



210 E 4<sup>th</sup> Street  
 La Center, Washington 98629  
 T/360.263.7665

**PRE-APPLICATION CONFERENCE NOTES**  
**Aspen Avenue Subdivision (2023-002-PAC)**

Meeting conducted on Wednesday, January 11, 2023– 1:30 P.M.

**PROJECT INFORMATION**

Site Address	1319 Aspen Avenue, La Center, WA Parcel: 258891000
Legal Description	SW 1/4, S34, T5N, R1E and SE 1/4, S34, T5N, R1E
Applicant	Oleg Moroz Cross Construction LLC 360.601.6248 crossconstructionllc21@gmail.com 10009 NE 97th Court, Vancouver, WA 98662
Applicant’s Representative	David G. Spencer Jolma Design 360.953.8488 admin@jolmadesign.com 12306 SE Mill Plain, Suite 175M, Vancouver, WA 98684.
Property Owner(s)	George R. Spencer Bethany Spencer – Estate Administrator P.O. Box 306, La Center, WA 98629.
Proposal	The applicant proposes to subdivide the property into 16 lots for single-family detached residences in the LDR-7.5 zone. The site would be accessed via two public cul-de-sacs from Aspen Avenue with the southern cul-de-sac having two private roads extending from the cul-de-sac.
Date of Issue	January 26, 2023

**SUMMARY**

The applicant is proposing to subdivide the site to create 15 fee simple lots for single-family detached residences. The site is designated Urban Residential (UR) on the City’s Comprehensive Plan map and is zoned Low Density Residential (LDR-7.5) on the City’s adopted zoning map.

The site would be served by two public roads (E 12th Court and E 13th Court) extending from Aspen Avenue. The applicant’s preliminary plat plan appears to show three lots that are not wide enough to meet the City’s 60-foot lot standard and three flag lots that do not meet the minimum lot size requirements as discussed later in this report.

Based on a review of aerial photos, there appear to be trees on the site. If trees exceeding five inches in diameter at breast height are proposed to be removed, a type II tree cutting permit is required under LCMC 18. 350 “Tree Protection.” The type II tree cutting permit can be reviewed concurrently with type

II site plan review application. A mitigation plan is required for trees 10 inches or greater in diameter that are removed.

The site is within a category 2 critical aquifer recharge area (CARA), as is most of the City of La Center. There are no specific requirements for residential development regarding category 2 CARAs. The site does not contain any other mapped critical areas (wetlands, geologic hazards, frequently flooded areas, fish and wildlife habitat conservation areas). However, the steep site slopes might meet the City's definition of landslide hazards in LCMC 18.300.030 and a geotechnical study will be required to assess the hazard potential.

The southern approximately two-thirds of the site is located in a moderate risk category for encountering archaeological resources and the northern one-third of the site is mapped as moderate to high risk. An archaeological predetermination report will be required for development in these areas as per Table 18.360.020-1.

### **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.

**Applicable Criteria:** The application will be reviewed for compliance with the La Center Municipal Code (LCMC): 3.35 Impact Fees; Title 12, Streets, Sidewalks & Public Ways; Title 13, Public Utilities; Title 18, Development Code Chapters: 18.30 Procedures; 18.130 Low Density Residential (LDR-7.5); 18.210 Subdivision Provisions; 18.225 Legal Lot Determinations; 18.240 Mitigation of Adverse Impact; 18.245 Supplementary Development Standards; 18.260 Variances; 18.280 Off-Street Parking Requirements; 18.282 Outdoor Lighting; 18.300 Critical Areas; 18.310 Environmental Policy; 18.320 Stormwater and Erosion Control; 18.350 Tree Protection; and 18.360 Archaeological Resource Protection.

## **Public Works and Engineering Analysis**

### **LCMC: 3.35 Impact Fees;**

Per LCMC 3.35, impact fees will be collected for traffic, sewer, park and schools. These fees will be imposed at the time when building permits are issued.

