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PRE-APPLICATION CONFERENCE

RJR Enterprises Boundary Line Adjustment (2020-020-PAC)
 Meeting conducted on Tuesday, September 22nd, 2020– 11:00 AM

PROJECT INFORMATION

Site Address	No site address
Legal Description	NE ¼, S34, T5N, R1E W.M. Clark County Assessor’s Parcel Number: 258968000, 258913000, 258909000
Applicant	Randy Cole RJR Enterprises LLC 1935 Samco Road, Suite 102 Rapid City, South Dakota 57702 (360)607-4777 randalcp@msn.com
Applicant’s Representative	Seth Halling AKS Engineering and Forestry, LLC 9600 NE 126 th Avenue, Suite 2520 Vancouver, WA 98682 (360)882-0419 sethh@aks-eng.com
Property Owner	Same as applicant
Proposal	Applicant proposes to adjust the boundary lines between three subject parcels to by moving the boundary line of parcel 258913000 10 feet to the west and consolidating lot 258909000 with parcel 258968000.
Date of Issue	September 29, 2020

SUMMARY

The applicant is proposing to adjust the boundaries of the three referenced lots using the City’s boundary line adjustment (BLA) process. Two of the parcels (258909000 and 258968000) would be consolidated into a single parcel. The parcels in question are located in the northern portion of La Center immediately east of NE North Fork Road and are vacant. To the south of the properties is the Vista View Ridge Subdivision, open space Tract A (wetlands); the subdivision is part of the Southview Heights development. To the immediate northeast are single-family homes and farmland. Properties to the west and northwest across NE North Fork Road are also farmland and rural residential uses.

The property is zoned LDR-7.5 with an Urban Holding 10 (UH-10) overlay. The purpose of the overlay is to limit development until a plan for public facilities is established as a result of development. The UH-10 overlay would not prevent the establishment of single-family homes on the properties.

The applicant indicated in the pre-application meeting that their future plan is to place a duplex on the two eventual parcels. While there is nothing preventing a BLA in isolation of a development plan, it would likely benefit the applicant to provide a site plan for eventual development at the time of formal boundary line adjustment application so that staff can better review the BLA in the context of eventual development and possibly prevent the situation in which another BLA would be required in the future.

There is no public sewer available to these lots. The applicant will need to extend public sewer to connect future buildings. There is an existing water main in North Fork Avenue. The applicant will need to connect to this water system per Clark Public Utility requirements. There is no City storm piping near these lots. The applicant will need to provide stormwater detention on site and energy dissipation per the LCMC 18.320.

Boundary line adjustments are a Type I review requiring a 21-day review period following completeness. Removal of the UH-10 overlay is a Type II process with a 56-day review following completeness. The City would consider both applications simultaneously under a consolidated review process as required by 18.30.030(2).

PRELIMINARY REVIEW

Development Standards

Subsequent application(s) shall address the following development standards. Failure of the City to cite specific requirements of the La Center Municipal Code (LCMC) in this report does not relieve the applicant of the responsibility to meet all applicable criteria. If the proposal changes from what was presented in the pre-application conference, it may trigger other review standards and processes than what is identified in this report.

Public Works and Engineering Analysis

Chapter 12.10 -- Public and Private Road Standards

City of La Center Engineering Standards for Construction shall apply to all public road improvements unless modified by the director. LCMC 12.10.040.

Comments

Grading

A grading and erosion control permit is required as part of the Type I site plan approval. As part of the grading plans finished floor elevations need to be shown for the structures in addition to grading quantities

The City Erosion Control Standards require that any activity disturbance over 500 SF must comply with the City standards.

Per 2.15 of the Engineering Standards (C) Uncontrolled intersections and driveway site distance triangles in residential area shall be maintained. Driveways shall have an unobstructed sight distance of one hundred feet in both directions, except a corner lot. The three lots are at the corner of North Fork Avenue curve that is an uncontrolled intersection. Per table 2.5 Site Distance, for 25 mph traffic speed, 250 lineal feet of unobstructed distance needs to be maintained. Only one driveway will be allowed from these three lots allowed for a 250 feet line of site.

Chapter 13.10 -- Sewer System Rules and Regulations

Connection to public sewer is required. LCMC 13.10. All work is to be performed by a duly licensed contractor in the City of La Center. LCMC 13.10.230. Work will be performed using an open trench method unless otherwise approved. LCMC 13.10.200. All costs associated with installing the side sewer shall be borne by the applicant. LCMC 13.10.110.

