tree Farm.** A licensed plant or tree nursery or farm in relation to those trees planted and growing on the premises of the licensee, which are planted and grown for sale through retail or wholesale channels in the ordinary course of the licensee's business.

**Commission or Planning Commission.** Means the Planning Commission of the City of Vancouver, Washington.

**Compatible.** The capability of being able to function in a consistent and harmonious manner with others and surroundings.

**Compatible Design.** A building and/or site design which blends with the surrounding area. This might include a pitched roof of a similar pitch to surrounding roofs, trim, shutters or other architectural window detail; horizontal siding and/or brick exterior; and similar unit size or scale.

**Comprehensive Plan.** A long-range plan intended to guide the growth and development of a community or region that typically includes inventory and analytic sections leading to recommendations for the community's future economic development, housing, recreation and open space, transportation, community facilities and land use, all related to the community's goals and objectives for these elements.

**Concurrent.** Means that the existing capacity of an affected transportation corridor or transportation management zone is sufficient to accommodate the projected transportation impacts of a proposed development; or that transportation system improvements, strategies, or other mitigation measures which will achieve or maintain an operating level at or above the applicable level of service for the affected transportation corridor or management zone: and are planned, reasonably funded, and scheduled for completion no later than six years after development approval as reflected in the most recent version of the Six-Year Street Plan; and will be available and complete no later than six years after development approval, as provided by a voluntary financial commitment (where appropriate) by the applicant that is in place at the time development is approved by the Development Review Authority.

**Conditional Use.** An activity specified by this title as a principal or an accessory use, permitted when authorized by the appropriate approval authority and subject to certain conditions.

**Contiguous.** Means the same as abutting.

**Contributing.** A property which dates to the historic period and retains sufficient physical integrity so as to convey its historic character.

**Contributing Area.** When referring to wetlands, the land and/or water area adjacent to a wetland that drains into that wetland.

**Conversion Option Harvest.** A timber harvest as established in Washington State Department of Natural Resources Forest Practices Regulations and Chapter 20.770 VMC, Tree Conservation, whereby a property owner is allowed to harvest a limited amount of timber from their property within the City of Vancouver, while still maintaining the rights to convert their property to a use inconsistent with growing timber.

**Conveyance.** A mechanism for transporting water or other liquids from one point to another, including pipes, ditches, and channels.

**Co-tenant.** A person who resides with the applicant for the deferral and who has an ownership interest in the residence.

**Court.** An open, uncovered, and unoccupied space within an allotted property line.

**Court Height.** A measurement from the floor level of the lowest story in the building in which there are windows from rooms served by the court, to the highest point of the enclosing walls of the court.

**Critical Aquifer Recharge Areas.** Areas with a critical recharging effect on aquifers used for potable water as defined by the Washington State Growth Management Act. Critical aquifer recharge areas are regulated under VMC 14.26.

**Critical Areas.** Critical areas include fish and wildlife habitat conservation areas, wetlands, frequently flooded areas, critical aquifer recharge areas, and geologic hazard areas as defined by the Washington State Growth Management Act. Critical aquifer recharge areas are regulated under VMC 14.26. The others are regulated under VMC 20.740.

**Critical Facility.** Facilities that serve vulnerable populations, house emergency services, meet the definition of a Class I or Class II Operation under VMC 14.26, or perform other functions that would pose significant safety issues in even a slight landslide, flooding, erosion, seismic, or other natural hazard event. Critical facilities include, but are not limited to: schools, nursing homes, hospitals, police, fire, and emergency response installations, installations which produce, use, or store hazardous materials.

**Critical Root Zone.** The area where the tree's roots are located. This root zone is generally the area surrounding a tree trunk at a distance equal to one foot for every inch of tree diameter at breast height (dbh). This area is described as the radius of a circle around the tree.

**Crown.** The area of a tree containing leaf- or needle-bearing branches.

**Crown Cover.** The area within the drip line or perimeter of the foliage of a tree.

**Cul-de-Sac.** The circular turnaround at the end of a dead-end street.

**Cultural Resources.** The historic or prehistoric or archeological sites and standing structures, cemeteries, burial grounds and funerary objects and distributions of cultural remains and artifacts.

**Decibels (dB).** The measure of noise loudness on a scale weighted to approximate human ability to perceive sound (A). Each decibel is a measure of the difference in energy of a sound compared to another sound which is used as a reference. The reference sound is barely audible to the human ear, and each interval of 10 decibels indicates sound energy ten times greater than before. The A-weighted scale generally places zero dB at the threshold of hearing and 135 dB at the threshold of pain.

**Dedication.** The limited grant by a property owner allowing the use of property by the public for specified purposes by means of a deed or transfer to the city.

**Dedication, Fee In Lieu Of.** Payments in cash as an alternative to dedication of land or construction of improvements.

**Deed.** A legal document conveying ownership of real property.

**Demolish.** To raze, destroy, dismantle, deface or in any other manner cause partial or total ruin of a structure or other improvement.

**Density.** A measurement of ratio comparing the number of dwelling units with land area in relationship to a specified amount of land, expressed as the number of residential dwelling units per acre of land or the amount of land area expressed in the square feet of land assignable to each dwelling unit in a residential development.

**Density, Net.** The development density derived by dividing the net buildable area of the subject property (gross area less the total aggregate area required by the city for public or private streets, schools or other public facilities, not including parks and public or private recreation facilities dedicated or created as an integral part of the development) by the applicable lot size or area per unit.

**Density, Gross.** The development density derived by dividing the gross area of the subject property by the applicable minimum lot size. Gross density is used to determine the maximum number of lots that may be achieved on a parcel being developed.

**Department.** The Development Review Services Department, Long Range Planning Department, Public Works Department, or any division, subdivision, or organizational unit of the city established by ordinance, rule or order.

**Destroy any tree.** To damage, disfigure or cause injury or death which may include, but not be limited to topping, excessive pruning not consistent with nationally-accepted standards, poisoning, and trenching or excavating in such a manner as to make the tree root system not viable.

**Detached Sidewalks.** A sidewalk separated from the back of curb by a uniform width planting strip.

**Developer.** Any person, firm or corporation undertaking the development of any parcel of land.

**Development.** Any humanmade change to improved or unimproved real estate including but not limited to: mining, dredging, filling, drilling, grading, paving, or excavation, storage of equipment or materials; any subdivision or short platting of land; the construction or re-construction of residential, commercial, industrial, public or any other building or building space, and the placement of all types of manufactured homes defined herein. Development also includes the change in use of a building or land if approval is required pursuant to the Vancouver Municipal Code, Title 17 (Building Code). As related to the Tree Conservation Ordinance, development shall mean the division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, clearing or land disturbance.

**Development Application.** Any application (including supporting materials) for approval of a development to which the provisions of Title 20 VMC apply.

**Development Review Authority.** The planning official, the City Hearings Examiner, the Planning Commission, or City Council, each having authority to approve a development application pursuant to Title 20 VMC.

**Diameter at Breast Height (DBH).** A tree's diameter in inches at 4 ½ feet above the ground. On multi-stemmed or -trunk trees, the diameter shall be the diameter equivalent to the sum of trunk areas measured at 4 ½ foot above the ground.

**Direct-to-Home Satellite Service.** The distribution or broadcasting of programming or services by satellite directly to the subscriber's premises without use of ground-receiving or distribution equipment, except at the subscriber's premises or in the uplink process to the satellite.

**Disturbance Area.** Regarding archaeological resource protection, the geographical area in which archaeological resources could potentially be adversely impacted by a proposed ground-disturbing action or activity. It includes equipment or material staging areas; utility installation areas; temporary roads or haul routes; or other areas outside of the proposed building footprint(s) that could be disturbed during construction. The disturbance area shall not be smaller, and will generally be larger than the area of the property proposed for development. In no case shall the disturbance area be smaller than one acre or the area of the parcel(s) upon which the property proposed for development is located, whichever is less.

**Dog Day Care.** A facility where dogs may be groomed, trained, exercised, and socialized, but not kept or bred, sold, or let for hire.

**Domestic Animal.** Any animal other than livestock that lives and breeds in a tame condition including, but not limited to: dogs, cats, small birds and other animals kept as pets.

**Doorway Identification Nameplates.** A non-electric sign that is limited to the name, address, and number of the building, institution or person and is limited to the activity carried on in the building or institution or to the occupancy of the person.

**Downed Woody Vegetation.** Shrubs, trees, or their branches that have fallen and are on the ground or in, across, or dangling above streams, rivers, lakes, or ponds; also known as *large woody debris*.

**Drive-Through Facility.** A facility or structure that is designed and intended to allow drivers to remain in their vehicles before and during participation in an activity on the site.

**Driveway.** A private way providing ingress and egress from one or two lot parcels or tracts to a public or private street.

**Dwelling.** A single unit providing a complete independent living space for one or more persons, including permanent facilities for living, sleeping, eating, cooking and sanitation.

**Dwelling, Efficiency Living Unit.** Any room having cooking facilities, and used for combination living, dining, and sleeping purposes for not more than two persons, and designed as a separate apartment, not merely rooming accommodations. Each efficiency living unit shall be provided with a separate bathroom meeting the requirements of the Building Code.

**Dwelling, Houseboat Moorage.** A facility that provides moorings for houseboats.

**Dwelling, Multiple-Family.** A building or portion thereof designed or used as a residence by three or more households and containing three or more dwelling units.

**Dwelling, Single-Family.** A building designed or used for residence purposes by not more than one household and containing one dwelling unit only. Such dwelling units may be either detached (i.e., free-standing) or attached (i.e., sharing) common walls with other such units.

**Dwelling, Single-Room Occupancy Housing (SRO).** A building wherein furnished rooms without cooking facilities are rented for compensation to three or more non-transient persons not included in the family unit of the owner or tenant of the premises.

**Dwelling, Two-Family, or Duplex.** A building designed or used for residence purposes by not more than two households and containing two dwelling units.

Vancouver Municipal Code **Chapter 20.150, Definitions, Section 20.150.040B, Meanings of Specific Words and Terms E through H**

**Early Notice.** The city's response to an applicant stating whether it considers issuance of a determination of significance likely for the applicant's proposal.

**Easement.** A grant of one or more of the property rights by the property owner to and/or for use by the public, a corporation or another person or entity.

**Ecology.** The Washington State Department of Ecology.

**Egress.** An exit from a building or site.

**Electric Vehicle.** Any on-road vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for locomotive purpose. "Electric vehicle" includes: 1) a battery electric vehicle; 2) a plug-in hybrid electric vehicle; 3) a neighborhood electric vehicle; 4) a medium-speed electric vehicle; and/or (5) a battery-powered scooter.

**Elevation, Architectural.** A scale drawing of the side, front or rear of a structure.

**Emergency Repair.** The work necessary to prevent destruction or dilapidations to real property or structural appurtenances thereto immediately threatened or damaged by fire, flood, earthquake or other disaster.

**Emergent wetland.** A wetland with at least 30% of the surface area covered by erect, rooted, herbaceous vegetation as the uppermost vegetative strata.

**Employees.** Refers to all persons, including proprietors, working on the premises.

**Employer.** A sole proprietorship, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district or other individual or entity, whether public, nonprofit or private, that employs workers.

**Endangered and Threatened Species, Federally Designated.** Fish and wildlife species identified by the U.S. Fish and Wildlife Service or NOAA Fisheries as threatened or endangered under the Endangered Species Act, 16 USC Section 1531, *et seq.*

**Endangered, Threatened and Sensitive Species, State Designated.** Fish and wildlife species native to the State of Washington and identified by the Washington Department of Fish and Wildlife as sensitive, threatened, or endangered species.

**Energy-Efficient Construction.** A structure designed and built which encourages the efficient use of energy. Construction standards qualifying for this shall be as specified by the State Energy Code. Design or construction methods that can be proven to provide equivalent or better energy conservation performance may be allowed as an alternative.

**Engineer.** An individual licensed by the State of Washington to practice civil engineering.

**Enhancement.** Actions performed to improve the condition of an existing degraded critical area or buffer so that the functions provided are of a higher quality. See also Wetland Enhancement.

**Enlargement.** An increase in size of an existing structure or use, affecting the physical size of the property, building, parking, and other improvements.

**Entertainment.** Regarding Adult Businesses, any exhibition or dance of any type, pantomime, modeling or any other performance.

**Entertainer.** Regarding Adult Businesses, means any person who provides sexually-oriented adult entertainment within a public place of amusement whether or not a fee is charged or accepted for such entertainment.

**Equity Value.** The amount by which the fair market value of a residence as determined from the records of the county assessor exceeds the total amount of any liens or other obligations against the property.

**Erect.** To build, construct, attach, hang, place, inscribe, suspend or affix any sign or to paint any wall sign.

**Erosion Control.** The design and installation of measures to control erosion and sedimentation during and after construction and to permanently stabilize soil exposed during and after construction using a combination of structural control measures, cover measure, and construction practices.

**Essential Public Facilities.** Public facilities and privately-owned or operated facilities serving a public purpose that are typically difficult to site. They include but are not limited to: airports, state education facilities, state or regional transportation facilities, prisons, jails, other correctional facilities, and solid waste handling facilities. These facilities are of state-wide and regional significance, as opposed to facilities which only serve Clark County. Therefore, local transit service is not considered an essential public facility. Essential public facilities will be allowed in locations appropriate for the services provided and the people served.

**Exception.** Permission to depart from a specific design standard in this title.

**Exotic.** Any species of plants or animals that are not native to the area.

**Extraordinary hardship.** Extraordinary hardship occurs when strict application of the provisions of 20.775 VMC Wetlands and Water Bodies Protection would prevent all reasonable economic use of the subject parcel.

**Façade.** Any exterior building face, from corner to corner and finished floor to eave, exclusive of any roof area.

**Face.** To front upon.

**Facility.** In Chapter 20.990 VMC, Water and Sewer Facilities, the City of Vancouver's industrial wastewater collection system and industrial wastewater pretreatment facility constructed in 1979, and sometimes known as the pretreatment lagoon.

**Family.** See **Household**.

**Feature.** An artifact or set of artifacts which, due to its size and complexity, loses its integrity when moved, and therefore, cannot be transported as a unit to a laboratory or museum for study or display (e.g., a hearth, an ash lens, a storage pit, a cache of related artifacts, or a house floor).



**Fence, Sight-Obscuring.** A fence or evergreen planting constructed or arranged in such a way as to obstruct vision.

**Findings.** A written statement of the facts determined to be relevant by the approval authority as the basis for making its decision. The approval authority applies the relevant facts to the approval criteria or standards to reach its decision.

**Fish and Wildlife Habitat Conservation Areas.** Fish and Wildlife Habitat Conservation Areas include habitat for Endangered, Threatened and Sensitive species; Priority Habitats and areas associated with Priority Species; Riparian Management Areas; Habitats of Local Importance, and water bodies.

**Fish Habitat.** Habitat which is used by any fish at any life stage at any time of the year, including potential habitat likely to be used by fish which could be recovered by restoration or management and includes off-channel habitat.(WAC 222-16-030)

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

**Flood Insurance Rate Map (FIRM).** The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

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

**Floodplain.** The relatively flat area or lowlands adjoining the channel of a river, stream, watercourse, or other similar body of water that has been or may be susceptible to being inundated by floodwater. The floodplain includes the areas of special flood hazards (frequently flooded areas).

**Flood-Proofing.** A combination of structural and nonstructural additions, changes or adjustments to properties and structures which are subject to flooding, primarily for the reduction or elimination of flood damage to properties, water, sanitary facilities, structures, and contents of buildings in the flood hazard area.

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

**Floor Area.** The area of all floors, finish wall-to-finish wall, included in surrounding walls of a building.

**Floor Area, Gross.** The total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls and including halls, stairways, elevator shafts at each floor level, service mechanical equipment rooms, habitable basement or attic areas, and structured (not surface) areas for vehicle parking and loading.

**Floor Area Ratio (FAR).** A mathematical expression determined by dividing the total floor area of a building by the total area of the lot. It is determined by dividing the total gross floor area of all the buildings on a lot by the area of that lot, excluding public easements and right-of-ways, landscaped areas required under the requirements of this chapter and Chapter 20.740, Wetlands and Drainage Areas. For example, a floor area ratio of 2 to 1 (or 2:1) means that there are 2 square feet of gross floor area for every 1 square foot of lot area.

**Frequently Flooded Areas.** Areas of special flood hazards.

**Front.** Each side of a lot abutting a public street except state or federally designated highways.

**Frontage.** That portion of a parcel of property that abuts a dedicated public street, highway or approved private street, from property line to property line.

**Fronting Street.** Shall mean a public or private road providing for vehicular access to the boundary of a parcel of real property being proposed for development.

**Full-time Employee.** A person other than an independent contractor scheduled to be employed on a continuous basis for fifty-two weeks a year for an average of thirty-five hours or more per week.

**Full-time Equivalent (FTE).** The equivalent number of full-time students attending a post secondary school such as a trade school, college or university.

**Fully Complete.** Regarding land use applications, the determination by the Review Authority that the application and associated documentation contain sufficient information and detail to reach a final decision; such determination shall not be interpreted to mean that the application meets applicable standards.

**Functionally Disabled.** With respect to a person who has a physical or mental impairment which substantially limits one or more of such person's major life activities; has a record of having such an impairment, or being regarded as having such an impairment. Such term does not include current, illegal use of or addiction to a controlled substance.

**Functions or Functions and Values of Fish and Wildlife Habitat Conservation Areas.** Functions or functions and values are the beneficial roles served by Fish and Wildlife Habitat Conservation Areas. Fish and Wildlife Habitat Conservation Areas provide habitat for breeding, rearing, foraging, protection and escape, migration, and over-wintering. Fish and Wildlife Habitat Conservation Areas affect the quality of habitat by providing complexity of physical structure, supporting biological diversity, regulating stormwater runoff and infiltration, removing pollutants from water, and maintaining appropriate temperatures.

**Functions or Functions and Values of Wetlands.** Functions or functions and values are the beneficial roles served by wetlands. Wetlands improve water quality, maintain watershed hydrology (for example, by providing base stream flow during dry periods and controlling flooding), and provide habitat.

**Garage, Private.** A paved, covered, and enclosed motor vehicle parking space with a locking door, either attached or detached from the living unit. An accessory building or an enclosed accessory portion of the main building designed and/or used for shelter or storage of vehicles, boats and/or other vehicles owned or operated by the occupants of the main building.

**Garage, Public.** A structure or portion thereof other than a private or community garage used for the storage of self-propelled vehicles or trailers. Any garage, other than a private garage, open to use by members of the public.

**Geographic Barrier.** A natural or constructed land form or feature such as, but not limited to: a promontory, a ravine, a large or fast-moving body of water or a dike.

**Geologic Hazard Areas.** Geologic hazard areas include landslide, seismic, and erosion hazard areas designated pursuant to VMC 20.740.130(A).

**Grab Sample.** Regarding solid waste regulations, a single sample which is taken from a waste stream without regard to the flow in the waste stream and without consideration of time.

**Grade.** As defined in the City Adopted Building Code(s).

**Grading.** Any excavation, filling or combination thereof.

**Grading Permit.** The permit required under Chapter 70 of the City Adopted Building Code(s).

**Gross Floor Area.** Means the same as floor area.

**Gross Leasable Area (GLA).** The total floor area designed for both tenant occupancy and exclusive use. This includes both owned and leased areas.

**Ground-disturbing Action or Activity.** Any development, construction, or related operation which could alter the site, including but not limited to: tree or tree stump removal, road or building construction or grading.

**Group Living.** Living facilities for groups of unrelated individuals that include at least one person residing on the site who is responsible for supervising, managing, monitoring and/or providing care, training or treatment or residents

**Guest House Dwelling.** A detached accessory building designed, constructed and used for the purpose of providing temporary living accommodations for guest, or for members of the same household as that occupying the main structure, and containing no kitchen or kitchen facilities.

**Guyed Tower.** Any wireless communication support, using guy wires which are permanently anchored.

**Habitable Floor Area.** The total heated floor area in a structure devoted to living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and other similar areas are not counted as habitable floor area.

**Habitats of Local Importance.** Fish and Wildlife Habitat Conservation Areas which are not designated as Priority Habitats and Species by the Washington Department of Fish and Wildlife but are designated as locally significant by the city.

**Hard surface.** Hard surface is an impervious surface, a permeable pavement, or a vegetated roof.

**Hazardous Material.** Any product, substance, commodity or waste in liquid, solid or gaseous form that exhibits a characteristic that presents a risk to water resources. Risk may be due to ignitability, toxicity, reactivity, instability, corrosivity, or persistence. This definition extends to all “dangerous wastes” and “hazardous substances” that are defined in WAC 173-303 (State Dangerous Waste Regulations). It also includes the chemicals and/or substances that are defined in the Federal Emergency Planning and Community Right to Know Act (EPCRA) and/or the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

**Hazardous Waste.** Means all dangerous and extremely hazardous waste as defined in RCW 70.105.010 except for moderate risk waste.

**Hazardous Waste Storage.** The holding of dangerous waste for a temporary period as regulated by State Dangerous Waste Regulations, Chapter 173-303 WAC.

**Hazardous Waste Treatment.** The physical, chemical or biological processing of dangerous waste to make wastes non-dangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

**Hazardous Waste Treatment and Storage Facility, Off-Site.** The treatment and storage facilities that treat and store wastes from generators on properties other than those on which the off-site facilities are located.

**Hazardous Waste Treatment and Storage Facility, On-Site.** The treatment and storage facilities that treat and store wastes generated on the same geographically contiguous or bordering property.

**Headwaters.** Springs, lakes, ponds or wetlands that provide significant sources of water to a stream.

**Healthy soil.** Soil that is of good quality with the capacity to sustain plant, animal, and human life by providing nutrients, air and water space to infiltrate, pollutant absorption and filtering, and habitat.

**Heritage Tree.** A tree or group of trees designated as such by the city in Chapter 20.770 VMC, Tree Conservation.

**High-Intensity Land Use.** Land uses which are associated with high levels of human activity or substantial habitat impacts including Residential, Commercial, and Industrial zoning districts.

**Historic District.** A geographically definable area possessing a significant concentration, linkage or continuity of sites, buildings, structures or objects united by past events or aesthetically by plan or physical development.

**Home Occupation.** A use conducted entirely within a residential building, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and complies with the criteria established by 20.860 VMC Home Occupations.

**Homeowners Association.** A non-profit corporation or association operating under a recorded land agreement through which:

1. Each person owning or purchasing a lot in a planned unit or other described land area is automatically by such ownership or purchase a member; and
2. Each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common area and improvements.

**Household.** An individual, two or more persons related by blood or marriage, a group of two or more disabled residents protected under the Federal Fair Housing Amendment Act of 1988, adult family homes as defined under Washington State law, or a group living arrangement where six or fewer residents receive supportive services such as counseling, foster care, or medical supervision at the dwelling unit by resident or non-resident staff. Up to six residents not related by blood or marriage who live together in a single-family dwelling or in conjunction with any of the above individuals or groups, shall also be considered a household. For purposes of this definition, minors living with parent or legal guardian shall not be counted as part of the maximum number of residents.

**Hydric Soil.** Soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following the methods described in the Wetlands Delineation Manual defined in this chapter.

**Hydrogeomorphic (HGM) Classification.** System used to classify wetlands based on the position of the wetland in the landscape (geomorphic setting), the water source for the wetland, and the flow and fluctuation of the water once in the wetland.

**Hydrophytic Vegetation.** Macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the Wetlands Delineation Manual defined in this chapter.

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Vancouver Municipal Code **Chapter 20.150, Definitions, Section 20.150.040C, Meanings of Specific Words and Terms I through L**

**Impact.** The effect of an activity on designated critical areas, their buffers or sensitive resources.

**Impact Fee.** The fee levied as a condition of issuance of a building permit or development approval to support necessary public improvements affected by the development such as the transportation system, park acquisition and development, and schools.

**Impact, Indirect.** Impacts resulting from activities in the environs of a designated critical area, its buffer or a sensitive resource. Indirect impacts can result from construction activities nearby (e.g., producing sediment that enters a wetland or noise that disturbs a species listed under the Endangered Species Act). Other examples of indirect impacts include: changing the hydrology of an area such that it reduces water flow to a wetland or water body; introducing a barrier to wildlife movement through an area (such as a road or facility with bright night lighting); or reducing the size of a resource such that it can no longer perform the functions at its former level. The relationship of a designated critical area, buffer or sensitive resource to its surroundings must be considered in evaluating indirect impacts.

**Impact, Permanent.** Impacts that result in the permanent loss of a designated critical area, its buffer or a sensitive resource.

**Impact, Temporal.** The long-term effects of an activity or development where functions can be replaced eventually but cannot and do not achieve a similar functionality in a short period of time. For example, replacing the functions of song bird habitat in a tree canopy provided by a 50 year-old palustrine forested wetland, may take over 20 years to develop at the impact site.

**Impact, Temporary.** Short-term effects lasting for a limited time and where functions can be replaced in a relatively short period of time (about one year). For example, replacing the functions of habitat for small mammals or water quality for palustrine emergent (PEM) wetlands (those principally vegetated with grasses and forbs) may be done in one growing season if the disturbance is not severe.

**Impervious surface.** A hard non-vegetated surface area ~~which that~~ either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Examples Common impervious surfaces include, but are not limited to, structures, roof tops, walkways, patios, driveways, carports, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, haul roads and soil surface areas compacted by construction operations, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.

**Improvement.** Any permanent structure including building, paving, or infrastructure that becomes part of, placed upon, or is affixed to property.

**Infill Development.** Development that occurs on underutilized or challenged parcels.

**Infill Development Plan.** A plan that is required to be submitted with infill development which identifies the existing and proposed lot characteristics, including applicable standards and incentives.

**Infill Land Division.** The division of an infill parent parcel using some or all of the standards contained in the Infill Development Ordinance.

**Infill Parcels.** Parcels that meet the eligibility criteria of this chapter or those parcels created by the land division of an infill parent parcel through the application of the standards in the Infill Ordinance.

**Infill Parent Parcel.** Regarding Infill Development, the larger parcel of land from which infill parcels are divided.

**Ingress.** Access or entry.

**Inordinate Light Source.** Lighting source that is exceptionally bright or outside normal industry standards as found by the planning official.

**Integrated Pest Management.** A sustainable approach to managing pests by combining biological, cultural, physical, and chemical tools in a way that minimizes economic, health, and environmental risks.

**Intermittent stream.** Surface streams with no observable flow during 30 consecutive calendar days in a normal water year.

**Junkyard/Salvage Yard.** A place where waste, discarded, or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, or handled, including auto wrecking yards, house wrecking yards, used lumber yards, and places where such uses are conducted entirely within a completely enclosed building, but not including pawn shops or establishments for the sale, purchase, or storage of used furniture and household equipment, used cars in operable condition, or salvaged materials incidental to manufacturing operations.

**Kennel.** Shall mean any premises on which four or more dogs older than 5 months are kept, excluding veterinary clinics, animal hospitals, and dog daycare facilities.

**Kitchen.** Any room or rooms, or portion thereof, used or intended to be used for cooking or the preparation of food.

**Land-disturbing activity.** Regarding erosion control regulations, any activity that results in a change in the existing soil cover (both vegetative and non-vegetative) or existing soil topography. Land-disturbing activities include, but are not limited to, demolition, reconstruction, construction, clearing, grading, filling, and excavation.

**Land Form Alteration.** Any man-made change to improved or unimproved property including, but not limited to, the addition of buildings or other structures; mining; quarrying; dredging; filling; grading; earthwork construction; stockpiling of rock, sand, dirt or gravel or other earth material; paving; excavation or drilling operations located within the area of special flood hazard.

**Landscaping.** To beautify or improve a section of ground by contouring the land and planting flowers, shrubs or trees. Landscaping may also include non-vegetative improvements such as courtyards, fountains, pedestrian walkways, plazas, and medians.

**Lattice Tower.** A wireless communications support structure, which consists of a network of vertical and horizontal supports and crossed metal braces, forming a tower that is usually triangular or square in cross-section.

**Ldn.** Annual Average Day/Night Sound Level. The "Ldn, Day/Night Sound Level," in decibels, is the 24-hour logarithmic average sound level, from midnight to midnight, obtained after adding 10 decibels to sound levels in the night from midnight to 7:00 a.m., and from 10:00 p.m. to midnight (0000 to 0700, and 2200 to 2400 hours), and then logarithmically averaged day-to-day over a 12-month period.

**Legal Owner.** The owner of record, as shown by the records of Clark County.

**Livestock.** Any horse, beef or dairy cattle, sheep, goat, llama, alpaca, mule, jack, jenny, burro, domesticated hare, rabbit, emu, ostrich, poultry or similar animal.

**Load Space or Loading Area.** An off-street space or berth on the same lot or parcel with a building or use, or contiguous to a group of buildings or uses, for the temporary parking of a vehicle which is loading or unloading, merchandise or materials.

**Local Public Facility.** A land use designed to serve the needs of the local neighborhood or community affected by the impact(s) of development. Local Public Facilities include, but are not limited to: elementary, middle, and high schools; fire stations; police stations; parks; and transit facilities. Local Public Facilities shall not include land use(s) of regional or community-wide significance, such as airports, colleges, hospitals, regional parks or community centers.