### **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.

Aspen Avenue is designated as a Major Collector per the Engineering Standards. General roadway and right-of-way standards shall apply and provide half street improvements per LCMC 12.10.090. This includes placing overhead distribution lines underground per the Engineering Standards.

All pedestrian path of travel in public right-of-way including; sidewalks, curb ramps and street pedestrian crossings shall comply with the American Disabilities Act.

Fire hydrants shall be spaced every 500' per IFC or as otherwise approved by the Fire District. The location of all the hydrants must be approved by the Fire District.

The Fire District must approve access to all the lots per the IFC.

## **Comments**

### ***Streets and Circulation***

For more than 4 lots developed, the streets within the development shall meet the Local Street Standard per the Engineering Standards.

The City Engineering Standards require that where a street is dead ended, a turnaround must be provided where the road serves more than one lot. The turnaround may be a hammerhead if less than 200-feet in length. The applicant proposes access to lots via a modified hammerhead turnaround, that must meet the city local street standard detail for the connection to Aspen Avenue, and the hammerhead street.

A Traffic Engineer, licensed in Washington State, will need to assess the impacts to Aspen Avenue resulting trips from the development.

### ***Grading***

The applicant shall submit final grading and erosion control permit as part of the subdivision plans showing the proposed contours on the plans.

The City Erosion Control Standards require that any activity disturbance over 500 SF must comply with the city standards. As part of these standards a construction stormwater permit is required from the Department of Ecology and a SWPPP will be necessary as part of the plan submittal to the city. All erosion control measures shall be designed, approved, installed and maintained consistent with Chapter 18.320 LCMC and the applicant's Construction Stormwater Permit. Per the City Erosion Control Manual, from October 1 through April 30<sup>th</sup>, no soils shall remain exposed for more than two (2) days. From May 1<sup>st</sup> through September 30<sup>th</sup>, no soils shall remain exposed more than seven (7) days.

As a minimum, the structural sections listed in the city standard street sections must be used. In addition, the report must recommend the over-excavation section for unstable soil encountered during construction. The Geotechnical Engineer is responsible for determining the over-excavation stabilization section during construction for unstable soil encountered, but a recommended over-excavation section must be provided as part of the report and site plans.

Geotechnical Study. A complete application will include a geotechnical study and report, prepared by a geotechnical engineer or geologist, licensed in the state of Washington. The report shall include at a minimum, testing to support the structural section of the roadway, site building construction, grading, retaining wall design, as applicable, and subsurface drainage. LCMC 18.212.050.

## **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.

Per the City Engineering Standards, sanitary sewers should be designed to care for future loads that may reasonably be expected from full development upstream, consistent with the La Center Comprehensive Plan, Capital Facilities Plan, LCMC Title 13, and the Sewer Master Plan (General Sewer Plan).

The applicant is proposing to connect the sanitary sewer piping to the sewer system in Aspen Avenue. Connection of the sanitary sewer in Aspen Avenue, will need to be with a manhole, and a minimum 8-inch diameter public sewer main extending to the subdivision. One separate sewer lateral from this public 8-inch diameter sewer main to each lot is required.

#### **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.

The applicant proposes to create new impervious interior streets, that will be either private or public. Per LCMC 18.320.210, treatment BMPs shall be sized to treat the water quality design storm, defined as the six-month, 24-hour storm runoff volume.

A Technical Information Report (TIR) will need to be submitted by the applicant and must comply with LCMC 18.320.

The LCMC section 18.320.220 states that if surface water leaves the site, stormwater must be detained per LCMC. Runoff calculations need to consider undisturbed forest as the pre-developed condition in determining runoff curve numbers or a downstream analysis of the existing conveyance system is required. The design must meet the LCMC 18.320 and the 1992 Puget Sound Manual for the design of the system.

The collection system shall be designed by the rational method using HEC-12 1984 edition standards for gutter and storm pipe capacity. As an alternate, WSDOT Hydraulics Manual can be used for inlet capacity design. The 100-year rainfall intensity must be used for pipe capacity design using the rational method.

Downspouts connections from the houses must connect directly into the site stormwater system. Laterals from the storm main in the street must be shown to serve each lot.

