



City of Vancouver  
Planning Commission  
415 W 6th Street  
Vancouver, WA 98660

March 7, 2022

## **RE: Housing Code Updates**

As a local residential real estate developer focused on providing new missing middle homes to our community – Ginn Group commends the City’s initiative to address the housing shortage with revisions to the zoning code. We are encouraged by the City’s proposed updates to allow for a broader range of product types and wider range of densities, specifically creating more opportunities for missing middle housing. In general, we want to express our support for the City’s proposed draft code updates and incentives. City Staff has directly reached out to us for our feedback as well as others within our local building community and we appreciate those efforts. A few comments that we shared with city staff and would like to reiterate are as follows:

### **R-17 Low Density Residential District Standards**

- **VMC 20.140.040, -050, Tables 20.410.040-1 and 20.410.050-1**
  - **Proposed Minimum Lot Size: 2,000 SF; Proposed Maximum Lot Coverage: 65%**

*We recommend a minimum lot size of 1,800 - 2,000 SF to allow for smaller detached and, particularly, attached product types. Similarly, we recommend increasing the allowed lot coverage to 65-70% to have the flexibility to build a functionally and thoughtfully designed two-story, small, single-family home. Center units on narrow-lot attached multiplexes are typically pretty small.*

- **Proposed Lot Width: 25'**

*We recommend a minimum lot width of 18' – 20' as opposed to 25' since 20'-wide attached products wouldn't require a full 25'. It also provides flexibility to provide a 16'-18' wide, 2- or 3-story, detached product, requiring less than a 25'-wide lot.*

### **R-50 High Density Residential District Standards**

- **VMC: 20.420.020E. R-50: Higher-Density Residential District. The R-50 zoning district is designed to accommodate multi-dwelling structures at a minimum lot size of 800 square feet per unit. Professional office uses are permitted under certain provisions. Some retail, civic and institutional uses are allowed conditionally.**

*We recommend removing the requirement for a minimum lot size of 800 square feet per unit and not placing a minimum square footage per unit. The provision as written is potentially very*



*limiting to vertical, multi-story development, preventing the ability to achieve higher densities. Footnote 1 appears to only require 800 square feet per unit as long as the required residential density is met on an overall project basis, but that provision could still be restrictive to achieving maximum density on a site.*

### **Cottage Clusters**

- **VMC 20.930A.2. Cottage housing developments shall contain a minimum of four (4) and a maximum of twelve (12) units in a cluster; provided that a cottage development may contain up to two (2) clusters.**

*Recommend allowing more than a maximum of two cottage clusters in a cottage cluster development. As it reads, the provision seems limiting to small 24-unit cottage communities.*

- **VMC 20.930A.3. 3. Each single- family cottage shall not exceed 1,600 square feet in total floor area, and each duplex cottage 3,000 square feet. Floor areas of attached or detached garages and outbuildings shall count towards these size limits, with the exception of the first 200 hundred square feet of garage or outbuilding per single family cottage, or 400 square feet per duplex.**

*Recommend increasing the amount that can be exempted to 400 square feet to allow for a two-car garage – the distinction is really between conditioned and unconditioned space (i.e., up to 400 square feet of unconditioned space should be exempt).*

- **VMC 20.930B Cottage Orientation. Cottage must be clustered around a common courtyard and must meet the following standards.**
- **VMC 20.930B.1. At least 75% of the cottage units shall be located within 25 feet of a common courtyard, and shall have covered porches and main entries which face the common courtyard.**
- **2. The Planning Official may grant exceptions for as needed to allow cottages abutting a public street at the site perimeter to face the street.**

*We appreciate the flexibility allowed in these provisions and recommend considering some additional flexibility, especially for constrained sites (critical areas, topography, site dimensions), where the homes could be oriented toward a natural feature that also provides a common open space for a cottage cluster community, rather than a typical courtyard. Similarly, on narrow sites, it may not be feasible to orient cottages towards a shared courtyard, instead, it may be more beneficial to the residents to provide a common open space on a portion of the site that is connected by a pedestrian pathway to each home. Depending on a site's existing features and shape, it may not be feasible to create a layout where cottages are oriented toward a typical courtyard, but meaningful common open space can still be provided. Even where feasible, our practical experience with cottage subdivisions in urban Clark County is that common open space that meets the technical requirements of the cottage code doesn't always result in quality spaces that serve a central function and give unique identity to a cottage subdivision.*



## **Aging in Place Building Incentives**

*We are enthusiastic about the potential development incentives for aging in place products. We recommend considering a density bonus as an incentive and some flexibility in the development standards to allow for an increase in density and a mix of product types.*

Again, we support the strategic changes that the City is making through proposed code updates and incentives that will allow more opportunities to deliver missing middle homes in our community.