**Logo.** A group of letters, typically stylized, or symbols that represent a word, group of words or business name.

**Lot Area.** The computed area contained within the lot lines; said area to be exclusive of street or alley rights-of-way or access easements, Bonneville Power Administration (BPA) easements, water detention/retention ponds, wetlands and wetland buffers which are delineated and recorded on plats and short plats.

**Lot, Corner.** A lot abutting upon two or more streets at their intersection, or upon two parts of the same street; such street or parts of the same street forming an interior angle of less than 135° within the lot lines.

**Lot Coverage.** That percentage of the total lot area covered by structures, including all projections except eaves, balconies, bay windows, or uncovered deck 42 inches or less above grade.

**Lot Depth.** The average distance measured from the front lot line to the rear lot line. In the case of a corner lot, the depth shall be the length of its longest side lot line.

**Lot, Estate.** A lot in a subdivision that contains a house and outbuildings constructed prior to the subdivision. The estate lot cannot be larger than one acre in area, and is exempt from the minimum density requirements of any residential district.

**Lot, Flag.** A lot generally in the shape of a flag where access is typically by a narrow, private right-of-way or driveway.

**Lot, Interior.** A lot or parcels of land other than a corner lot.

**Lot, Legal.** A parcel of land used or which is capable of being used under the regulations of this title, lawfully created as such in accordance with the subdivision laws or ordinances in effect at the time of its creation.

**Lot Line.** Any line bounding a lot as herein defined.



**Lot Line, Front.** The property line abutting a street or the edge of a private street, or primary access. For corner lots the front line is that with the narrowest frontage. When the lot line abutting a street is curved, the front lot line is the chord or straight line connecting the ends of the curve. For a flag lot, the front lot line is the shortest lot line adjoining the pole portion of the lot, excluding the unbuildable portion of the pole.

**Lot Line, Rear.** A lot line not abutting a street that is opposite and most distant from the front lot line.

**Lot Line, Side.** Any lot line that is not a front or a rear lot line.

**Lot of Record.** A lot shown on the records of the County Auditor at the time of the passage of an ordinance or regulation establishing the zoning district in which the lot is located.

**Lot Size, Minimum.** The area determined to be the minimum average lot size for each underlying zoning district prior to application of any lot size reduction allowed.

**Lot, Through.** Lot having front and rear frontage on two streets and/or highways. Lots with rear alley frontage shall not be considered through lots.

**Lot Width.** The horizontal distance between the side lot lines measured within the lot boundaries or the average horizontal distance measured halfway between the front and rear setback lines.

**Lowest Floor.** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosed area below the base flood elevation, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of VMC 20.740.120(C)(8)(c), (10)(d), or (11)(e).

**Low-Income Housing.** Housing for which the monthly housing expense is no greater than thirty percent of eighty percent of the median family income adjusted for family size for Clark County, Washington, as reported by the United States Department of Housing and Urban Development. For multi-family housing, this definition shall apply only to the number of units within such housing development as are required to comply with this limitation on monthly housing expense.

**Low-Intensity Land Use.** Land uses which are associated with low levels of human activity or low habitat impacts, including Open Space Greenway: Lettuce Fields and Vancouver Lake Lowlands and Open Space Natural zoning districts.

**Low Impact Development (LID).** Low impact development is a stormwater and land management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

**Low Impact Development Best Management Practices (BMPs).** Low impact development best management practices are distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, vegetated roofs, minimum excavation foundations, and water re-use.

**Low Impact Development Principles.** Low impact development principles are land management strategies that emphasize conservation, use of onsite natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff.

**Low Noise Impact.** Interior noise levels of Ldn 45 or less, considered for the purposes of Chapter 20.520 VMC, Noise Impact Overlay District, as acceptable for residential purposes.

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Vancouver Municipal Code **Chapter 20.150, Definitions, Section 20.150.040D, Meanings of Specific Words and Terms M through P**

**Main.** See Water Main.

**Maintain.** To allow to continue in existence. When the context indicates, the word shall mean to preserve and care for a structure, or to improve in condition an area to such an extent that it remains attractive, safe, and presentable and carries out the purpose for which it was installed, constructed or required.

**Major Thoroughfare.** The principal, minor, collector arterials, and State highways, as shown on the Arterial Street Plan adopted in compliance with Chapter 35.77 RCW.

**Management Plan.** A plan detailing how operations and maintenance activities subject to the provisions of VMC 20.740 will be performed.

**Manufacture.** Includes production, processing, assembling, packaging or treatment of semi-finished or finished products from raw materials or previously prepared materials or components.

**Manufactured Home, Designated** – means a manufactured home constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes. Conforms to federal Manufactured Home Construction and Safety Standards (HUD Code – “Red Label”) rather than to the Building Code (“Gold Label”) requirements.

**Manufactured Home, Mobile** – Means a structure transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. (Generally built before June 15, 1976). "Mobile manufactured homes" are not "recreational vehicles".

**Manufactured Home, Modular** – Means any home built in modules at a factory. Modular homes conform to all state and local building codes. Modules are transported on truck beds, and then joined together at the site. They are inspected by local officials. (Regulated under the IBC standards – State Building Code).

**Manufactured Home, New** – means any manufactured home required to be titled under Title 46 RCW, which was not titled to retail purchaser before July 1, 2005, and was not a “used mobile home” as defined in RCW 82.45.032. (Regulated under the HUD construction and safety standards).

**Manufactured Home Development.** An existing site containing spaces with required improvements and utilities that are leased for the long-term placement of manufactured homes. This term shall also include "mobile home parks" as that term is used in other titled of the Vancouver Municipal Code (VMC).

**Manufactured Home Subdivision.** An existing subdivision created for the placement of manufactured homes on individual lots.

**Marquee.** A roofed structure attached to and supported by the building and projecting over public property.

**Master Plan.** A comprehensive, long-range site plan for a development project. The project may be located on a single parcel or on several contiguous parcels which are owned by one or more parties working cooperatively and collectively, and is usually implemented in phases.

**Meandering Sidewalks.** Those sidewalks separated by a non-uniform planting strip from the back of the curb.

**Micro Facility.** Regarding wireless communication facilities, a single antenna, or group of antennae, co-located on an existing tower, building or other appurtenance that is small in size and visually unobtrusive.

**Mitigation.** Mitigation is a six-step sequencing process used to reduce the severity of effects from activities that potentially affect sensitive resources:

- a. Avoiding the impact altogether by not taking a certain action or parts of an action;
- b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
- c. Rectifying the impact by repairing, rehabilitating or restoring the affected environment;
- d. Reducing or eliminating the impact over time by preservation, and maintenance operations during the life of the action;
- e. Compensating for the impact by replacing, enhancing or providing substitute resources or environments; and/or
- f. Monitoring the impact and taking appropriate corrective measures.

**Mitigation, Compensatory.** Compensation for potential impacts to functions and values of critical areas (including fish and wildlife habitat, frequently flooded areas, geologic hazard areas, and wetlands) and their buffers.

**Mixed-Use Development.** The development of a tract of land, building or structure with a variety of complementary and integrated uses, such as, but not limited to, residential, office, manufacturing, retail, public or entertainment, in a compact urban form.

**Mixed-Use Structure.** A single structure containing at least two complementary, integrated, or mutually-supporting uses (such as housing, offices, manufacturing, retail, public service, or entertainment). The structure must achieve physical and functional integration within itself.

**Moderate-Intensity Land Use.** Land uses which are associated with moderate levels of human activity or substantial habitat impacts including Open Space Parks and Open Space Greenways: General zoning districts.

**Mode.** Refers to the means of transportation used by employees, including single-occupant vehicle, carpool, vanpool, transit, bicycle, and walking.

**Monopole Tower.** A wireless communications support structure, consisting of a single pole to support antennae and connecting appurtenances.

**National Register of Historic Places.** The national listing of properties significant to the nation's cultural history because of their documented importance to history, architectural history, engineering or cultural heritage.

**Naturally occurring ponds.** Ponds less than twenty acres and their submerged aquatic beds that provide fish or wildlife habitat, including those artificial ponds intentionally created from dry areas in order to mitigate impacts to ponds. Naturally occurring ponds do not include ponds deliberately designed and created from dry sites, such as canals, detention facilities, wastewater treatment facilities, farm ponds, temporary construction ponds, and landscape amenities, unless such artificial ponds were intentionally created for mitigation.

**Native.** Native plants are those species on the City of Vancouver's Native Plant Species list (available from the Planning Official).

**Native Vegetation.** Vegetation that encompasses both that occurring naturally and vegetation well adapted to current and anticipated environmental conditions in this region.

**Pervious Surface.** Pervious surface is a surface material that allows stormwater to infiltrate into the ground. Examples include lawn, landscape, pasture, native vegetation areas, and permeable pavements.

**New Construction.** For the purposes of VMC 20.740.120, Frequently Flooded Areas, "new construction" means structures for which the "start of construction" commenced on or after September 5, 2012.

**Noise Contour.** The graphic depiction of the spatial extent to which an average noise level affects the area surrounding a source of noise. The contour is a line depicting equal points of impact.

**Noise Contour, 65 Ldn.** The most current 65 Ldn Noise Contour, as annually updated by the Port of Portland for the Portland International Airport using the criteria and methodology adopted by the Federal Aviation Administration for the purpose of establishing noise contours as a part of airport planning, or as provided by other objective sources for noise generations other than the Portland International Airport.

**Noise, Environmental.** Shall mean the intensity, duration, and character of sounds from any land use, measured at the property line of the receiving property.

**Noise Impact.** The extent to which a level of noise interferes with the full utilization of land.

**Nonconforming, Legal.** A use of land, building, structure or use which lawfully existed at the time of the adoption of this title or of any amendment thereto, but which does not conform with the use or development regulations imposed by this title or such amendment thereto.

**Noncontributing.** A property which either does not date to the historic period or has not retained sufficient physical integrity so as to convey its historic character.

**Normal water year.** A twelve-month period (October 1-September 30) with average precipitation based upon data from the past 50 years.

**Noxious weeds.** Non-native plants which are destructive, competitive, and difficult to control as defined by the Washington State Noxious Weed Control Board.

**Nudity.** Regarding Adult Businesses, the showing of the human male or female genitals or pubic area, the showing of the female breast, with less than a fully opaque covering of any part of the nipple, or the showing of the covered male genitals in a discernibly turgid state.

**OAHP.** The Washington State Office of Archaeology and Historic Preservation.

**Obligate, facultative wet, and facultative.** Groupings of plants according to their frequency of occurrence in wetlands. Obligate wetland plants almost always (99% probability) occur in wetlands under natural conditions. Facultative wetland plants usually (67%-99% probability) occur in wetlands. Facultative plants are equally likely (34%-66% probability) to occur in wetlands or non-wetlands. Such groupings are more fully defined in the Wetlands Delineation Manual defined in this chapter.

**Obstruction.** Any dam, wall, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure or matter which is in, along, across or projecting into any channel, watercourse or regulatory flood hazard area; and which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water or which is placed where the flow of water might carry the same downstream to the damage of life or property.

**Occupant.** Any individual living or sleeping in a building or having possession of a building or space therein. Unless otherwise stated, occupant is synonymous with tenant.

**Occupancy Certificate.** A city certificate allowing the use of a building or structure after it has been determined that all the requirements of applicable ordinances have been met.

**Off-Site Impact.** A condition that creates, imposes, aggravates or leads to inadequate, impractical, unsafe or unhealthy conditions on a site proposed for development or on off-site property or facilities. This includes, but is not limited to, noise, glare, and odor.

**Off-Site Improvement.** Improvements required to be made off-site to address impacts identified from an application for development and including, but not limited to, road widening and upgrading, storm water facilities, and traffic system improvements.

**100-Year Flood.** The flood having a 1% chance of being equaled or exceeded in any given year. Also referred to as the "base flood."

**100-Year Flood Elevation.** The elevation that the 100-year flood is expected to reach. Also referred to as the "base flood elevation."

**Open Record Predecision Hearing.** An open record hearing as defined by 197-11-775 WAC, which is held before the Planning Commission or Hearings Examiner prior to the closed record approval hearing before the City Council.

**Ordinary high water mark.** That mark which is found by examining the bed and banks of a water body and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years that the soils and vegetation have a character distinct from that of the abutting upland area. Where the ordinary high water mark cannot be found, it shall be the line of mean high water in areas adjoining fresh water. [WAC 173-22-030(11)]

**Ordinary Repair and Maintenance.** The work for which a permit issued by the City of Vancouver is not required by law, and where the purpose and effect of such work is to correct any deterioration or decay of or damage to the real property or structure appurtenance therein and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay or damage.

**Original Parcel.** A lot, parcel or tract created in compliance with all regulations in effect at the time it was initially conveyed, that constitutes the basis for considering the appropriate provisions of this title for

platting or short platting; provided, that any lot, parcel or tract conveyed in its present configuration prior to December 18, 1978 (the passage of the short plat ordinance, M-1930) which complies with current zoning requirements, shall be conclusively presumed to have been lawfully created.

**Overlay Area.** A special geographic area designated in a capital facilities plan to be served by a system improvement, which area is not generally contiguous with an established service area. An overlay area may be local (i.e., covering only a portion of a single service area), regional (i.e., covering portions or all of several service areas), or county wide (i.e., covering both incorporated and unincorporated areas).

**Overlay Zone or District.** A designated area within a base zoning district for which specific land use regulations apply, in addition to the base zoning requirements.

**Owner.** The owner of record of real property as shown on the tax rolls of the County, or a person purchasing a piece of property under contract. For the purpose of this title, in terms of violations and binding agreements between the city and the owner, the owner shall also mean a leaseholder, tenant, or other person in possession or control of the premises or property at the time of agreement, violation of agreement, or the provisions of this title.

**Ownership Interest.** A property interest in an existing single-family residence under a recorded deed or under a contract of purchase, recorded mortgage, recorded deed of trust or recorded lease by which the applicant is responsible under penalty of forfeiture, foreclosure or default for payment of real property taxes and/or local improvement district assessments. The term shall also include a share ownership in a cooperative housing association, corporation or partnership if the applicant can establish that his or her share represents the specific unit or portion of such structure in which he or she resides.

**Painted Wall or Wall Graphic.** An advertisement painted directly on the wall of a building.

**Parking Area, Public.** An open area other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free of charge or as an accommodation for clients or customers.

**Parking Space.** A permanently surfaced and marked area not less than that specified in Chapter 20.945 VMC Parking and Loading, excluding paved area necessary for access, for the parking of a motor vehicle.

**Parking Storage.** A location where vehicles are placed or left for maintenance, repair, sale, rental or future use.

**Partition.** See subdivision.

**Party of Record.** A person or group who makes an appearance in a proceeding through the submission of either written or verbal evidence. Groups shall designate one person as a representative or contact.

**Pedestrian Area.** Any sidewalk, walking trail, courtyard, plaza or other area intended primarily for use by pedestrians.

**Perimeter.** The boundaries or borders of a lot, tract or parcel of land.

**Permitted Use.** Those uses allowed as a matter of right within certain zoning districts provided that such use is in accordance with requirements of the particular district and general conditions stated elsewhere in this title.

**Permittee.** The person who is proposing to use or who is using the land pursuant to any permit required herein.

**Person.** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all federal, state or local governmental entities.

**Person with Functional Disabilities.** A person who, because of a recognized chronic physical, mental condition or disease, is functionally disabled to the extent of:

1. needing care, supervision or monitoring to perform activities of daily living or instrumental activities of daily living;
2. needing supports to ameliorate or compensate for the effects of the functional disability so as to lead as independent a life as possible;
3. having a physical or mental impairment which substantially limits one or more of such person's major life activities;
4. having a record of having such an impairment;
5. being regarded as having such an impairment, but such term does not include current, illegal use of or active addiction to a controlled substance.

**Planned Action Ordinance.** The applicable city ordinance establishing the geographic boundaries, impact thresholds, and mitigation measures for the particular planned action subarea in which a planned action project is located.

**Planned Action Project or Development Application.** A project or application for a project which meets the criteria for designation as a planned action under the provisions of Section 43.21.031 RCW, Section 197-11-164 WAC, Section 20.790.630, and the particular planned action ordinance for the planned action subarea in which the project is located.

**Planned Action Subarea.** A specific geographic area, less extensive than the city's jurisdictional boundaries, for which a subarea plan under Chapter 36.70A RCW and an EIS under Chapter 43.21C RCW have been prepared and adopted to provide for prospective environmental review and comprehensive planning for future development.

**Planning Commission.** The Planning Commission of the City of Vancouver, Washington.

**Planning Official.** The city official within the Community and Economic Development Department charged with administratively approving land use permits or her/his designate.

**Planting strip.** The area from the back of curb and the front of sidewalk or the area in the raised median used for grass or approved landscaping plants.

**Plat.** A final map, diagram or written document containing all the descriptions, specifications, and provisions concerning a subdivision of land.



**Plat, Final.** The final drawing of the subdivision or short subdivision and dedication prepared for filing for record with the Clark County Auditor and containing all elements and requirements set forth in this title and in state law.

**Plat, Preliminary.** An orderly and approximate drawing to scale of either a proposed subdivision or short subdivision showing the general layout of streets and alleys, lots and blocks, and other required submittals which shall furnish a basis for the approval or disapproval.

**Poultry.** Domesticated fowl such as chickens, ducks, geese and similar, and all game birds which are legally held in captivity.

**Predetermination, Archaeological.** A procedure by which an archaeologist makes a determination of the probable existence (presence or absence) of an archaeological site in a disturbance area and a recommendation to proceed or not to proceed with an archaeological resource survey in compliance with the provisions of this chapter.

**Predominant.** Regarding Infill Development, the most frequently occurring residential design characteristic along both sides of the road frontage from intersection to intersection (or block face).

**Predictive Model.** The Predictive Model for Archaeological Resources developed in 1994 by Archaeological Investigations Northwest, Inc., (David V. Ellis and Douglas Wilson) for Clark County and the Heritage Trust of Clark County, including both its database and map and any subsequent revisions or amendments.

**Predictive Model Probability Level A.** Regarding archaeological preservation, those areas depicted as such on the Predictive Model map.

**Predictive Model Probability Level B.** Regarding archaeological preservation, those areas depicted as such on the Predictive Model map.

**Premises.** A lot or number of lots on which is situated a building or group of buildings designed as a unit, or on which a building or group of buildings are to be constructed.

**Preserved.** Leaving in the present condition.

**Primary.** The largest or most substantial use or element on the property, as in “primary” activity, residence, entrance, etc. All other similar elements are secondary in size or importance.

**Priority Habitats and Species.** Priority Habitats and Species are important fish and wildlife species and habitats as determined by the Washington State Department of Fish and Wildlife. Priority Habitats include habitats of state and federal listed species as well as other important species.

**Private Open Space.** The space included within a development for recreational use.

**Process Type.** Shall mean the process by which a land use decision is rendered.

**Process Type, Legislative.** A legislative action or decision is the making of law, as opposed to the application of existing law to a particular use, such as the adoption of or amendment to a comprehensive plan or development regulation.

**Process Type, Quasi-Judicial.** Refers to an action or decision that requires substantial discretion or judgment in applying the standards or criteria of this title, and usually involves a public hearing.

**Prohibited Use.** A use that is not permitted in a base zoning, overlay or plan district. Any use that is not specifically enumerated in this title as a permitted or conditional use or has not been determined by the planning official to be a legal non-conforming use.

**Project Area.** The portion of a site where development activity will take place.

**Project Improvements.** Project improvements shall mean site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project, and are not system improvements. No improvement or facility included in the capital facilities plan shall be considered a project improvement.

**Project Permit.** Any land use or environmental permit or approval for a proposed action which is subject to the procedural provisions of Chapter 20.210 VMC.

**Protected Area, Tree Root.** All land ~~within and surrounding the critical root zone of those trees to be preserved, where no construction activity, tree removal, vegetation removal, or soil compaction is allowed and includes the critical root zone of those trees to be preserved.~~

**Public Facilities.** Regarding the Public Facilities Master Plan Ordinance:

1. Governmental facilities such as civic centers; libraries; auditoriums; police, fire and other public safety facilities; public streets; parks, open space and recreational facilities; and water, sewer; and storm water treatment facilities;
2. Public transit facilities including airports, train stations and transit centers;
3. Publicly and privately-owned medical centers;
4. Public and private elementary, middle and high schools;
5. Public and private colleges and universities; and
6. Religious institutions.

**Public Improvement Plans.** The technical drawings of the design and proposed construction of such items as streets, water and sewer systems, drainage and erosion control systems, meeting the requirements established by the City of Vancouver, Washington.

**Public Place of Amusement, Public Amusement/Entertainment, and Public Entertainment.** An amusement, diversion, entertainment, show, performance, exhibition, display or like activity, for the use or benefit of a member or members of the public, or advertised for the use or benefit of a member or members of the public, held, conducted, operated or maintained for a profit, either direct or indirect.

Vancouver Municipal Code **Chapter 20.150, Definitions, Section 20.150.040E, Meanings of Specific Words and Terms Q through T**

**Qualified Professional.** A person with experience and training in the pertinent scientific discipline, and who is a qualified scientific expert with expertise appropriate for the relevant critical area subject in accordance with WAC 365-195-905(4).

A. Urban Forestry. Qualified professionals in urban forestry must have academic and field experience that makes them competent in urban forestry. This may include arborists certified by the International Society of Arboriculture or foresters certified by the Society of American Foresters. Qualified professionals in urban forestry must possess the ability to evaluate the health and hazard potential of existing trees, and the ability to prescribe appropriate measures necessary for the preservation of trees during land development.

B. Critical Areas. Qualified professionals in critical areas must have obtained a BS or BA or equivalent degree in biology, engineering, environmental studies, fisheries, geomorphology or a related field, and two years of related work experience. In addition:

1. A qualified professional for frequently flooded areas or a geologic hazard must be a registered professional engineer, geologist, engineering geologist or hydrogeologist licensed in the State of Washington with experience in the analyses required for the relevant hazard(s). For frequently flooded areas, a qualified professional may also be an architect where provided by state or federal law.

2. A qualified professional for wetlands must have a minimum of five years experience in wetland science including experience preparing wetland reports for review by regulatory agencies.

**Reasonably Funded.** A mitigation measure or other transportation system improvement scheduled for completion and designated as funded upon adoption of the most recent version of the Six-Year Street Plan.

**Recreational Vehicle.** A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Regional Industry.** An industrial or commercial land use which provides significant community-wide or regional economic benefit through the creation of new economic growth and employment opportunity.

**Regional Public Facility.** A land use which is designed to serve the needs of the community or region affected by the impact(s) of development. Regional Public Facilities include: airports, colleges, hospitals, regional parks or community centers.

**Regulatory Flood.** The flood used to define the outer boundary lines of the Flood Fringe. The 100-year flood will be the regulatory flood for the purposes of regulations contained in this title, but a lesser or greater flood limit may be set in any ordinance applying FF (Flood Fringe) or FW (Floodway) zoning to any land. The regulatory flood shall be based upon Flood Insurance Rate Maps (FIRMs) provided by the Federal Insurance Administration (FIA).

**Remodel.** An internal or external modification to an existing building or structure that does not increase the site coverage.

**Remove or Removal.** The act of removing a tree by digging up, cutting down or any act which causes a tree to die within a period of three years, significantly impacts its natural growing condition and/or results in diminished environmental benefits or a hazard tree; including but not limited to, damage inflicted on the root system by machinery, storage of material or soil compaction, changing the ground level in the area of the tree's root system, damage inflicted on the tree permitting infections or infestation, excessive pruning, paving with concrete, asphalt or other impervious material within the drip-line or any other action deemed harmful to the tree.

**Residential Care Home.** Any state or federally approved dwelling used as a residence for the care or rehabilitation of dependent children, the elderly, and the physically and/or mentally handicapped. Residential care homes shall provide care for six or fewer residents.

**Residential Care Center.** Any state or federally approved facility, other than a clinic, used as a residence for the care or rehabilitation of dependent children, the elderly, and the physically and/or mentally handicapped. Residential care centers shall provide care to seven or more residents.

**Restoration.** Measures taken to restore an altered or damaged natural feature including:

A. Active steps taken to restore damaged critical areas or their buffers to the functioning condition that existed prior to an unauthorized alteration; and

B. Actions performed to reestablish structural and functional characteristics of the critical area that have been lost by alteration, past management activities, or catastrophic events. See also wetland creation, re-establishment, and rehabilitation.

**Right-of-Way, Public.** The property held by the city or other governmental jurisdiction for existing and/or future public access including land occupied or intended to be occupied by a street, crosswalk, pedestrian and bike paths, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, street trees or other special use. The usage of the term right-of-way for land division purposes shall mean that every right-of-way hereafter established and shown on a plat or map is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.

**Riparian area.** The area adjacent to aquatic systems with flowing water (e.g., rivers, perennial or intermittent streams, seeps, springs) that contains elements of both aquatic and terrestrial ecosystems which mutually influence each other. Riparian areas are defined differently in and for the purposes of the Vancouver Shoreline Management Master Program.

**Riparian Management Area and Riparian Buffer.** The regulated areas that include the land from the ordinary high water mark to a specified distance as measured horizontally in each direction. The Riparian Management Area is adjacent to the lake, stream or river, and the Riparian Buffer is adjacent to the Riparian Management Area. See Figure 20.740-1 at VMC 20.740.110(A) or Figure 20.170.030-6 at VMC 20.170.030(I).

**Road.** Means the same as street.

**Roof.** The exterior surface and its supporting structure on the top of a building.

**Roof Line.** The uppermost line of the roof of a building or, in the case of an extended facade, the uppermost height of said facade.

**Runway.** A defined area at an airport designed and constructed to accommodate the landing and takeoff of aircraft along its length.

**Satellite Earth Station.** The facilities used for reception and processing of programming services from a satellite prior to transfer to terrestrial distribution systems or for processing of programming and services from a terrestrial source before transmission via satellite.

**School.** An institution primarily engaged in academic instruction for all or part of the K through 12 educational program, public, parochial or private, and recognized or approved as such by the state. A school may also include the following uses: common accessory uses such as associated meeting rooms, auditoriums, athletic facilities and support facilities related to school district operations (e.g., offices, kitchens, counseling centers, head start, childcare, adult education, and family support centers) except for transportation, warehouse/storage, and maintenance facilities.

**School, Pre.** An institution primarily in child training and academic instruction prior to the mandatory first grade.

**School, Specialized Instructional.** An institution providing instruction and training in a specific service, art, dance, driving, and music. Includes vocation or trade such as business, real estate, travel, auto machinery repair, welding, and skill center.

**Search Ring.** Regarding wireless communications facilities, a geographic area identified by the communications service provider as necessary within which to locate a wireless facility or to enhance or expand its service.

**Secure Community Transition Facility.** A residential facility for persons civilly committed and conditionally released from a total confinement facility, operated by the Secretary of Washington Social and Health Services or under contract with the secretary pursuant to RCW 71.09.020(10) as described in RCW 71.09.250 or as amended.

**Sensitive Areas.** For the purposes of Chapter 20.770 VMC Tree, [Vegetation and Soil](#) Conservation, this includes streams, geologically hazardous areas, fish and wildlife habitat areas, wetlands, and their associated buffers.

**Sensitive Resources.** Any of the following types of sensitive areas and resources or cultural resources, when properly identified, designated or recorded as such by the applicable local, state or federal regulations:

1. Known archaeological and historical sites (to be recorded with the state);
2. Fish and Wildlife Habitat Conservation Areas (as identified in VMC 20.740.110);
3. Frequently Flooded Areas (as identified in VMC 20.740.120);
4. Geological Hazard Areas (as identified in VMC 20.740.130);
5. Wetlands (as identified in VMC 20.740.140); and
6. Tree tracts, set aside for the preservation of tree groves, as defined in VMC 20.770 and approved by the city's Urban Forester; and

7. Riparian areas, as identified in the Vancouver Shoreline Management Master Program.

8. Natural soils and native vegetation preserved as part of a low impact development.

**SEPA.** State Environmental Policy Act, as amended.

**SEPA Rules.** Chapter 197-11 WAC, as adopted, revised, and amended by Ecology.

**Service Area.** A geographic area described in the city capital facilities plan in which a defined set of public facilities provides service to development within the area, provided, that the service area for schools shall be the applicable school district. Service areas may be separately described for each type of public facility.

**Serviceable.** For the purposes of 20.775 VMC, Wetland and Water Bodies Protection, *serviceable* means presently usable.

**Setback.** The minimum allowable horizontal distance from a given point or line of reference, such as a property line, to the nearest vertical wall or other element of a building or structure or edge of vehicle parking area as defined herein. Where a sidewalk or private roadway is placed in an easement, the setback shall be measured from the back of sidewalk or edge of easement if there is no sidewalk.

**Sexually-Oriented Adult Arcade and Sexually Oriented Adult Arcade Premises.** Any premises on which any sexually-oriented adult arcade device is located and to which patrons, customers, and/or members of the public are admitted.