#### **Maintenance of Stormwater Facility**

The applicant shall be responsible for maintenance of the stormwater facility. An operations manual must be submitted for City review approval for the maintenance of the facility in all cases. Adequate bonding is required to guarantee maintenance of the facility for a period of two years following final plat.

#### **Street Lighting**

Street light design and installation is reviewed and approved by the City of La Center. Street lighting on local streets shall be Acorn full cutoff single fixture on a black decorative fiberglass pole and the

frontage improvements will need to have Cobra Head LED light per the Engineering Standards. The applicant shall submit a Photometric analysis along with the street light design to verify compliance with the Engineering Standards.

#### **Potable Water**

Water system connections are regulated by Clark Public Utility (CPU) and a permit and plan approval will be required for City plan approval.

Clark Public Utilities must approve the water pipe system and service to all lots. CPU needs to be contacted about the existing water system pressure and the applicant must meet CPU approval for the new water system.

Coordinate with Chief Mike Jackson, Clark Fire & Rescue regarding hydrant spacing and related fire flow and fire protections issues.

### Land Use Analysis

#### **Chapter 8.60 Sign Requirements**

If proposed, signs must comply with this chapter including the general requirements (8.60) and requirements for signs in residential zones (8.60.060). One illuminated freestanding sign is permitted at the project entrance provided it is no larger than 32 square feet and no taller than five feet above average grade. Free standing signs must meet the dimensional and configuration requirements of the allowed sign types (monument, single pedestal, dual pedestal, single pylon, dual pylon).

#### **Chapter 18.30.100 Type III procedure**

The project would require preliminary plat approval, legal lot determination, as well as potential for a variance, critical areas permit and tree cutting permit. Preliminary plats are subject to a Type III review process. Critical areas permits, tree cutting permits, and the variance are subject to Type II review process. The legal lot determination is subject to a Type I review. All applications would be grouped under one review process as permitted under LCMC 18.30.030 and reviewed under the highest order review process. The Type III process would include the following timelines:

- **Completeness Review:** following submittal of the application, the City would review the application to determine if it contains all required information. Projects which undergo pre-application conference reviews are subject to a 14-day completeness review.
- **Notice period:** Once deemed complete, the City has 14 days to issue a notice of application with a combined notice of State Environmental Policy Act (SEPA) review. The notice period runs for an additional 14 days after issued.
- **Type III review period:** Once deemed complete, the City has 78 days to schedule a hearing. The hearing examiner issues a decision on subdivision applications within 14 days following the hearing.
- **Appeal:** After issuance of a decision, there is a 14-day appeal period.

Further information regarding the Type III review process is contained in LCMC 18.30.100

#### **Chapter 18.130 Low Density Residential**

The site is zoned LDR-7.5, low density residential, with a minimum lot size of 7,500 square feet. Single-family detached residential dwelling units are a permitted use within the zoning district. The development must meet a minimum density of four units per net acre. Net acre is defined as gross area minus area for public rights-of-way, private streets, utility easements, public parks, and undeveloped critical areas and buffers. Density can be transferred from undeveloped critical areas and buffers under the provisions of 18.300.130 and reduce lot sizes for up to 10 percent of the lots on the site to 6,000 square feet. Individual parcels may not be smaller than 6,000 square feet or larger than 11,000 square feet with the exception for lots abutting the urban growth area boundary which may exceed 11,000 square feet pursuant LCMC 18.130.180.

The proposed conceptual plan shows lots ranging in size from 7,515 to 9,623 square feet. However, lots 4, 5, 9, and 11 - 14 are flag lots. The flag “pole” must be excluded from the area requirements under LCMC 18.210.040(3). If the flag pole was excluded in the area as required, some of these lots likely do not meet minimum lot size requirements and a variance would be required to permit substandard lot sizes. All flag pole widths meet the minimum width requirement of 20 feet.

