

## 20.100 ADMINISTRATION

### Chapter 20.130 ZONING MAP ADMINISTRATION

#### 20.130.030 Maintenance of the Map.

Maintenance of map. The original signed copy of the Zoning Map containing the zoning districts designated at the time of adoption of this title shall be filed in the office of the city clerk pursuant to RCW [35.63.100](#) and a duplicate shall be filed in the office of the planning official to keep the maps up to date at all times. Copies of all zoning maps and amendments shall be dated with the effective date of the document adopting the map and amendments and shall be maintained without change, together with the adopting documents, on file in the ~~Community and Economic Development Department~~ Community Development Department. (Ord. M-3643, 01/26/2004)

### Chapter 20.140 ENFORCEMENT

#### 20.140.020 Certificates of Occupancy.

A. *Purpose.* The purpose of this section is to ensure that each new or expanded use of a structure or of a site without a structure, and each new structure or alteration of an existing structure complies with all applicable provisions of this title. Certificates of Occupancy also provide the city with a record of each new or expanded use of a structure or site.

B. *Application of Certificates of Occupancy.*

1. *For use of new or expanded buildings.* No buildings hereafter erected or enlarged shall be occupied, used or changed in use until a Certificate of Occupancy shall have been issued. Such certificates shall be applied for concurrently with the application for a building permit. A Certificate of Occupancy shall be issued only after such building or enlargement has been completed in conformity with the provisions of this title, with an approved site plan, if required, and when the proposed use conforms to this title and to any and all other required conditions. Any use legally occupying an existing building at the time this title becomes effective may be continued but shall not be changed, unless a Certificate of

Occupancy for the new use shall have been issued by the city, if required by Subsection (B)(2), after finding that such use conforms to this title and required conditions.

2. *For use of existing buildings.* In the event a change shall be made in the classification of occupancies or use of any existing building which would place the building in a different division of the same group of occupancy or in a different group of occupancies, such building shall be made to comply with the requirements of the City Adopted Building Code, and such change in occupancy classification shall require a Certificate of Occupancy. A Certificate of Occupancy shall not be required solely for changes in use within the same division of the same group of occupancy defined by the Uniform Building Code, as adopted by the city.

3. *Record.* A record of all Certificates of Occupancy shall be kept on file with the ~~Community and Economic Development Department~~ Community Development Department. (Ord. M-3643, 01/26/2004)

## Chapter 20.150 DEFINITIONS

### 20.150.030 Common Acronyms.

**ADA** The Americans with Disability Act

**ADA** Also, Average Daily Attendance

**ADT** Average Daily Traffic

**ADU** Accessory Dwelling Unit

**BAS** Best Available Science

**BFE** Base Flood Elevation

**BMPs** Best Management Practices

**CAP** Critical Areas Permit

**CAR** Critical Areas Report

~~**CED** Community and Economic Development~~ **CDD** Community Development Department

**CFR** Code of Federal Regulations

**CMZ** Channel Migration Zone

**CUP** Conditional use permit

**DBH** Diameter at Breast Height

**DFIRM** Digital Flood Insurance Rate Map

**DNS** Determination of Non-Significance

**DNR** Washington State Department of Natural Resources

**DOE** or Ecology Washington State Department of Ecology

**DS** Determination of Significance

**EIS** Environmental Impact Statement

**ESA** The Federal Endangered Species Act

**FAA** Federal Aviation Administration

**FAR** Floor Area Ratio

**FBFM** Flood Boundary-Floodway Maps

**FCC** Federal Communications Commission

**FEMA** Federal Emergency Management Agency

**FIRM** Flood Insurance Rate Map

**FIS** Flood Insurance Study

**FTE** Full-time Equivalent

**GLA** Gross Leaseable Area

**GMA** The Washington State Growth Management Act of 1990

**gsf** Gross Square Feet

**HGM** Hydrogeomorphic

**LOS** Level of service

**MDNS** Mitigated Determination of Non-Significance

**NAICS** The North American Industrial Classification System

**NFIP** National Flood Insurance Program

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

**OHWM** Ordinary High Water Mark

**PUD** Planned Unit Development

**RCW** Revised Code of Washington

**SEPA** State Environmental Policy Act

**SF** Square Feet. Also s.f. and sq.ft.

**SRO** Single-Room Occupancy

**SWCCA** Southwest Washington Clean Air Agency (formerly SWAPCA)

**TDL** Total Developable Land

**USC** United States Code

**VMC** Vancouver Municipal Code

**WAC** Washington Administrative Code

**WDFW** Washington Department of Fish and Wildlife (Ord. M-4017 § 10, 07/16/2012; Ord. M-3692 § 8, 02/28/2005; Ord. M-3643, 01/26/2004)

## **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 which is clearly incidental to the primary structure on the same lot.