**Sexually-Oriented Adult Arcade Device.** Also known as panorama, preview, picture arcade, or peep show, any device which, for payment of a fee, membership fee or other charge, is used to exhibit or display a picture, view, film, videotape or videodisc, live show or other graphic display of specified anatomical areas. All such devices are denominated under this ordinance by the term *sexually-oriented adult arcade device*.

**Sexually-Oriented Adult Entertainment.** Any entertainment conducted in a public place of amusement where such entertainment involves a person appearing or performing in a state of nudity, as defined herein.

**Sexually-Oriented Adult Entertainment Premises.** Any premises to which the public, patrons or members are invited or admitted and wherein an entertainer provides sexually-oriented adult entertainment on a regular basis and as a substantial part of the business operation.

**Shorelines of the State.** Shorelines as defined in the Shoreline Management Master Program.

**Short Plat.** A map or representation of a short subdivision.

**Sidewalk.** A facility made of concrete or other approved material for the conveyance of pedestrians usually adjacent to a street or between streets.

**Sign.** Any structure, device, advertisement, advertising device or visual representation intended to advertise, identify or communicate information to attract the attention of the public for any reason.

**Sign Area.** Means the entire area of a sign on which graphics, letters, figures, symbols, trademarks and/or text is to be placed, excluding sign structure, architectural embellishments and framework. Sign area is calculated by measuring the perimeter enclosing the extreme limits of the module or sign face containing the graphics, letters, figures, symbols, trademarks, and/or text; provided, however, the area of any sign using

individual letters, numbers or symbols with a canopy, awning or wall as the background, without added decoration or change in the canopy, awning or wall, shall be the area within the shortest line drawn to include all letters, design and tubing which are a part of the sign or structure. For illuminated awnings the area shall be limited to the area within the shortest line drawn to include all copy and graphics, excluding illuminated areas outside of these lines.

**Sign, Awning.** A sign attached to or incorporated into an awning.

**Sign, Billboard.** An outdoor advertising structure, 12 foot by 25 foot or larger, designed and constructed to carry posters.

**Sign, Business Complex.** A sign which is typically free-standing and is designed to identify multiple businesses in a business complex.

**Sign, Canopy.** A sign attached to or incorporated into a canopy.

**Sign, Commercial.** Any sign that advertises a product, service, entertainment or commodity sold or offered on the premises where it is located.

**Sign, Complex.** (Auto Dealership Plan District). A sign with the purpose of identifying the area and/or containing more than one manufacturers brand.

**Sign, Construction.** A temporary sign giving the name or names of principal contractors, architects, lending institutions, or other persons or firms responsible for construction on the site where the sign is located, together with other related information.

**Sign, Directional.** A sign designed and erected solely for the purpose of traffic or pedestrian direction, and which is placed on the property to which or on which the public is directed.

**Sign, Electronic Message Center (EMC).** Electronic message center (EMC) means an electrically activated sign whose message content, either in whole or in part, may be changed by means of electronic programming.

**Sign, Elevation.** Regarding sign regulations, the portion of any building exterior enclosing the applicant's place of business, measured horizontally by width of occupancy and vertically by height of occupancy on the street building frontage. In the case of a single-story building, vertical height of occupancy is measured to the eave or parapet line. For partial occupancy in a multi-story building, vertical height of occupancy is measured from floor line to floor line.

**Sign Face.** Means the portion of the sign on which the graphics, letters, figures, symbols, trademark or text is placed.

**Sign, Fascia.** A flat sign which projects less than one foot from the face or wall of the building, including parapet, upon which it is affixed, painted or attached, running parallel for its whole length to the face or wall of the building, and which does not extend beyond the horizontal width of such building.

**Sign, Flashing.** Any sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally-mounted intermittent light source. Time and temperature signs are excluded from this definition. For the purpose of this Title, EMC's (consistent with the standards of VMC Section 20.960.060 I and Section 20.960.070 I) shall not be considered flashing signs.

**Sign, Franchise.** (Auto Dealership Plan District). A sign that identifies the manufacturers brand and/or name.

**Sign, Free Standing. (Pole Signs and Monument Signs).** A sign that is not attached to a building and is erected on a frame connected to the ground. Pole signs and monument signs are specific types of freestanding signs. A freestanding sign does not include a portable sign.

**Sign Height.** The vertical distance measured from grade at the point of support to the top of the sign or the sign's structure.

**Sign Maintenance.** The repair or refurbishment of a sign, sign structure or any part of each.

**Sign, Marquee.** A sign attached to or incorporated into a marquee.

**Sign, Messages Without a Cabinet, Area of.** The area of any single geometric shape which encompasses all lettering and/or graphic message.

**Sign, Monument.** Means a sign and supporting structure which is attached to the ground and has similar top and bottom dimensions and is constructed as a solid structure or one which gives the appearance of a continuous and unbroken mass, with no separations between the sign and the base.

**Sign, Multi-faced.** A sign with more than one face. These types of signs shall be considered one (1) sign for the purpose of determining the number of signs allowed.

**Sign, NIT.** A measurement of brightness used to rate luminous displays. NIT is expressed in "candelas per square meter".

**Sign, Official.** Means the same as Public-Sector Sign.

**Sign, Off-Premises.** A third-party sign that advertises goods, products, services or facilities or directs persons to a location different from where the sign is installed.

**Sign, On-Premises.** A sign which carries only advertisement strictly incidental to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted, services rendered, goods sold or produced on the premises, name of the business, and name of the person, firm or corporation occupying the premises.

**Sign, Pole.** A sign that is supported permanently upon the ground by poles or braces and not attached to any building.

**Sign, Political Campaign.** Any temporary sign which displays the name and/or picture of an individual seeking election or appointment to a public office or which pertains to a forthcoming public election or referendum or which advocates political views or policies.

**Sign, Portable – Permanent.** Permanent portable signs shall be defined as “onsite” signs placed in the right of way along the business frontage and on the same side of the street of the building or establishment which it advertises. Permanent portable signs shall be meant for continuous display during the hours the business is open and shall have the primary purpose of identifying the business.



**Sign, Portable – Temporary.** Temporary portable signs shall be defined as “off-site” signs placed in the right of way advertising an approved business or use. Temporary portable signs shall be displayed during the hours the business is open and shall have the sole purpose of identifying the business or providing directions.

**Sign, Private Non-Commercial.** Any sign under 6 square feet that does not advertise a product, service, entertainment, or commodity sold or offered on the premises where it is located.

**Sign, Projecting.** Shall mean any sign other than a wall sign, which is attached to or projects 12 inches or more from a structure or building face or wall.

**Sign, Public-Sector.** Any sign erected by any federal, state, county or city governmental agency or at the direction of any such governmental agency or court.

**Sign, Public Service Information.** A sign that provides general public service information to the public such as time, date, temperature, weather or directional information.

**Sign, Reader Board.** A sign constructed for the placing of advertising messages, which messages are changeable by use of manually removable or electrically changeable letters.

**Sign, Rooftop.** A sign erected upon the roof of a building, the entire face of which is situated above the roof line of the building to which it is attached, and which is wholly or partially supported by said building.

**Sign, Rotating.** A sign, any portion of which moves or is movable by any mechanical manner.

**Sign, Secondary.** A second free-standing sign on a given frontage in excess of 300 linear feet.

**Sign, Sidewalk.** A portable sign, typically in the shape of an inverted V, with two sign boards attached to each other at the top of the sign; also known as a sandwich board or A-frame sign. Each board shall be considered a separate sign face for purposes of determining allowable area of sign.

**Sign, Temporary.** Any sign that is not permanently installed or affixed to any sign structure or building, and not displayed for longer than 30 consecutive calendar days. In the case of construction project signs, they may be maintained for the duration of construction.

**Sign, Time and Temperature.** Means the same as Public Service Information Sign.

**Sign, Vehicle.** Any sign attached to or placed on a parked vehicle or trailer used principally for advertising purposes, rather than transportation, but excluding signs relating to the sale, lease, or rental of the vehicle or trailer and excluding signs which identify a firm or its product on a vehicle operated during the normal course of business.

**Sign, Video.** A sign providing information in both a horizontal and vertical format (as opposed to linear), through use of pixel and sub-pixel technology having the capacity to create continuously changing sign copy in a full spectrum of colors and light intensities.

**Sign, Wall.** Means the same as Painted Wall or Wall Graphic.

**Sign, Window.** Any sign affixed to (or painted on) the inside or outside of a window and intended to be viewed from the exterior of the structure.

**Single Impact.** An individual incidence of noise, actually measured in decibels, which may be heard on a property and which may be greater or lesser than the Ldn value, which is derived from the logarithmic averaging of single impacts within a period of time.

**Significance.** A quality of a property which helps one understand the history of the local area, state or nation by illuminating the local, statewide or nationwide impact of the events or persons associated with the property or its architectural type or style in information potential. The local area may be as large as Clark County or Southwest Washington or as small as a neighborhood. Local significance may apply to a property that illustrates a theme that is important to one or more localities; state significance to a theme important to the history of the state; and national significance to property of exceptional value in representing or illustrating an important theme in the history of the nation.

**Single Room Occupancy (SRO).** Occupancy by a single individual of a unit that contains no sanitary facilities or food preparation facilities or contains either but not both types of facilities.

**Site.** Any plot or parcel of land or combination of contiguous lots or parcels of land.

**Six-Year Street Plan.** That portion of the city's Capital Facilities Plan which inventories planned street and road construction and improvement, and which designates such construction projects and improvements as funded or non-funded.

**Slope.** The deviation of a surface from horizontal, usually expressed in percent or degrees.

**SMA.** The State Shoreline Management Act of 1971, as amended.

**Soft Armoring Techniques.** Techniques that apply the principles of the biological, ecological, and soils sciences and structural engineering to build structures which, using live plant materials as a main structural component, stabilize the soil against erosion, sedimentation, and flooding. Also referred to as "bioengineering techniques."

**Sound Transmission Reduction.** Reduction of sound or noise from unit to unit utilizing the standards of the City Adopted Building Code(s).

**Special Provisions.** Street construction requirements peculiar to a special project that are not otherwise thoroughly or satisfactorily detailed and set forth in the standard specifications or standard plans.

**Special Valuation Tax Incentive Program.** The local option program that makes available to property owners a special tax valuation for rehabilitation of historic register properties under which the assessed value of an eligible historic property is determined at a rate that excludes, for up to ten years, the actual cost of the rehabilitation.

**Specified Anatomical Areas.** Regarding Adult Businesses, less than completely and opaquely covered: human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola; and human male genitals in a discernibly turgid state even if completely and opaquely covered.

**Specified Sexual Activities.** Regarding Adult Businesses, human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; and fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

**Standard Industrial Classification (SIC).** A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget. This system was replaced by the North American Industrial Classification System (NAICS).

**Start of Construction.** The start of permanent construction or substantial improvement activity on a site within 180 days of the issuance of a building permit. Permanent construction activities include the pouring of slab or footings, the installation of pilings, construction of columns or any work beyond site preparation, excavation, setting of temporary forms or the placement of accessory buildings; or the placement of a manufactured home on a foundation. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

**Stealth Design.** A wireless communications facility's support structure, antennae or accessory equipment structure that is designed to blend in with the existing physical environment, and reduce visual impacts to the extent possible.

**Storage, Open.** Storage of property outside of a fully enclosed building.

**Storage Space.** Sufficient space, either in individual dwelling units or common storage rooms, to provide adequate, secure, and convenient storage for items owned by building tenants.

**Stormwater.** Stormwater is that portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes and other features of a stormwater drainage system into a defined surface waterbody, or a constructed infiltration facility.

**Stormwater Conveyance.** Parts of a stormwater facility (such as pipes, culverts, swales, etc.) that are constructed specifically to transport water from one point to another. See Stormwater Facility.

**Stormwater Facility.** A constructed component of a stormwater drainage system, designed or constructed to perform a particular function or multiple functions. Stormwater facilities include, but are not limited to, pipes, swales, ditches, culverts, street gutters, detention ponds, retention ponds, constructed wetlands, infiltration devices, catch basins, oil/water separators, ~~and~~ biofiltration swales, bioretention, permeable pavements and vegetated roofs.

**Stormwater Manual.** Stormwater Manual means the Stormwater Management Manual for Western Washington, which is the 5-volume technical manual prepared by the Washington State Department of Ecology Water Quality Program, December 2014, Publication No. 14-10-055 (a revision of Publication No. 12-10-030), 5 volumes, and as hereafter amended.

**Stormwater Permit.** Stormwater Permit means the City of Vancouver's National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit issued August 1, 2013, and modified January 16, 2014 by the Washington State Department of Ecology.

**Story.** That portion of a building between the surface of any floor and the surface of the next floor above it; or, if there is no floor above it, the space between such floor and ceiling.

**Stream.** Water contained within a channel, either perennial or intermittent, and classified according to WAC 222-16-030 or WAC 222-16-031. Streams also include natural watercourses modified by humans. Streams do not include drainage ditches which are not modifications of natural watercourses.

**Street.** A private or public way designed primarily for vehicular traffic. It includes the terms *road, highway, avenue, boulevard, thoroughfare*, or other traffic way, and usually includes improvements, including curbs, sidewalks, and street pavement within the right-of-way.

**Street Frontage.** The linear frontage of a parcel of property abutting a single public street.

**Street Functional Classification System.** The adopted hierarchy of street use as it relates to volume, speed, regional, area-wide, and local characteristics.

**Street, Private.** A thoroughfare that is privately owned providing a means of access to a property or properties.

**Street, Public.** A thoroughfare or right-of-way dedicated, deeded, condemned or otherwise acquired by the public for use as such, other than an alley, which affords the principal means of access to abutting property including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare.

**Structure.** Anything constructed or built, any edifice, building of any kind or any piece of work artificially built-up or composed of parts joined together in some definite manner, which requires location on the ground or is attached to something having a location on the ground, including swimming pools, wading pools and covered patios, excepting outdoor areas such as paved areas, walks, tennis courts and similar recreation areas. For the purposes of VMC 20.740.120, Frequently Flooded Areas, a structure is a walled and roofed building, or a gas or liquid storage tank that is principally above ground.

**Subdivision.** The division or re-division of land into ten or more lots for the purpose of sale, lease or transfer of ownership. The term subdivision also applies to an area or tract of land that has been subdivided.

**Subdivision, Short.** The division, re-division or partition of land into nine or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership.

**Substantial Damage.** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

**Substantial Disturbance.** Disturbance such that little or no useful archaeological data could be obtained.

**Substantial Improvement.** Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either:

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred.

“Substantial improvement” is considered to occur at the start of construction. “Substantial improvement” does not include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

**Substantial Noise Impact.** Exterior noise levels greater than Ldn 65, which impact necessitates special sound insulation to produce noise levels of 45 Ldn or less within the interior of a residential structure.

**Survey, Archaeological.** Regarding archaeological resource protection, a procedure by which an archaeologist makes a determination of the presence or absence of an archaeological site in a disturbance area, a preliminary assessment of the site's potential significance, and a recommendation for further evaluation, avoidance, mitigation or recovery of resources in compliance with the provisions of 20.710 VMC.

**System Development Charge (SDC).** The connection fee charged so that the property upon which it is imposed will pay its equitable share of the costs of water-sewer system facilities which are system-wide in nature and are not site-specific needs, including such property's equitable share of the amount required to upgrade such system to meet the demands imposed by the development.

**System Improvements.** Public facilities that are included in the capital facilities plan and are designed to provide service areas within the community at large, in contrast to project improvements.

**Telecommuting.** The use of telephones, computers or other similar technology to permit an affected employee to work at home or at a location closer to home than the affected employer's principal worksite.

**Temporary.** A period not to exceed one year except as otherwise provided in this title.

**Tenant Improvements.** Construction improvements typically made to the interior of a non-residential building to fit the building to a particular tenant's needs, or to create separate tenant spaces. Typically it involves such things as adding or removing walls, ceilings and doors; re-wiring for electrical outlets and lighting; and providing plumbing, sprinklers, counters and walk-in coolers, often as part of a separate lease space in a building.

**Through-Ventilation.** The encouragement of natural cross-ventilation.

**Total Developable Land (TDL).** That portion of the subject property remaining once sensitive areas are subtracted from the total acreage of a property or collection of properties proposed for development.

**Tract.** A piece of land set aside in a separate area for dedication to the public, a homeowner's association, or other entity, (e.g., open space, recreational facilities, and tree preservation) wetland or other sensitive lands.

**Traffic Study.** A study of traffic behavior by a licensed engineer.

**Transit.** A multiple-occupant vehicle operated on a for-hire, shared-ride basis, including bus, ferry, rail, shared-ride taxi, shuttle bus or vanpool.

**Transit Facility.** A development provided by a public transportation provider, which is designed to aid or encourage community use or multi-modal public transportation system, such as bus and van/carpools.

**Transitional Surfaces.** An area extending outward at 90 degree angles to an airport's runway centerline at a slope of seven feet horizontally for each foot vertically.

**Transitional Zone.** The areas beneath the transitional surfaces.

**Transplant.** The relocation of a tree from one place to another on the same property.

**Tree.** Any self-supporting perennial woody plant that matures at a height greater than 26 feet and is generally referred to in the nursery and landscape industry as a tree.

**Tree Farm.** See Commercial Nursery.

**Tree, Hazard.** Any tree with a combination of structural defect and/or disease and a proximity to persons or property which makes it subject to a high probability of failure, as recommended by a qualified arborist.

**Tree, Mitigation.** A tree planted and retained to achieve the required tree density for a parcel or to replace a tree removed in violation of city ordinance.

**Tree, Nuisance.** A tree that is causing physical damage to property or has been damaged by past maintenance practices, and for which horticultural practices cannot correct the problem.

**Tree, Vegetation and Soil Plan.** A plan that contains specific information pertaining to the protection of healthy soil, and the preservation, and planting of trees and native vegetation pursuant to Chapter 20.770 VMC, Tree, Vegetation and Soil Conservation.

**Tree Preservation.** The retention of a tree or trees during and after construction.

**Tree, Specimen.** A tree that has been given greater than standard tree density value by the planning official through the evaluation process.

**Tree, Street.** A tree located within a street right-of-way or street tree easement, adjacent to public or private streets, including undeveloped areas.

**Tree Tract.** A separate deeded tract of land, specifically set aside for the preservation and/or planting of trees. Stormwater retention/detention facilities, sensitive areas, and other common areas may be considered tree tracts if they currently support the growth of trees.

**Tree Unit.** A unit of measurement based upon the size of the tree as set forth in Chapter 20.770 VMC, Tree, Vegetation and Soil Conservation.

**Tree, Vegetation and Soil Protection Area (TVSPA).** A separate tract of land, which may or may not be deeded as such, specifically set aside for the preservation of healthy soil and the preservation or planting of existing and/or native vegetation and trees. Stormwater retention/detention facilities, critical area buffers and other common areas may be considered TVSPA if they currently or are improved to an extent where they can support healthy soils and the growth of native vegetation and trees. The purpose of these areas for preserving healthy soils, preserving and/or planting native vegetation and trees is stated on the face of the plat when applicable.

**Tribe or Tribes.** Regarding Archaeological Preservation, any federally-recognized or other local Native American government organization which may consider the site to be of historic or cultural significance.

**Truck, Heavy.** Trucks, including truck tractors and similar vehicles, with two or more rear axles.

**Truck, Light.** Trucks and similar vehicles with single rear axles and single rear wheels.

**Truck, Medium.** Trucks and similar vehicles other than truck tractors with single rear axles and dual rear wheels. Truck tractors are in the Heavy Truck category.

Vancouver Municipal Code **Chapter 20.150, Definitions, Section 20.150.040F, Meanings of Specific Words and Terms U through Z**

**Undevelopable Area.** An area that cannot be used practicably for a habitable structure because of natural conditions, such as slopes exceeding 20%; severe topographic relief; water bodies; or conditions that isolate one portion of a property under another portion so that access is not practicable to the unbuildable portion. Undevelopable area also includes man-made conditions such as existing development restrictions that prohibit development of a given area of a lot by law or private agreement; or existence or absence of easements or access rights that prevent development of a given area.

**Undeveloped.** Regarding the Tree Conservation Ordinance, a parcel of land on which no buildings or other facilities are located and which is to remain without improvements for a period of six years.

**Uniform Plumbing Code.** The current version of the Uniform Plumbing Code as adopted by the City of Vancouver at the time construction commences.

**Urban Area.** For the purposes of 20.775 VMC, Wetlands and Water Bodies Protection, urban area means the area within the Vancouver urban growth boundary.

**Urban Forestry.** The art and science of planning, managing, and protecting natural and planted vegetation in urban areas.

**Urban Growth Boundary.** The boundary of an urban growth area designated in the Clark County Comprehensive Land Use Plan.

**Use.** An activity or purpose for which land or premises or a building thereon is designed, arranged or intended, or for which it is occupied or maintained, let or leased.

**Utility Facilities.** All physical facilities necessary for the provision of the following services:

1. Sewer;
2. Water;
3. Electricity;
4. Natural gas;
5. Telephone;
6. Cable television;

7. Storm drainage; and
8. Transportation.

**Utility Facilities, Essential.** Those facilities which are necessary to support principal development and involve only minor structures such as:

1. Overhead lines and poles;
2. Underground lines and pipes;
3. Transformers and regulator stations; and
4. Private, on-site facilities such as septic tanks and wells.

**Utility Facilities, Major.** Those facilities which have a substantial public impact, including but not limited to:

1. Administrative offices and operation centers;
2. Sewage treatment plants and lagoons;
3. Electric generation facilities including biomass and coal energy generating facilities; and
4. Essential public facilities as defined in Chapter 20.855 VMC, Essential Public Facilities.

**Utility Facilities, Minor.** Those facilities which have a local impact on surrounding properties and are necessary to provide essential services such as:

1. Transmission and distribution substations;
2. Pump stations;
3. Water towers and reservoirs;
4. Public wells;
5. Outfalls;
6. Telephone switching facilities;
7. Cable television receiver and transmission facilities, excluding wireless communications facilities as defined in Chapter 20.890 VMC Wireless Communications Facilities;
8. Catch basins, retention ponds and related facilities; and
9. Water treatment facilities.

**Variance.** An administrative or quasi-judicial decision to lessen or otherwise modify the requirements of the development code.



**Vehicle, Accessory Recreational.** A vehicle with or without motive power, which is designed for sport or recreational use or which is designed for human occupancy on an intermittent basis such as vacation trailers and fifth-wheel trailers. A camper is considered an accessory recreation vehicle when it is standing alone. A recreational vehicle also includes vehicles designed for off-road use:

1. Off-road vehicles;
2. Dune buggies; and
3. Recreational boats.

**Vehicle, Commercial.** Any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, or passengers for hire. (Per RCW 46.04.140)

**Vehicle, Featured Display (Auto Dealership Plan District).** Featured Vehicle Display is the "showcasing" of motor vehicles outdoors within the plan district.

**Vehicle, Motor.** Vehicles that have their own motive power and are used for the transportation of people or goods on streets. Motor vehicle includes motorcycles, passenger vehicles, trucks, and recreational vehicles with motive power.

**Vehicle, Passenger.** A motor vehicle designed to carry ten persons or fewer including the driver. Passenger vehicle also includes motor vehicles designed to carry ten persons or fewer that are constructed on a truck chassis or with special features for occasional use. Passenger vehicles include cars, minivans, passenger vans, and jeeps. Passenger vehicle is intended to cover the vehicles identified as passenger cars and multi-purpose passenger vehicles by the National Highway Traffic Safety Administration in Title 49 of the Code of Federal Regulations, Chapter V, Section 571.3. See also Recreational Vehicle and Truck.

**Vesting.** A legal right of applicants to have their development application reviewed under the regulations in effect as of a certain date when the application has met certain timing and completeness requirements. For example, an application determined by the Review Authority to be fully complete is vested under the regulations in effect at the time of such determination, regardless of subsequent changes to development regulations.

**Vesting, Contingent.** A legal right of applicants to have their fully complete development application, when submitted within 180 days of the pre-application conference, reviewed under the development regulations, not including fees, in effect at the time of the pre-application conference.

**Vision Clearance Triangle.** An area, typically triangular in shape adjacent to a driveway or at a property corner where two streets (or an alley and street) intersect, that must be maintained clear of visual obstructions to provide visibility to motorists and pedestrians.

**Visual Obstruction.** An obstruction of vision through landscaping, structure or device in those areas near intersections of roadways and motor vehicle access points where a clear field of vision is necessary for traffic safety.

**Walkway.** A facility for pedestrian use to or through a parcel for the general public which may or may not be adjacent to the street. Walkways may differ from sidewalks in standards, alignment, shape, location, construction materials, and overall installation.

**Washington Heritage Register.** The state listing of properties that are significant to the community, state or nation, but which do not meet the criteria of the National Register of Historic Places [Ord. 3243, 2 (part), 1996].

**Wastewater Facility.** In Chapter ~~20.990~~ 14.12.020 VMC, Water and Sewer Facilities, the City of Vancouver's industrial wastewater collection system and industrial wastewater pretreatment facility constructed in 1979, and sometimes known as the pretreatment lagoon.

**Water-dependent.** A use or portion of a use that requires direct contact with the water and cannot exist at a non-water location due to the intrinsic nature of its operations. Also see the Vancouver Shoreline Management Master Program.

**Water-enjoyment.** A use or activity which facilitates or provides public access to the shoreline, and through its location, design, and operation assures the public's ability to enjoy the physical and aesthetic qualities of the shoreline. A water-enjoyment use or activity must be open to the general public, and space within it must be devoted to fostering public enjoyment of the shoreline. Parks, piers, restaurants, trails, promenades, museums, aquariums, reserves, and resorts are examples of water-enjoyment uses and activities. Also see the Vancouver Shoreline Management Master Program.

**Water-related.** A use or activity which must be located close to the land/water interface to support a water-dependent use or activity either by its own operation or by the provision of the services it houses. The economic viability of a water-related use or activity is dependent on a location near the waterfront. Warehousing of goods transported by water, seafood processing plants, hydroelectric generating plants, and log storage are examples of water-related uses or activities. Also see the Vancouver Shoreline Management Master Program.

**Watershed.** A topographically delineated area draining to a single surface water system as identified and mapped by Clark County Public Works.

**Weekday.** Any day of the week except Saturday, Sunday, and legal holidays.

**Wetland.** An area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created (but not as mitigation for impacts to wetlands) from non-wetland sites, including, but not limited to irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities or those wetlands created after July 1990 that were unintentionally created as a result of the construction of a road, street or highway. Wetlands shall include those artificial wetlands intentionally created from non-wetland areas to mitigate conversion of wetlands.

**Wetland Buffer.** An area that surrounds and protects a wetland from adverse impacts to the functions and values of a regulated wetland.

**Wetland Creation.** The manipulation of the physical, chemical or biological characteristics present to develop a wetland on an upland or deepwater site where a biological wetland did not previously exist. Activities typically involve excavation of upland soils to elevations that will produce a wetland hydroperiod, hydric soils, and support the growth of hydrophytic plant species. Creation results in a gain in wetland acres and functions.

**Wetland Enhancement.** The manipulation of the physical, chemical or biological characteristics of a biological wetland to increase or improve specific functions or to change the growth stage or composition of the vegetation present. Enhancement is undertaken for specified purposes such as water quality improvement, flood water retention or wildlife habitat. Activities typically consist of planting vegetation, controlling non-native or invasive species, modifying site elevations to result in open water ponds or some combination of these. Enhancement results in a change in certain wetland functions and can lead to a decline in other wetland functions. It does not result in a gain in wetland acres.

**Wetland Re-establishment.** The manipulation of the physical, chemical or biological characteristics of a site with the goal of returning natural or historic functions to a former wetland. Activities could include removing fill material, plugging ditches or breaking drain tiles. Re-establishment results in a gain in wetland acres and functions.

**Wetland Rehabilitation.** The manipulation of the physical, chemical or biological characteristics of a site with the goal of repairing natural or historic functions, and processes of a degraded wetland. Activities could involve breaching a dike to reconnect wetlands to a floodplain, restoring tidal influence to a wetland or breaking drain tiles and plugging drainage ditches. Rehabilitation results in a gain in wetland functions but not in wetland acres.

**Wetland, Scrub-shrub.** A wetland with at least 30 percent of its surface area covered by woody vegetation less than 20 feet in height as the uppermost strata.

**Wetlands Delineation Manual.** The Washington State Wetland Identification and Delineation Manual (1997, or as revised by Ecology).

**Wind-firm.** A tree which has a high probability of withstanding windstorms.

**Wireless Communications Facilities.** The site, wireless communications support structures, antennae, accessory equipment structures, and appurtenances used to transmit, receive, distribute, provide or offer wireless telecommunications services. Wireless communications facilities include, but are not limited to, antennae, poles, towers, cables, wires, conduits, ducts, pedestals, vaults, buildings, electronic, and switching equipment.

**Wireless Communications Support Structures.** A structure erected to support wireless communications antennas and connecting appurtenances. Wireless communications support structures may include, but are not limited to lattice tower, monopoles, and guyed towers.