Sincerely,

DocuSigned by:

*Patrick Ginn*

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Patrick Ginn, CEO  
Ginn Group, LLC

**From:** [Toby St. Clair](#)  
**To:** [Planning Commission](#)  
**Subject:** Public comment regarding ADU  
**Date:** Tuesday, March 1, 2022 7:02:25 PM

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Good evening,

My wife and I are moving to Vancouver WA this spring and currently looking to purchase a small home in a walkable community for us and a baby on the way, and in which we might also be able to have our parents move to as they age (ideally in a separate space). I was surprised to see the lack of multi-family homes and properties on the market, but I'm glad to hear about the upcoming changes being considered in Vancouver that could help support this.

I have two primary concerns that I would like considered.

1. The current maximum unit size rule (**20.810.040 - D**) that an ADU must be 800 sq ft or 50% or less of the primary single family structure (whichever is less) is unfair to those who can only afford small homes, which would not allow a reasonably sized ADUs.

I understand that the city would want to limit ADUs to a reasonable size, but the limitation based on the size of the primary house is an unfortunate rule that seems to benefit the wealthy (people who can afford larger homes) by providing them an opportunity not available to those who can only afford smaller homes. It seems to me that this rule would perpetuate and exacerbate inequality by providing yet another advantage / enhanced opportunity to those that have more wealth. I think any aesthetic rationale for this decision (i.e., a house should appear visually subordinate) is a poor excuse for denying those with smaller homes the same opportunity to develop a reasonably sized ADU to supplement their income or provide space in which family or other members of their community can live.

2. I'd like to voice my support for removing requirements for vehicle parking in areas serviced by public transit. Living space is at a far greater premium than parking space in places like downtown/uptown Vancouver and we should be encouraging people to take transit, or create space to work from home rather than commuting, to help reduce our collective carbon footprint.

Thanks for your time and consideration,

Toby St. Clair

Heidi Cody | Testimony for Planning Commission

re: Fossil Fuel Moratorium/Ordinance

Hello Commissioners,

My name is Heidi Cody and I live in Vancouver. I would like to thank the Commission and City staff, for your time and research, in forging a permanent, defensible fossil fuel ordinance. This process takes patience and dedication, and your efforts are appreciated.

The permitting process for new fossil fuel facilities consumes time and resources, and is divisive for our community. However, the current fossil fuel moratorium has the community's ongoing support. Vancouver's clean energy future is at stake. Preventing toxic bulk fossil fuel projects that endanger our community is crucial. A switch to cleaner fuels can also happen without expansion, without using existing storage, and without swapping fossil fuel storage for cleaner fuels.

A meaningful fossil fuel ordinance will protect community safety and health, and do so without loopholes. Expectations about what is allowed need to be clear. I worry about what happened in Portland with Zenith, where a pre-existing tenant, a defunct asphalt facility, no less, converted its use and flouted local regulations. An effective ordinance will prevent that from happening here in Vancouver.

The City should complete a SEPA analysis that will demonstrate the environmental justice impacts of these large-scale fossil fuel projects, which would be situated in areas already burdened disproportionately by environmental health impacts from pollution. Any expansion of existing facilities would add to that burden, and would be inconsistent with the City's "Leading Edge" efforts to address climate-changing, air-polluting, spill-risking pollution. It is encouraging that City staff propose to center equity, as they turn this moratorium into a permanent, protective ordinance.

The Planning Commission should support an ordinance that 1) prohibits all new large fossil fuel terminals, such as LNG, LPG, coal, or other types of fuels; 2) prohibits the conversion of existing facilities to fossil fuel facilities; and 3) prohibits the expansion of storage facilities for large-scale quantities of fossil fuels.

Thank you for your work in securing a healthier, safer and more equitable future for Vancouver.

**From:** [Cathryn Chudy](#)  
**To:** [Planning Commission](#)  
**Cc:** [Eiken, Chad](#); [Snodgrass, Bryan](#); [Kennedy, Rebecca](#)  
**Subject:** Follow Up Response to 3/08/22 to Fossil Fuel Regulations Workshop  
**Date:** Monday, April 4, 2022 12:55:39 PM  
**Attachments:** [4.04.22 Planning Commission Follow Up.pdf](#)

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Planning Commission and Staff,

Please see the attached letter, our Alliance For Community Engagement (ACE) response to the March 8 "Fossil Fuels Facilities Proposed Code Changes" workshop.