**Accessory Use.** A use of land or portion there of 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 of Watercourse.** Any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.

**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 noncommercial 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~~ Community Development Department, 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\(8\)](#).

**Area of Shallow Flooding.** A designated zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. Also referred to as the "sheet flow area."

**Areas of Special Flood Hazards.** Lands in the flood plain subject to a one percent 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." "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard."

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

**ASCE 24.** The most recently published version of ASCE 24, Flood Resistant Design and Construction, published by the American Society of Civil Engineers.

**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).

**Bulk Crude Storage.** Bulk crude storage and handling facility, means any structure, group of structures, equipment, or device that stores or transfers any naturally occurring liquid petroleum extracted from geological formations beneath the earth's surface which requires further refinement before consumer use, including but not limited to; conventional crude oil, extra heavy oil, and bitumen. The term does not include facilities that store and handle finished products derived from petroleum including but not limited to asphalt.

**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 nontransferable 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 no 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 1/2 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 1/2 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 nonelectric 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 nontransient 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. (Ord. M-4325 § 3, 2020; Ord. M-4289 § 4, 2019; Ord. M-4179 § 61, 2016; Ord. M-4170 § 5, 2016; Ord. M-4034 § 2, 2012; Ord. M-4024 § 4, 2012; Ord. M-4024 § 3, 2012; Ord. M-4017 § 11, 2012; Ord. M-4002 § 2, 2011; Ord. M-3959 § 3, 2010; Ord. M-3922 § 2, 2009;

Ord. M-3868 § 2, 2008; Ord. M-3844 § 3, 2007; Ord. M-3840 § 3, 2007; Ord. M-3832 § 1, 2007; Ord. M-3733 § 2, 2006; Ord. M-3709 § 2, 2005; Ord. M-3701 § 2, 2005; Ord. M-3692 § 8, 2005; Ord. M-3667 § 2, 2004; Ord. M-3663 § 2, 2004; Ord. M-3643, 2004)

## **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.

**Mean Sea Level.** For purposes of the National Flood Insurance Program, the vertical datum to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

**Meandering Sidewalks.** Those sidewalks separated by a nonuniform 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.

**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.

**New Manufactured Home Park or Subdivision (Applies in Frequently Flooded Areas).** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations by the community.

**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 nonwetlands. 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.

**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.

**Petroleum/Oil Refinery.** An industry engaged in refining crude petroleum/oil into refined petroleum/oil. Petroleum/oil refining involves one or more of the following activities: 1) fractionation; 2) straight distillation of crude oil; and 3) cracking.

**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~~ Community 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 nonconforming 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.** All land 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. (Ord. M-4325 § 3, 2020; Ord. M-4179 § 64, 2016; Ord. M-4170 § 6, 2016; Ord. M-4034 § 2, 2012)

## Chapter 20.180 FEES

### 20.180.010 Purpose.

A. *Requirements of the uniform codes and ordinances.* The uniform codes and ordinances adopted by the City of Vancouver concerning land use, development, and building require the ~~Community and Economic Development Department~~ Community Development Department to perform certain reviews, approvals, and inspections to support land development, new construction, issue permits, periodically inspect existing occupancies to assure compliance with the codes, and ordinances. Appropriate fees will be collected for these reviews, approvals, and inspections. Any applicant desiring or being required to obtain review, approval, permit issuance or inspections pursuant to the uniform codes, standards, and ordinances adopted by the City of Vancouver shall pay the applicable fees.