**Wireless Communications Systems.** The sending and receiving of radio frequency transmissions and the connection and/or relaying of these signals to land lines and other sending and receiving stations (cell sites), and including, but not limited to cellular radiotelephone, personal communications services (PCS), enhanced/specialized mobile radio (ESMR), commercial paging services, and any other technology which provides similar services.

**Writing, Written or In Writing.** These terms refer to original signed and dated documents. Facsimile (fax) transmissions are a temporary notice of action that must be followed via mail or delivery of the original and dated document.

**Yard.** Any open space on the same lot with a building or a dwelling group, which open space is unoccupied and unobstructed by any structure from the ground upward to the sky. Required setback areas shall be considered yards as defined herein.

**Yard, Front.** An open space defined by setbacks extending the full width of the lot between a setback line and the front lot line, unoccupied, and unobstructed from the ground upward, except as specified elsewhere in this title.

**Yard, Rear.** An open space defined by setbacks extending the full width of the lot between a setback line and the rear lot line, unoccupied, and unobstructed from the ground upward, except as specified elsewhere in this title.

**Yard, Side.** An open space defined by setbacks extending from the front yard to the rear yard between a setback line and the nearest side lot line, unoccupied, and unobstructed from the ground upward, except as specified elsewhere in this title.

**Yard, Street Side.** On corner lots where two streets intersect, an open space defined by setbacks extending from the front lot line to the rear lot line, along the side of the lot which fronts on a street and between the setback line and side street lot line, unoccupied, and unobstructed from the ground upward, except as specified in this title.

**Zoning District.** A geographic area which corresponds to a comprehensive plan designation and which specifies allowed and conditionally allowed uses and applicable standards for development within the district. Also referred to as Zone or District.

Vancouver Municipal Code **Chapter 20.210, Decision Making Procedures, Section 20.210.080, Pre-application Conference** shall be amended as follows:

**Section 20.210.080 Pre-application Conference.**

A. Purpose

1. To acquaint city and other agency staff with a sufficient level of detail about the proposed development to enable staff to advise the applicant of applicable approvals and requirements; and
2. To acquaint the applicant with the applicable requirements of the Vancouver Municipal Code and other laws and to identify issues and concerns in advance of a formal application to save the applicant time and expense through the process. However, the conference is not intended to provide an exhaustive review of all the potential issues. The pre-application conference does not prevent the city from applying all relevant laws to the application.
3. To inform applicable city recognized neighborhood associations of potential development activity within their neighborhoods.

B. Pre-application waivers.

1. A pre-application conference is required for all Type II, Type III and applicant-initiated Type IV applications, and certain Type I applications, unless waived by the planning official. Generally, the planning official may waive the pre-application conference only if he determines that the proposal is relatively simple (e.g., has few, if any, development-related issues), or it involves subsequent phases of an approved development where requirements are known, or an application is substantially similar to a prior proposal affecting substantially the same property, as determined by the planning official. Planning official shall notify affected Neighborhood Associations of proposed development application and copy of pre-application waiver letter. Pre-application conferences shall not be waived for infill developments, pursuant to Chapter 20.920 VMC.
2. To request a waiver of a pre-application conference, the applicant shall submit:
  - a. A completed pre-app waiver request form provided by the planning official;
  - b. A written narrative justifying the request for pre-application waiver; and
  - c. Required fee.

C. Information required for contingent vesting. To qualify for contingent vesting under Section 20.210.110 VMC, the applicant shall submit at a minimum the pre-application items listed in Sections 20.210.080(D)(1)-(6) VMC; provided, that an applicant shall not contingently vest unless the applicant submits all of the information required for the actual application within the timeframe set forth in Section 20.210.110 VMC. The planning official may modify requirements for pre-application materials and may conduct a pre-application conference with less than all of the required information. However, failure to provide all of the required information may prevent the planning official from identifying all applicable issues or providing the most effective pre-application conference and may preclude contingent vesting under Section 20.210.110 VMC. Review for completeness of the pre-application submittal will not be conducted by staff at the time of submittal and completeness is the responsibility of the applicant.

D. Application for a pre-application conference. To request a pre-application conference, an applicant shall submit the required fee, and 12 sets of the following information. The planning official may waive submittal requirements upon request if found to be inapplicable to the proposed development:

1. Completed and signed Pre-application Conference Request form provided by the planning official.
2. Folded and collated plans of the proposed development drawn to-scale, no larger than 24" x 36" and clearly marked with the following: project name; vicinity map; scale; north arrow; date; applicant's name, phone and fax numbers; contact person's name, phone and fax numbers.
3. A GIS packet obtained from Clark County's Department of Assessment and GIS department for all properties covered by the application.
4. A narrative description of the following:
  - a. Uses proposed for the site.
  - b. Hours of operation.
  - c. Estimated vehicular traffic to and from the site.
5. Preliminary architectural information. A brief narrative description of the following:
  - a. Gross square footage of each structure and outdoor activity center proposed to be built or retained on site.
  - b. Proposed and potential uses and occupancy group of each structure proposed to be built or retained on site.
  - c. Number of floors, building height, and construction type of each structure and outdoor activity area proposed to be built on site.
  - d. Conceptual plans showing at least the gross square footage of each structure proposed to be built or retained on site.
  - e. Conceptual elevation drawing of each structure proposed to be built or retained on site.
  - f. Show the dimensions and area of the project site.
6. Existing and Proposed on-site Structures and Improvements:
  - a. Identify use(s) of all existing and proposed structures.
  - b. Location, dimensions, and height of all existing and proposed buildings and structures.
  - c. Location and dimensions of existing and proposed recreation areas and open space.
  - d. Location of existing and proposed driveways, off-street parking and loading areas, bicycle parking, and pedestrian and bicycle pathways.
  - e. Location, dimensions, and screening of proposed solid waste/recyclables storage areas.

f. Existing or conceptual plan showing lighting and landscaping. Landscape plan should include location of driveways and buffering off-street parking and loading areas.

g. Location and dimensions of existing and proposed streets, rights-of-way and public and private access easements on and adjoining the site.

h. Location and dimensions of all existing and proposed above ground and below ground utilities.

7. Preliminary engineering information. Provide a conceptual drawing or sketch showing the following:

a. Approximate location of existing fire hydrants within a one-hundred foot (100') radius of the site.

b. Preliminary assessment of low impact development implications and Proposed method of providing storm-water drainage on the site as required in VMC 14.25.

c. Strategy narrative for proposed erosion control measures- as required in VMC 14.24.

d. Proposed grading activity for the site, indicating areas of native soil preservation, compaction prevention, and proposed cuts and fills.

E. Notice. Within 14 calendar days after receipt of an application for a pre-application conference, the planning official shall mail written notice to the applicant and to other interested agencies and parties, including the neighborhood association in whose area the property in question is situated. The notice shall state the date, time, location, and purpose of the pre-application conference.

F. Planning Official's role. The planning official shall coordinate the involvement of agency staff responsible for planning, development review, roads, drainage, parks and other subjects, as appropriate, in the pre-application conference process. Relevant staff shall attend the pre-application conference or shall take other steps to fulfill the purposes of the pre-application conference.

G. Scheduling. The pre-application conference shall be conducted at least five calendar days after the notice is mailed but not more than 28 calendar days after the planning official accepts the application for pre-application conference. The planning official shall reschedule the conference and give new notice if the applicant or applicant's representative cannot or does not attend the conference when scheduled.

H. Pre-application conference summary. The planning official shall provide to the applicant, other attending parties, and those who request a copy of the pre-application summary report in writing. The written summary generally shall do the following to the extent possible given the information provided by the applicant:

1. Summarize the proposed application(s);

2. Identify the relevant approval criteria and development standards in the Vancouver Municipal Code or other applicable law and exceptions, adjustments or other variations from applicable criteria or standards that may be necessary;

3. Evaluate submitted information the applicant offered to comply with the relevant criteria and standards, and identify specific additional information that is needed to respond to the relevant criteria and standards or is recommended to respond to other issues;

4. Identify applicable application fees in effect at the time, with a disclaimer that fees may change;

5. Identify information relevant to the application that may be in the possession of the city or other agencies of which the city is aware, such as:

a. Comprehensive plan map designation and zoning on and in the vicinity of the property subject to the application;

b. Physical development limitations, such as steep or unable slopes, wetlands, well-head protection areas or water bodies, that may exist on and in the vicinity of the property subject to the application;

c. Those public facilities that will serve the property subject to the application, including fire services, roads, storm drainage, and, if residential, parks and schools, and relevant service considerations, such as minimum access and fire-flow requirements or other minimum service levels and impact fees; and

d. Confirm the application submittal requirements and what submittal information is waived.

e. Where applicable, indicate whether the pre-application submittal was complete so as to trigger contingent vesting under Section 20.210.110 VMC.

I. Request for second conference. An applicant may submit a written request for a second pre-application conference within one calendar year after an initial pre-application conference. There is no additional fee for a second conference if the proposed development is substantially similar to the one reviewed in the first pre-application conference or if it reflects changes based on information received at the first pre-application conference. A request for a second pre-application conference shall be subject to the same procedure as the request for the initial pre-application conference.

J. Expiration. The pre-application comments from the city shall expire one year from the date the pre-application conference is held. A counter-complete application that the planning official finds is substantially similar to the subject of a pre-application conference must be submitted within one calendar year after the last pre-application conference or after approval of waiver of pre-application conference. Once the pre-application comments have expired the applicant must file a new request for a pre-application conference or receive approval of a pre-application waiver request in order to submit a development application.



Vancouver Municipal Code **Chapter 20.260, Planned Developments, Section 20.260.060, Development Standards** shall be amended as follows:

**Section 20.260.060 Development Standards.**

A. Minimum development size. There shall be no minimum site size for any type of planned development.

B. Applicability of base zone development standards. The provisions of the base zone are applicable as follows. When the zoning districts within the planned development have been shifted as permitted in Section 20.260.020 (C) VMC, the applicable development standards for the underlying zones shall shift accordingly.

1. Lot dimensional standards: The minimum lot depth and lot width standards shall not apply.

2. Lot coverage: The site coverage provisions of the base zone shall apply.

3. Setbacks

a. Front and rear yard setbacks for structures at the perimeter of the project shall be the same as required by the base zone except when an adjustment is approved, per Section 20.260.030(D).

b. The side yard setback provisions shall not apply except that all detached structures shall meet the City's adopted building code requirements for type of construction.

c. Front yard and rear yard setback requirements in the base zone setback shall not apply to structures on the interior of the project except that any garage facing a street shall be set back a minimum of 18 feet from the front or side street property line.

d. All other provisions of the base zone shall apply except as modified pursuant to this Chapter, except for maximum height for which a variance shall be sought, as governed by Chapter 20.290 VMC.

4. The Planning Commission or Hearings Examiner can reduce the minimum lot size requirement for attached single family residential uses in planned developments.

C. Common open space. In exchange for the approval of higher residential densities, smaller lots and relaxed development standards, the developer of a planned development is required to provide common open space for the active and passive recreational activities of residents, employees and visitors. Such space will be aggregated wherever feasible and shall consist of a combination of landscaped and paved (hard-scaped) areas. Such common open space shall include some combination of the following: plazas, arbors, sitting areas, picnic areas, playing fields and trails to accommodate a variety of active and passive activities and promote visual interest.

1. In planned developments, the following requirements shall apply.

a. At least 10% of the gross area of the site must be devoted to such open space. Such space must be fully accessible to the residents, employees, visitors and/or other users of the site. Reduction of this standard in PDs of two acres or more is prohibited. A reduction of this standard in PDs of less than two acres is subject to an adjustment per Section 20.260.030(D) VMC using approval criteria in Section 20.260.050(B) VMC.

b. Fenced yards associated with buildings immediately adjacent to designated open space and landscaping in parking lots shall not count toward the total requirement.

c. Environmentally-constrained land within the planned development, including wetlands, geologically hazardous areas, sensitive wildlife habitats, pursuant to Section 20.740 VMC or native

vegetation and healthy soil preservation pursuant to 20.770 VMC or stormwater facilities pursuant to Chapter ~~20.09~~ 14.25 VMC; may be used to meet up to 50% of the total requirement specified in Subsection (a) above, provided that these areas are not fenced and are either accessible to pedestrians to the extent practical or are visually accessible from adjacent and adjoining common open space.

2. The common open space designated to meet this requirement shall be permanently maintained by and conveyed to one of the following:

a. A homeowners' or property owners' association as regulated by State law.

b. A public agency that agrees to maintain the common open space and any buildings, structures or improvements placed within it.

3. The applicant may not seek a variance or adjustment to reduce the minimum open space requirement specified in Subsection (2)(a) above.

4. The open space created under this provision is not subject to the Park Impact Fee (PIF) credit unless so authorized by the Vancouver-Clark Parks Department.

#### D. Residential density

1. On-site density transfers. An applicant for a planned development may shift allowed residential densities around the site to protect and preserve critical or sensitive areas while providing the overall maximum density permitted by the underlying zoning district.

2. Density bonuses. An applicant for a planned development shall be entitled to an automatic residential density bonus of 5% above the maximum density allowed in the underlying base zone on the portions of the site devoted to housing.

Vancouver Municipal Code **Chapter 20.260, Planned Developments, Section 20.260.070, Concept Development Plan Submission Requirements** shall be amended as follows:

**Section 20.260.070 Concept Development Plan Submission Requirements.**

A. Existing conditions. An application for a planned development shall contain the following information related to existing conditions on the site, presented in narrative, tabular and/or graphic formats:

1. Vicinity map that identifies surrounding uses within 400 feet of the site boundary.
2. Zoning map that identifies base and overlay zoning designations for the site and surrounding properties uses within 400 feet of the site boundary.
3. Site description including the following information provided in narrative, tabular and/or graphic formats:
  - a. Topography and natural resources including 100-year flood plain; natural drainage patterns and courses; wetlands, rivers, springs, seeps, closed depression areas, and other water bodies; aquifer and wellhead protection areas; professional survey of existing vegetation and significant stands of trees and individual trees with a caliper greater than 6"; significant fish and wildlife habitat, and professional soils report including hydraulic conductivity, groundwater depths and natural geological hazards such as steep slopes greater than 15%, ~~and~~ unstable, impermeable or weak soils. Exhibit must include a site plan with no greater than five- (5) foot contours for slopes of 0– 10% and no greater than two-(2) feet for slopes greater than 10%.
  - b. Open space inventory including all natural and landscaped areas.
  - c. Inventory of cultural, historic and/or archaeological resources on the site, if any.
  - d. Existing buildings, if any, including use, location, size and date of construction.
  - e. Existing on-site pedestrian, bicycle and vehicular circulation system, if any.
  - f. Inventory of existing vehicular and bicycle parking spaces and location of surface and structured parking facilities, if any.
  - g. Location and size of all public and private utilities on the site including water, sanitary sewer, storm water retention/treatment facilities, and electrical, telephone and data transmission lines.
  - h. Location of all public and private easements.
  - i. A description of the type, design and characteristics of surrounding properties.
4. Detailed description of the transportation system within and adjacent to the site including:
  - a. Street classification of all internal and adjacent streets.
  - b. Transit service availability.
  - c. Baseline traffic impact study prepared by a licensed engineer to include information as required by the City's Traffic Engineer.
5. Analysis of existing infrastructure capacity on and in the vicinity of the site.

6. SEPA checklist.

7. Applicable review fees.

B. Planning history. Summary of all previous known land use cases affecting the applicant's property and a list of all outstanding conditions of approval that either have not been addressed in the past and/or that remain in force at the time of the application.

C. Proposed development plan.

1. Description of all proposed development within the planned development, presented in narrative, tabular and graphic formats:

a. Underlying zoning district boundaries. If these are shifted around the site as permitted by Section 20.260.020, the existing and proposed configuration of zoning districts shall be illustrated.

b. Description of the mix of uses, including number of units and/or total gross square feet devoted to each, and approximate location on the site.

c. All other site improvements including the approximate size and location of walls, barriers and fences; surface and structured parking facilities; bicycle parking facilities; on-site pedestrian, transit and vehicular circulation; transit stops and pedestrian/transit amenities; and open space and landscaped areas.

d. The conceptual location of new and/or expanded existing public and private infrastructure including water, sanitary sewer, stormwater management facilities; and electrical, telephone and data transmission lines. This includes wireless telecommunications facilities.

2. Phasing plan for implementation of the proposed development.

3. Summary of development intensity at full build-out including average floor area ratio and lot coverage.

4. Summary of transportation facilities including:

a. Traffic impact study prepared by a licensed engineer that describes traffic impacts associated with each phase of development and at full build-out of the project, and a plan for accommodating this traffic in compliance with Title 11. The specific content of the traffic impact study shall be determined by the City's Traffic Engineer.

b. Parking impact study describing the parking demand associated with each phase of the development and at full build-out of the project, and a mitigation plan for accommodating parking demand on the site.

c. Concurrent or proposed street vacations, with a description of potential parking and traffic/pedestrian impacts, if any, and appropriated measures to mitigate these impacts.

5. Plan for protecting designated environmental, historic/cultural and open space resources.

6. Design standards that will govern the orientation and design of buildings and other improvements include but are not limited to the following. Applicants for planned developments shall be encouraged to use building techniques and materials that result in projects that architecturally attractive, durable and energy-efficient.

a. Architecture, including design standards and building materials board(s), for buildings, fences, walls and other structures.

b. Landscaping, including design standards and standard plant list. Native plant materials are preferred.

c. Pedestrian circulation, including development standards, amenities and materials.

d. Bicycle parking facilities, including specifications.

e. Signs.

f. Lighting.

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Vancouver Municipal Code **Chapter 20.260, Planned Developments, Section 20.260.080, Detailed Development Plan Submission Requirements** shall be amended as follows:

**Section 20.260.080 Detailed Development Plan Submission Requirements.**

A. Submission requirements. At the time of construction of a project or phase of development that was approved as part of the concept development plan, the applicant shall submit the following documentation demonstrating that the proposed project or phase is in substantial compliance with that contained in the original approval by means of a site plan review, using procedures contained in 20.270 VMC. An application submitted for a detailed development shall include the following:

1. Detailed site plan.
2. Elevations of all buildings.
3. Landscape and tree, vegetation and soil plan.
4. Grading and erosion control plan.
5. Stormwater management plan including low impact development site analysis determining feasibility of using LID techniques.
6. Narrative documenting the following:
  - a. Compliance with all development and design standards in the base zone, as modified in the initial concept plan approval.
  - b. Compliance with all relevant conditions of approval.
  - c. Consistency with traffic, parking and infrastructure plans contained in the initial concept plan approval.

Vancouver Municipal Code **Chapter 20.270, Site Plan Review, Section 20.270.040, Submission requirements** shall be amended as follows:

A. General.

1. A completed application form provided by the Planning Official, and 10 copies of the information required.
2. Site Plan Review drawings shall be on sheets not larger than 24"x 36" unless approved otherwise by the Planning Official. Site plans shall be drawn at a scale of 1" equals 60' or larger, e.g., 1" equals 30'. Building elevations and floor plans shall be drawn at a scale of 1/4" or 1/8" equals 1'.
  - a. An existing conditions plan described in Subsection (B) below.
  - b. A site plan described in Subsection (C) below.
  - c. A preliminary stormwater and erosion control plan or plans described in Subsection (D) below.
  - d. Architectural plans and elevations described in Subsection (E) below.
  - e. A landscape plan described in Subsection (F) below.
  - f. 8 ½ x 11-inch reduced copies of all plans.
3. A site plan review application also shall include a narrative describing the development including uses proposed for the site, hours of operation, hours and frequency of deliveries, and construction schedule.
4. Payment of all applicable review fees.
5. Certified mailing list. Current Clark County Assessor map(s) showing the property(ies) within a 500' radius of the site, per the requirements in Chapter 20.210.050 and 20.210.060 VMC, Decision-Making Procedures, and two sets of mailing labels with the names and addresses of owners of all properties within the 500' radius. Such list shall be certified as accurate and complete by the Clark County Assessor, a title company. For non-owner occupied properties, provide mailing labels addressed to "occupant" as can be determined from available County Assessor records (two copies).

B. Existing conditions plan. An existing conditions plan shall include the following information:

6. The approximate location of significant natural conditions, such as
  - a. ~~The 100-year floodplain.~~
  - b. ~~The location of drainage patterns and drainage courses.~~
  - c. ~~Slopes in excess of 15%.~~
  - d. ~~Unstable ground, e.g., land subject to slumping, slides or movement.~~
  - e. ~~High seasonal water table or impermeable soils.~~
  - f. ~~Areas having severe soil erosion potential.~~
  - g. ~~Areas having severe weak foundation soils.~~
  - h. ~~Significant wildlife habitat or vegetation.~~
  - i. ~~Rock outcroppings.~~  
applicable.
  - j. ~~Information necessary to comply with Chapter 20.770 VMC, Tree Conservation, where applicable.~~

6. The location of natural conditions, such as:

a. Waterbodies, the 100-year floodplain, aquatic habitats, natural drainage courses, wetlands, springs, seeps, closed depression areas, groundwater elevations, aquifers and wellhead protection areas.

b. Geological hazard areas such as slopes in excess of 15%, unstable or weak soils, soils with high erosion potential, rock outcroppings, and areas of healthy native soils and hydraulic conductivity.

c. Existing vegetation including stands of trees and individual trees with a caliper greater than 6", additional information necessary to comply with VMC 20.770 Tree, Vegetation and Soil Conservation, and areas of wildlife habitat.

C. Proposed site development plan. The proposed site plan shall be drawn at the same scale as the existing conditions plan and shall include the following information:

1. The proposed site and its dimensions and area, orientation relative to north.
2. Abutting properties or, if abutting properties extend more than 100' from the site, the portion of abutting properties within 100' of the site, and the approximate location of structures and uses on abutting property or portion of the abutting property.
3. The location and dimensions of proposed development, including the following:
  - a. Streets and other rights-of-way and public or private access easements on and adjoining the site;
  - b. Vehicle, pedestrian and bicycle parking and circulation areas, including handicapped parking stalls and disembarking areas, accessible route of travel, proposed ramp and signage as required by WAC 51-40;
  - c. Loading and service areas;
  - d. Active or passive recreational or open space features;
  - e. Above-ground utilities;
  - f. Existing structures to be retained on the site and their distance from property lines;
  - g. Proposed structures on the site, including signs, fences, etc., and their distance from property lines;
  - h. The location and type of proposed outdoor lighting and existing lighting to be retained; and
  - i. The size and location of solid waste and recyclables storage areas.
4. Summary table which includes parcel zone, total site area, gross floor area by use, (i.e., manufacturing, office, retail, storage), itemized number of full size, compact and handicapped parking stalls and the collective total number, total lot coverage proposed, including residential density calculations.

D. Grading, Erosion Prevention and Stormwater and erosion control plans. ~~The application shall include stormwater and erosion control plans consistent with Title 14 of the Vancouver Municipal Code.~~

1. Grading Plan indicating areas of soil protection and compaction prevention,
2. Erosion Prevention measures as required in VMC 14.24, and
3. Stormwater Site Plan as required in VMC 14.25. including identification of areas and types of vegetation preserved as part of low impact development plan



- E. Architectural plans and elevations. The following architectural plans and elevations shall be provided:
1. Floor plans showing at least the gross square footage of each structure and outdoor activity area proposed on the site, including existing structures and outdoor activity areas to be retained.
  2. A description of the proposed and potential uses of each structure or portions of a structure and each outdoor activity area.
  3. Typical elevation drawing of each structure.
  4. Identify locations of walls, exits and openings.
- F. Landscape plan. The landscape plan shall be drawn at the same scale as the existing conditions plan, or a larger scale if necessary. ~~Where proposed development affects only a portion of a site, the landscape plan need show only the areas where existing soil contours and vegetation will be disturbed by the construction or use, or other areas where landscaping is required.~~ A landscape plan shall show the following:
1. The location, species and size, i.e., diameter and/or height, of existing landscape material, identifying the material to be removed and to be retained;
  2. The location, species, size at planting and spacing of proposed plant materials;
  3. The proposed landscape area of the site (i.e., in terms of square feet and a percentage of the net site area);
  4. The location, height and material of fences, buffers, berms, walls and other proposed screening;
  5. The location and dimensions or area of terraces, decks, shelters, play areas and open spaces;
  6. Surface water management features that are integrated with landscape, recreation or open space areas including stormwater facility planting plans and areas of vegetation preserved as part of a low impact development plan; and
- G. Tree, ~~Vegetation and Soil~~ Plan. As required by 20.770 VMC Tree, Vegetation and Soil Conservation. Tree plan may be combined with the landscape plan.
- H. Sign plan. Sign drawings are optional. If submitted, sign drawings shall be reviewed for compliance with Chapter 20.960 VMC Signs.
- I. Other. Other information shall be provided as needed to show the development complies with other applicable standards and with conditions of approval of related SEPA determinations and land use actions and permits.
- J. Fees payable. Applicable fees as specified in Table 20.180-1, Planning Fees, shall be paid at the time of application for Site Plan Review.

Vancouver Municipal Code **Chapter 20.320, Subdivisions, Section 20.320.030, Preliminary Plat Application Requirements** shall be amended as follows:

**Section 20.320.030 Preliminary Plat Application Requirements.**

A. Application. The applicant shall provide one original and eight copies of the application for a preliminary plat of a short subdivision or subdivision consisting of the following information:

1. Subdivision or short subdivision name that must be other than the name of an existing subdivision, addition or plat recorded in Clark County Washington.
2. Name, mailing address, and telephone number of the owner and/or developer;
3. Name, mailing address, telephone number, and signature of person preparing the application
4. Date;
5. Location, including ¼ of ¼ section, section, township, range and, as applicable, donation land claim and/or subdivision;
6. Total parcel area in acres and square feet;
7. Comprehensive Plan and zoning designations;
8. Existing and proposed land uses;
9. Number and size of residential, commercial and industrial lots;
10. Names of all utility purveyors;
11. Signatures of all property owners; and
12. Fee, as governed by Chapter 20.180 VMC.

B. Preliminary plat information. The applicant shall provide one original and eight copies of the following information. Drawings shall be on sheets not larger than 24" X 36". Preliminary plats shall be drawn at a scale of 1" = 50' or larger. Plans for the preliminary plat will not be accepted if they are not collated and folded.

1. Existing conditions plan. The preliminary plat application shall include the following information on one or more to-scale drawings:

1. Existing conditions plan. The preliminary plat application shall include the following information on one or more to-scale drawings:

- a. A vicinity map showing streets and access points, pedestrian and bicycle pathways, transit stops and utility locations within a 500' radius of the site;
- b. The site size, dimensions and orientation relative to true north;
- c. Remaining easements

d. The location, name and dimensions of public and private streets adjoining the site, identifying whether the streets are public or private;

e. Location, dimension, and purpose of existing easements;

f. The location of existing structures and other improvements on the site, including buildings, driveways, parking, loading, pedestrian and bicycle paths, passive or active recreational facilities or open space and utilities;

g. Elevation of the site at 2' contour intervals for grades 0% to 10% and at 5' contour intervals for grades more than 10%;

h. ~~The approximate location of natural conditions such as: of significant natural conditions including:~~

1. ~~The 100-year flood plain; Waterbodies, the 100-year floodplain, aquatic habitats, natural drainage courses, wetlands, springs, seeps, closed depression areas, groundwater elevations, aquifers and wellhead protection areas;~~

2. ~~The location of drainage patterns and drainage courses; Geological hazard areas such as slopes in excess of 15%, unstable or weak soils, soils with high erosion potential, rock outcroppings, and areas of healthy native soils and hydraulic conductivity;~~

3. ~~Unstable ground (lands subject to slumping, slides or movement); Existing vegetation including stands of trees and individual trees with a caliper greater than 6", additional information necessary to comply with VMC 20.770 Tree, Vegetation and Soil Conservation, and areas of wildlife habitat;~~

4. High seasonal water table or impermeable soils;

5. Areas having severe soil erosion potential;

6. Areas having severe weak foundation soils;

7. Significant wildlife habitat or vegetation;

8. Slopes in excess of fifteen percent (15%);

2. Preliminary plat. The proposed preliminary plat shall include the following information presented on one or more drawings. Plans shall be on sheets not larger than 24" x 36". Preliminary plats shall be drawn at a scale of 1" = 50' or larger. Other scales may be used with the approval of the Planning Official. Plans for the preliminary plat will not be accepted if they are not collated and folded.

a. The proposed site and its dimensions and area.

b. Proposed lots, tracts and easements including dimensions individual lot areas and total acreage.

c. Abutting properties or, if abutting properties extend more than 100' from the site, the portion of abutting properties within 100' of the site, and the approximate location of structures and uses on abutting property or portion of the abutting property.

d. The location and dimensions of development, including but not limited to the following:

1. Streets and other rights-of-way and public or private access easements on and adjoining the site;
2. Vehicle, and bicycle parking and pedestrian bicycle and vehicular circulation areas;
3. Loading and service areas;
4. Active or passive recreational or open space features;
5. All utilities;
6. Existing structures to be retained on the site and their distance from proposed property lines;
7. Proposed structures on the site, including signs and fences, and their distance from property lines if known at time of land division;
8. The location and type of proposed outdoor lighting and existing lighting to be retained if known at time of land division.; and
9. Boundary delineation of any wetlands including required buffers and shoreline setback lines if applicable

3. Narrative. A Preliminary plat application shall include the following:

- a. A comprehensive narrative addressing how the development complies with the technical standards in Section 20.320.080 VMC; other applicable standards of this Title and the policies of the Comprehensive Plan outlined by staff as being applicable to the proposed development
- b. Description of the uses proposed for the site;
- c. Phasing plan, if applicable;
- d. Construction schedule;
- e. Any variances requested pursuant to the regulations in Chapter 20.290 VMC;
- f. Existing covenants or restrictions and easements, if applicable; and
- g. History of any previous subdivisions and short subdivisions of the property.