Lots in the LDR-7.5 zone are also required to be a minimum of 60 feet wide and 90 feet deep. Lot width is measured at the building setbacks and must average 60 feet at the front and building setback lines. Lots 1, 2, and 6 do not appear to meet lot width requirements.. The design of these lots will need to be adjusted to meet the City’s requirements prior to submission. Alternatively, the applicant shall apply for a variance for substandard lots in accordance with LCMC 18.265.

Setbacks are required to be 20 feet (front and back), 7.5 feet interior side, and 10 feet (street side).

See Table 1 for lot dimensional and setback standards.

**Table 1. LDR-7.5 Lot Dimension and Setback Requirements**

Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Front Yard Setback (feet) <sup>1, 2</sup>	Minimum Side Yard Setback (feet) <sup>2</sup>	Minimum Street Side Yard Setback (feet) <sup>2</sup>	Minimum Rear Yard (feet) <sup>2, 3</sup>
60	90	20	7.5	10	20

<sup>1</sup>If there are dwellings on both adjoining lots with front yard setbacks less than the required depth for the district, the minimum front setback for the lot is the average of the front setbacks of the adjoining dwellings. If there is a dwelling on only one adjoining lot with a front yard setback less than the required depth for the district, the minimum front setback for the lot in question is the average of the adjoining front yard setback and 15 feet.

<sup>2</sup>Cornices, eaves, belt courses, sills, canopies, or other similar architectural features (not including bay windows or vertical projections) may extend or project into a required yard not more than 30 inches. Chimneys may not project into a required yard more than 24 inches. A deck not more than 30 inches in height (measured from the lowest grade in the setback to the deck surface) and not covered by a roof or canopy may extend up to 10 feet into a front yard setback, seven and one-half feet into a street side yard setback and is permitted in a side or rear yard regardless of the setback requirements.

<sup>3</sup>A detached accessory structure, other than a garage or carport, may be situated in a rear and/or side yard provided it is at least six feet from the primary structure on a lot or parcel and it is set back from interior side and rear lot lines by at least five feet and from street side lot lines by at least 10 feet. A garage or carport may be situated in a rear and/or side yard provided it is at least 20 feet from the front and street side lot lines

Minimum density in the LDR-7.5 zone is 4 units per net acre. The site is 4.1 gross acres. Public and private roads can be deducted from the gross site area to obtain net site area under the definition of “net area” in LCMC 18.40. The minimum density for the gross site area is 16 units not excluding public

and private rights-of-way. Once these are excluded, the minimum density will be reduced. The applicant is proposing 15 lots which will exceed the minimum required net density. At the time of formal application, the applicant should provide density calculations in conformance with the definition of “net density” in LCMC 18.40 excluding public right-of-way, private streets, and public utility easements, if any.

Maximum building lot coverage shall not exceed 35 percent and maximum impervious surface area shall not exceed 50 percent per lot.

#### **Chapter 18.147 Parks and Open Spaces**

LCMC 18.147 requires single-family residential development of 40 units or more to provide publicly accessible park space at a ratio of 0.25 acres per 40 dwelling units. Based on the 15 lots proposed, the applicant does not need to provide publicly accessible park space.

#### **Chapter 18.210 Subdivision Provisions**

##### **Submittal Requirements (LCMC 18.210.030)**

A completed application form and the following materials will be required, prior to a determination of technical completeness:

1. The information listed in LCMC 18.210.010(2), provided an environmental checklist is required for a technically complete application unless categorically exempt.
2. Written authorization to file the application signed by the owner of the property that is the subject of the application, if the applicant is not the same as the owner as listed by the Clark County assessor.
3. Proof of ownership document, such as copies of deeds and/or a policy or satisfactory commitment for title insurance.
4. A legal description of the property proposed to be divided.
5. If a subdivision contains large lots or tracts which at some future time are likely to be re-subdivided, the application shall include a master plan of all land under common ownership in order to provide for extension and opening of streets at intervals which will permit a subsequent division of each divisible parcel into lots of smaller size.
6. A copy of the pre-application conference summary and all information required to address issues, comments, and concerns in the summary.
7. A written description of how the proposed preliminary plat does or can comply with each applicable approval criterion for the preliminary plat, and basic facts and other substantial evidence that support the description. See applicable subdivision review criteria below.
8. The names and addresses of owners of land within a radius of 300 feet of the site. Owner names and addresses shall be printed on mailing labels.
  - a. The applicant shall submit a statement by the assessor’s office or a title company certifying that the list is complete and accurate, based on the records of the Clark County assessor within 30 days of when the list is submitted.
  - b. If the applicant owns property adjoining or across a right-of-way or easement from the property that is the subject of the application, then notice shall be mailed to owners of property within a 300-foot radius, as provided above, of the edge of the property owned by the applicant adjoining or across a right-of-way or easement from the property that is the subject of the application.