According to city records, there is currently no sewer that extends to the three lots for this application. There is an urban holding on these lots until public sewer can be extended. The closest City sewer is at the north end of E. Gaither Avenue just north of E. 24th Circle. Plans to extend a public sewer west to the three lots has been approved by the City.

A contractor is currently installing an 8-inch sewer main to the lots. In order to have the urban holding lifted, the contractor will need to complete installation of the public sewer, including an access road, test the sewer main per city standards and provide a public easement to the City for access of the sewer and post a maintenance bond for 20% of the cost of construction of the sewer.

Per LCMC 13.10.350 Each equivalent ERU calculated for each structure or residential unit on the site will be multiplied by the impact fee of \$7,800 per ERU to determine the total sewer impact fee.

Chapter 18.320 (Stormwater and Erosion Control)

Section 18.320.120 (1) LCMC states that ground-disturbing activities of more than 500 square feet are subject to the requirements of City of La Center Erosion Control Guidelines. Section 18.320.120 (2)(a) LCMC states that the creation of more than 2,000 square feet of impervious surface is subject to stormwater regulation.

Per LCMC 18.320.340, the construction of single-family residences, duplexes and accessory structures that will be connected to a downspout are exempt from the stormwater ordinance requiring water quality and quantity disposal.

This downspout connection to the city storm system is contingent on the capacity of the downstream system. There is no ditch or storm system to connect downspouts from these lots. The existing site slopes from north to south. The lot currently drains to an environmental constrained area and a bioswale and storm system built with Southview Heights. Since there is a restriction on the downstream system, the applicant will need to provide stormwater detention and energy dissipation from the downspouts before out falling stormwater to the environmental area.

Land Use

The following notes are based on the City's initial review of the project against applicable section of the City's development code (LCMC Title 18). Formal review after application submission may reveal additional issues that require further discussion with the applicant or submittal of additional information.

Chapter 18.30 Procedures

Review Process

Boundary line adjustments are subject to a Type I review (LCMC 18.220) and removal of the UH-10 overlay is a Type II (LCMC 18.190) review. Both Type I and Type II reviews are administrative with staff having the final decision. The City has 14-days to conduct its completeness review once application materials are submitted (LCMC 18.30.050) for applications that have completed a pre-application meeting. Type I reviews require that the City issue a decision within 21 days after the application is deemed complete and within 56-days for Type II applications. Staff will review the BLA and UH-10 overlay removal as one consolidated application under a Type II process in accordance with LCMC 18.30.030(2).

Submittal Requirements

Section 18.30.050 outlines submittal requirements for all application types. For the proposed boundary line adjustment and removal of the UH-10 overlay, the applicant is required to submit the following:

- A complete application form with original signatures of the owner and applicant
- A state environmental policy act checklist (see discussion under 18.310 below)
- An existing conditions and preliminary BLA plan (see discussion of LCMC 18.220 below)
- Easements and dedications (can be shown on the preliminary BLA)
- Proof of ownership such as deeds or property title
- Legal description
- A copy of this pre-application conference summary
- Narrative demonstrating compliance with applicable review criteria in LCMC 18.190 and 18.220
- An address list on labels for noticing properties within 150 feet of the subject site.

One hardcopies and one PDF copy of all submittal materials are required.

Chapter 18.130 Low Density Residential (LDR-7.5)

The three subject properties are zoned LDR-7.5 with a UH-10 overlay (overlay discussed further below). BLAs must comply with underlying lot size standards. The three existing parcels range in size from approximately 5,227 square feet (parcel number 258909000) to 13,068 square feet. The applicants proposed BLA would move the boundaries of lots 258193000 ten feet west and consolidate parcel 258909000 with 258968000 resulting in two lots of approximate sizes 8,712 and 9,148 square feet. These lots fall within the minimum and maximum lot size standards of the zone *for single-family structures*. The minimum lot size for duplexes is 10,000 square feet for a duplex structure. If the applicant intends to place one duplex structure on the two lots with the common lot line between the structures, the minimum lot size standard will be met. However, if the applicant intends to place a duplex structure on each lot (four total units), then the minimum lot size standard would not be met and two duplex structures would not be permitted. Since no structures are proposed on these lots at this time, staff did not review the proposal for compliance with setback, building coverage, or impervious surface standards which will occur during building permit review.