4. Supplementary information. One original and eight copies, collated and folded, of the following supplemental information shall also be submitted unless otherwise indicated in parentheses:

- a. Environmental checklist that complies with Chapter 20.790 VMC, SEPA Regulations, ~~if~~ applicable;

- b. Legal description;
- c. Reproducible copies of all plans identified in 8 1/2 x 11” format;
- d. Assessor's map(s) showing all properties within 1,000’ of the plat boundary;
- e. Results of any completed percolation tests, if applicable (four copies);
- f. 1 copy of the proposed plat map, reduced to fit on either 8-1/2” X 11” or 11” X 17” paper;
- g. Geotechnical/soils survey (four copies), if applicable;
- h. Tree, vegetation and soil plan that complies with the requirements of Chapter 20.770 VMC, Tree, Vegetation and Soil Conservation;
- i. Preliminary grading, erosion prevention and stormwater plans, ~~stormwater and erosion control plans as governed by Chapters 14.09 VMC, Stormwater Control, Chapter 14.24 VMC, Erosion Control (four copies), and VMC 11.80.045 City Street Drainage;~~
  - 1. Grading Plan indicating areas of soil protection and compaction prevention,
  - 2. Erosion Prevention measures as required in VMC 14.24, and
  - 3. Stormwater Site Plan as required in VMC 14.25.
- j. Archaeological Pre-Determination Report, if applicable, that complies with the requirements of Chapter 20.710 VMC, Archaeological Resource Protection (four copies);
- k. Sales history. A deed history of all applicable properties dating back to 1969 or to the date when a legal lot determination was made (one copy);
- l. Clark County Health Department Review Evaluation Form or copy of application to the Clark County Health Department (four copies);
- m. Pre-application conference notes; and
- n. Certified mailing list. Current Clark County Assessor map(s) showing the property(ies) within a 500’ radius of the site, per the requirements in Chapter 20.210.050 and 20.210.060 VMC, Decision-Making Procedures, and two sets of mailing labels with the names and addresses of owners of all properties within the 500’ radius. Such list shall be certified as accurate and complete by the Clark County Assessor, a title company. For non-owner occupied properties, provide mailing labels addressed to “occupant” as can be determined from available County Assessor records (two copies).
- o. Request for Certificate of Concurrency or Certificate of Concurrency Survey and applicable traffic studies.

Vancouver Municipal Code **Chapter 20.320, Subdivisions, Section 20.320.050, Final Plat Application** shall be amended as follows:

**Section 20.320.050 Final Plat Application.**

A. Final plat application. Applications for final plat approval of a short subdivision or subdivision shall be filed with the Planning Official. Note that Tier I and Tier II and Tier I, II and III submittal requirements may be filed concurrently.

B. Fees, materials and reproduction. The applicant shall submit the requisite fee, a completed application form and five collated and folded paper copies of the information required below. Plans for final plat will not be accepted if they are not collated and folded. Include one reduced 8 ½" x 11" copy of all plans.

C. Tier I minimum submittal requirements for final plat subdivision. An application form shall be provided by the Planning Official, and shall contain the following Tier I submittal requirements:

1. Mathematical lot closure calculations for each lot prepared by a surveyor licensed in the State of Washington

2. Boundary survey prepared by a surveyor licensed in the State of Washington which shows dimensions, orientation of all boundary lines and indicating all property corners;

3. Incorporation of all plat notes from decision;

4. Drafting and indexing requirements:

a. 21" x 30" sheet;

b. North arrow indicated;

c. Scale noted and shown graphically;

d. Letter height must not be less than .08";

e. Heavy dashed line around the exterior boundary;

f. Legend;

g. Approved Street names;

h. Lot, block, street right-of-way, street dedication and centerline dimensions.

5. Title block on right or lower edge. The Title block shall appear on all sheets with the name of the business/owner with the firm and/or surveyor and telephone number. Include sheet designation for multiple sheets.

a. Name, mailing address, and telephone number of owner and/or developer, and surveyor of the plat;

b. Date;

- c. Acreage;
  - d. Number of lots; and
  - e. Zoning designation.
6. Indexing information. Location, including ¼ of 1/4 section, section, township, range, and as applicable, donation land claim and/or subdivision.
7. Signature blocks.
- a. Director of Public Works.
  - b. Director of Community Development.
  - c. Mayor, for subdivisions only.
  - d. Clark County Health Department signature shall be required unless a letter from the Health Department is provided confirming completion of the Health Department's Development Review Process.
  - e. County Assessor.
  - f. Surveyor's certificate with license number, signature, date and seal.
  - g. County Auditor.
8. Special requirements
- a. Identification of areas to be dedicated or reserved (rights-of-way, open space tracts, wetlands, etc);
  - b. Special setbacks;
  - c. Private easements and streets;
  - d. Utility easements;
  - e. Any conditions that need to be recorded with the plat denoted on the face of the plat, as indicated in the Planning Official' s or Hearing Examiner' s Final Order and Decision;
  - f. ~~Roof downspout infiltration system (i.e. to street or individual system) with infiltration rate-~~  
Public and private stormwater management facilities;
  - g. Identification of responsible party for maintenance of stormwater facilities;
  - h. Access restrictions;
  - i. Corner lot driveway locations;
  - j. Parking restrictions.

9. Survey information
  - a. Monument-setting;
  - b. Site dimensions; and
  - c. General information including property corners, lot areas, dimensions and bearings of all property lines and areas of right of way dedication.

DRAFT



Vancouver Municipal Code **Chapter 20.320, Subdivisions, Section 20.320.070, Technical Standards** shall be amended as follows:

**Section 20.320.070 Technical Standards.**

A. Subdivision Layout and Required Improvements

1. Principles of acceptability. The short subdivision or subdivision shall conform to the Comprehensive Plan. The short subdivision or subdivision shall conform to the requirements of the state law and to the standards established by this Title.

a. Street improvement standards. All proposed streets and street improvements shall comply with the provisions of Title 11 and approved transportation standards details on file with the Public Works Department.

b. Blocks. The length, width and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated; consideration of the needs for convenient access, circulation, control, safety of motor vehicular, bicycle and pedestrian traffic and recognition of limitations and opportunities of topography.

c. Blocks shall not exceed 1,300' in length between street lines, except blocks adjacent to arterial streets or unless a previous adjacent layout or topographical conditions justify variation. The recommended minimum distance between intersections of arterial streets is 1,800'. Minimum length of a block shall not be less than 180'.

d. Easements

1. Utility lines. Easements for sewers, drainage, water lines, electric lines or other public use utilities shall be provided. The size and location of the easement shall be reviewed and approved by the appropriate utility provider.

2. Watercourses. If a subdivision is traversed by a watercourse, such as a drainageway, channel or stream, there shall be provided a stormwater easement for the width of the watercourse plus 15' on each side of the watercourse. Streets or parkways parallel to a major watercourse may be required.

3. Pedestrian/bicycle ways in and through residential subdivisions. In blocks over 800' in length, a pedestrian/bicycle way with a minimum width of 16' shall be required through the middle of the block when required by the Transportation Manager for public convenience and safety; 12' of the 16' corridor shall be paved in a durable material. If unusual conditions require blocks longer than 1,200' in length, two pedestrian/bicycle ways shall be required. When required by the Transportation Manager for public convenience and safety, pedestrian ways shall be required to connect cul-de-sacs or to pass through unusually shaped lots.

e. Flag lots. Flag lots may be permitted, provided that the minimum width of the flag stem be 15' for a single lot and 20' for a shared flag access, and it is in compliance with fire access standards contained in VMC 16.04.150. No more than four lots may be accessed from a single flag stem. A private maintenance agreement shall be recorded for driveways which serve more than one lot.

f. Lot side lines. Side lines, as far as practical, shall run at right angles to the street on which the lot faces.

g. Lot frontage. With the exception of flag lots, all lots shall abut on a public or private street with a minimum frontage of not less than 20' .

h. Lot depth and setbacks. Lots fronting or accessing on primary or secondary arterials shall be avoided when possible. If lots front on arterials, the lots shall have an average minimum depth of 100' .

i. Parks and playgrounds. The Review Authority shall see that appropriate provision is made for parks and playgrounds to serve the proposed subdivision.

j. Narrow Lot Land Divisions. Land divisions which contain one or more residential lots having a width or less than 40 feet shall meet the development standards of VMC 20.927.040.

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

2. Procedure for installation. In addition to other requirements, improvements installed by the developer of the short subdivision or subdivision, either as a requirement of these regulations or at his own option, shall conform to the requirements of this Title and improvement standards, specifications, inspections and procedures as set forth by the city and administered by the Department of Public Works and Community and Economic Development Department, and shall be installed in accordance with the following procedures:

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

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

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

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

e. A plan showing all improvements "as built" shall be filed with the Development Review Services upon the completion of the improvements.

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

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

2. Half-width roads. In situations where the property being developed does not permit full-width public streets, half roads having a minimum right-of-way or easement and roadway improvement width of 1/2 of the design width may be permitted when placed adjacent to adjoining property so long as there is no physical obstruction or development constraint prohibiting the completion of the street on such adjoining property; provided, that public street half-width shall be a minimum of 20' wide. Public half-width streets serving six or more parcels shall be required to dedicate additional right-of-way as necessary to provide for a minimum of 1' of right-of-way beyond the edge of the sidewalk. Further, additional right-of-way or easement may be required between the edge of the roadway and the property line for construction clearance, slopes or other features. Half-width public streets shall serve a maximum of 200 ADT. If the number of trips generated is greater than 200 ADT, the street shall be widened to full-width standards. Parking shall be prohibited along any half-width street and necessary signs and pavement markings shall be the responsibility of the developer.

3. Bench marks. Elevation bench marks shall be established within the subdivision with elevations to U.S. Geological Survey datum.

4. Surface drainage ~~and storm sewer systems. Drainage facilities~~ shall be provided within the subdivision or short subdivision ~~to connect the short subdivision or subdivision drainage to drainage ways or storm sewers outside the short subdivision or subdivision.~~ The design of the drainage system within the short subdivision or subdivision shall be in accordance with the standards set forth by ~~the City of Vancouver~~ VMC 14.25, as administered by the Department of Public Works.

5. Erosion control and stormwater quality ~~facilities~~ shall be provided within the short subdivision or subdivision to enhance stormwater runoff and protect existing and future drainage facilities. The design of the erosion control and stormwater quality system shall be in accordance with the standards set forth by the city, pursuant to ~~Title 14~~ VMC 14.24 and 14.25, as administered by the Department of Public Works.

6. Sanitary sewers. Sanitary sewers shall be installed to serve the short subdivision or subdivision and to connect the short subdivision or subdivision to existing mains. In the event that it is impractical to connect the short subdivision or subdivision to the city trunk sewer system, the Review Authority may authorize the use of septic tanks if the lot area is adequate, taking into consideration the physical characteristics of the area determined by the County Health Department.

7. Water system. Water lines with valves and fire hydrants serving the short subdivision or subdivision and connecting the subdivision or short subdivision to the city mains shall be installed according to specifications of the city, pursuant to Title 14 VMC, Water and Sewer Facilities, as administered by the Department of Public Works.

8. Sidewalks. Sidewalks shall be installed along both sides of each street within and/or adjacent to the short subdivision or subdivision, unless exempted by approval of a Roadway Modification, by the Review Authority and along pedestrian ways of the short subdivision or subdivision. Sidewalks shall be installed according to the specifications of the city, pursuant to Title ~~14-11~~ VMC, Streets and Sidewalks, as administered by the Department of Public Works.

9. Street trees. Street trees shall be planted along both sides of each street within the short subdivision or subdivision and along any portion of the short subdivision or subdivision that fronts upon an existing street. Street trees shall be planted 30' on-center and be of a species approved by the city Planning Official.

10. Other. When special conditions are encountered in the plans for improvements such as fill section requiring the placement of guardrails, ditches requiring drainage appurtenances, or other

protection against erosion such as slopes requiring use of sod and/or seeding, such improvements shall be considered as an integral part of the improvement construction. Such special improvements shall be approved by the Director of Public Works or Transportation Manager prior to commencement of construction.

g. Conditions of agreements

1. Subdivisions. Before the City Council approval is certified on the plat of a subdivision, the developer shall either install required improvements and repair any damage to the existing streets or other facilities damaged due to the development of a the subdivision, or at the city's discretion execute and file with the City Clerk an agreement between herself/himself and the city specifying a period not to exceed two years in which the required improvements and repairs shall be completed and providing that if work is not completed within the period specified, the city may complete the work and recover the full cost and expense from the subdivider.

2. Short subdivisions. Before the Planning Official's approval is certified on the plat of a short subdivision, the developer shall either install the required improvements and repair any damage to the existing streets or other facilities damaged due to the development of a the short subdivision, or at the city's discretion execute and file with the City Clerk an agreement between himself and the city specifying a period not to exceed two years in which required improvements and repairs shall be completed and providing that if work is not completed within the period specified, the city may complete the work and recover the full cost and expense from the developer of the short subdivision.

3. Escrow or other form of security acceptable to the city required – Public Improvements. The city may accept from the developer of any short subdivision or subdivision, in lieu of completion and acceptance of certain approved required public improvements prior to approval of a final plat, an escrow agreement or other form of security acceptable to the city which secures and provides for the actual construction and installation of the improvements of the conditions of plat approval and subject to the following:

a. Use of escrow or other form of security acceptable to the city in lieu of completion and acceptance of such required private improvements shall include:

1. Approved public transportation system improvements, including sidewalks and streetlights, provided emergency access improvements are constructed on-site as needed;
2. Approved water system improvements;
3. Approved sanitary sewer improvements;
4. Approved public stormwater collection and management facilities; and
5. Approved landscaping and street trees, including installation and maintenance costs.

b. The developer shall submit a written request and the appropriate forms to the Development Review Services, and the Director of Public Works, or designee, for review, which shall include the following information:

1. A scheduled unit cost breakdown for project work to be completed presented as Exhibit "A", an agreement will not be accepted without an approved unit cost breakdown for the project.
2. The executed escrow agreement in a form approved by the city.

3. Any other documents deemed necessary by the city.

4. Applicable processing fee.

c. Upon approval of an escrow or other form of security acceptable to the city, recording of the final plat is allowed, provided all other conditions to be met prior to final plat approval have been satisfied.

4. Escrow or other form of security acceptable to the city required – Private Improvements. The city may accept from the developer of any subdivision or short subdivision, in lieu of completion and acceptance of certain approved required private improvements prior to approval of a final plat, an escrow agreement or other form of security, acceptable to the city, which secures and provides for the actual construction and installation of the private improvements or the performance of the conditions of agreement for plat and subject to the following:

a. Use of escrow or other form of security acceptable to the city in lieu of completion and acceptance of such required private improvements shall be limited to:

1. Approved private transportation system improvements, including sidewalks and streetlights, provided emergency access improvements are constructed on-site as needed;

2. Approved private stormwater collection and management facilities;

3. Approved landscaping and trees to meet minimum on-site tree density, including installation and maintenance costs.

b. The developer shall submit a written request along with the appropriate forms to the Planning Official for review.

c. Each escrow or other form of security acceptable to the city request shall include the following:

1. A scheduled cost breakdown for project work to be completed presented as Exhibit “A”, an escrow agreement shall not be accepted without an approved unit cost breakdown for the remaining improvements.

2. A draft escrow agreement in a form provided by the city.

3. An irrevocable license signed by the owner of subject property to run with the property which provides the city with the right to allow the employees, agents, or contractors of the city to go on access the subject property for the purpose of inspecting and, if necessary, doing completing the work or making the improvements covered by the escrow or other form of security acceptable to the city.

4. Any other documents deemed necessary by the city.

5. Applicable processing fee.

d. Upon approval of an escrow or other form of security acceptable by to the city, recording of the final plat is allowed, provided all other conditions required to be met prior to the final plat approval have been satisfied.

5. Amount of escrow or other form of security acceptable to the city. Such assurance of full and faithful performance shall be for a sum approved by the Planning Official as sufficient to cover the cost of the improvements and repairs, including related engineering and incidental expenses.

6. Failure to carry out agreement. In the event the developer of the short subdivision or subdivision fails to carry out provisions of the agreement and the city has un-reimbursed costs or expenses resulting from such failure, the escrow or other form of security acceptable to the city shall be forfeited and the money shall be paid to the city to defray its costs. If the amount of the escrow or other form of security acceptable to the city exceeds the cost and expense incurred by the city, the city shall release the remainder and if the amount of the escrow or other form of security acceptable to the city is less than the cost and expense incurred by the city, the subdivider shall be liable to the city for the difference.

7. Guarantee of workmanship and materials. It shall be required that a 110% maintenance bond or bonds be posted to guarantee all workmanship and material for a period of one year from the date of the acceptance of the improvements by the city. This is provided that in the judgment of the Director of Public Works any defects are not the result of public abuse, misuse or acts of God. City inspection does not give relief from the one-year guarantee on workmanship.

8. Release of escrow or security. Upon completion of required improvements, the subdivider shall request in writing that the Planning Official or Director of Public Works release all or a portion of the funds held in escrow. Such improvements shall be inspected and accepted as complete by the city prior to the release of any such escrow funds, or portion thereof.

B. Public improvements plan. Where public improvements are required, plans for such improvements shall be submitted to the Director of Public Works. Public improvements shall be designed by or under the direct supervision of a licensed professional civil engineer as required by statute, pursuant to 18.08, 18.43, and 18.96 RCW, and shall meet, as a minimum, the requirements of Section 20.320.080(A) VMC. The engineer shall certify the plans by seal and signature. Such certification shall contain the following: (1) subdivision name; (2) name, mailing address, and telephone number of engineer preparing the plan; and (3) date, including month and year. All public improvement plans shall be submitted for review and approval by the Director of Public Works.

C. Monument-setting. All monuments set in subdivisions shall be at least ½" X 24" steel bar or rod, or equivalent, with durable cap imprinted with the license number of the land surveyor setting the monument.

1. Centerline monument-setting After paving, except as provided in, Subsection (4) below, monuments shall be driven flush with the finished road surface at the following intersections:

- a. Street centerline intersections;
- b. Points of intersection of curves if placement falls within the paved area or otherwise, at the beginnings and endings of curves;
- c. Intersections of the plat boundaries and street centerlines.

2. Property line monument-setting. All front corners, rear corners, and beginnings and endings of curves shall be set with monuments, except as provided in Subsection (4) below. In cases where street curbs are concentric and/or parallel with front right-of-way lines, front property-line monuments may be provided by brass screws or concrete nails with the surveyor's license number at the intersections of curb lines and the projections of side property lines. If curb monuments are used, it shall be noted on the plat, and also that such is monuments are good for projection of line only and not for distance.

3. Post-monument-setting. All monuments for the exterior boundaries of the short subdivision or subdivision 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 90 days of final short subdivision or subdivision construction inspection by the Director of Public Works, and if the developer guarantees such interior monument-setting.

a. The developer shall sign the following certification, the existence of which shall be noted on the plat, if post- monument-setting of the interior monuments is chosen:

**DEVELOPER'S CERTIFICATION FOR POSTMONUMENTATION**

I, certify that the post-monument-setting of the interior monuments of this plat shall be accomplished within ninety (90) days of final acceptance of subdivision construction by the Director of Public Works for the City of Vancouver, Clark County and State of Washington. (Signature)”

b. The land surveyor who performs any post-monument-setting shall certify that the interior monuments have been set in compliance with the final plat, and shall record the following certification with the County Auditor:

“I, certify that I have set the interior monuments for (name of subdivision) a subdivision plat recorded in Book ( \_\_\_ ), page ( \_\_\_ ), Records of Clark County, and that said monuments are set in compliance with said final plat.  
Dated this ( \_\_\_ ) day of ( \_\_\_\_\_ ), 20\_\_.  
(License number, seal, and signature of surveyor).

c. If the surveyor cannot certify that the monuments are in compliance with the final plat, the discrepancy shall be resolved by filing an amended final plat in accordance with the provisions of Section 20.320.030(D)(1) VMC.

4. Post- monument-setting bonds. In lieu of setting interior monuments prior to final plat recording as provided in Section 20.320.080 (C)(2) VMC, the Director of Public Works may accept a bond in an amount and with surety and conditions satisfactory to him/her, or other secure method as the Director of Public Works may require, providing for and securing to the city the actual setting of the interior monuments as provided in Section 20.320.080 (C)(2) VMC and to be enforced by the Director of Public Works by appropriate legal and equitable remedies.

D. Survey standards. All surveys shall comply with standards set forth by state statutes, drafting standards of this Title, and WAC 332-130, except that linear closures after azimuth adjustment shall be at least a ratio of 1:10,000 for WAC 332-130-090. Where conflicts are identified, the most restrictive standard shall prevail.

1. Elevations of vertical information. Where required, any elevations or vertical information shall have an accuracy of third-order specifications as published by the U.S. Department of Commerce in a bulletin entitled “Classification, Standards of Accuracy, and General Specifications of Geodetic Control Surveys,” and bench marks with the datum used shall be shown on the plat.

E. Drafting standards

1. Preferred scale proportions. The preferred scale proportions for preliminary and final plat are ratios as follows:

1:600 or 1"=50'

1:1,200 or 1" = 100' and 1:2,400; or 1" = 200'; but in no case shall the proportion exceed 1:2,400.

2. Final plat drawing requirements. The final plat shall be drawn with ink upon three-mil mylar film, or equivalent; said sheets to be 30" X 21", with a 1" border on each side.

3. Lettering. Lettering shall be at least 0.08" high, and the perimeter of the final plat shall be depicted with heavier lines (dashed) than the remaining portion of the plat.

4. Location. All data necessary for the location in the field of all points within the plat shall be shown. Straight lines shall be designated with bearing and distance; curves shall be designated by arc length, central angle and radius. All dimensions shall be in feet or meters, and decimals thereof to the nearest 1/100 of a foot, or 5/1,000 of a meter; except that angles shall be in degrees to the nearest second.



Vancouver Municipal Code **Chapter 20.440, Industrial Districts, Section 20.440.040, Development Standards** shall be amended as follows:

**Section 20.440.040 Development Standards.**

A. Compliance Required. All developments must comply with:

1. All of the applicable development standards contained in the underlying zoning district.
2. All other applicable standards and requirements contained in this title.
3. Stormwater Control VMC 14.25 and Water Resources Protection ~~Ordinance (Title 14)~~ VMC 14.26.

B. Development standards. Development standards in industrial zoning districts are contained in Table 20.440.040–1.

**Table 20.440.040 - 1  
Development Standards**

<b>STANDARD</b>	<b>OCI<sup>5</sup></b>	<b>IL</b>	<b>IH</b>
Minimum Lot Size	None	None	None
Maximum Lot Coverage	100%	75%	100%
Minimum Lot Width	None	None	None
Minimum Lot Depth	None	None	None
Minimum Setbacks			
Minimum setbacks adjacent to residential district	Pursuance to the screening and buffering standards contained in VMC Tables 20.925.030-1 and 20.925.030-2, plus an additional 1/2 foot for each foot the building exceeds 20 feet in height to a maximum setback requirement of 40 feet. Buildings in excess of 20 feet may be stepped.		
Minimum setbacks adjacent to non-residential districts	Pursuant to buffering and screening standards contained in VMC Tables 20.925.030-1 and 20.925.030-2.		
Maximum Height	35' - 75' <sup>3</sup>	45' <sup>2</sup>	None
Minimum Landscaping Requirement (percentage of total net area)	15% <sup>4</sup>	10%	0%

<sup>2</sup>Or greater, if set back 1' from property line for every additional 2' of height.

<sup>3</sup>See VMC 20.440.040(C)(1) below for a complete explanation of maximum height requirements.

<sup>4</sup>See VMC 20.440.040(C)(3) below for additional landscaping requirements.

<sup>5</sup>Development agreements in existence on the effective date of this ordinance shall control the uses and development standards of the affected properties. In order to protect the investments made in reliance upon such agreements, improvements made or site plans approved consistent with these agreements shall not be deemed non-conforming.

<sup>6</sup>The Planning Official may reduce or waive the setback requirements when setbacks are imposed on industrially designated land as a result of the redesignation of adjacent land to residential on or after January 1, 1995.

## C. OCI Zone.

### 1. Maximum Building Height.

a. Maximum building height shall be the same as that of the abutting zone within a distance of the same number of feet from the property line. Farther from the property line, height may increase by 2' for every additional 1' that a structure is set back from the property line to a maximum height of 75'. (For example, where the OCI zone abuts a residential zone with a maximum height of 35', the maximum height in the OCI zone would be 35' for the first 35' from the property line. The maximum height would increase by 2' for every additional 1' the structure or portion of the structure is removed from the property line to a maximum of 75'.)

b. Where the OCI zone abuts more than one zoning district, the maximum height shall be the lowest of those of the abutting zoning districts. (For example, where the OCI zone abuts both a residential zone with a maximum height of 40' and an industrial zone with no maximum height, the maximum height of the OCI zone would be 40' for the first 40' from both property and zoning boundaries. The maximum height would increase by 2' for every additional 1' the structure or portion of the structure is removed from the property line to a maximum of 75'.)

2. On-Site Pedestrian Circulation. All developments within the OCI zone shall comply with the requirements of subsection VMC 20.945.040(H) above.

3. Landscaping. In addition to the provisions of VMC 20.925, the following requirements apply to developments in the OCI zone:

a. All setback areas shall be landscaped and maintained with live vegetation.

b. Development in the OCI zone abutting a residential zone shall be screened. Screening may be accomplished using sight-obscuring vegetation, a sight-obscuring fence or wall, a berm, or a combination of approaches. (A chain link fence containing slats does not qualify as a sight-obscuring fence for the purposes of this section.) If a sight-obscuring fence or wall alone is erected as screening within the setback area, features providing visual interest (such as varied building materials, textures, reliefs, architectural details, etc.) shall be incorporated at least on the side facing the residential zone. The property owner shall be responsible for maintaining the vegetation in a healthy state.

c. Parking areas shall be landscaped in accordance with the provisions of VMC 20.925 and 20.945.

4. Security Fencing. When security fencing is required, it shall be a combination of solid wall, wrought iron, dense hedges or other similar treatment. Long expanses of fences or walls shall be interspersed with trees or hedges to break up the appearance of the wall at least every 50 feet for a distance of at least 5 feet.

## 5. Site Planning and Design.

a. Primary building entrances shall be physically oriented to the street or to a pedestrian walkway.

b. If a development is located further than 250 feet of an existing or proposed transit stop the applicant shall work with the transit agency in locating a transit stop and shelter directly adjacent or as close as possible to the main building entrance.

c. Blank walls facing public streets are discouraged. Features providing visual interest such as windows (genuine, false, or display), artwork, varied building materials or other techniques shall be employed to enhance building facades facing public streets.

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Vancouver Municipal Code **Chapter 20.450, Open Space Districts, Section 20.450.040, Development Standards** shall be amended as follows:

**Section 20.450.040 Development Standards.**

A. Development standards. The development standards for the open space districts are set forth in Table 20.450.040-1. Minimal setbacks apply at the perimeter of district boundaries. No setbacks are required for lot lines internal to that district.

<b>TABLE 20.450.040-1 OPEN SPACE DISTRICT DEVELOPMENT STANDARDS</b>					
<b>USE</b>	<b>Natural Area</b>	<b>Greenway</b>			<b>Park<sup>1</sup></b>
		<b>Vancouver Lake</b>	<b>Lettuce Fields</b>	<b>General</b>	
Minimum Lot Size	None	20 acres <sup>2</sup>	None	None	See Note <sup>1</sup>
Maximum Lot Size	None	None	None	None	See Note <sup>1</sup>
Maximum Lot Coverage	None	5%	5% <sup>3</sup>	5%	See Note <sup>1</sup>
Minimum Lot Width	None	None	None	None	See Note <sup>1</sup>
Minimum Lot Depth	None	None	None	None	See Note <sup>1</sup>
Minimum Setbacks					
Front Yard	20'	20'	20'	20'	See Note <sup>1</sup>
Rear and through yards	20'	20'	20'	20'	See Note <sup>1</sup>
Side Yard	20'	20'	20'	20'	See Note <sup>1</sup>
Street Side Yard	20'	20'	20'	20'	See Note <sup>1</sup>
Maximum Height	12'	35' <sup>4</sup>	12' <sup>5</sup>	35'	See Note <sup>1</sup>
Minimum Landscaping Requirement (Percentage of total net area)	None	None	None	None	See Note <sup>1</sup>

- <sup>1</sup> Development standards for parks shall be in accordance with the standards of the most restrictive zoning district located adjacent to the subject property.
- <sup>2</sup> Single-family homes shall have a maximum lot coverage of 40%.
- <sup>3</sup> Single-family dwellings require a minimum of 160 acres each.
- <sup>4</sup> Barns, silos, and similar features may exceed 35' subject to 20.910.030 VMC.
- <sup>5</sup> Except existing single family which is 35'.