9. Applications associated with the preliminary plat, such as exceptions, adjustments or variances to dimensional requirements of the base or overlay zones or for modifications to the road standards in Chapter 12.10 LCMC that are required to approve the preliminary plat application as proposed.
10. A geotechnical study is required since the site slopes are as steep as 25 percent and may meet the definition of a “landslide hazard areas” in LCMC 18.300.030 and will contain substantial fill.
11. A tree protection plan is required and to be prepared by a certified arborist or landscape architect in accordance with LCMC 18.350.060(2). The plan shall include an inventory of all trees on-site, their health or hazard condition, and recommendations for treatment of each tree. The plan shall be drawn to scale and include the requirements as listed in LCMC 18.350.060(2)(a through j). A mitigation plan shall be required for trees that are 10-inches in diameter or greater in accordance with LCMC 18.350.050.
12. Preliminary grading, erosion control and drainage plans, which may be a single plan, consistent with applicable provisions of Chapter 18.320 LCMC.
13. Evidence that potable water will be provided to each lot from a public water system, and that each lot will be connected to public sewer.
14. A phasing plan, if proposed.
15. An archaeological predetermination report in accordance with LCMC 18.360.
16. Additional information:
  - a. A traffic study (please consult with the City Engineer regarding intersections to be studied.)
  - b. A completed SEPA environmental review checklist.
  - c. A signed *Agreement to Pay Outside Professional Review Expenses Related to Land Use Application*. (Provided during the meeting.)
17. A preliminary stormwater report in conformance with LCMC 18.320.

**Vesting:** Applications are vested in the current version of the code on the date the City deems the application to be technically complete.

**Subdivision Approval criteria (LCMC 18.210.040[1]):** The applicant carries the burden of proof to demonstrate that the proposal complies with the following City regulations and standards:

- Chapter 12.05 LCMC, Sidewalks;
- Chapter 12.10 LCMC, Public and Private Road Standards;
- Chapter 15.05 LCMC, Building Code and Specialty Codes;
- Chapter 15.35 LCMC, Impact Fees;
- Chapter 18.245 LCMC, Supplemental Development Standards;
- Chapter 18.300 LCMC, Critical Areas;
- Chapter 18.310 LCMC, Environmental Policy;
- Chapter 18.320 LCMC, Stormwater and Erosion Control;
- The subdivision must make appropriate provision for parks, trails, potable water supplies and disposal of sanitary wastes; and
- The subdivision complies with Chapter 58.17 RCW.

**Flag Lots (LCMC 18.210.040[3]):**

Lots 4, 5, 9, and 11 – 14 are flag lots and flag lots are discouraged (although not prohibited) under LCMC 18.210.040. The applicant should explore other lot arrangements and demonstrate why flag lots are



necessary and why a different lotting pattern is not possible. If the City allows the flag lots, the flag “pole” must meet the following requirements:

- Shall be 20 feet wide;
- Must be improved with an all-weather surface and have an unobstructed vertical clearance of 13.5 feet and an improved width of 20 feet;
- The pole portion cannot count toward the total lot size;
- If more than 150 feet long, an International Fire Code-approved turn-around is required;
- Where flag lots are not provided but access easements across abutting properties to public or private rights-of-way are provided, the standards of LCMC 12.10.220 shall apply.