Chapter 18.190 Urban Holding District (UH-10)

The UH-10 overlay is applied to properties at the time of rezoning to limit development potential of properties until there is a capital facilities analysis accepted by the City. In this case, the UH-10 overlay was applied at the time the properties were annexed to the City and zoned LDR-7.5 as part of the Wolverton Annexation in 2017 (Ord 2017-08). The applicant has indicated they would like to remove the UH-10 overlay concurrent with the BLA process. Removal of the UH-10 overlay must occur through a Type II process as a condition of development approval. See engineering comments with regard to sewer construction and lifting the urban holding overlay. In addition, a Clark Public Utilities waterline is located adjacent to the site in North Fork Avenue. The adjusted lots would be served by and accessed from North Fork Avenue and the applicant will dedicate right-of-way to accommodate the City's minor collector street section.

Based on the above, the lots will be served by all necessary public utilities when the sewer improvements are complete and the UH-10 overlay can be lifted simultaneously as a condition of BLA approval prior to building permit approval.

Chapter 18.220 Boundary Line Adjustments

The City's BLA process allows for the adjustment or consolidation of legal lot boundaries between existing parcels. BLAs cannot result in creation of new lots. BLAs are processed through a Type I process (see discussion of LCMC 18.30 above). The following submittal items are required in addition to those required under LCMC 18.30.050:

- Sales history dating back to 1969 including deeds, prior segregation requests, prior recorded surveys.
- Existing conditions plan including the following:
 - The applicant's and contact person's name, mailing address and phone number;
 - Owner's name and address;
 - Layout and dimensions of parcels drawn to scale (minimum eight and one-half by 11 inches);
 - North arrow (oriented to the top, left or right of page), scale and date;
 - Area of existing sites in acres or square feet;
 - Location of all existing buildings/structures, septic tanks and drainfields, wells and on-site utilities, and their distance in feet from all property lines;
 - Public and private roads and their dimensions and location; and
 - Private road and utility easements and their dimensions and location;
- A preliminary boundary line adjustment plan including the following:
 - Layout and dimensions of adjusted parcels drawn to scale (minimum eight and one-half by 11 inches);
 - North arrow (oriented to the top, left or right of page), scale and date;
 - Area of adjusted sites in acres or square feet;
 - Location of all existing buildings/structures, septic tanks and drainfields, wells and on-site utilities, and their distance in feet from all property lines;
 - Public and private roads and their dimensions and location; and
 - Private road and utility easements and their dimensions and location.

Approval criteria for boundary line adjustments include that: (1) no additional lots are created (2) lots must meet current zoning standards including width and depth and (3) lots must be buildable.

Following City review and approval of the BLA, the applicant will be required to file the BLA with Clark County for recording and provide a recorded copy to the City.

Chapter 18.250 Legal Lot Determinations

In order for the City to approve the applicant's BLA request, all parcels must be legal lots of record. The City will complete the legal lot determination concurrently with the BLA and UH-10 overlay removal request. Legal lots are those that meet current zoning requirements and were created through a previous land division (LCMC 18.250.010[5]). The following items must be submitted for the City to determine whether the lots are legal:

- Prior city/county short plat, subdivision, lot determination or other written approvals, if any, in which the parcel was formally created or determined to be a lot of record;
- Sales or transfer deed history dating back to 1969;
- Prior segregation request, if any;
- Prior recorded survey, if any;

- At the discretion of the applicant, any other information demonstrating compliance with criteria of this section.

Clark County's GIS system does not have any records of land divisions for the subject parcels making the legal determination important in this case. Please submit the above information concurrent with the information required for the BLA.

Chapter 18.300 Critical Areas

Critical areas are: (1) critical aquifer recharge areas (2) fish and wildlife habitat conservation areas (3) frequently flooded areas (4) geologically hazardous areas and (5) wetlands. The preliminarily mapped locations of these areas are shown on the City's critical areas maps. The parcels are mapped as having the following types of critical areas:

- Category I, critical aquifer recharge areas: These critical areas located within the 10-year zone of contribution for wellheads. Clark County Maps Online shows decommissioned wells on parcels 258968000 and 258913000 and an unclassified water system south of the site on parcel 258991144 within the Vista View Ridge Subdivision.
- Geologically hazardous areas: The City's critical areas maps show geologically hazardous areas (landslide hazards) on parcel 258968000 and other geologically hazardous areas offsite, but within proximity to the subject parcels. The site is also located within a Category D seismic hazard area.

