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La Center, Washington 98629
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PRE-APPLICATION CONFERENCE
La Center School District Middle School (File # 2018-020-PAC)
Meeting conducted on Tuesday, August 23, 2018 – 9:30 AM

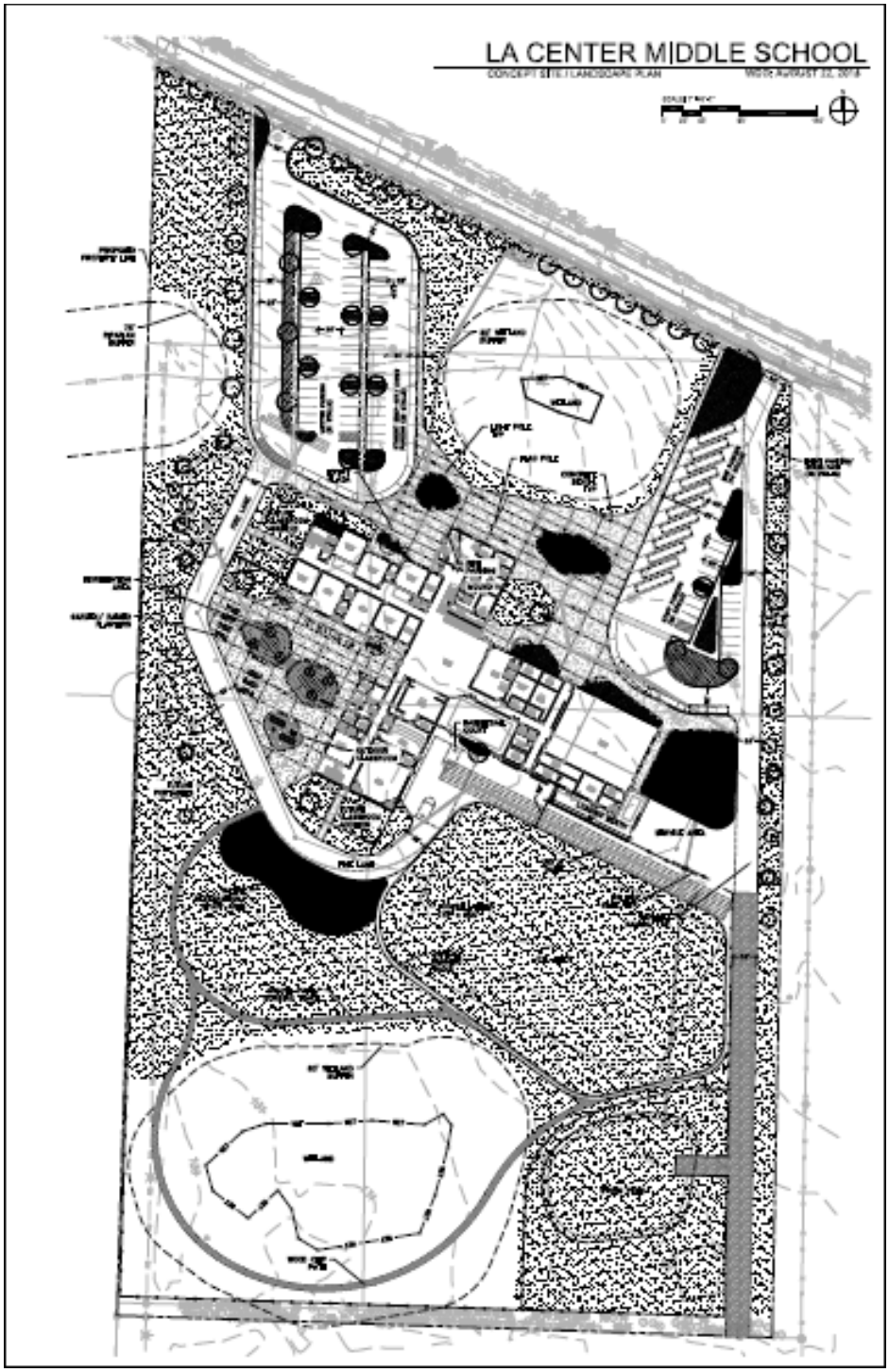
PROJECT INFORMATION

Site Address	No site address.
Legal Description	NW ¼ SE and NE¼ SW¼ of Sec 2 T4N R1E WM Clark County, WA; approximately 18 acres. ▪ PIN 209118000, #99 Sec 2 T4NR1E WM 5.48Ac. ▪ PIN: 209120000, #101 Sec 2 T4NR1E WM 9.78Ac; ▪ Triangular portion of PIN 209064000, #39 of Sec 2 T4NR1E WM 10.92Ac. SW¼ NE¼
Applicant	NAC Architecture 20-25 1st Ave, Suite 300, Seattle, WA 98121. Contact: Ben Hill, 206.441.4522, bhill@nacarchitecture.com
Applicant's Representative	PBS Environmental, 4412 SW Corbett Ave., Portland, OR 97239. Contact Anne Marie Skinner, 503.417.7684, Annemarie.skinner@pbsusa.com
Property Owner	La Center School District, 725 NE Highland Ave., La Center, WA 98649. Contact: Dave Holmes, Superintendent, 360.263.2131, dave.holmes@lacenterschools.org
Proposal	The property is zoned LDR-7.5, Low Density residential. The applicant proposes to construct a new middle school intended to serve approximately 450 students (grades 6, 7 & 8). Improvements include approximately 80,000 S.F. main building, location for future portable classrooms, an outdoor classroom, landscaping, access, permanent and event parking areas, and utilities.
Applicable Review Criteria	The application will be reviewed for compliance with the La Center Municipal Code (LCMC): Titles: 3.35 Impact Fees; 12, Streets, Sidewalks & Public Ways; 13, Public Utilities; 15, Buildings and Construction, and the La Center Comprehensive Plan. Applicable Title 18 requirements include chapters: 18.30 Procedures; 18.130 Low Density Residential; 18.215 Site Plan Review; 18.245 Supplemental Development Standards; 18.250 Conditional Uses; 18.260 Variances; 18.275, Signs; 18.270 Off-Street Parking and Loading; 18.300 Critical Areas; 18.310 Environmental Policies (SEPA); 18.340 Native Plant List; 18.350 Tree Protection; and 18.360 Archaeological Resource Protection.

REVIEW

Preliminary Site Plan

The applicant's representative provided a revised preliminary site plan for review and discussion just prior to the pre-application conference.



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.

Public Works and Engineering

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.

General roadway and right-of-way standards shall apply and provide for the continuation or appropriate projection of existing principal streets in the surrounding area and on adjacent parcels; LCMC 12.10.090. The applicant shall provide half street improvements on Lockwood Creek Road to the City of La Center Minor Arterial "A"standard ST-12A.

