

Title 40 Appendix F Overlay District
Form-Based Standards
Errata Sheet ~ November 5, 2009

Acknowledgement Oliver Orjiako, **Interim** Director

Page 8 **1.8** **Historic and Cultural Resources**

The county encourages the preservation of Washington's irreplaceable historic and cultural resources – significant buildings, structures, sites, objects, and districts – as assets for the future. Those buildings of historic value as designated **under** CCC Section 40.250.030 or designated by the county as a historic and cultural resources shall not be subject to Title 40 Appendix F.

Sites listed on the CLARK COUNTY HERITAGE REGISTER, may be redeveloped under Title 40 Appendix F subject to the provisions of CCC Section 40.250.303 that apply to the site and with administrative review by the Clark County Historic Preservation Commission (CCHPC). When located on any **listed** site that is redeveloped pursuant to Title 40 Appendix F, buildings shall be preserved in ~~their entirety~~ **accordance with CCC Section 40.250.030** and shall not be subject to the prescriptions of Title 40 appendix F. In order to better incorporate sites listed on the CLARK COUNTY HERITAGE REGISTER into redevelopment scenarios, the CCHPC will review all code departures. The **Responsible Official must receive CCHPC shall issue** a Certificate of Appropriateness **issued by the CCHPC to the Responsible Official** prior to the development application being deemed fully complete.

Application for departures from Title 40 Appendix F shall be made to the CCHPC for sites listed on the Washington Heritage Register, **the** National Register of Historic Places or the Clark County Cultural Resources Inventory, **may apply for departures from Title 40 Appendix F based on the site's historic value to T**he CCHPC **shall for** review **such an application based on the historic value of the subject site,** and **recommendation approval or denial of the departure(s)** to the Responsible Official **prior** to the development application being deemed fully complete.

1.9 Planned Action

If a project proposed for the Highway 99 sub-Area qualifies as a "planned action" under the State Environmental Policy Act (SEPA) the project may be exempt from requirements for individualized environmental review and mitigation.

In 1995, the SEPA Rules were amended to help cities and counties combine SEPA and GMA processes and analyses, including issuing combined SEPA/GMA documents (WAC 197-11-210 through 235). The amendments allow the county to conduct environmental review at the planning stage so that impacts and mitigation can be analyzed system-wide, rather than on a project-by-project basis. Specifically, the legislature authorized a new category of project action in SEPA called a "planned action." Designating specific types of projects as planned

action projects shifts environmental review of a proposal from the time a permit application is made to an earlier phase in the planning process.

Clark County adopted the Highway 99 Sub-Area Plan Final Supplemental Environmental Impact Statement (FSEIS) as a Planned Action document. The FSEIS provided a framework for encouraging development proposals within the Highway 99 Sub-Area Plan Overlay District. Environmental impacts of qualifying projects within the Sub-Area have been adequately addressed in the FSEIS and DSEIS; complying with CCC40.570.020(D) and CCC40.570.040(B) to streamline and expedite the land use permit process.

When an implementing project is proposed, the county must verify that the proposal is the type of project contemplated in the Planned Action and that it is consistent with the Comprehensive Plan, Highway 99 Sub-Area Plan and CCC Title 40. The county must also determine that the probable significant adverse environmental impacts of the proposed project have been adequately addressed in the FSEIS and all adopted environmental documents within the FSEIS. The county, however, may require additional environmental review and mitigation if significant adverse environmental impacts were not adequately addressed in the Planned Action FSEIS or if the proposed project does not qualify as a Planned Action.

The Responsible Official will review a proposed project to assure that specific and cumulative environmental impacts have been adequately addressed in the FSEIS and will issue a written determination of whether the proposal qualifies as a planned action project.

Page 15 **2.1.1 Kline Commons**

Kline Commons ties together the neighboring residential areas with the Salmon Creek Greenway Regional Trail system and provides for a ~~variety~~ of local business retail destination.

Page 32 **3.0.1 Purpose**

This chapter identifies permitted development frontage types per applicable overlay and street type, and provides design standards for each frontage type to ensure that development relates to the street and meets community design objectives.