B. *Procedures and standard fee provisions.* This section establishes the procedures and standard provisions for fees set forth in the following sections:

1. [20.180.060](#) VMC, Planning Fees
2. [20.180.070](#) VMC, Development Engineering Fees
3. [20.180.080](#) VMC, Fire Review Fees (Ord. M-3643, 2004)

## **20.180.020 Application and Service Fee Policy.**

Fee policy. It is the general policy of the City of Vancouver that ~~the Community and Economic Development Department~~ Community Development Department adopt application and service fees at a level sufficient to cover the costs or a substantial portion of the costs, associated with conducting reviews, and providing services. Fees for applications or services should generally be collected by the city at the time or as close as possible to the time that costs are incurred. General fund support for certain activities will be provided where necessary. (Ord. M-3643, 2004)

## **20.200 LAND USE DECISIONS**

### **Chapter 20.285 TEXT AND MAP AMENDMENTS**

#### **20.285.030 Initiation.**

A. Proposals reviewed under this chapter may be initiated by property owners or their representatives, the city of Vancouver, or private citizens or groups as follows:

1. *Map Changes.* Property owners or any individual, group or organization may initiate comprehensive plan and associated zoning map designation changes applying to one or more properties, through submittal of an annual review application and associated fees specified in Chapter [20.180](#) VMC. Standalone zoning changes not requiring a comprehensive plan change shall be subject to zone change application and associated fees per Chapter [20.180](#) VMC.
2. *Text Changes.* Property owners or any individual, group, or organization may initiate comprehensive plan or zoning code text changes through submittal of a text change application and associated fees per Chapter [20.180](#) VMC.
3. *City Initiated Map or Text Changes.* The city of Vancouver, on its own behalf or on behalf of an outside individual or group, may initiate Comprehensive Plan or zoning map and/or text changes. City initiation of outside requests for amendments, shall be at city discretion,

and generally limited to proposals that are limited in scope and/or clearly warranted in terms of policy implications, and subject to the following:

- a. Private parties shall submit a written summary of the amendment proposed to ~~community and economic development department~~ community development department staff, an indication of why it is needed, and the potential land use impacts if approved. No application fees shall be assessed.
- b. City staff shall maintain a docket listing of private party requests, and shall provide the listing not less than once per year to the planning commission, which shall determine which items shall be scheduled for public hearing review, deferred to future work programs, or discontinued. Requesting parties of discontinued proposals shall have the option of submitting formal applications under this chapter. (Ord. M-3643, 01/26/2004)

## 20.500 OVERLAY DISTRICTS

### Chapter 20.520 NOISE IMPACT OVERLAY DISTRICT

#### 20.520.020 Establishment of Boundaries.

A. *Boundaries of Noise District.* The boundaries of the Noise Impact Overlay District are as set forth in Figure 20.520-1. Such boundaries delineate that part of the City which is most affected by noise from Portland International Airport, Burlington Northern Railroad, I-5 Freeway and Pearson Airpark, or by the combined effect thereof. Such boundaries are based upon the 1988 65 Ldn Noise Contour shown on the 1983 PIA Noise Abatement Plan and are consistent with the noise impact studies of the Washington State Department of Transportation for the I-5 Corridor. Large-scale maps showing the boundaries of the district shall be maintained in the office of the City's ~~Community and Economic Development Department~~ Community Development Department. For lots or parcels located only partially within the district, this Chapter shall apply if all or part of the exact building site is within the district.

## 20.600 PLAN DISTRICTS

### Chapter 20.670 THE HEIGHTS (HX) PLAN DISTRICT

#### 20.670.060 Approval Process.

A. New developments and modifications to existing permitted development shall comply with the approval process outlined in Chapter [20.270](#) VMC, Site Plan Review, and VMC [20.790.530](#), Planned Action Review.

B. New development and modifications to existing permitted development shall also comply with Design Review approval criteria for the HX District established in subsection [D](#) of this section unless exempted. The following activities shall be administratively exempt from design review:

1. Exterior work not visible from the public way or public areas such as parks and other publicly accessible spaces;
2. Placement of permanent signs, unless (a) inconsistent with adopted design guidelines, such as pole signs; or (b) potentially inconsistent with nearby uses;
3. Public art; and
4. Other minor construction such as replacement of doors, windows, awnings, etc., determined by the planning official to be exempt.

C. *Site Plan approval criteria.* The Site Plan shall be approved, approved with conditions or denied upon finding that:

1. The proposed development implements the Heights District Plan and the requirements of this chapter;
2. The proposed development is consistent with the Heights District Plan vision, goals, and policies, as applicable;
3. The development is consistent with the Heights District Urban Design Guidelines or proposed standards that will achieve at least equal quality site development;

4. All new development is consistent with the conceptual street and open space layout as illustrated in the Heights District Subarea Plan and Urban Design Guidelines.