In addition street lights, street trees and stormwater improvements are required along Lockwood Creek Road per. LCMC 12.10.190.

Streets and Circulation

The preliminary plan shows two access points to the Middle School from Lockwood Creek Road. The applicant will need to provide additional turn lane width on Lockwood Creek Road for traffic entering and exiting the school without impacting through travel lanes. This may mean that right turn and center turn lane be added in addition to the improvements required for the Minor Arterial "A" cross section. The length of the turn lanes shall be sufficient length to not impact through lane traffic on Lockwood Creek Road based on the peak traffic volumes from a traffic study submitted by the applicant.

Grading

A grading and erosion control permit is required as part of the school site plans. As part of the grading plans the finished floor elevation needs to be shown for the building pad, in addition to grading quantities.

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 an SWPPP will be necessary as part of the plan submittal to the City.

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 sewer shall be borne by the applicant. LCMC 13.10.110.

Per the General Sewer Plan, pump station 5 was proposed for future sewer service to the basin contours showing the drainage pattern to the south east corner, as shown on the 2012 Proposed Collection System Improvement Plan. Per the section 4.0 B(2) of the Engineering Standards, "*sanitary sewers shall 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. Sanitary sewer systems shall extend shall extend to the appropriate extremities of the project to provide for both upstream and downstream development of the system."* The applicant's engineer will need to submit plans to install a public pump station at the south

end of the site and either connect to Pump Station #3, per the General Sewer Plan, or connect to the existing 8-inch gravity sewer in Lockwood Creek Road, just west of the applicant's parcel, that was recently constructed. If the applicant proposes to connect to the gravity sewer main in Lockwood Creek Road the applicant shall extend the existing gravity sewer in Lockwood Creek Road east as far as possible meeting the minimum cover requirements per the engineering standards. The applicant shall construct a public force main from this gravity sewer extension to their site public pump station.

Any public sewer system that is not in public right of way shall provide an easement of not less than 20-feet width for city access.