B. General standards. The following general standards are applicable to open space districts where the identified uses are allowed:

1. Agricultural Related Uses.

a. Roadside stands shall not exceed 300 (150 in the Lettuce Fields Greenway District) square feet in area or 12 feet in height and shall be exclusively for the sale of agricultural, horticultural, or silvicultural products grown in the district. Stands shall be set back a minimum of 20 feet from the abutting right-of-way and/or any property line. They shall be non-reflective. Best available control technology shall be used in the application of paint and coatings.

b. Only low-profile pole buildings or shelters not exceeding 12 feet in height are permitted for storage of crops and implements. They shall be screened using native vegetation, non-reflective, and blend with the surroundings. Best available control technology shall be used in the application of paint and coatings. Joint use is encouraged.

2. Fill. Fill shall be permitted only to the extent absolutely necessary to support a permitted use. Also see the grading, erosion control, floodplain and wetlands sections of the code for additional requirements.

3. Park and Recreation Uses.

a. New Park Districts. New Park Districts shall be designated during the first Comprehensive Plan Annual Review process following acquisition of land for the purpose of developing a park. Parks shall be developed in accordance with the standards of the most restrictive zoning district located adjacent to the subject property.

b. Amenities. Interpretive stations or panels, fences, gates, railings, and benches shall be designed to be as unobtrusive as possible, blending with the surroundings. They shall be non-reflective. Best available control technology shall be used in the application of paint and coatings.

c. Restrooms. Restrooms shall be located and designed to be as unobtrusive as possible, blending with the surroundings. They shall be non-reflective. Best available control technology shall be used in the application of paint and coatings.

d. Parking areas. On-site stormwater treatment shall be provided in parking areas in accordance with ~~Section 20.945~~ VMC 14.25.

e. Trails. Trails shall be designed and constructed to avoid and minimize impacts to the environment. The minimum width of public access easements shall be 20' of realistically usable property when the trail is not located within a public right-of-way, unless the Planning Official determines that undue

hardship would result or that it is impractical or environmentally unsound. In such cases, easement width may be reduced only by the minimum extent necessary to meet public access, safety and environmental standards. Public access easements and permit conditions shall be recorded on the deed of title and/or on the face of a plat or short plat as a condition running contemporaneous with the authorized land use, as a minimum. Said recording with the County Auditor's office shall occur at the time of permit approval (RCW 58.17.110).

f. Security Lighting. Security lighting for trailhead parking or restrooms is permitted subject to the provisions of 20.450.040(B)(5).

#### 4. Signs.

a. Freestanding (other than public sector) signs, rotating signs, flashing signs, rooftop signs, internally illuminated, neon and similar signs shall be prohibited. Freestanding public sector signs may be no larger than 64 square feet and no higher than 12 feet. Externally illuminated signs are permitted.

b. Signs shall be located and designed to minimize interferences with vistas, viewpoints, and visual access to the District.

c. Signs shall not be placed on trees, other natural features, or public utility poles.

d. Visible braces and other supporting devices shall be incorporated as design features.

e. Signs shall be as small as possible to serve their intended purposes.

f. Signs relating to an Open Space District and its use shall be consistent in design and color for easy recognition.

g. Signs shall be for public information relating to the particular Open Space District in which they are located or its use. Signs for other purposes are prohibited.

5. Utilities. The adverse environmental impacts of any utility construction shall be mitigated by restoration of the environment to its pre-construction condition. Any unavoidable adverse environmental impacts shall be mitigated by an environmental enhancement project of at least the same scale as the adverse impacts and located within the district.

6. Landscaping. Landscaping is required in the GR and NA zones only where necessary to shield surrounding areas or uses from the impacts of any allowed structure or use.

### C. Lettuce Fields Greenway District – Special Standards.

1. Areas of Interest - Special Requirements. Areas of Interest #3 (northern portion) and #6 as shown on Figure 20.450-1 are designated as Areas of Interest in the Lettuce Fields Subarea Plan and formerly carried the zoning designation Agriculture/Open Space (AO). In accordance with the Lettuce Fields Subarea Plan, they shall be governed by the regulations in 20.450.040 (C)(1)(a)(b)(c) and (d) VMC until such time as the City acquires them. Upon acquisition, they will be governed by the Lettuce Fields Greenway District regulations elsewhere in this chapter and title.

a. Permitted uses:

1. The raising of tree, vine, field, forage, and other plant life crops of all kinds;

2. One family dwelling and accessory buildings and farm buildings of all kinds;
  3. The harvesting, curing, processing, packaging, packing, shipping, and selling of agricultural products produced on the premises;
  4. Sale of food products produced on the premises;
  5. The maintenance, repair, servicing, and storage of agricultural machinery, implements, and equipment of all kinds on the property, and not for commercial usage;
  6. The storage of farm supplies of all kinds, including but not limited to fertilizers, agricultural minerals, and insecticides, not for resale or distribution;
  7. The use, storage, repair, and maintenance of tractors, scrapers, and land leveling and development equipment devoted primarily to agricultural uses, and not for commercial usage;
  8. Above and below ground storage of petroleum products for use by the occupants of the premises, but not for resale or distribution;
  9. Truck gardening, ornamental horticulture, and nursery stock without retail commercial sales;
  10. Public parks, golf courses, but not including intensive commercial recreation such as golf driving range (unless within a golf course), race track, amusement park, or gun club;
  11. Manufactured homes at a density of no more than one manufactured home per 5 acres.
- b. Conditional uses:
1. Custom meat facilities (without retail sales);
  2. Utility facilities, minor.
- c. Dimensional standards:
1. Minimum lot size is five acres;
  2. Minimum lot width is 140 feet;
  3. Minimum lot depth is 200 feet;
  4. Minimum front yard setback is 50 feet;
  5. Minimum side yard setback is 20 feet.
  6. For accessory buildings, minimum side yard setback is 50 feet;
  7. Minimum rear yard setback is 50 feet;
  8. Maximum building height is 35 feet. See 20.910.030 VMC for barns silos, etc.

d. Standards for parking and loading, signs, landscaping and open storage, and other pertinent special provisions are contained elsewhere in this chapter and title.

2. Shoreline regulation. The regulations of the Shoreline Management Master Program (SMMP) shall apply within shoreline jurisdiction in the Lettuce Fields Greenway District whether or not a Shoreline Substantial Development Permit is required. Any unavoidable adverse impacts of permitted uses or construction shall be mitigated by an environmental enhancement project of at least the same scale as the adverse impacts and located within the District.

3. Agriculture, horticulture, and silviculture. Agriculture practices existing on or before April 19, 2001, may continue regardless of the related standards set forth in this chapter. New agricultural, horticulture, and silvicultural practices in the Lettuce Fields Greenway District shall be subject to the following standards:

a. Animal husbandry is prohibited in this District.

b. Crop management and stand management must be consistent with wildlife habitat conservation.

c. Organic farming methods and horticultural and silvicultural practices are encouraged. The policies and regulations of the Shoreline Management Master Program relating to pesticides, particularly those in General use Policies and Regulations, Agricultural Section, shall apply to agricultural, horticultural, and silvicultural activities throughout the Lettuce Fields Greenway District.

d. Roadside stands exclusively for the sale of agricultural, horticultural or silvicultural products grown in the Lettuce Fields Greenway District shall be permitted. See VMC 20.450.040(B)(1) for additional standards for roadside stands.

e. See VMC 20.450.040(B)(1)(b) for crop and implement storage building standards.

f. Above and below ground storage of petroleum products is permitted by only the extent necessary to support permitted agricultural, horticultural, and silvicultural uses.

4. Fences. Fences are discouraged. New fences shall meet the following standards:

a. Above and beyond the provisions of VMC 20.912, where necessary, fences shall be open enough to allow wildlife movement throughout the Lettuce Fields Greenway District; as low as possible to serve the intended purpose; and no higher than 6 feet. See VMC 20.450.040(B)(3)(b) for additional standards.

5. Trails. Paving of the main trail through the Lettuce Fields Greenway District is permitted.

6. Parking.

a. The policies and regulations of the Shoreline Management Master Program, General Use Policies and Regulations, Parking Section and Use Development Standards Tables provisions pertaining to parking and any other parking policies and regulations of the SMMP as may be applicable to a particular development project shall apply throughout the Lettuce Fields Greenway District.

b. In the Lettuce Fields Greenway, parking is permitted only in designated areas at trailheads.

c. See VMC 20.450.040(B)(3)(d) for additional regulations.



D. Vancouver Lake Greenway District - Special Standards.

1. Crop and stand management shall be consistent with wildlife habitat conservation.

2. Public or private outdoor recreational facilities requiring limited physical improvements which are oriented to the appreciation, protection, study, or enjoyment of the fragile resources of this area shall be approved only upon the applicant establishing that (1) there will be no significant adverse environmental impact, especially as it relates to wildlife, resulting from the proposed use; and (2) the subject site cannot be put to any reasonable economic agriculture or horticulture use in addition to the findings that must otherwise be made for issuance of a conditional use permit.

DRAFT

Vancouver Municipal Code **Chapter 20.680, Review Gateway Plan District, Section 20.680.040, Master Planning** shall be amended as follows:

**Section 20.680.040 Master Planning**

A. Overall. Master Plans covering the full Fisher or WSDOT quarry as described in this chapter are required prior to any urban development in all or part of that quarry, in order to ensure cohesive development of the site in an attractive, integrated manner as it transitions. “Urban Development” in this subsection shall mean any development defined in VMC 20.150 undertaken to support allowed uses in the RGX zoning district at Table 20.430.030-1 excluding any mining uses as defined by 20.680.030. Mining activities are expected to continue on portions of this site for at least a decade, but portions are expected to redevelop in less than a decade. Master plans shall address long term development of the entire Fisher or WSDOT quarries as shown in Figure 20.680-1, and shall also include consideration of long term development of the entire subarea, particularly in regard to traffic impacts.

B. Contents. Master Plans shall address the following:

1. Existing land uses, physical features, and topography
2. Proposed land uses, including the following:
  - a. Residential Uses: Location, type, height, square footage, number of dwelling units, and size of associated land area,
  - b. Commercial Uses: Location, type, height, square footage, size of associated land area, and projected Floor Area Ratio (FAR),
  - c. Office and Light Industrial Uses: Location, type, height, square footage, size of associated land area, and projected Floor Area Ratio (FAR),
  - d. Schools or other public facilities, if any,
  - e. Any other projected structures or uses,
  - f. A demonstration of how proposed uses, if any, which differ from the general subarea locations indicated on Figure 21 of the Riverview Gateway Subarea Plan, do not prevent or hinder realization of the overall subarea plan vision.
3. Mapping of the following proposed public and private infrastructure, description of their capacity, and resulting consistency with applicable City standards:
  - a. Public and private roads, and parking and circulation areas. This shall include an exhibit of roadway functional classifications, typical section, and design parameters for local roadways.
  - b. Public sewer, water and public and private stormwater systems.
  - c. Parks, open spaces and trails.
  - d. Utilities.

- e. Schools, if any.
  - f. A demonstration of how proposed uses, if any, which differ from the general subarea locations indicated on Figure 21 of the Riverview Gateway Subarea Plan, do not prevent or hinder realization of the overall subarea plan vision.
4. Traffic Analysis and Mitigation Plan
  5. Consistency between the Master Plan with Riverview Gateway Subarea Plan in the following areas:
    - a. Major road networks.
    - b. Park, trails, and open spaces.
    - c. Pedestrian and Bicycle network.
    - d. Subarea plan policies.
  6. Architectural guidelines, including conceptual building elevations and description of consistency with the Riverview Gateway Design Guidelines.
  7. Sign program and how it is consistent with the Riverview Gateway Design Guidelines.
  8. A master landscape plan and landscaping guidelines, consistent with the Riverview Gateway Design Guidelines.
  9. Consistency with the intent of the Riverview Gateway Subarea Plan to create a distinctive, pedestrian-friendly, mixed-use urban center.
  10. Anticipated phasing of development and potential site plan submittal timelines.
  11. Anticipated site ownership, or common management provisions if any.
  12. Provisions for buffering adjacent mining activities if applicable, at a level of detail sufficient to judge adequacy of buffering from adverse noise, dust, and visual impacts.
  13. Proposed site topography, individual building heights, and an assessment of potential impacts of views from surrounding properties. The assessment must include graphic visualization of any buildings which would block or partially block views of the Columbia River or Mt Hood, as seen from the Overlook park facility or the southeast corner of the Fisher's Creek neighborhood.
  14. Proposed parking management plan.
  15. Analysis of impacts to the adjacent quarry's ability to achieve development envisioned in the Riverview Subarea Plan.
  16. SEPA Checklist.

C. Review Criteria and Process. Master Plans shall be processed as a Type IV review. The Master Plan shall be approved, approved with conditions or denied based on compliance with each of the following:

1. The Master Plan implements the Riverview Gateway Subarea Plan and the requirements of this chapter, and allows the adjacent quarry to implement the subarea plan, and the requirements of this chapter.

2. All applicable standards of Vancouver Municipal Code and other requirements are met.

3. There is or will be sufficient capacity in transportation system, and public sewer, water, police, fire and stormwater services to adequately serve all portions of the site at the time of development. Utilities should be placed underground to the fullest extent feasible.

4. Off-site impacts including noise, glare, and traffic are minimized to the extent practicable and as required under the Vancouver Municipal Code and Revised Code of Washington.

5. The Master Plan is consistent with the Riverview Gateway Design Guidelines or proposes standards that will achieve at least equal quality site development.

6. The Master Plan achieves the following objectives:

a. Capitalizes on the unique topography and view potential of the site.

b. Establishes a built environment along 192nd Avenue that is in scale with the road and creates a gateway through use of distinctive architectural elements at major intersections.

c. Establishes a built environment throughout the site that is urban rather than suburban in terms of building intensity, local street networks, and pedestrian amenities and activity. Drive-through uses shall be limited to within parking structures or building enclosures.

d. Includes design standards that ensures quality development and creates a sense of place, and avoids building architecture defined by individual corporate brands.

e. Reflects sustainable building and low impact development site planning principles and incorporates design standards to encourage energy efficiency, water conservation and waste reduction.

f. Includes the following standards or equivalent alternatives sufficient to ensure an active, safe and interesting sidewalk and streetfront environment

1. Buildings should be located adjacent to streets to the extent possible, with parking to the side or rear. Non-structured on-site parking and access drives shall account for no more than 35% of the major street frontage of any project. Alternative standards may be proposed for developments with multiple major street frontages, provided the overall objective of maximizing streetfront buildings is met to the fullest extent practicable;

2. Surface parking areas shall include landscaping;

3. Blank walls visible from pedestrian streetfronts are prohibited. Buildings adjacent to the streetfront shall include pedestrian entrances facing the street, and at least 15% of the streetfront building facade shall be transparent, with the exception of light industrial uses;

4. To ensure human scale development and visual interest, larger buildings with front facades of 100 feet or longer shall include articulation or modulation of facades and rooflines

g. Includes tree and landscaping standards that will create an attractive community and meets the City's Urban Forestry Management Plan overall target canopy goal of 28%.

h. Includes parks and public natural areas, trails and recreational areas that meet the standards of the Vancouver Comprehensive Parks, Recreation and Natural Areas Plan.

i. Includes standards ensuring that at least 10% of residential units in the master plan area are affordable to moderate income households, as defined by RCW 84.14.

j. Includes standards or legal agreements ensuring shared parking is utilized to the maximum extent practicable throughout the master plan area. The number of parking spaces provided for individual uses shall be no less than indicated in VMC Table 20.945.070-1, and no more than 115% of that amount.

k. Ensures that the environmental impacts of the master plan and subsequent development projects within it are disclosed consistent with SEPA review requirements, including a site-specific hydrogeologic analysis.

l. Buildings proposed or allowed by the Master Plan shall mitigate visual impacts to the adjacent area, in balance with the Subarea Plan development vision. At minimum this shall require the following:

1. Buildings in the western portion of Fisher Quarry designated Industrial by the Comprehensive Plan shall not exceed maximum height of 35-75 feet per VMC 20.430.040-1;

2. Buildings of any height extending above the farthest visible shore of the Columbia River, as seen from the Overlook facility or the southeast corner of the Fisher Quarry bluff, shall:

a. Be located towards the southern portion of the quarries to the fullest extent practicable;

b. Be separated from one another such that the east-west coordinates of the portions of the buildings impacting river views are a minimum of 200 feet apart;

c. Be discouraged from extending above the farthest visible Oregon ridge line. Only one such building shall be permitted per quarry; and

3. The Master Plan shall include an assessment of how buildings will prevent off-site glare impacts from direct or reflected light sources as required by VMC 20.935.D

#### D. Master Plan Modification.

##### 1. Process

a. No Amendment. Development applications which differ from adopted Master Plans as follows require no additional review:

1. Changes to phasing, provided proposed development is fully identified in the adopted Master Plan.

2. Refinement of building footprint, use mix, access, parking and landscaping provided the refinements do not result in a reduction of more than 10% in density, intensity, mix of uses, and provided the resulting site plan is consistent with the adopted Master Plan, the Riverview Gateway Design Guidelines and this chapter.

3. Changes in the location and design of trails, so long as they are consistent with the Master Plan, the Riverview Gateway Plan and Design Guidelines and the Vancouver Paths & Trails Master Plan.

4. Changes to the buffering provided for new development from adverse impacts of ongoing mining on adjacent properties, provided the result is the same or better attenuation of noise and dust and visual impacts.

b. Type I Review

1. Changes to the location of uses, so long as the overall intensity and percentage mix of uses is consistent with this chapter.

2. Changes to or variances from the Master Plan design standards for buildings, landscaping, street furniture or signs provided proposed changes are consistent with the Riverview Gateway Plan and Design Guidelines and will not compromise the ability to achieve the overall quality of development proposed in the Master Plan.

c. Type II Review

1. New buildings, so long as the additional development can be accommodated without a change to the transportation, water, sewer or storm drainage system in the approved Master Plan.

2. Change of use in a building identified in the Master Plan, provided there is no loss of office or industrial space, and provided the overall use mix is consistent with this Chapter.

d. Type III Review

1. Significant changes to street locations or capacity.

2. Removal of a building or buildings that results in a reduction in the total number of dwelling units or total square footage at buildout.

3. Significant changes of use type in a building identified in the Master Plan that result in a loss of office or industrial space.

4. Significant reduction in the amount of public open space.

5. New buildings that result in the need for a significant change in to the transportation, water, sewer or storm drainage system in the approved Master Plan.

e. Interpretation. The City of Vancouver retains the authority to assign the appropriate review process where application of this chapter is unclear, or inappropriate given the size of the modification involved.

2. Modification Approval Criteria

a. The proposed change meets the intent of the Riverview Gateway Subarea Plan and is consistent with the Design Guidelines;

- b. The proposed change will not result in a substantial impact to transportation, water, sewer or storm water management systems;
- c. The proposed change will not result in adverse impacts to adjacent properties or uses; and
- d. The proposed change is consistent with Vancouver Municipal Code and the Vancouver Comprehensive Plan.

DRAFT

Vancouver Municipal Code Chapter 20.770, Tree Conservation, shall be amended as follows:

## Chapter 20.770

### **TREE, VEGETATION AND SOIL CONSERVATION**

20.770.050	Tree, <u>Vegetation and Soil</u> Plan Required.
20.770.060	Tree, <u>Vegetation and Soil</u> Plan Review Procedure.
20.770.070	Tree, <u>Vegetation and Soil</u> Plan Review Standards.
20.770.080	Tree Density Requirement.
20.770.090	Tree, <u>Vegetation and Soil</u> Protection During Construction.
20.770.100	Maintenance Requirements.
20.770.110	Specimen Tree Evaluation.
20.770.120	Heritage Trees.
20.770.130	Appeals.
20.770.140	Enforcement and Penalties.
20.770.150	Other Provisions.

Vancouver Municipal Code Chapter 20.770, Tree Conservation, Section 20.770.010, Purpose shall be amended as follows:

#### **Section 20.770.010 Purpose.**

A Purpose statement. The purpose of this Chapter is to establish a process and standards to provide for the protection, preservation, replacement, proper maintenance and use of trees, associated vegetation and woodlands soils located in the City of Vancouver in order to:

1. Promote the general welfare of the City by maintaining canopy coverage provided by trees for their functions as identified in section B;
2. Preserve and enhance the City of Vancouver's environmental, economic, and social character with mature landscapes;
3. Promote site planning, building, and development practices to prevent indiscriminate removal or destruction of trees and vegetation and avoid unnecessary disturbance to the City's natural vegetation;
4. Comply with the requirements of the Forest Practice Rules pertaining to land use conversion activities;
5. Implement the goals and objectives of the City's Comprehensive Plan; and
6. Implement the goals and objectives of the State Environmental Policy Act (SEPA).

7. Implement the goals and objectives of Low Impact Development from the Washington State Department of Ecology as required in the Western Washington Phase II Municipal Stormwater Permit.

B. Rationale. Whereas the City finds trees and vegetation are important elements of the physical environment which protect public health, safety and general welfare as follows through:

1. Increasing the air quality with the absorption of air pollutants, assimilation of carbon dioxide and generation of oxygen, and with the reduction of excessive noise and mental and physical damage related to noise pollution;



2. Minimizing the adverse impacts of land disturbing activities and impervious surfaces on runoff, soil erosion, land instability, sedimentation and pollution of waterways, thus, minimizing the public and private costs for stormwater control/treatment and utility maintenance;

3. Cost-effective protection against severe weather conditions with cooling effects in the summer months and insulating effects in winter;

4. Providing habitat, cover, food supply and corridors for a diversity of fish and wildlife; and

5. Economic support of local property values and contribution to the region's natural beauty and enhancing the aesthetic character of the community.

(Ord. M-3286 § 1, 1997) (M-3643, Added, 01/26/2004)

Vancouver Municipal Code **Chapter 20.770, Tree Conservation, Section 20.770.020, Applicability** shall be amended as follows:

**Section 20.770.020 Applicability.**

A. Permit required. No person or representative, directly or indirectly, shall remove, or destroy any tree, within the city, without first obtaining a tree removal permit as provided in this Chapter, unless the activity is exempted in Section 20.770.030 VMC.

B. Tree, Vegetation and Soil plan required Unless otherwise exempted in Section 20.770.030 VMC, any site subject to a development within the City of Vancouver shall be required to develop a tree, vegetation and soil plan and shall be required to meet the minimum tree density herein created.

(M-3643, Added, 01/26/2004)

Vancouver Municipal Code **Chapter 20.770, Tree Conservation, Section 20.770.030, Exemptions** shall be amended as follows:

**Section 20.770.030 Exemptions.**

The following activities are exempt from the tree, vegetation and soil plan and tree removal permit requirements, unless located within a critical area or buffer. In emergencies only, shall any heritage tree be removed without first obtaining a tree removal permit pursuant to this Chapter.

A. Commercial nurseries or tree farms. Removal of trees that are being grown to be sold as Christmas or landscape trees.

B. Emergencies. Removal of trees necessary to protect public safety or private or public property from imminent danger, unless otherwise determined by the Planning Official.

C. Harvesting with a Class II or III forest practices permit. Removal of trees as allowed with a Class II or III forest practices permit issued by the Washington State Department of Natural Resources.

D. Residential parcels. Removal of trees on lots which: 1) have an existing single family residence, 2) are under one acre in size, and 3) which cannot be further divided in accordance with the parcel's underlying zoning district and Chapter 20.320 VMC, governing short subdivisions and subdivisions, respectively. Such exemption shall not apply to lots subject to prior approved tree, vegetation and soil plan.

E. Undeveloped property. Removal of up to a total of six trees from an undeveloped parcel within any consecutive 36-month period, if the parcel is intended to remain undeveloped for a period of six years. Such intent shall be recorded in a covenant. A copy of the covenant shall be provided to the Planning Official. Removal of trees on parcels of less than one acre in size shall be limited in proportion to six trees per acre (i.e., on a half-acre parcel can remove 3 trees).

~~F. Small trees. Removal of trees with a diameter at breast height (dbh) of 6" or less, unless fulfilling tree density requirement according to an approved plan.~~

~~G. F. Minor development. A tree, vegetation and soil plan is not required for any site disturbance less than 500 square feet and where no tree will be removed or adjacent tree(s) impacted.~~

(M-3847, Amended, 11/19/2007, Sec 9; M-3701, Amended, 05/02/2005, Sec 21; M-3643, Added, 01/26/2004)

Vancouver Municipal Code **Chapter 20.770, Tree Conservation, Section 20.770.050, Tree Plan Required** shall be amended as follows:

**Section 20.770.050** **Tree, Vegetation and Soil Plan Required.**

A.. Requirement established. A tree, vegetation and soil plan that is in accordance with this chapter is required to obtain a tree removal permit based on activity or project referred to in Table 20.770.050-1.

B. Tree, Vegetation and Soil plan requirements. The basic components of a tree, vegetation and soil plan are a site plan with existing vegetation and proposed site activity, indication of the trees to be retained and removed based on the activity, location of trees for mitigation if required, and a description of protection during construction of trees, native vegetation and healthy soils to be preserved. The scale of the project and the size and quantity of trees proposed for removal, preservation, and planting will determine which level of tree, vegetation and soil plan is required. Table 20.770.050-1 lists activities or projects and the level of tree, vegetation and soil plan typically required.

1. Level I Tree, Vegetation and Soil Plan. A Level I tree, vegetation and soil plan is required for proposed single family residence, short plat, multifamily (2-4 units) or applicable single-family residence and multifamily (2-4 units) proposing site disturbance. The plan can be developed by the applicant, but may require a qualified professional for significant wooded areas or trees on parcel. A Level I tree, vegetation and soil plan shall include the following components:

a. Site plan. The site plan shall show the footprint of the house(s), driveway(s), streets and any other improvements and grading, and the size, species and approximate location of trees to be removed and retained.

b. Tree, vegetation and soil protection. If existing trees are to be retained and their critical root zone is within construction or disturbance areas, a tree, vegetation and soil protection plan must be submitted.

c. Tree planting plan. The plan showing species of trees proposed for planting shall include location, size, and number of tree.

d. Tree density. The site plan shall include tree density calculations that show the required tree density and the tree density of existing trees to be retained and trees to be planted.

2. Level II Tree, Vegetation and Soil Plan. A Level II tree, vegetation and soil plan is required for existing commercial, industrial and multi-family (more than four units), parks, conditional use sites proposing an addition or site disturbance. It can be developed by the applicant but may require the assistance of a qualified professional. A Level II tree, vegetation

and soil plan shall include the following components:

a. Site plan. The site plan shall show the existing conditions and any new additions or site disturbances, as typically required for site plan review.

b. Tree, vegetation and soil protection. If the proposed changes to the site will be within the critical root zone of any existing tree on site a tree, vegetation and soil protection plan will be required. This plan shall be included on the grading plan, and shall include the following information:

1. Locations of existing tree(s) potentially impacted by the proposed site changes.
2. Assessment of the potential damage to the tree(s) by a qualified professional.
3. Any required measures to ensure protection of trees, vegetation and soil to be preserved.

c. Tree planting plan. The planting plan shall include the following information:

1. Location, size, species, and numbers of trees to be planted.
2. Narrative description and detail showing any site preparation, installation and maintenance measures, necessary for the long-term survival and health of the trees.
3. Timeline for site preparation, installation and maintenance of plant materials.
4. Cost estimate for the purchase, installation and 3-year maintenance of trees.

d. Tree density. Tree density calculations on the site plan shall include: area of site for tree density, tree density calculation for the existing trees to be preserved, and tree density calculation for trees proposed for planting.