D. *Design Review approval criteria.* The planning official shall base all reviews of the design of any proposed construction, remodeling or development according to the following criteria:

1. The requirements, guidelines, and applicable provisions of this title that are applicable to the zoning district where the property is located and including all additional zoning regulations which may apply to the use or to its area by provision for overlay district, or made applicable by any conditional use or variance approval;
2. The Heights Urban Design Guidelines kept on file and available for public inspection at the ~~Community and Economic Development Department~~ Community Development Department;
3. The relationship found to exist between existing structures and open space, and between existing structures and other structures in the vicinity, and the expected effect of the proposed construction upon such relationships;
4. The impact of the proposed construction on adjacent uses, including impact of new or revised parking and pedestrian uses;
5. The protection of neighboring uses from identifiable adverse effects of the design of the proposed construction; and
6. The proposed development is consistent with The Heights District Plan vision, goals, and policies, as applicable. (Ord. M-4341 § 3 (Exh. A), 2021)

## **20.700 ENVIRONMENTAL REGULATIONS**

### **Chapter 20.770**

### **TREE, VEGETATION, AND SOIL CONSERVATION**

#### **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 nonforested 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 Site 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.
  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: 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>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

<b>Table 20.770.050- 1</b>		
<b>Projects or Activities for Which Tree, Vegetation, and Soil Plans Are Required</b>		
<b>Project of Activity</b>		<b>Level</b>
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~~ Community Development Department.

D. *Submittal of a tree plan.* The application for a tree, vegetation, and soil plan and/or a tree removal permit shall be submitted with associated development permit applications, if applicable. (Ord. M-4179 § 81, 10/17/2016; Ord. M-3840 § 30, 08/06/2007; Ord. M-3643, 01/26/2004)

## **20.800 SPECIAL USE STANDARDS**

### **Chapter 20.890 WIRELESS COMMUNICATION FACILITIES**

#### **20.890.070 General Application Requirements and Conditions of Permit Issuance.**

A. *Pre-application conference.* Pre-application conferences are required for all proposed wireless facilities except for collocated antennae proposed on existing support structures, pursuant to Chapter [20.210.080](#) VMC.

B. *Pre-application conference application requirements.* In addition to the requirements of Chapter [20.210.080](#) VMC and the pre-application form provided by the ~~Community and Economic Development Department~~ Community Development Department, the applicant shall submit a graphic representation of the search ring for wireless communication services proposed, and a narrative describing how the proposal complies with the Development Standards of [20.890.040](#) VMC.

C. *Permit application requirements.* In addition to the requirements of Chapter [20.210](#) VMC the applicant shall, unless otherwise waived by the Planning Official or designate for good cause shown, provide the following:

1. *Siting/collocation arrangements.* A copy of the applicant's Collocation Evaluation Study, as required by [20.890.040\(R\)](#) VMC or a valid agreement for collocation of the wireless communication facility on an existing building or support structure of another wireless services provider.
2. *Visual impact simulation.* A graphic simulation of the proposed facility from not less than three perspectives, one of which shall be from ground level from any abutting residential property or the nearest public right-of-way.
3. *Available sites map.* A map showing the service area of the proposed facility and a written explanation of the need for that facility, relative to existing facilities available within the search ring.
4. A report from a qualified licensed engineer documenting:
  - a. The anticipated capacity of the support structure, including the number and types of antennas which can be accommodated; at a minimum, the structure must be designed to accommodate at least two wireless antenna installations.
  - b. A projection of the wireless communication facilities within the coverage area of the facility proposed, that can be reasonably anticipated to be sited during the next five years.
  - c. A summary of findings that support the need for the facility at the location proposed.

d. The facility complies with all applicable standards of the FAA and FCC, including RF energy standard.