**Subdivision General Issues:**

1. To approve the preliminary plat, the Hearing Examiner must make an affirmative finding that “appropriate provision for potable water supplies and for the disposal of sanitary wastes, sidewalks and pathways provide safe routes for pedestrians and to schools, adequate protections and mitigations for critical areas, roadways are design for safe and efficient vehicle access, stormwater and erosion control is adequately addressed, and building and development codes are being met”.
2. All existing wells and septic systems must be properly decommissioned prior to final plat.
3. The City may refuse bonds in lieu of improvements at the time of final platting if such bonding has not been previously discussed and documented.
4. The preliminary plat shall expire five years from the date of the Final Order. RCW 17.58.140(3)(a).
5. Phasing is permitted. All phases must be identified on the preliminary plat and be consistent with the lot number sequencing.

**18.225 Legal Lot Determinations**

Staff will complete a legal lot determination concurrent with the review of the consolidated land use application. Please provide information required by this Chapter (see LCMC 18.225.010[4]) including any prior city/county short plat, subdivision, or legal lot determinations; a sales or transfer deed history dating back to 1969; prior segregation request, if any; prior recorded survey, if any; and any other information regarding the legality of the lot. The lots must be legal to develop on them as opposed to just being tax parcels. Please note that staff did not locate any subdivisions or surveys in a preliminary review of Clark County information.

**18.240 Mitigation of Adverse Impacts**

The applicant will need to respond to this code section in their narrative as part of the type II preliminary site plan and type II tree permit application.

**18.245 Supplementary Development Standards**

**18.245.020 Height of fences and hedges**

If fences are proposed, they must meet the requirements of this section including that:

- They are not more than 6 feet in height in the side yard, street side yard, or rear lot lines and cannot extend into the front yard. Site distance requirements must be met.
- Prohibited materials include fiberglass or plastic sheeting, barbed wire, razor ribbon or other similar temporary material.

**18.245.040 Lighting**

Lighting must meet the requirements of 18.282 Outdoor Lighting (i.e. be dark sky compliant) and must not cause more than one foot-candle measured at any property line.

#### 18.245.060 Landscaping

Landscape screening is required between the Residential Professional (R/P) zone to the south and west of the subject property and the LDR-7.5 zone across Aspen Avenue and Southview Heights Drive. The R/P zone is not listed within La Center's landscape screening matrix, but, as per LCMC 18.145.040, developments in the R/P zone are subject to the requirements of the MDR-16 zone. Therefore, development in the LDR-7.5 zone must be buffered from the R/P zone the same as if abutting the MDR-16 zone. Landscaping requirements are as follows:

- An L2, 5-foot-wide screen is required abutting the R/P zone separated by a street. The L2 standard must provide shrubs that are three feet high and 95 percent opaque year-round and one tree every 30 lineal feet of landscape area or as appropriate to provide a canopy over the landscape area. Groundcover plants must fully cover the remainder of the landscape area. A three-foot-high masonry wall or fence at an F2 standard or a berm may substitute for the shrubs, but the trees and groundcover plants are still required. The screen or wall is to be placed along the interior side of the landscaped area. An F2 fence or wall is six feet and 100 percent sight obscuring and may be wood, metal, bricks, masonry or other permanent materials.
- The City has the ability to approve the use of existing vegetation on-site to satisfy landscaping requirements. The existing trees and other vegetation along the southwestern side of the site might be able to substitute for the L2 screening requirements in conjunction with meeting the City's tree preservation requirements in LCMC 18.350.
- All landscaped areas must meet the landscape standards of 18.245 including:
  - Existing vegetation may fulfill landscape requirements if it provides an equivalent screening.
  - Landscaped stormwater areas may satisfy landscaping area requirements.
  - Rooftop and ground-level exterior equipment shall be screened to an F2 or L3 standard.
  - Landscaping must meet size requirements in 18.245.060(11-14).
  - Permanent built-in irrigation is required or a statement from a landscape architect is required to have a temporary irrigation system during establishment. Alternatively, no irrigation system is required if plantings will survive by rainwater as certified by a landscape architect and plants must be monitored replacement of plants that don't survive is required.