3. Level III Tree, Vegetation and Soil Plan. A Level III tree, vegetation and soil plan is required for the removal of any nuisance tree or for determination of a hazard tree on applicable properties. Either tree, vegetation and soil plan can be developed by the applicant for obvious cases, but may require the assistance of a qualified professional to make the determination. See 20.770.070(D-E) VMC for nuisance and hazard tree removal criteria. A Level III tree, vegetation and soil plan shall include the following components:

a. Site plan. The site plan shall show the approximate location of the tree(s), buildings, and any other pertinent site improvements.

b. Narrative report. A narrative shall include:

1. The species, size, and condition of the tree(s) in question.
2. Description of the problems associated with the tree including past history of problem, and methods attempted to alleviate the problems.

c. Tree replacement plan. Location and species of tree(s) proposed for replacement planting. The replacement would be one tree unit per tree removed. Replacement trees shall be of similar genetic potential or native species unless determined by the Planning Official. The plan shall include a timeline for installation of the required trees, and a cost estimate for the purchase, installation and three-year maintenance of the trees

4. Level IV Tree, Vegetation and Soil Plan. A level IV tree, vegetation and soil plan is required for proposed residential subdivisions, commercial, industrial, multi-family (more than four units), parks,

conditional use sites that do not have any existing trees or where existing trees will not be impacted nor pose a hazard to the proposed project. It can be developed by the applicant, but shall require an individual knowledgeable in landscape design, soils and tree species selection. A Level IV tree, vegetation and soil plan shall include the following components:

- a. Site plan. The site plan shall have the following information:
  1. Approximate locations of any existing trees on site.
  2. Species, size and condition of trees to be retained.
- b. Planting plan. The planting plan shall include the following information:
  1. Location, size, species and numbers of trees to be planted.
  2. Narrative description and detail showing any site preparation, installation and maintenance measures, necessary for the long-term survival and health of the trees.
  3. Timeline for site preparation, installation and maintenance of trees.
  4. Cost estimate for the purchase, installation and 3-years maintenance of trees.
- c. Tree density. Tree density calculations on the site plan shall include: area of site for tree density, tree density calculation for the existing trees to be preserved, and tree density calculation for trees proposed for planting.

5. Level V Tree, Vegetation and Soil Plan. A level V tree, vegetation and soil plan is required for proposed residential subdivisions, commercial, industrial, multi-family (more than four units), parks, conditional use sites in which existing trees are proposed for removal, could be damaged by construction activities, and/or could become hazardous. If the activity includes tree retention and necessary protection adjacent to the development activity, the plan must be developed with the assistance of a qualified professional. The plan shall include the following information:

- a. Site plan. Drawn to scale on the site plan shall be a map delineating vegetation types. Each type shall include the following information:
  1. Average number of trees and basal area per acre, by species and 2" diameter class for significantly wooded areas, which all or a portion of the stand is to be retained. For non-forested areas with individual trees, provide an inventory including size (dbh), species and condition of each tree and a general description of the vegetation present.
  2. Narrative description of the potential for tree preservation for each vegetation type, and for individual trees that are or will be standalone. This report shall include soils, wind throw potential, insect and disease problems, and approximate distance to existing and proposed targets.
  3. Description of any off-site tree or trees which could be adversely affected by the proposed activity, and the proposed mitigation for such impact.
- b. Tree, vegetation and soil protection plan: Drawn to scale on the grading and erosion control plans the tree, vegetation and soil protection plan shall be made for trees to be preserved. It shall include the following information:
  1. Surveyed locations, conducted by a surveyor licensed by the State of Washington, of perimeters of groves of trees or tree tracts and individual trees to be preserved outside of groves or tree tracts, adjacent to the proposed limits of construction. General locations of trees proposed for removal.

The critical root zones of trees to be preserved shall be shown on the plan.

2. Limits of construction and existing and proposed grade changes on site.
  3. Narrative description, graphic detail of tree, vegetation and soil protection, and tree maintenance measures required for the preservation of existing trees to be preserved.
  4. Timeline for clearing, grading and installation of tree, vegetation and soil protection measures.
- c. Tree planting plan: The planting plan shall include the following information:
1. Location, size, species and numbers of trees to be planted.
  2. Narrative description and detail showing any site preparation, installation and maintenance measures, necessary for the long-term survival and health of the trees.
  3. Timeline for site preparation, installation and maintenance of trees.
  4. Cost estimate for the purchase, installation and 3-years maintenance of trees.
- d. Tree density. The following information shall be included on the site plan: Area of site for tree density, tree density calculation for the existing trees proposed for preservation, and tree density calculation for trees proposed for planting.
6. Level VI Tree, Vegetation and Soil Plan. A level VI tree, vegetation and soil plan is required for a Conversion Option Harvest Permit. The plan shall be developed by a qualified professional. A Level VI tree, vegetation and soil plan shall include the following components:
- a. Forest inventory. The professional tree inventory shall include:
    1. A statistically accurate inventory and a stand stocking table showing the number of trees per acre, basal area per acre, and volume per acre by species and 6-inch diameter class.
    2. A map showing the locations of existing vegetation types delineated by forest type.
    3. A map showing the location and a description of trees growing on adjacent property which may be jeopardized by the proposed activity.
    4. A map showing any sensitive areas and the required sensitive area buffers, as defined in Chapters 20.770, 20.750 and 20.775 of the Vancouver Municipal Code and in the Shoreline Management Master Program.
    5. A map showing the location and a description of any heritage trees as defined in VMC 20.770.120.
  - b. Harvest plan. The harvest plan shall include:
    1. A description of the harvesting method.
    2. A map showing the locations of trees proposed for removal, skid roads and landings.
    3. A stand stocking table showing the volume, number, basal area, and species of trees proposed for removal.

4. Slash abatement plan, pursuant to Vancouver Fire Department standards.
  5. An erosion control plan, pursuant to Chapter 20.720 VMC.
- c. Reforestation/tree planting plan. The reforestation plan shall include:
1. Location, size, species and numbers of trees to be planted.
  2. Narrative description and detail showing site preparation, installation and maintenance measures necessary for the long-term survival and health of the trees.
- d. Tree density. The following information shall be included: area of site for tree density, tree density calculation for the existing trees proposed for retention, tree density calculation for trees proposed for planting.
7. Level VII Tree, Vegetation and Soil Plan. A level VII tree, vegetation and soil plan is required for tree removal above the six trees per acre limit on undeveloped properties. It can be developed by the applicant but may require the assistance of a qualified professional. A Level VII tree, vegetation and soil plan shall include the following information:
- a. Site plan. The site plan shall show the approximate location of the tree(s) buildings, and any other pertinent site improvements. It shall also list species and approximate size and condition of the tree.
  - b. Narrative report. The report shall include the following:
    1. The species, size, and condition of the tree(s) in question.
    2. Description of the reason for removal with short-term and long-term goals.
  - c. Planting plan. Location and species of trees proposed for replacement planting. This shall include a timeline for installation of the required trees, and a cost estimate for the purchase, installation and three year's maintenance of the trees.
  - d. Tree density. Tree density calculations on the site plan shall include the density of the tree proposed for removal and the size and number of replacement trees proposed for planting.

<b>Table 20.770.050- 1</b>		
<b>Projects or Activities for Which Tree, <u>Vegetation and Soil</u> Plans Are Required</b>		
<b>Project of Activity</b>		<b>Level</b>
1.	Proposed single-family residence, short plat, and multi-family (1-4 units); Applicable existing single-family residence proposing site disturbance	I
2.	Existing commercial/industrial/multi-family(over 4 units)/parks/conditional use, proposing a building addition or other site disturbance	II
3.	Nuisance or hazard tree removal permit	III
4.	Proposed residential subdivisions, planned developments, commercial/industrial/multi-family (over 4 units)/parks/conditional use with no impact on trees.	IV

5.	Proposed residential subdivisions, planned developments, commercial/industrial/multi-family (over 4 units)/parks/conditional use in which trees are removed or will be impacted.	V
6.	Conversion option harvest permit	VI
7.	Undeveloped parcels	VII

C. Application and fee. The application for a tree removal permit and/or tree, vegetation and soil plan review shall be made on a form provided by the City, and shall be submitted at the same time as the tree, vegetation and soil plan. The applicant shall pay a permit fee to the Community and Economic Development Department.

D. Submittal of a tree,vegetation and soil plan. The application for ~~tree plan review and/or~~ a tree, vegetation and soil plan and/or a tree removal permit shall be submitted with associated development permit applications, if applicable.

Vancouver Municipal Code **Chapter 20.770, Tree Conservation, Section 20.770.060, Tree Plan Review Procedure** shall be amended as follows:

**Section 20.770.060 Tree, Vegetation and Soil Plan Review Procedure.**

A. Timeline and action.

1. Tree permit applications submitted separate from a development application shall be processed as a Type I action within the timelines and procedures established by Section 20.210.040 VMC (Decision-Making) except that a notice of applications shall be posted on the site as required by 20.770.060(B)(1) VMC.

2. Tree permit applications submitted with a Type II or Type II development application shall be consolidated with the minor or major application and processed within the timelines and procedures established by Chapter 20.210.040 VMC for Type II and Type III actions.

B. Public Notice.

1. For tree permit applications and plans submitted separate from a development application, a notice of application shall be posted on the site within seven (7) calendar days after the application is accepted as fully complete. The notice shall be posted in a place on the property that is clearly visible to passersby. The notice of application shall contain the name of the applicant, a description of the tree removal proposal, the case number assigned by the City of Vancouver, and the name and phone number of the city staff person assigned to review the application. The notice shall remain on the site for a period of fourteen (14) calendar days.

2. For tree permit applications and plans submitted with a Type II or III development application, public notice shall be provided as required by Section 20.210.040 VMC (Decision-Making).

C. Permit Duration. A permit issued under this Chapter shall be valid for 180 days or the duration of the associated development permit or approval. The Planning Official may authorize a 180-day extension.

D. Permit Amendments. The permittee may request an amendment to an approved permit. In addition, the Director may require minor project changes to protect drainage-ways, sensitive areas, floodplains (VMC 20.740) and wellhead protection areas, and adjoining property and structures from damage or to alleviate hazardous conditions as they relate to the trees. (Ord. M-3286 § 1, 1997)

Vancouver Municipal Code **Chapter 20.770, Tree Conservation, Section 20.770.070, Tree Plan Review Standards** shall be amended as follows:

**Section 20.770.070 Tree, Vegetation and Soil Plan Review Procedure.**

A. Alternative compliance. All tree removal permit activities regulated by this chapter shall be performed in compliance with the applicable standards contained in this chapter, unless the applicant demonstrates that alternate measures or procedures will be equal or superior to the provisions of this chapter in accomplishing the purposes of this chapter. Such alternative measures and procedures shall be accepted and approved by the planning official.

B. Urban Forestry dDesign standards. For all development projects, the following Urban Forestry design standards and provisions shall apply.

1. When there are feasible and prudent location alternatives on site for proposed building structures or other site improvements, wooded areas existing native vegetation and trees are to be preserved, even if the minimum tree density is exceeded. This may require site redesign including, but not limited to: redesign of streets, sidewalks, stormwater facilities, utilities; changing the shape and size of the parking lot; reducing or limiting proposed site grading; and changing the locations of buildings or building lots. Provided, where necessary, density transfer areas per VMC 20.940 may be used to ensure protection and retention of trees.

2. If existing trees and vegetation meet the requirements for the required landscaping, they shall have priority over and may substitute for the required landscaping pursuant to the guidelines established Chapter 20.925 Landscaping.

3. In designing a development project and in meeting the required minimum tree density, the applicant shall prepare the required tree, vegetation and soil plan in the following order of tree preservation priority. Trees and native vegetation to be preserved must be healthy, wind-firm, and appropriate to the site at their mature size, as identified by a qualified professional.

- a. Heritage trees.
- b. Specimen trees.
- c. Sensitive areas. Trees located within or adjacent to sensitive areas.
- d. Individual trees and/or tree groves which are set aside within density transfer areas and/or tree tracts to be established.
- e. Floodplains and wellhead protection areas.
- f. Other individual trees or groves of trees.

4. On sites where there are currently inadequate numbers of existing trees, or where the trees are inappropriate for preservation, as determined by the planning official, then replacement tree planting shall be required. In designing a development project and in meeting the required minimum tree density the following trees shall be planted in the following order of priority:

- a. Trees planted within or adjacent to designated sensitive areas.



- b. Trees planted adjacent to stormwater retention/detention ponds.
- c. Trees planted within or adjacent to floodplains and wellhead protection areas.
- d. Entrance landscaping, traffic islands, separate deeded tree tracts, and other common areas in residential subdivisions.
- e. Trees planted on individual residential building lots.
- f. For commercial, industrial and multi-family projects, up to 50% of the street trees can be credited toward the replacement requirement.

C. Undeveloped properties, conversion option harvest. For properties proposing a conversion option harvest, the following standards shall apply:

- 1. Trees to remain should be dominant or co-dominant in the stand, healthy and wind-firm.
- 2. Trees to remain should be located on the site in areas that would most likely facilitate their preservation through the build-out of the site.
- 3. Up to 30% of the number or volume of trees, by species, can be removed every 10 years.
- 4. No removal of trees from designated sensitive areas, unless otherwise outlined by this title.
- 5. No removal of designated heritage trees.
- 6. No removal of trees that would cause trees on adjacent properties to become hazardous.
- 7. Logging operations shall be conducted so as to expose the smallest practical area of soil to erosion for the least possible time. To control erosion, shrubs, ground cover and stumps shall be retained where feasible. Where not feasible, appropriate erosion control practices shall be implemented pursuant to Chapter 20.720 VMC, Erosion Control.
- 8. Slash abatement practices shall be implemented pursuant to Vancouver Fire Department standards.

D. Nuisance tree criteria. A nuisance tree must meet the following criteria:

- 1. Tree is causing obvious, physical damage to private or public property, including but not limited to: sidewalk, curb, road, parking lot, building foundation, roof;
- 2. Tree has been damaged by past maintenance practices, that cannot be corrected with proper arboricultural practices; or
- 3. The problems associated with the tree must be such that they cannot be corrected by any other reasonable practice. Including but not limited to the following:
  - a. Pruning of the crown or roots of the tree and/or, structural changes to a building, parking lot, sidewalk or other site modifications to alleviate the problem.
  - b. Pruning, bracing, cabling, to reconstruct a healthy crown.

E. Hazard tree criteria. A hazard tree must meet the following criteria:

- 1. The tree must have a combination of structural defects and/or disease which makes it subject to a high probability of failure and is in proximity to moderate-high frequency of persons or property; and

2. The hazard condition of the tree cannot be lessened with reasonable and proper arboricultural practices nor can the target be removed.

Vancouver Municipal Code **Chapter 20.770, Tree Conservation, Section 20.770.080, Tree Density Requirement** shall be amended as follows:

**Section 20.770.080 Tree Density Requirement.**

A. Minimum tree density requirement established. The required minimum tree density is 30 ~~tree~~ tree units per acre for new development; 30 tree units per acre of site disturbance for commercial, industrial and multiple-family (more than four units) development; and 200 tree units for Conversion Option Harvest Forest Practices. For properties within the City Center District, the minimum tree density does not apply.

1. The tree density may consist of existing trees, replacement trees or a combination of existing and replacement trees, pursuant to the priority established in Section 20.770.070 VMC. Existing tree units in excess of the minimum density may be required to be retained based on the tree, vegetation and soil plan review standards of 20.770.070. Required street trees may not be counted toward the minimum tree density requirement except as provided in VMC 20.770.070.B.4.f.

2. When trees are retained in tree tract(s) in a residential subdivision, a higher minimum tree density is set based on the nature of the grove(s); provided, that the creation and establishment of tree tract(s) shall not reduce the housing density allowed on the subject sit under applicable requirements of this Title.

B. Tree density calculation. For the purpose of calculating required minimum tree density, city right-of-way, areas to be dedicated as city right-of-way, and required pervious surface where trees are not appropriate as determined by the City (e.g., athletic fields and water quality facilities), shall be excluded from the area used for calculation of tree density.

1. Tree density calculation for individual trees.

a. Diameter Breast Height (DBH) shall be measured in inches at 4.5 feet above the ground line.

b. The tree unit value that corresponds with DBH shall be found in Table 20.770.080-1.

2. Tree density calculations for heavily forested sites.

a. The average basal area per acre of the dominant and co-dominant stems shall be based upon the inventory of the existing forested stand using forest mensuration techniques.

b. Tree units per acre shall be obtained by multiplying the Average Basal Area by two (2) to obtain the Average Basal Area.

3. Certain areas of a site are required to be improved or set aside for specific purposes. One major objective of the ordinance is to offset the impacts of impervious surfaces with tree canopy. For required pervious areas where trees cannot reside, such as drainage facilities and ball fields, the tree canopy is not critical and therefore, these areas are excluded from the tree density calculation.

4. The required minimum tree density for an applicable parcel is 30 tree units per acre, unless it is a Conversion Option Harvest Forest Practice which will require a minimum of 200 tree units per acre. For proposed additions or site disturbances on existing commercial, industrial, multi-family sites the required minimum tree density is 30 tree units per acre of site disturbance. Specific tree density calculations and replacement tree standards are delineated in the Urban Forestry Manual.

5. Trees required in order to meet minimum tree density shall be planted according to the following priority:

a. On-site;

b. Off-site. When room is unavailable for planting the required trees on-site, then they may be planted at another approved location in the city;

c. City Tree Account. When on-site and off-site locations are unavailable, then the applicants shall pay the estimated cost of the current market value of the trees, including installation and maintenance costs, into the City's Tree Account established for purchase, installation, and maintenance of such trees.

<b>DBH</b>	<b>Tree Units</b>	<b>DBH</b>	<b>Tree Units</b>	<b>DBH</b>	<b>Tree Units</b>
1”-6”	1	24”	7	38”	14
6”-12”	1.5	26”	8	40”	15
14”	2	28”	9	42”	16
16”	3	30”	10	44”	17
18”	4	32”	11	46”	18
20”	5	34”	12	48”	19
22”	6	36”	13	50”	20

C. Minimum Size and Tree Density Value for Replacement Trees. The required minimum size of the replacement shall be pursuant to Table 20.770.080-2. Each planted tree shall be equivalent to one (1) tree unit. Larger trees are not eligible to receive credit for more than one tree unit.

<b>Table 20.770.080– 2 Planting Stock Size Requirements</b>				
<b>Development Type</b>	<b>Planting Location</b>	<b>Tree Type</b>	<b>Required Min. Size</b>	<b>Tree Unit Value</b>
Residential Subdivision	Tree Tracts	Deciduous	1” Caliper	“1”
Residential Subdivision	Tree Tracts	Conifer	3’ tall	“1”
Commercial, Industrial, Multi-Family (4 or more units)	All developed locations	Deciduous	2” caliper	“1”
Commercial, Industrial, Multi-Family (4 or more units)	All developed locations	Conifer	6’ tall	“1”
Commercial, Industrial, Multi-Family (4 or more units)	Undeveloped locations (i.e. woodland interplanting, etc.)	Deciduous	1” caliper	“1”
Commercial, Industrial, Multi-Family (4 or more units)	Undeveloped locations (i.e. woodland interplanting, etc.)	Conifer	3’ tall	“1”
Single Family and Multi-family (up to 4 units)	All locations.	Conifer	4’ tall	“1”
Single Family and Multi-family (up to 4 units)	All locations.	Deciduous	1.25” caliper, branched	“1”
Undeveloped Property (Conversion Option Harvest)	All locations.	Conifer/ Deciduous	2-0 Bareroot Seedlings.	“1”

D. Replacement tree quality. Replacement trees shall meet the quality and size standards of this chapter. Replacement trees shall be American Standard for Nursery Stock Grade No. 1 or better.

E. Replacement tree planting standards. Trees shall be planted pursuant to the planting standards delineated herein. (Ord. M-3286 § 1, 1997)

1. For all properties other than those electing conversion option harvest.

a. The species selection and spacing of trees to be planted shall be such that it provides for the eventual mature size of the trees. Soil type, soil conditions and other site constraints shall be considered when selecting species for planting.

b. Replacement trees shall optimize tree diversity; include native species and at least 60% conifers; utilize insect and disease resistant trees unless determined by the planning official as not appropriate for the site conditions.

bc. Trees shall be watered as necessary to ensure establishment, survival and growth, during the first two growing seasons after planting. Trees shall be mulched with composted mulch 4 inches deep. Staking and fertilizer shall be required where deemed necessary by the Planning Official.

2. Properties Electing Conversion Option Harvest. The following shall apply to Conversion Option Harvest properties:

a. Stocking levels are acceptable if a minimum of 200 tree units per acre of well distributed, vigorous, undamaged trees are established on the site. This requirement includes both existing and newly planted trees.

b. Species chosen for planting shall be suited to the constraints of the site including, but not limited to: soils, available moisture, topography, light conditions, existing and potential disease.

c. Trees shall be planted during the next planting season (October-March) after the harvesting operation is finished.

(M-3847, Amended, 11/19/2007, Sec 11; M-3840, Amended, 08/06/2007, Sec 32; M-3701, Amended, 05/02/2005, Sec 22; M-3643, Added, 01/26/2004)

Vancouver Municipal Code **Chapter 20.770, Tree Conservation, Section 20.770.090, Tree Protection During Construction** shall be amended as follows:

**Section 20.770.090 Tree, Vegetation and Soil Protection During Construction.**

During construction. Prior to initiating tree removal on the site, soils, vegetated areas and individual trees to be preserved shall be protected from potentially damaging activities pursuant to the following standards.

A. Placing Materials Near Trees. No person may conduct any activity within the protected area of any tree designated to remain, including, but not limited to, parking equipment, placing solvents, storing building material and soil deposits, dumping concrete washout and locating burn holes.

1. During construction, no person shall attach any object to any tree designated for protection.

B. Protective Barrier. Before development, land clearing, filling or any land alteration for which a Tree Removal Permit is required, the applicant:

1. Shall erect and maintain readily visible protective tree fencing along the outer edge and completely surrounding the protected area of all protected trees or groups of trees that are to remain undisturbed. Fences shall be constructed of chain link and at least four feet high, unless other type of fencing is authorized by the planning official.

2. Shall prohibit excavation or compaction of earth or other potentially damaging activities within the barriers.

3. Shall maintain the protective barriers in place until the planning official authorizes their removal or a final certificate of occupancy is issued, whichever occurs first

4. Shall ensure that any landscaping done in the protected zone subsequent to the removal of the barriers shall be accomplished with light machinery or hand labor. No turf or lawn areas are to be installed within protected area.

5. In addition to the above, the planning official may require the following:

- a. Cover with mulch to a depth of at least six (6) inches or with plywood or similar material the areas adjoining the critical root zone of a tree in order to protect roots from damage caused by heavy equipment.
- b. Minimize root damage by excavating a two (2) foot deep trench, at edge of critical root zone, to cleanly sever the roots of trees to be retained.
- c. Have corrective pruning performed on protected trees in order to avoid damage from machinery or building activity.
- d. Maintain trees throughout construction period by watering and fertilizing.

C. Grade.

1. The grade shall not be elevated or reduced within the critical root zone of trees to be preserved without the planning official's authorization. The planning official may allow coverage of up to one half of the area of the tree's critical root zone with light soils (no clay) to the minimum depth necessary to carry out grading or landscaping plans, if it will not imperil the survival of the tree. Aeration devices may be required to ensure the tree's survival.

2. If the grade adjacent to a preserved tree is raised such that it could slough or erode into the tree's critical root zone, it shall be permanently stabilized to prevent suffocation of the roots.

3. The applicant shall not install an impervious surface within the critical root zone of any tree to be retained without the authorization of the planning official. The planning official may require specific construction methods and/or use of aeration devices to ensure the tree's survival and to minimize the potential for root induced damage to the impervious surface.

4. To the greatest extent practical, utility trenches shall be located outside of the critical root zone of trees to be retained. The planning official may require that utilities be tunneled under the roots of trees to be retained if the planning official determines that trenching would significantly reduce the chances of the tree's survival.

5. Trees and other vegetation to be retained shall be protected from erosion and sedimentation. Clearing operations shall be conducted so as to expose the smallest practical area of soil to erosion for the least possible time. To control erosion, shrubs, ground cover and stumps shall be maintained on the individual lots, where feasible. Where not feasible appropriate erosion control practices shall be implemented pursuant to Chapter 20.720 VMC.

D. Directional felling. Directional felling of trees shall be used to avoid damage to trees designated for retention and shall be conducted so as to expose the smallest practical area of soil to erosion for the least possible time. To control erosion, shrubs, ground cover and stumps shall be retained where feasible. Where not feasible, appropriate erosion control practices shall be implemented pursuant to VMC Chapter 14.24, Erosion Control.

E. Additional requirements. The planning official may require additional tree protection measures which are consistent with accepted urban forestry best management practices.

(M-3643, Added, 01/26/2004)

Vancouver Municipal Code **Chapter 20.770, Tree Conservation, Section 20.770.100, Tree Protection During Construction** shall be amended as follows:

**Section 20.770.100 Maintenance Requirements.**

A. Maintenance. Trees, vegetation and soils are to be properly maintained in a vigorous and healthy condition, free from diseases, pests and weeds. Competing vegetation shall be controlled to the extent necessary to allow establishment, survival, and growth of planted trees. To ensure that competing vegetation is properly controlled, the Planning Official may require the use of mulch, weed control fabric, tree shelters, and/or other measures deemed necessary. Trees and groundcover vegetation which become diseased, severely damaged or which die shall be removed by the owner as soon as possible but no later than 60 days after notification by the city. All trees and groundcover vegetation removed under this section shall be replaced with ~~a~~ healthy trees and vegetation of the same size ~~and~~ species and planting standards as required by the approved tree, vegetation and soil plan for the property.

B. Free Maintenance as a Condition of Plat Approval. In a single-family residential development that exceeds four lots, soils, vegetation, mitigation trees, retained trees, and areas dedicated as tree tracts shall be properly maintained and retained unless removal is approved in accordance with 20.770.060 VMC. The tree, vegetation and soil plan shall be a condition of plat approval and on the face of the plat.

C. Multifamily Residential, Commercial, Industrial Developments, Conditional Use. For all soils, vegetation and trees covered by the tree, vegetation and soil plan, the maintenance requirement shall apply in perpetuity to developments that are multifamily residential developments in excess of four units, commercial and industrial. The applicant shall execute a covenant in a form agreeable to the city which shall require that the applicant and his successors comply with the maintenance requirement imposed by this section. The covenant shall be binding on successor property owners and owners' associations. The covenant shall be recorded by the county auditor. The recording fee shall be paid by the applicant.

D. Maintenance agreement. Each development to which the maintenance requirement for this Chapter applies and that contain ~~a specimen tree(s)~~ protected areas shall also be subject to a maintenance agreement. The Planning Official shall require the applicant to execute a maintenance agreement with the City, in a form acceptable to the city attorney, which shall include the provisions of the maintenance requirement in this Chapter, to ensure the survival and proper care of any ~~specimen~~ soils, vegetation and trees identified in the tree, vegetation and soil plan.

E. Required pruning. Pruning shall be performed on newly planted deciduous trees pursuant to the following schedule and standards.

1. Pruning of deciduous trees shall be performed on newly planted deciduous trees pursuant to the following schedule and standards.

a. Year 1. Only dead, broken or crossing branches shall be pruned when the tree is planted.

b. Year 2. A Class I prune, pursuant to ~~National Arborist Association~~ national arborist organization standards, shall be performed during year 2.

c. Year 3. A Class I prune, pursuant to National Arborist Association standards, shall be performed during year 3. The purpose of this pruning is to establish the proper scaffold branching, continue to raise the crown for road and sidewalk clearance, and to remove any dead, dying or crossing branches.

2. Pruning of coniferous trees shall be performed on newly planted conifer trees according to the following schedule and standards.

a. Year 1. Only dead and broken branches and/or double leaders shall be pruned when the tree is planted.

b. Year 2. Depending on species, the tree shall be pruned to encourage one central leader. Lower branches shall be pruned as needed to provide clearance.

c. Year 3. Depending on species, the tree shall be pruned to encourage one central leader. Lower branches shall be pruned as needed to provide clearance.

F. Violation. Failure to ~~regularly~~ maintain the trees as required in this section shall constitute a violation of this Chapter and, if applicable, the plat covenant. (Ord. M-3286 § 1, 1997)

G. Conversion. For Conversion Option Harvest sites, the minimum stocking of the site, as established in this chapter, shall be maintained. Failure to maintain minimum stocking as required constitutes a violation of this chapter. Additionally, failure to comply with the conditions established in the conversion harvest option plan may result in reinstatement of the six (6) year moratorium on development as established in Chapter 222-20 WAC.

Vancouver Municipal Code **Chapter 20.770, Tree Conservation, Section 20.770.140, Enforcement and Penalties** shall be amended as follows:

**Section 20.770.140 Enforcement and Penalties.**

A. General Requirements. Enforcement shall be conducted in accordance with procedures set forth in Chapter 20.140. Special enforcement provisions related to tree conservation are set forth below.

B. Authority. It shall be the duty of the Planning Official to administer the provisions of this chapter. The Planning Official shall have authority to issue permits, impose conditions, enforce the provisions and requirements of this chapter and permits issued there under, and establish administrative procedures and guidelines, conduct inspections, and prepare the forms necessary to carry out the purposes of this Chapter.

C. Stop Work Orders/Permit Revocation.

1. The Planning Official shall suspend work or revoke a permit, as appropriate, if the Planning Official finds that:

- a. The work is not authorized by a valid permit;
- b. Inaccurate information was used to obtain the permit;
- c. The permittee is not complying with the terms of the permit or approved plans;
- d. The work is, in the Planning Official's judgment, a hazard to property or public safety, is adversely affecting or about to adversely affect adjacent property or rights-of-way, a drainage way, watercourse, sensitive areas ~~or~~ stormwater facility, or tree, vegetation and soil protection area or is otherwise adversely affecting the public health, safety, or welfare;

e. Adverse weather is causing significant problems on or off site; or

f. The required project surety has been expended to the point that it no longer provides assurance of the completion of the project in compliance with the terms of the permit.