D. *Permit issuance.* Prior to the issuance of a building permit, the applicant shall provide the following:

1. A copy of the applicant's license issued by the FCC.
2. A copy of the findings from the FAA's Aeronautical Study Determination regarding the proposed support structure.
3. In the case of a leased site:
  - a. The applicant shall demonstrate that the lease agreement does not preclude the site owner from entering into leases of the site with other providers; and
  - b. Completion of a land division, in accordance with the provisions of Chapter [20.300](#) VMC, governing land divisions and binding site plans and the state subdivision law, RCW [58.17](#). (Ord. M-4147 § 4, 12/07/2015; Ord. M-3643, 01/26/2004)

## 20.900 ADDITIONAL DEVELOPMENT STANDARDS

### Chapter 20.915 IMPACT FEES

#### 20.915.070 Calculation of Impact Fee.

A. *For residential and nonresidential development.* The impact fee for a nonresidential development shall be computed by applying the traffic impact fee formula set out in VMC [20.915.040](#). The impact fee for a residential development shall be computed by applying the traffic impact fee, park impact fee and school impact fee formulae set out in VMC [20.915.050](#) and [20.915.060](#), combining the results; provided, that the school impact fee component shall not apply to housing which by restrictive covenant is exclusively for persons 62 years of age or older.

B. *For mixed uses.* If the development for which approval is sought contains a mix of uses, the impact fee must be separately calculated for each type of use.

C. *Criteria to reduce or eliminate impact fees.* An administrative appeal may be considered by the director of ~~community and economic development~~ community development to reduce or eliminate impact fees by submittal of an application prior to the payment of fees. Appeals shall be reserved for unusual circumstances which make the standard impact fee as applied to the development unreasonable. Upon receipt of an application for any such appeal, the city shall distribute a written notice of appeal and a copy of the supporting studies and data required below to the office, department, or school district responsible for the applicable capital facilities for which the impact fee is imposed. The appeal must be supported by reasonable studies and data provided by the applicant showing that:

1. The formulae or method contained in VMC [20.915.040](#), [20.915.050](#) or [20.915.060](#) to calculate the fees do not accurately reflect the cost of system improvements that are reasonably related to the service demands and needs of a particular development; or
2. Such facility improvements will not reasonably benefit the proposed development.
3. The current development proposal implements a concomitant rezone agreement, development agreement or other development approval pursuant to which public facilities identified in the capital facilities plan were dedicated or constructed, and which are of benefit to the community at large and which fall within the definition of system improvements. The appellant shall have the burden of producing and presenting studies and data that clearly show the basis and substantiation of the appeal upon submittal. Appeals shall be reviewed by means of a Type I procedure, pursuant to VMC [20.210.020](#). Impact fees may be paid under protest in order to obtain a permit or approval of development activity. (Ord. M-4340 § 3, 2021; Ord. M-4172 § 1, 2016; Ord. M-4107 § 5, 2014; Ord. M-3643, 2004)

## **Chapter 20.920**

### **INFILL DEVELOPMENT STANDARDS**

#### **20.920.060 Tier 2 Infill Standards.**

In addition to the Tier 1 standards and incentives, Tier 2 infill parcels and land divisions and the subsequent development on those Tier 2 infill parcels shall be subject to the following standards and incentives:



A. *Additional Dwelling Types Allowed.* In addition to the uses allowed by VMC Table 20.410.030-1 (Lower Density Residential Districts Use Table), duplexes and single family attached dwellings are allowed on infill parcels subject to the standards of this chapter:

1. Infill developments of three (3) or fewer parcels may have a duplex on a maximum of one (1) parcel. Infill land divisions which result in more than three (3) parcels may have duplexes on a maximum of one-third of the parcels. When the one-third calculation contains a fraction of a housing unit, the applicant must round down to the nearest whole unit. Infill parcels for duplex development shall meet the minimum parcel size area requirements in Table 20.920.060-1 and shall be noted on the face of the plat. The maximum parcel size area standards of Table 20.410.040-1 (Minimum and Maximum Densities and Lot Sizes) shall not apply to infill parcels for duplex development. Duplex development is not allowed on an infill parcel if it would result in less than the minimum density for the parcel.

2. *Procedures for Single Family Attached Dwellings.* Development proposals for single family attached dwellings utilizing the provision of this chapter shall be subject to the following procedures:

a. Land divisions shall be reviewed according to VMC Section [20.320](#). In addition, if the land is subdivided, development proposals must receive approval of a development plan that demonstrates how the proposal complies with this chapter and all other applicable requirements. The development plan shall be submitted and reviewed in conjunction with the land division application.

b. Preliminary plats may not be approved without approval of the submitted development plan. Both the development plan and preliminary plat must be fully consistent with standards of this and all other applicable ordinances.

c. Preliminary plats may be approved only where conditions of approval are established to ensure that subsequent or existing development on the resultant parcels shall occur consistent with the approved development plan.

d. Building permits may only be approved if consistent with the approved development plan and land division for all units with common walls.