Page 33 **3.0.3 About Transparency Requirements**

The purpose of transparency requirements is to maintain “eyes on the street” for safety of pedestrians and to create a more welcoming and interesting streetscape and give an indication of the types of uses and activities occurring in buildings. Transparent windows and doors may be used to meet transparency requirements. Glazed windows, where visibility is obscured, shall not be used to meet transparency requirements.

Page 69 **5.2.1 Pedestrian-Oriented Open Space Design Criteria**

Third paragraph:

Design Criteria for pedestrian-oriented space ~~open space~~.

(1) Sidewalk area, where widened beyond minimum requirements, shall count as usable pedestrian-oriented open space. The additional sidewalk area may be used for outdoor dining and temporary display of retail goods. The standards in paragraphs (2) through (4) below shall not apply to sidewalks, where used as pedestrian-oriented space.

Page 71 **5.2.2 Internal Open Space for Multifamily Uses**

(1) Common open space: Where accessible to all residents, common open space may count for up to 100 percent of the required open space. This includes landscaped courtyards or decks, shared front porches, gardens with walkways, children’s play areas, or other multi-purpose recreational and/or green spaces. Upper level courtyards shall qualify as common open space provided they meet the standards herein and are directly visible from dwelling units in the building (if it’s on top of the building, then it’s a rooftop deck). Special requirements and recommendations for common open spaces include the following:

(i) Shared front porches qualify as common open space provided no dimension is less than eight feet and the porch is open on at least two sides.

(j) Driveways and vehicular access areas shall not qualify as common open space.

Page 74 **5.3.1 Pedestrian Access and Connectivity**

(3) Connectivity to adjacent sites:

(c) Exceptions to (a) and (b) above:

(i) On-site environmental conditions, such as a creek, wetland, and/or steep slopes either prevent the connection or reduce the need for such a connection make such a connection cost prohibitive or undesirable as determined by the Responsible Official.

(ii) Applicable adjacent site is unlikely to be redeveloped in the near future based on the assessed value of site improvements versus the value of the land. as determined by the Responsible Official. Properties where the value of improvements on the land exceeds the value of the underlying land shall be considered unlikely to be redeveloped in the near future.

Page 77 **5.4.1 Vehicular Circulation Network**

Interior vehicular connections between streets shall be required as indicated by the applicable regulatory map in Chapter 2.

(c) Exceptions to (a) and (b) above:

(i) On-site environmental conditions, such as a creek, wetland, and/or steep slopes either prevent the connection or reduce the need for such a connection make such a connection cost prohibitive or undesirable as determined by the Responsible Official.

(ii) Applicable adjacent site is unlikely to be redeveloped in the near future based on the assessed value of site improvements versus the value of the land. as determined by the Responsible Official. Properties where the value of improvements on the land exceeds the value of the

underlying land shall be considered unlikely to be redeveloped in the near future.

Page 77 **5.4.2 Driveway Standards**

Move title to the top of page 79 before (1) Number and separation of driveways.

Page 78 **5.4.1**

(1)(c)(iv) Adjacent Conflicting zoning (such as including light industrial next to any residential zone or single family next to any commercial zone) makes the connection undesirable as determined by the Responsible Official.

Page 82 **Case Study**

The site plan example below was developed to show howare a portion of the Totem Town Center could be developed over time consistent with the development standards and in this case, a departure.

Page 89 **6.1.4 Roofline Modulation Checklist**

In order to qualify as an articulation feature in Standards 6.1.1- 6.1.3, rooflines must be varied by emphasizing dormers, chimneys, stepped roofs, gables, prominent cornice or wall, or a broken n or articulated roofline.

Page 120 **7.8.3 Standards for Zero Lot Line Homes**

This is a configuration where the house and/or garage is built up to one of the side property lines, providing the opportunity for more usable side yard space. Standards are subject to the provisions of CCC40.260.060 and the following supplemental standards:

Page 127 **8.2.1 Lighting Standards and Guidelines**

(5) Minimize lighting trespass. Lighting must be designed to minimize trespass onto adjacent private parcels, except for shared...