We appreciate the time and research under way and will continue to follow this process closely as the work continues.

Cathryn Chudy for ACE

[chudyca@gmail.com](mailto:chudyca@gmail.com)

April 4, 2022

Alliance for Community Engagement SWWA (ACE)

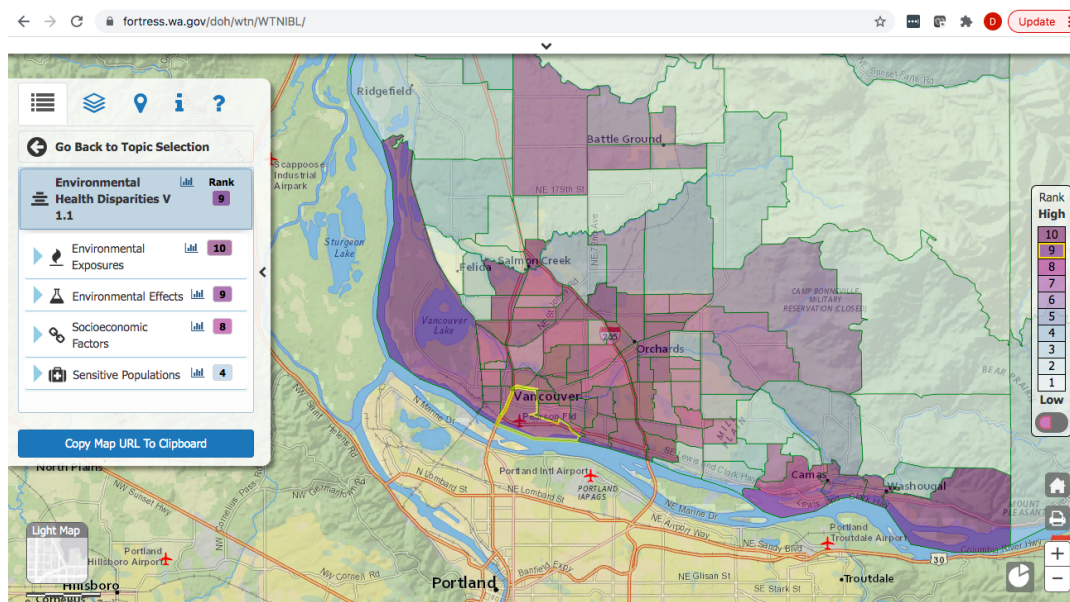
Planning Commission and Staff  
City of Vancouver

Hello Commissioners and Staff,

Thank you for your time and research to move forward a permanent, defensible fossil fuel ordinance for Vancouver. This process takes patience and dedication. Your efforts are appreciated. We are Alliance for Community Engagement (ACE), and we advocate for equitable policy that protects community health and safety at the City, at the Port, and at Clark PUD.

New and expanded toxic bulk fossil fuel facilities endanger our community, which has already experienced decades of disproportionate health and safety impacts from our existing facilities. The proposed Tesoro-Savage oil-by-rail facility also showed how resource-intensive and divisive the permitting process for new fossil fuel facilities is. The moratorium on new fossil fuel facilities, which protects against these risks while a permanent code change is developed, is essential, and must be maintained for the duration of the planning process.

It is encouraging that City staff propose to center equity as it turns this moratorium into a permanent, protective ordinance. As the Environmental Health Disparities Map below shows, Vancouver's BIPOC communities, people with lower incomes, and people experiencing houselessness, often experience the pollution and safety risks of fossil fuel infrastructure, first and worst. We would like to hear staff openly address the environmental justice implications of the current situation. Vancouver's environmental health disparity problem remains stark and troubling.