3. *Building Mass Supplemental Standard.* The maximum number of consecutively attached single family units (i.e., with attached walls at property line) shall not exceed four units.

4. *Existing Public Alley Access.* Single family attached subdivisions (creation of ten (10) or more parcels for single-family attached dwellings) shall receive primary vehicle access from a rear alley if a public alley exists within or adjacent to the subdivision.

5. *Pedestrian Pathways.* City may require dedication of right-of-way or easements and construction of pathways between single family attached parcels (e.g., between building breaks) to provide for pedestrian connectivity between groupings of single family attached units and from one side of the parcel to another.

6. *Common Areas*---If provided, Common Areas (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowners association or governed by another legal instrument. A copy of the applicable covenants, conditions and restrictions shall be provided to the city for review and acceptance before recording concurrently with the final plat.

B. *Neighborhood Meeting Required.* A neighborhood meeting shall be held prior to submission of a Tier 2 Infill Development Application. The applicant shall hold a public meeting to offer owners of property near the affected property an opportunity to participate in the development process. A pre-application conference cannot substitute for the required neighborhood meeting. The applicant shall follow the neighborhood meeting guidelines established by the city.

1. The neighborhood meeting shall be held no earlier than ninety (90) days prior to submittal of the application.
2. The applicant shall send a notice of the meeting at least fifteen (15) days prior to the neighborhood meeting to:
  - a. The official representative(s) of the city-recognized neighborhood association(s), if applicable, in whose boundaries the affected property is located, based on the list of official neighborhood associations kept by the planning official or designee, and
  - b. Neighbors and property owners of record of property within a radius of five hundred (500) feet of the subject property. The records of the Clark County Assessor shall be used for determining the property owners of record, and
  - c. The City of Vancouver planning official or designee.

3. The notice must identify the date, time and place of the meeting and provide a brief description of the proposed development.
4. A copy of the notice, the proposed development plan as presented at the meeting, the mailing list, the sign-in sheet, and a meeting summary from the meeting shall be submitted with the application.
5. The planning official shall include the meeting summary with the notice of application sent to parties pursuant to Section [20.210.060](#) (B) Notification of Public Hearing.

**C. Minimum Parcel Size.**

1. Infill parcels for single family development (attached, detached and duplexes) shall meet minimum parcel area requirements as shown in Table 20.920.060-1.

<b>Table 20.920.060-1</b>			
<b>Minimum Parcel Area for Single Family Dwellings</b>			
<b>(Detached, Attached and Duplexes)</b>			
<b>Zoning District</b>	<b>Minimum Parcel Area Single Family Detached (sq.feet)</b>	<b>Minimum Parcel Area Single Family Attached (sq. feet)</b>	<b>Minimum Parcel Area Per Duplex (sq. feet)</b>
R-9	4,000 sf	3,000 sf	6,000 sf
R-6	5,000 sf	4,000 sf	8,000 sf
R-4	7,000 sf	5,000 sf	10,000 sf
R-2	14,000 sf	10,000 sf	20,000 sf

2. Parcel area may be varied by the planning official upon request. The planning official may grant a variance for up to 1% for proposed lots.
3. Tier 2 infill developments are not eligible to use VMC Section [20.940](#) On-Site Density Transfer provisions.

**D. Minimum Parcel Width and Depth.** Within a Tier 2 infill land division, the minimum parcel width and minimum parcel depth standards of Table 20.410.050-1 (Development Standards in Lower-Density Residential) shall not apply. However, subsequent development on infill parcels that were created with less than the minimum width and depth required by Table 20.410.050-1

(Development Standards In Lower-Density Residential) shall not be eligible for a variance to the minimum setback or frontage requirements

E. *Maximum Lot Coverage.* Maximum lot coverage may be increased 20% over the standard for the applicable zone in a Tier 2 infill development, as shown in Table 20.920.060-2.

<b>Zoning District</b>	<b>Current Building Coverage Standard</b>	<b>Building Coverage Standard with 20% Increase</b>
R-9	50%	60%
R-6	50%	60%
R-4	50%	60%
R-2	50%	60%

F. *Setbacks.* Infill parcels developed under provisions of this chapter shall comply with setback requirements of Table 20.410.050-1 (Development Standards In Lower-Density Residential); except that minimum front, side and rear yard setbacks shall be as follows:

1. *Minimum Front Yard.*

- a. Eighteen (18) feet for garage or carport structures or other similar vehicular shelter.
- b. Ten (10) feet for other buildings.