2. The Planning Official shall issue the permittee/violator a written notice specifying the nature of the violation or problem which must be remedied prior to resuming other work on the project.

D. Restoration. Violators of this chapter or of a permit issued thereunder shall be responsible for restoring unlawfully damaged areas in conformance with a plan, approved by the Planning Official, which provides for repair of any environmental and property damage, and restoration of the site; and which results in a site



condition that, to the greatest extent practical, equals the site condition that would have existed in the absence of the violation(s). Restoration costs will be based on the City appraised value of unapproved trees removed using the latest edition of Guide for Plant Appraisal (International Society of Arboriculture, Council of Tree and Landscape Appraisers). The amount of costs above the approved restoration plan will be paid into the tree account.

E. Prohibition of Further Approvals. The city shall not accept, process, or approve any application for a subdivision or any other development permit or approval, or issue a certificate of occupancy for property on which a violation of this chapter has occurred until the violation is cured by restoration, a plan for mitigating has been agreed upon or other means accepted by the Planning Official and by payment of any penalty imposed for the violation.

F. Civil Penalty.

1. A person who fails to comply with the requirements of this chapter or the terms of a permit issued hereunder, who undertakes an activity regulated by this chapter without obtaining a permit, or fails to comply with a stop work order issued under this chapter shall also be subject to a civil penalty as set forth in table 20.770.140-1. Each day that a permit violation of the requirements of this chapter continues shall constitute a separate violation. In addition, each unlawfully destroyed tree shall constitute a separate violation.

2. Any person who aids or abets in the violation shall be considered to have committed a violation for purposes of the civil penalty.

3. The amount of the penalty shall be assessed in accordance with Table 20.140-1.

**Table 20.770.140– 1  
Civil Penalties for Violations**

<b>Types of Tree, <u>Vegetation and Soil</u> Conservation Ordinance Violations</b>	<b>Allowable Fines <u>per Violation</u></b>
<u>Any violation of the requirements of this chapter or any violation of a permit issued hereunder.</u>	<u>Minimum \$500 per violation</u> <u>Maximum \$1,000 per violation</u>
Removal of tree(s) shown to be removed on preliminarily-approved plans, but prior to final tree plan approval or issuance of a city tree removal permit	Minimum \$50 per tree Maximum \$100 per tree
Removal of tree(s) shown to be retained on preliminarily-approved plans, but prior to final tree, <u>vegetation and soil</u> plan approval or issuance of a city tree removal permit or removal of tree(s) shown to be retained on final approved tree, <u>vegetation and soil</u> plan	Minimum \$250 per tree Maximum \$750 per tree
Continued illegal removal of tree(s) following stop work order or receipt of other information from city that the tree removal activity is not permitted	\$1,000 per day
Removal of tree(s) without applying for or obtaining a city permit or approval	Minimum \$500 per tree Maximum \$1,000 per tree

4. Notice of penalty. A civil penalty shall be imposed by a notice in writing, by certified mail with return receipt requested, or by personal service. The notice shall describe the nature and date of the

violation, and order the acts constituting the violation to cease and desist, and, when appropriate, require necessary corrective action within a specified time.

5. In addition to or in place of civil penalties, the City may bring injunctive, declaratory or other actions to enforce this chapter.

56. The provisions of this subsection shall apply to violations of this chapter in lieu of the provisions set forth in chapter 20.140.030 of this title.

G. Criminal Prosecution. In addition to or in place of civil penalties, knowingly violating this chapter may be referred to the City Attorney's Office for criminal prosecution. Violations of this chapter constitute a misdemeanor, punishable by up to ninety days in jail and/or up to a \$1,000.00 fine. "Knowingly" means that a person knows or acts knowingly or with knowledge when he or she is aware of a fact, circumstance or result which is described by this chapter as being a violation.

DRAFT

Vancouver Municipal Code **Chapter 20.790, SEPA Regulations, Section 20.790.850, Critical Areas** shall be amended as follows:

**Section 20.790.850 Critical Areas**

~~A. Designation of critical areas. The city designates the following as critical areas, in which the exemptions as specified in Section 20.790.800 VMC shall not apply:~~

~~1. Wellhead protection areas, to include property within one thousand feet of a parcel on which at least one publicly owned wellhead used for municipal water supply is located as shown on the wellhead protection areas maps incorporated by reference and on file in the office of the City Clerk.~~

~~B. Those categorical exemptions contained in 197-11-800(1), (2)(a), (2)(c) through (h), (3), (5)(b), (5)(c), (6)(a), (14)(c), (24)(a) through (g) and (25)(d), (f), (h), (i) WAC shall be inapplicable within wellhead protection areas as defined in Subsection (A)(1).~~

~~C. Limitations. The scope of environmental review of actions within the critical areas listed in this section shall be limited to:~~

~~1. Documenting whether the proposal is consistent with the requirements of the applicable critical areas ordinance; and~~

~~2. Evaluating potentially significant impacts on the critical area resources not adequately addressed by the city's comprehensive growth management plan and implementing ordinances, including any additional mitigation measures needed to protect the critical areas to achieve consistency with SEPA and other applicable environmental review laws.~~

~~D. Threshold determinations. The city shall treat proposals located wholly or partially within a critical area no differently than other proposals under this chapter, making a threshold determination for all such proposals. The city shall not automatically require an EIS for a proposal merely because it is proposed for location in a critical area.~~

~~Section 20.790.850 — Critical Areas. DELETE ENTIRE SECTION – REPLACED BY 20.740~~

~~A. Designation of critical areas. The city designates the following as critical areas, in which the exemptions as specified in Section 20.790.800 VMC shall not apply:~~

~~1. Wellhead protection areas, to include property within one thousand feet of a parcel on which at least one publicly owned wellhead used for municipal water supply is located as shown on the wellhead protection areas maps incorporated by reference and on file in the office of the City Clerk.~~

~~B. Those categorical exemptions contained in 197-11-800(1), (2)(a), (2)(c) through (h), (3), (5)(b), (5)(c), (6)(a), (14)(c), (24)(a) through (g) and (25)(d), (f), (h), (i) WAC shall be inapplicable within wellhead protection areas as defined in Subsection (A)(1).~~

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~~D. Threshold determinations. The city shall treat proposals located wholly or partially within a critical area no differently than other proposals under this chapter, making a threshold determination for all such proposals. The city shall not automatically require an EIS for a proposal merely because it is proposed for location in a critical area.~~

(M-3692, Amended, 02/28/2005, Sec15; M-3643, Added, 01/26/2004)

Vancouver Municipal Code **Chapter 20.925, Landscaping, Section 20.925.020, Applicability** shall be amended as follows:

**Section 20.925.020 Applicability.**

Applicability. The provisions of this Chapter shall apply to all development including the construction of new structures, the remodeling of existing structures where the landscaping is nonconforming, as outlined in Chapter 20.930 VMC, Nonconforming Situations, and to any changes of use which result in the need for increased on-site parking or loading requirements or otherwise change the access requirements.

Landscape plan. A landscape plan prepared in accordance with Section 20.925.110 VMC and 20.770 VMC shall be submitted to the Planning Official for review and approval. The plan shall be drawn to scale and shall be approved prior to land use approval.

Review procedures. Landscape plans shall be reviewed in conjunction with the associated land use application. In the event that the landscape plan is proposed as a separate action, the Planning Official shall approve, approve with conditions, or deny a plan submitted under the provisions of this Chapter by means of a Type I procedure, per Chapter 20.210 VMC, Decision-Making Procedures.

Vancouver Municipal Code **Chapter 20.925, Landscaping, Section 20.925.030, General Provisions** shall be amended as follows:

**Section 20.925.030 General Provisions.**

A. Landscaping Requirements. Landscaping shall be provided and maintained per Table 20.925.030-1 and 20.925.030-2 of this section.

**VMC Table 20.925.030-1 Minimum Landscaping and Buffer Setback Standards**

<b>Zoning of Proposed Development</b> (Buffer width is the setback for the commercial and industrial zoning districts)													
<i>Required street trees and parking area landscaping do not count towards these requirements except as allowed by the street tree and parking code sections.</i>		<b>Lower Density Residential<sup>3</sup></b>		<b>Higher Density Residential<sup>3</sup></b>		<b>Commercial and Mixed Use<sup>1</sup></b>		<b>Industrial<sup>1</sup></b>					
		R-2, R-4, R-6, R-9		R-18, R-22, R-30, R-35		CN, CC, CG, & MX only		OCI		IL, A		IH	
<b>Zoning Of Land Abutting Development Site</b>		Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street
<b>Lower Density Residential</b>	R-2, R-4, R-6, R-9	None	None	L2 10-ft	L3 5-ft	L2 10-ft	L4 10-ft	L2 10-ft	L4 10-ft	L3 20-ft	L4 in 40-ft <sup>5</sup> L5 in 50-ft <sup>5</sup>	L3 20-ft	L4 in 40-ft <sup>5</sup> L5 in 50-ft <sup>5</sup>
<b>Higher Density Residential</b>	R-18, R-22, R-30, R-35	None	L3 5-ft	L1 10-ft	L1 5-ft	L2 10-ft	L4 10-ft	L2 5-ft	L2 5-ft	L3 20-ft	L4 in 40-ft <sup>5</sup> L5 in 50-ft <sup>5</sup>	L3 20-ft	L4 in 40-ft <sup>5</sup> L5 in 50-ft <sup>5</sup>
<b>Commercial and Mixed Use</b>	CN, CC, CG, MX	L1 10-ft	L3 5-ft	L2 10-ft	L3 5-ft	L2 10-ft	L1 <sup>2</sup> 0-5 ft	L2 5-ft	L1 <sup>2</sup> 0-5 ft	L2 10-ft	L3 5-ft	L2 10-ft	L3 10-ft
<b>Industrial</b>	OCI	L1 10-ft	L3 5-ft	L1 10-ft	L3 5-ft	L2 10-ft	L1 <sup>2</sup> 0-5 ft	L2 5-ft	L1 <sup>2</sup> 0-5 ft	L2 10-ft	L3 5-ft	L2 10-ft	L3 10-ft
	IL, A	L1 10-ft	L3 5-ft	L2 10-ft	L3 5-ft	L2 10-ft	L2 5-ft	L2 5-ft	L1 <sup>2</sup> 0-5 ft	L2 10-ft	L1 5-ft	L2 10-ft	L3 10-ft
	IH	L1 10-ft	L3 5-ft	L2 10-ft	L3 5-ft	L2 5-ft	L3 5-ft	L2 5-ft	L3 5-ft	L2 10-ft	L3 10-ft	L2 10-ft	L1 <sup>2</sup> 0-5 ft
<b>Resource (County)</b>	FR-80, FR-40, AG-20, AG-WL, Park/WL	L1 10-ft	L3 50-ft	L2 10-ft	L3 50-ft	L2 10-ft	L2 5 ft	L2 5-ft	L3 10-ft	L2 10-ft	L1 5-ft	L2 10-ft	L3 10-ft

<sup>1</sup> Zero lot line developments shall comply with the standards and requirements of VMC 20.910.050.

<sup>2</sup> If buildings to be built on the property line there is no required buffer for that portion of the site.

<sup>3</sup> Applies to multi-family site plan applications and the perimeter of land divisions not to individual single-family lot development.

<sup>4</sup> In case of conflict with yard setback, landscape, screening or buffer standards specified in other sections of Title 20, the stricter standard shall apply, except for Plan Districts where the district standards shall always apply even if less strict than the standards of this table.

<sup>5</sup> Buffer widths abutting parking areas that are landscaped in accordance with the requirements of VMC 0.945.040(D) can be reduced to 25 feet.

**VMC Table 20.925.030-2 Landscaping and Screening Design Standards<sup>1</sup>**

Type	Name	Description	Minimum Shrubs Based on Buffer Depth	Minimum Trees	Wall or Berm or Fence Required - Standards
L1	General (for open areas)	Used where distance is primary means of separating uses or development, and landscaping enhances area between them	a. 10 ft or less = None b. Over 10 ft = 2 high or 3 low shrubs per 400 sq. ft. landscaped area	a. One tree per 30 lineal ft b. One tree per 800 sq. ft.	None
L2	Low Screen	Distance and low-level screening intended to separate uses or development. Applied where low level screening sufficiently reduces the impact of a use or development, or where visibility between areas is more important than a greater visual screen.	Continuous screen 3 ft high, 95% opaque year-round. 3+ gallon containers or equivalent with spread 18+ inches.	One tree per 30 lineal ft of landscaped area or as needed to provide a tree canopy over the landscaped area	3 ft high masonry wall or F2 fence or a berm may substitute for shrubs
L3	High Screen	Physical and visual separation between uses or development principally using screening. Used where full separation is warranted by impacts of proposed development, notwithstanding loss of direct views.	Enough shrubs to form a 6-ft high buffer screen 95% opaque year-round; 5+ gallon containers or equivalent with spread of 30+ inches		6 ft F1 or F2 high wall or fence with or without berm may substitute for shrubs
L4	High Wall	Used where extensive screening of visual and noise impacts is needed to protect abutting sensitive uses and/or there is little space for separation between uses.	Four high shrubs required per 30 lineal ft of wall		6 ft F2 high wall required
L5	High Berm	Used instead of L4 where extensive screening is warranted and more space is available for separation between uses.	L2 low shrubs on top of berm so total screen height = 6 ft		4 - 6 ft high berm required. If under 6 ft high, plant L2 low shrubs on top of berm so overall screen height is 6 ft.
F1	Partially Sight- Obscuring	Partial visual separation applied where a proposed use or development has			6 ft high - at least 50% sight-obscuring - wood, metal, chain link



	Fence	little impact, or where visibility between areas is more important than a total visual screen.			with slats, bricks, masonry or other permanent materials.
F2	Fully Sight- Obscuring Fence	Full visual separation where complete screening is needed to protect abutting uses, and landscaping alone cannot provide that separation.			6 ft. high - 100% sight-obscuring - made of wood, metal, bricks, masonry or other permanent materials - no chain link fences with slats or similar construction.

<sup>1</sup> Additional Requirements:

L1, L2, L3, L4, L5 - Groundcover plants, grass lawn or approved flowers must fully cover the landscaped area not in shrubs or trees.

L2, L3 - When applied along street lot lines, the screen or wall is to be placed along the interior side of the landscaped area.

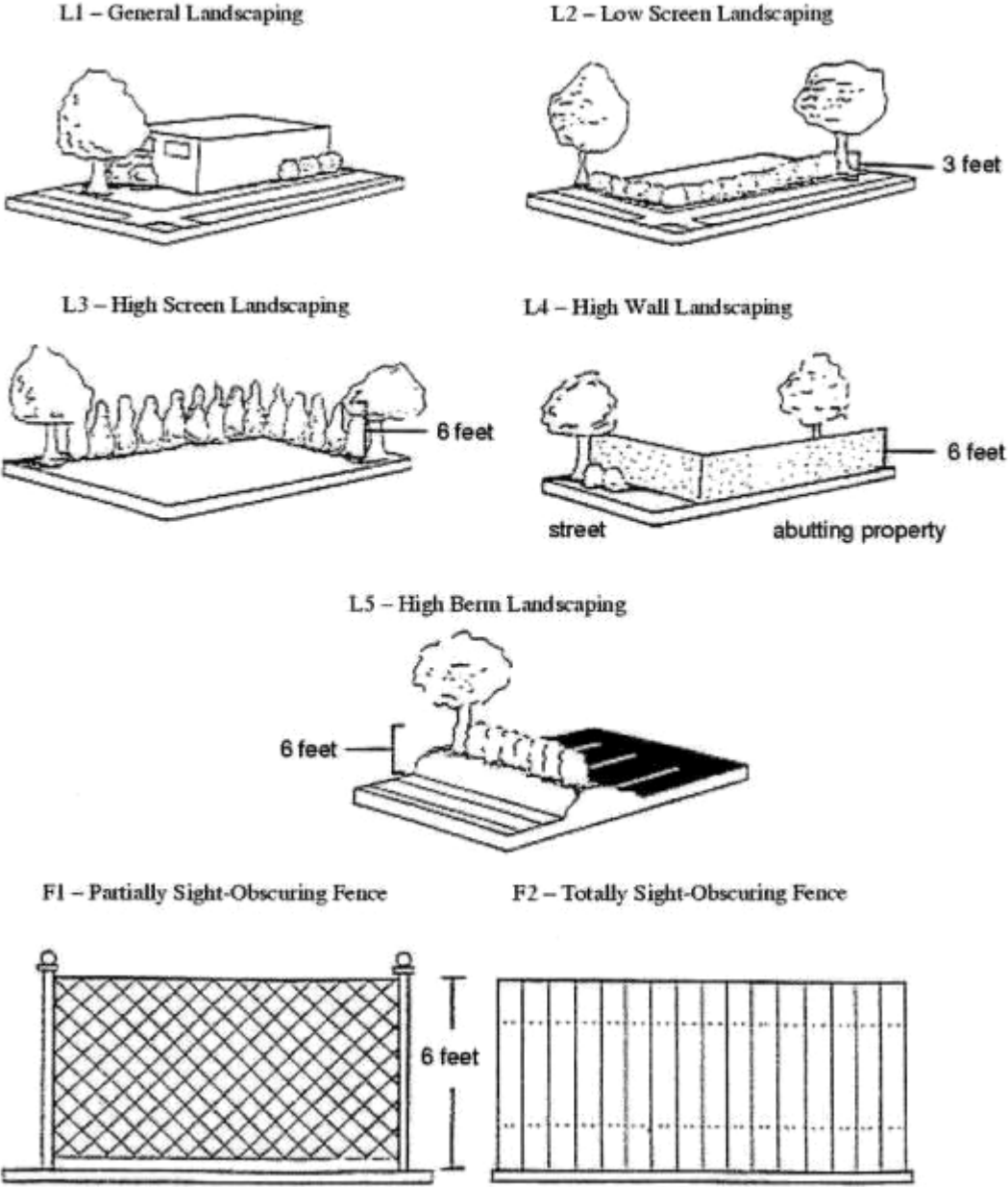
L4 - When abutting another property, the wall shall abut the property line. When abutting a street or road right-of-way, the wall shall be on the interior side of the landscaped area.

L1 - Within the commercial districts where a building is to be placed at the buffer line for a front setback, concrete or brick pavers may be used in place of the required groundcover for the length of the building for the front setback only; provided, the required trees are still supplied, the paved area is connected to the public sidewalk, and pedestrian amenities are provided such as benches or pedestrian plazas. Building need not be placed at the required buffer line to utilize this section if the area between the buffer line and the building is devoted entirely to pedestrian only areas.

L1, L2, L3, L4, L5 – Groundcover plants to be placed not more than thirty (30) inches on center and thirty (30) inches between rows. Rows of plants shall be staggered for a more effective covering. Groundcover shall be supplied in a minimum four (4) inch size container or a two and one-quarter (2 1/4) inch container or equivalent if planted eighteen (18) inches on center.

Figure 20.925.030-1

Figure 20.925.030-1



B. Obligation to maintain. Unless otherwise provided by the lease agreement, the owner, tenant and his agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping and screening, which shall be maintained in good condition so as to present a healthy, neat and orderly appearance, shall be replaced or repaired as necessary, and shall be kept free from refuse and debris.

C. Pruning required. All plant growth in landscaped areas of developments shall be **controlled maintained** by pruning, trimming or otherwise so that:

- 1. It will not interfere with the maintenance or repair of any public utility;

2. It will not restrict pedestrian or vehicular access;
3. It will not constitute a traffic hazard because of reduced visibility; and
4. Trees shall be pruned to provide at least 8' of clearance above sidewalks and 13' above a local street, 15' above a collector street, and 18' above an arterial street roadway surfaces.

D. Installation requirements. The installation of all landscaping shall be as follows:

1. All landscaping shall be installed according to accepted planting procedures;
2. The plant materials shall be of high grade, and shall meet the quality and size standards of the American Standards for Nursery Stock (ANSI Z60, 1-1986, as updated); and
3. Landscaping shall be installed in accordance with Section 20.925.050 VMC.
4. All landscaped areas shall be provided with an irrigation system or a readily available water supply with at least one outlet located within 50' of all plant material
5. All landscaped areas shall be provided with a 6 inch curb which could include curb cuts, wheel stops or other protective measure to allow for stormwater flow as part of LID.
6. Landscaped areas shall have a minimum length or width dimension of 5 feet in order to count toward the minimum required landscaped area.

E. Certificate of Occupancy. Certificates of occupancy shall not be issued unless the landscaping requirements have been met or other arrangements have been made and approved by the city such as described in Section 20.909.020(B) VMC.

F. Care of landscaping along public rights-of-way. Appropriate methods for the care and maintenance of street trees and landscaping materials shall be provided by the owner of the property abutting the rights-of-way, unless otherwise required for emergency conditions and the safety of the general public.

G. Conditions of approval of existing vegetation. The review procedures and standards for required landscaping and screening shall be specified in the conditions of approval during development review and in no instance shall be less than that required for site development.

H. Height restrictions abutting public rights-of-way. No trees, shrubs or plantings more than 18" in height shall be planted in the public right-of-way abutting roadways having no established curb and gutter.

I. Sight visibility. Sight visibility requirements of Chapter 20.985 VMC Vision Clearance shall be met.

Vancouver Municipal Code **Chapter 20.925, Landscaping, Section 20.925.040, Protection of Existing Vegetation** shall be amended as follows:

**Section 20.925.040 Protection of Existing Vegetation.**

Protection of existing vegetation. Existing vegetation on a site shall be protected as much as possible, and the protection of existing vegetation during development activities shall whenever possible, include open field or non-treed areas. Chapter 20.770 Tree, Vegetation and Soil Conservation Ordinance contains additional standards for protection and retention of existing trees, vegetation and soil.

Methods of protection. The developer shall provide methods for the protection of existing vegetation to be retained, such as protective fencing to remain during the construction process.

Remaining plants and undisturbed areas. Plants to be saved and areas not to be disturbed shall be noted on the landscape plans. The plan shall locate fencing used to protect vegetation and soils from damage during construction.

Vancouver Municipal Code **Chapter 20.925, Landscaping, Section 20.925.050, Installation Requirements** shall be amended as follows:

**Section 20.925.050 Installation Requirements.**

**A. Minimum plant specifications**

1. All required trees shall be at least 2” in caliper and shrubs at least 1 gallon.

2. Trees shall optimize tree diversity; include native species and at least 60% conifers; utilize insect and disease resistant trees unless determined by the planning official as not appropriate for the site conditions.

2.3 Trees, shrubs, perennials, perennial grasses, and groundcovers shall be located and spaced to accommodate their mature size on the site.

**B. Soils, soil conditioning and mulching**

1. A minimum of 12” depth of non-mechanically compacted soil shall be available for water absorption and root growth in planted areas.

2. A minimum of a 4” layer of porous mulch shall be applied to all exposed soil surfaces of non-turf areas within the landscape area. Plant types that are intolerant of mulch shall be exempt from this requirement. Non-porous material, such as plastic sheeting, shall not be placed under the mulch. However, porous landscape fabric is permitted.

3. Areas that have been cleared, graded, or compacted and that have not been covered by impervious surface, incorporated into a drainage facility, or engineered as structural fill or slope shall be amended with organic matter.

Vancouver Municipal Code **Chapter 20.925, Landscaping, Section 20.925.090, Revegetation** shall be amended as follows:

**Section 20.925.090 Re-vegetation.**

When revegetation is required. Where natural vegetation has been removed through grading in areas not affected by the landscaping requirements and that are not to be occupied by structures, such areas are to be replanted as set forth in this Section to prevent erosion after construction activities are completed.

Preparation for re-vegetation. Topsoil removed from the surface in preparation for grading and construction is to be stored on or near the sites and protected from erosion while grading operations are underway.

1. Such storage may not be located where it would cause suffocation of root systems

of trees intended to be preserved; and

2. After completion of such grading, the topsoil is to be restored to exposed cut and fill embankments or building pads and amended with compost to provide a suitable base for seeding and planting.

#### Methods of revegetation

1. Acceptable methods of re-vegetation include replanting with native trees, shrubs and groundcover and hydro-mulching or the planting of rye grass, barley, or other seed with equivalent germination rates;

a. The use of native trees, shrubs and groundcovers plant materials is encouraged to reduce irrigation and maintenance demands;

~~a.b.~~ The use of lawn and turf should be minimal. Where lawn or turf grass is to be established, lawn grass seed or other appropriate landscape cover is to be sown at not less than 4 pounds to each 1,000 sq. ft. of land area;

~~b. c.~~ Other revegetation methods offering equivalent protection may be approved by the approval authority;

~~e. d.~~ Plant materials are to be watered at intervals sufficient to ensure survival and growth; and

~~d. ——— The use of native plant materials is encouraged to reduce irrigation and maintenance demands; and~~

e. Employ other erosion control techniques as required in Chapter ~~20.720~~ 14.24 VMC Erosion Control.

Vancouver Municipal Code **Chapter 20.925, Landscaping, Section 20.925.100, Water Conservation Standards** shall be amended as follows:

#### **Section 20.925.100 Water Conservation Standards.**

##### A. Water conservation standards.

1. Applicability. In order to ensure efficient water use in landscaped areas, the following standards shall be applied to all landscaping associated with office, commercial, industrial, institutional, parks and greenways, multiple family residential projects, and commonly-owned and/or maintained areas of single family residential projects.

2. Exemptions. These standards do not apply to landscaping in private areas of single-family projects. Parks, playgrounds, sports fields, golf courses, schools, and cemeteries are exempt from specified turf area limitations where a functional need for turf is established. All other requirements are applicable.

3. Plant selection and use limitation.

a. Minimize the amount of irrigated turf.

~~a. b.~~ Turf, high-water-use plantings (e.g. annuals, container plants) and water features

(e.g. fountains, pools) shall be considered high-water-uses and shall be limited to not more than 40% of the projects landscaped area if non-drought resistant grass is used, and no more than 50% of the landscaped area if drought resistant grass is used.

~~b.c.~~ Plants selected in all areas not identified for turf or high-water-use plantings shall ~~be include native vegetation or be~~ well suited to the climate, soils, and topographic conditions of the site, and shall be low water use plants once established.

~~e.d.~~ Plants having similar water use shall be grouped together in distinct hydrozones and shall be irrigated with separate irrigation circuits.

~~d.e.~~ No turf or high-water-use plants shall be allowed on slopes ~~exceeding 25%.~~ Slopes shall be revegetated with native trees, shrubs and groundcover, except where other project water saving techniques can compensate for the increased runoff, and where the need for such slope planting is demonstrated.

~~e.f.~~ No turf or high-water-use plants shall be allowed in areas 8' wide or less except public right-of-way planter strips.

g. No turf shall be installed within Tree, Vegetation and Soil Protection Areas VMC 20.770.

#### B. Water efficient landscape (xeriscape) standards.

1. As an alternative to traditional landscaping, the City encourages the use of xeriscape practices, which minimize the need for watering or irrigation. Xeriscape principles can be summarized as follows:

- a. Using plants with low moisture requirements;
- b. Selecting plants for specific site microclimates that vary according to slope, aspect, soil, and exposure to sun and moisture;
- c. Using native, non-invasive, adapted plant species;
- d. Minimizing the amount of irrigated turf;
- e. Planting and designing slopes to minimize storm water runoff;
- f. Use of separate irrigation zones adjusted to plant water requirements and use of drip or trickle irrigation systems.
- g. Using mulch in planted areas to control weeds, cool the soil and reduce evaporation; and
- h. Emphasizing soil improvement, such as deep tilling, adding organic matter and other amendments based on soil tests.

2. Appropriate plant species. Trees and plants used in xeriscape plantings pursuant to this Section shall:

- a. Appropriate for the ecological setting in which they are to be planted;
- b. Have non-invasive growth habits;
- c. Encourage low maintenance and sustainable landscape design

- d. Be commercially available;
  - e. Shall not be plant material that was collected in the wild; and
  - f. Be consistent with the purpose and intent of this Section.
3. Native vegetation. Within xeriscape areas, a minimum of 50% native plants shall be used.
4. Prohibited species. The City shall maintain a list of prohibited species, which are invasive or noxious. Where such species already exist, their removal shall be a condition of development approval.
5. Additional planting standards
- a. For xeriscape areas, soil samples shall be analyzed to determine what soil conditioning or soil amendments should be used at the time of planting. Soil conditioning measures shall be adequate for the plant species selected.
  - b. Trees, shrubs, perennials, perennial grasses and groundcovers shall be located and spaced to accommodate their mature size on the site.
6. Plant replacement. The developer shall maintain xeriscape plantings for a two-year period from the date of planting. Within the two-year period, the developer shall replace or otherwise guarantee any failed plantings:
- a. Dead or dying trees or shrubs shall be replaced; and
  - b. Plantings of perennials, perennial grasses or groundcovers shall be replanted to maintain a maximum 20% mortality rate from the date of planting.
- C. Stormwater. Applicants are encouraged to incorporate landscaping into the on-site stormwater treatment system to the greatest extent practicable.