#### Chapter 18.260 Variances

Lot dimensions for lots 1, 2, 4, 6, 13, and 14 do not meet the City's requirements. Please see further discussion in response to LCMC 18.130 above. The "pole" portion of flag lots 4, 13, and 14 cannot be counted toward the total lot area and these lots appear to be less than the minimum lot size area standard. Lots 1, 2, and 6 do not appear to meet the City's minimum lot width requirement of 60 feet.. Therefore, these lot designs need to be redesigned prior to formal subdivision application or the applicant needs to apply for and receive approval of a Type II variance application. The City notes that the applicant redesigned the site since the pre-application conference in an effort to reduce the number of variances required and meet the City's access requirements. The newly designed site would require fewer variances, moving the applicant toward compliance with the City's lot dimensional requirements.

If applying for a variance, the applicant must respond to the variance criteria in LCMC 18.260.040. The variance criteria require that there be an unusual circumstance such as site size or shape and that the circumstance is not a result of actions taken by the applicant. It may be possible to reduce density on the

site and comply with all the City's requirements. This should be explored prior to applying for a variance. The variance application should address why it is not possible to comply with the LDR-7.5 lot dimensional standards.

**LCMC 18.280 Off-Street Parking and Loading**

**18.280.010 Off-Street Parking Requirements**

Off-street parking requirements apply. Two spaces per dwelling unit are required which can be either in garages or in driveways or a combination.

**LCMC 18.282 Outdoor Lighting**

The City adopted new outdoor lighting requirements in 2019 to reduce light pollution and in compliance with dark sky guidelines. The code contains specifications for lighting spectrum and luminance limits. These standards apply to exterior residential lights such as front and rear porch lighting. Please review these requirements before selecting lighting fixtures.

**18.300 Critical Areas**

Critical areas mapped for the project on the project site by Clark County Maps Online are limited to a category II CARA. No other types of critical areas are mapped on the project site. However, site slopes may be as steep as 25 percent as shown in Figure 1 below, which may meet the City's definition of a landslide in LCMC 18.300.030.

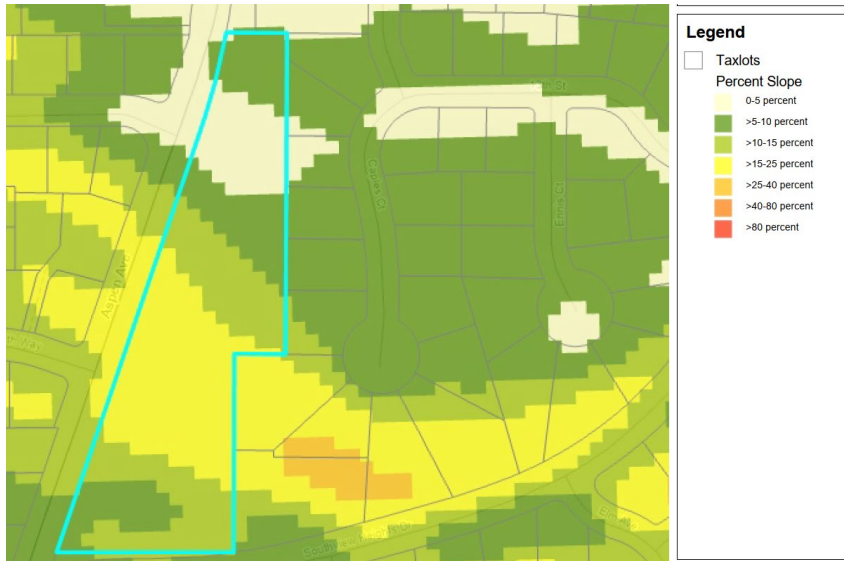
**LCMC 18.300.090(1) Critical Aquifer Recharge Areas**

The site and all of La Center is mapped as a Category II Critical Aquifer Recharge Area. However, La Center's code does not contain any requirements for Category II Critical Aquifer Recharge Areas. A critical areas permit is not required for development within a Category II Critical Aquifer Recharge Area.