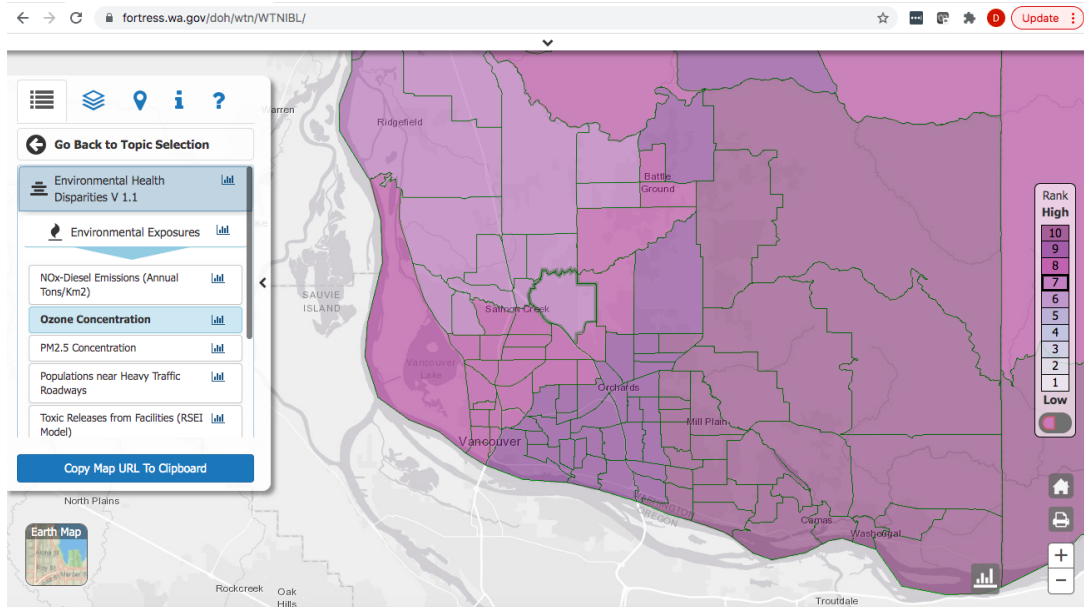


Source: Environmental Health Disparities Map. Accessed December 2021. <https://fortress.wa.gov/doh/wtn/WTNIBL/>



To support these regulations, the City should complete a SEPA analysis that assesses the environmental justice and safety impacts of these large-scale fossil fuel projects, which would be situated in areas already burdened disproportionately by environmental health impacts from pollution. Any expansion of existing facilities would add to that burden, and would be inconsistent with the City's "Leading Edge" efforts to address climate-changing, air-polluting, spill-risking pollution.

The second graphic from the Environmental Health Disparities map below, shows that most of Vancouver rates between 7-10 on a scale of 10 in ozone pollution, which forms as a product of nitrogen oxides, volatile organic compounds, and sunlight. Burning fossil fuels emits smog-forming pollution. For example, fracked gas combustion contributes significantly to volatile organic compounds and other air pollution in the Vancouver area. Vehicular traffic plays a major role also. Vancouver must step up to address the major impact of pollution on its communities. Vancouver's health, safety, and clean energy future is at stake.



A meaningful fossil fuel ordinance must safeguard community safety and health, and do so without loopholes that allow for unnecessary expansions or changes of use that create new health, safety, or environmental impacts. This includes:

- A prohibition of any new bulk fossil fuel facilities above 1 million gallons in volume.
- A prohibition on the expansion of fossil fuel storage and transloading capacity at existing facilities beyond the current baseline.
- The code should build on the 2016 ordinance prohibiting bulk oil facilities, and remain clear in banning new or expanded bulk fossil fuel terminals without seeking to create any new definitions or incentives for "cleaner fuels." The current land use code on bulk oil terminals does not include "transition" language related to biofuels or renewable fuels,



since it doesn't affect or address those uses. Adding in new definitions or allowances complicates the code and potentially opens the door to unintended loopholes.

- A requirement that permitted equipment replacements needed for maintenance, safety, or seismic upgrades shall never be used to expand existing storage capacity.
- Protections against change of use, for facilities to convert from otherwise allowed uses (for example, clean fuel facilities that are not touched by this code), to bulk fossil fuel facilities that are prohibited by this code. Vancouver should learn from the lessons in Portland, where Zenith Energy, a defunct asphalt facility, leveraged a loophole in the local regulations prohibiting new fossil fuel facilities by converting its existing facility to store and transload tar sands crude oil. An effective ordinance must clearly prohibit similar activity at existing facilities here in Vancouver.

The Planning Commission should support an ordinance that 1) prohibits all new large fossil fuel terminals, such as LNG, LPG, coal, or other types of fuels; 2) prohibits the conversion of existing facilities to fossil fuel facilities; and 3) prohibits the expansion of storage facilities for large-scale quantities of fossil fuels.

Thank you for your work in securing a healthier, safer and more equitable future for Vancouver.

Sincerely,

Alliance for Community Engagement SWWA (ACE)