2. *Minimum Side Yard.*

- a. Single family attached dwellings – interior side yard between attached buildings may be zero (0) feet.
- b. All other uses shall comply with the standard side setbacks of the applicable zoning district.

3. *Rear Yard.* The minimum rear yard setback shall be ten (10) feet when the rear yard of the proposed infill development abuts parcels with existing single family dwellings.

G. *Design Requirements for Tier 2 Development.*

1. *Purpose.* The purpose of this requirement is to ensure compatibility of in-fill development with the character of existing residential structures while allowing higher density. Specific goals are as follows:

- a. To encourage new infill development that complements the existing neighborhood character.
- b. To ensure new infill development is consistent with the pattern of established residential structures in the immediate vicinity, while allowing a mix of housing types (e.g., single family attached, duplexes).
- c. To provide a process for neighborhood participation in matters of compatibility within the context of these requirements.

2. *Design Criteria.* Tier 2 In-fill development shall meet the following design criteria as defined by the predominant existing residential character of the block face. The block face shall consist of properties along both sides of the public or private road frontage on which the development is located, from intersection to intersection, or the road end. If no intersection exists within 200 feet from the development site, then the block face shall consist of all properties along both sides of the road frontage within 200 feet of the development. Design requirements as contained in this section shall not apply to multi-family development containing three or more dwelling units. If there is no applicable existing development along a block face, standards (a) through (f) below shall not apply.

- a. Building orientation on proposed lots located on the block face shall be the same as the predominant orientation of buildings along the block face.
- b. Access and location of off-street parking on proposed lots located on the block face shall be the same as the predominant character for existing development along the block face.
- c. Recessed entries or porches shall be incorporated to the extent that they present a predominant feature of existing dwellings along the block face.
- d. Proposed residences shall have no more stories than the average number of stories of existing buildings located along the block face. The number of stories shall be that which is visible from the street of the designated block face. When the average

results in a fraction of less than .5, it shall be rounded down to the next story; a fraction of .5 or greater shall be rounded up to the next story.

e. Roof pitch shall be within the same roof pitch category as the category within which the highest number of buildings along the block face falls, as follows: flat to slight (0:12 up to 3:12); moderate (greater than 3:12 up to 6:12); or steep (greater than 6:12).

Where more than one category contains the highest number of buildings along the block face, the applicant may select from any roof pitch category up to and including the steepest category within which the highest number of buildings along the block face falls. For example, if there are eight homes on the block face and four have a flat to slight roof pitch and four have a moderate roof pitch, new homes may have a roof pitch from either category; however, a roof pitch in the steep category would not be allowed. (See also Figure 20.920.060-1 Categories of Roof Pitch Used to Determine Tier 2 Infill Predominant Character)

f. Roof overhangs shall be the same as the predominant character for existing development along the block face.

3. *Waiver.* Any of the above compatibility requirements may be waived if 75% or more of the residential property owners along both sides of the street of the subject block face agree to alternate design standards.

4. Neighborhood meeting (See 20.920.050-B, Tier 2 Infill Standards). In the required neighborhood meeting, the applicant must also discuss and receive input on (but not limited to) the following topics:

- a. Connected roads and pathways;
- b. Buffering;
- c. Landscaping;
- d. Fencing;
- e. Facade features;
- f. Compatibility where there is no applicable existing development.

H. *Expedited Development Review Process.* An applicant may request an expedited review process for infill projects. An expedited infill project shall be contingent upon city staffing and other resource availability. ~~Community and Economic Development~~ Community Development Department will endeavor to complete review of an infill project within a 60-day time period from Fully Complete (FC) to issuance of the land use decision for projects that do not require a hearing; and 80 days for projects that require a hearing.

I. *Infill Development Transportation Standards.* Street standards may be reduced as part of an infill development. See Section 11.96 of the Vancouver Municipal Code. (Ord. M-3959 § 47, 07/19/2010; Ord. M-3840 § 42, 08/06/2007; Ord. M-3730 § 32, 12/19/2005; Ord. M-3663 § 24, 08/02/2004; Ord. M-3643, 01/26/2004)