**LCMC 18.400.090(4) Geologically Hazardous Areas**

Because onsite slopes are steep, the applicant is required to provide a geotechnical report assessing the potential for landslide hazards. If a landslide hazard exists, the applicant's report should address LCMC 18.300.090(4) including alterations to geologically hazardous areas (b). general design standards for landslide and erosion hazard areas (c) and design standards for landslide hazards (d).

**Figure 1. Site Slopes**



**Chapter 18.310 Environmental Policy**

The proposed development which includes provision of more than four residential dwelling unit exceeds the City’s SEPA exemptions. The applicant must provide an environmental checklist along with the subdivision application. The City will issue a SEPA determination during the application review period and at least 15 days prior to the public hearing. The City will run the SEPA comment and land use comment period concurrently and will not make a decision on the land use application until after the close of the SEPA comment period.

**Chapter 18.350 Tree Protection**

If any tree greater than 5” diameter at breast height (DBH) is proposed to be removed, a tree cutting permit and mitigation plan will be required. A tree protection plan will also be required in accordance with LCMC 18.350.060. The tree protection plan must depict all trees on the site, their health or hazard condition, and recommendations for the treatment of each tree. The tree protection plan must be prepared by an arborist or a landscape architect. The tree protection plan must show planting of new trees to replace the trees to be removed.

Mitigation may consist of replanting on or off-site or payment in lieu of planting. LCMC 18.350.050. For each tree that is greater than 10 inches in diameter, one, two-inch deciduous tree or a six to eight-foot evergreen tree is required to be planted. The City can require that the development design be revised to preserve existing trees.

**Chapter 18.360 Archaeological Resource Protection**

The site is identified as having a moderate to moderate-high risk of containing archaeological resources and must file an archaeological predetermination report as per Table 18.360.020-1. Predetermination reports must contain the information in 18.360.080(4). Based on the findings of the predetermination report, further archaeological work or a full archaeological survey may be required.

**Application Fees**

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

- Preliminary long plat: \$3,000 + \$125 per lot<sup>2</sup>

- Variances: \$180<sup>2</sup>
- SEPA: \$510<sup>2</sup>
- Legal lot determination: \$425 + \$75 per lot (> or = to 2 lots)<sup>2</sup>
- Tree cutting permit: \$60<sup>2</sup>
- Final long plat: \$920 + \$60 per lot<sup>2</sup>

## Attachments

### January 11, 2023 – Attendees

Name	Organization Name	Email Address	Phone Number
Bryan Kast	City of La Center	<a href="mailto:bkast@ci.lacenter.wa.us">bkast@ci.lacenter.wa.us</a>	360-263-5189
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Jessica Nash	City of La Center	<a href="mailto:jnash@ci.lacenter.wa.us">jnash@ci.lacenter.wa.us</a>	360-263-7664
Jeff Swanson	Exigy Consulting	<a href="mailto:jswanson@ci.lacenter.wa.us">jswanson@ci.lacenter.wa.us</a>	360-975-9466
Ethan Spoo	WSP	<a href="mailto:ethan.spoo@wsp.com">ethan.spoo@wsp.com</a>	360-823-6138
Josh Taylor	Clark Cowlitz Fire & Rescue	<a href="mailto:josh.taylor@clarkfr.org">josh.taylor@clarkfr.org</a>	360-887-6227
David Spencer	Jolma Design	<a href="mailto:admin@jolmadesign.com">admin@jolmadesign.com</a>	360-953-8488
Oleg Moroz	Cross Construction, LLC	<a href="mailto:crossconstructionllc21@gmail.com">crossconstructionllc21@gmail.com</a>	360-601-6248
Valentin Moroz			
Ashwani Kumar			

[2] Cost recovery (requires a reimbursement agreement); actual cost of staff, consultants, and/or hearing examiner plus 10%. This fee is applicable as part of a land use action or development review (i.e.: traffic study, preliminary/final plat review).