A boundary line adjustment within critical areas would not specifically trigger the City's critical areas ordinance. However, prior to developing residential structures on the properties, any development which impacts the above critical areas or their buffers would be subject to the City critical areas ordinance. **Given the time it takes to process critical areas permits, the applicant should consider filing a critical areas permit concurrently with the BLA/UH-10 removal application so that it does not hold up the issuance of building permits in the future.**

Although the applicant has not indicated they are filing for critical areas permit requirements, following are critical area permit requirements. Critical areas permits are processed through a Type II, staff administrative review.

Chapter 18.300.090 Critical Lands

Subsection 18.300.090(1) Critical Aquifer Recharge Areas

Construction of residences exceeding 1,000 square feet of impact in critical areas is not an exempt activity in critical aquifer recharge areas. The applicant shall demonstrate, through the land use approval process, that the proposed activity will not have any adverse impacts on groundwater in critical aquifer recharge areas, based on the Safe Drinking Water Act and the Wellhead Protection Area Program, pursuant to Public Water Supplies, Chapter 246-290 WAC; Water Quality Standards for Groundwaters of the State of Washington, Chapter 173-200 WAC; and Dangerous Waste Regulations, Chapter 173-303 WAC. Given that the site is in a Category I critical aquifer recharge area, the applicant needs to file a Level 1 hydrogeological study meeting the requirements of 18.300.090(1)(d) for review of a critical areas permit prior to approval of a building permit.

Subsection 18.300.090 Geologically Hazardous Areas

Parcel 258968000 is mapped as containing a landslide hazard area. It may be that the mapping is incorrect. Development within landslide hazard areas exceeding 1,000 square feet requires submittal of a critical areas report in the form of geotechnical study. If the mapping is incorrect, the applicant can submit a

stamped letter from a geotechnical engineer demonstrating that the landslide hazard area does not exist. If the hazard does exist, the study needs to meet the requirements of LCMC 18.300.090(4)(c & d). A geotechnical study may be required by the Building Official under the building code even if a landslide hazard does not exist. We encourage you to reach out to the building official, Jim Perry at 360-263-2701, to see if a geotechnical report will be required as part of the building permit review. If the building official requires a geotechnical report, then assessment of the landslide hazard area (if it exists) and seismic hazard area can be completed as part of the geotechnical report.

Chapter 18.310 Environmental Policy

The State Environmental Policy Act (SEPA) requires all non-exempt actions to file a SEPA environmental checklist and receive a threshold determination to assess whether environmental impacts of a proposal are significant. The City’s code adopts the standard state SEPA exemptions in WAC 197-11-800. Land divisions (and by inference BLAs) are normally exempt. Construction of four residential units is also normally exempt. However, the City’s code specifies that exemptions don’t apply in one or more critical areas. Therefore, the applicant must submit a SEPA environmental checklist along with the BLA and UH-10 removal request.

Building

The building official does not have any comments at this time.

Application Fees

Based upon the information provided to date, the City estimates that the land use application fees will include:

- Boundary line adjustment: \$475 + \$75/lot
- Critical area review: \$340 per type of critical area
- Legal lot determination: \$475 + \$75/lot (greater than or equal to 2 lots)
- SEPA review: \$540
- Engineering review: actual costs

In addition to the above standard fees, the City will require a reimbursement agreement.

September 22, 2020 – Attendees

Name	Address	Phone	Email
Randy Coll	RJR Enterprises LLC	360-607-4777	randalcp@msn.com
Seth Halling	AKS Engineering and Forestry	360-882-0419	sethh@aks-eng.com
Tony Cooper, P.E., City Engineer	305 NW Pacific Highway La Center, WA 98629	360-263-2889	acooper@ci.lacenter.wa.us
Ethan Spoo, AICP, Consulting City Planner, WSP USA, Inc.	210 E 13th Street, Vancouver, WA 98660	360-823-6138	ethan.spoo@wsp.com
Sarah Dollar, Permit Technician	305 NW Pacific Highway La Center, WA 98629	360-263-7665	sdollar@ci.lacenter.wa.us