Per the Engineering Standards, the applicant shall provide calculations with a report that shows the future upstream influent and the capacity of the downstream facilities. The applicant shall verify that the downstream sewer has enough capacity for the proposed development and any upstream future development can be supported by the existing downstream system. The size of the proposed pump station wet well and force main shall be sized for future development.

Connection to the manhole, sewer main open trench installation in Lockwood Creek Road shall be constructed per City Engineering Standards. LCMC 13.10.180. For portions of sewer that can be a gravity sewer, a minimum 8 inch diameter public main pipe will be installed between the proposedin Lockwood Creek Road, to the point of connection at the City manhole. LCMC 13.10.190. A public force main shall be a minimum size to support the school site and all parcels within the drainage basin. A back water valve is required, if the lots are lower than the street, on each sewer connection from the lots and will be located at the property line within the applicants property. A cleanout is required at the property line. LCMC 13.10.110. *La Center Engineering Standards for Construction* are also applicable.

Any existing septic system must be abandoned or removed as necessary per Clark County Environmental Health permitting.

Chapter 18.10 Development Code General Provisions

Per LCMC 18.210.030, a Geotechnical Report can be required if (a) The site contains substantial fill, or the applicant proposes to place substantial fill on the site; or (b) the site contains land identified by the U.S. Soil Conservation Service, Clark County or the state of Washington as having slopes in excess of 25 percent or as being subject to instability, unless the applicant will not develop or otherwise significantly affect such lands or shows that the site does not contain unstable soils or steep slopes.

According to the USDA Soils Manual, soils on this site range from Gee Silt Loam to Odne Silt Loam. This type of soil is classified as very limit for road construction per USDA soils information. Based on this finding, 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.

Traffic Impact Analysis. A compete application will require a traffic impact analysis and circulation plan which considers adjacent land parcels, topography, natural features, sensitive lands, existing improvements, and existing streets together with their potential alignments in relation to this site. The impact analysis should be conducted at intersections along Lockwood Creek Road at the intersections of West 4th Street and Aspen Avenue, West 4th Street and East Stonecreek and East 4th Street at Highland Road.

The report shall include average daily traffic and peak hour traffic for intersections and streets as noted above. LCMC 18.215.050 (n).

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 parking area, and additional street fronate. Per LCMC 18.320.210, treatment BMPs shall be sized to the treat the water quality design storm, defined as the six-month, 24-hour storm runoff volume.

The applicant proposes to treat stormwater from pollution generating surfaces (impervious) with rain gardens and bioretention areas, or other approved BMP's. The treatment must meet the City of La Center and 1992 Puget Sound Manual which requires compliance with the Water Pollution Control Act and the Water Resources Act.

If infiltration of stormwater is not feasible for quality treatment and quantity disposal, stormwater runoff must be detained meeting the requirements of Chapter 18.320 LCMC and then discharged into the existing low point on the site. Clark County Soil Groups or USDA may be used to determine the hydrology of the site. Isopluvials shall be used to determine the design storm frequency (attached). Per the City Ordinance, a forested condition must be used for the pre-developed surface condition. The HEC-1 flood hydrograph package or HEC HMS may be used for hydrologic computation of site quantity control.

The collection system shall 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. Attached is the City rainfall intensity chart.

Per LCMC 14.10.140, a preliminary stormwater plan and preliminary stormwater report shall be submitted for review as part of the land use application. The stormwater report must also address stormwater how energy dissipation will be accomplished so that the downstream property is not impacted by stormwater.

Downspout connections from the school buildings must connect into the site stormwater system. A Technical Information Report (TIR) is required along with the development plans for approval of the stormwater system.

<u>Maintenance of Stormwater Facility</u>

If the stormwater treatment and disposal facility is within public Right of Way, the applicant shall maintain the facility for two years after development. An operations manual must be submitted for City review approval for the maintenance of the facility in all cases. The City is disinclined to own or maintain the stormwater facility. .

<u>Potable Water</u>

Water system connections are regulated by Clark Public Utility (CPU) and a permit and plan approval will be required for City plan approval. You were provided with a copy of the CPU Water Availability report at the meeting. Provide proof that the on-site well was properly abandoned.

Street Lighting
Street light design and installation is reviewed and approved by Clark Public Utilities. City Engineering Standards are being revised to include LED street lights that are dark sky compliant. Street lights required as part of the street widening on Lockwood Creek Road, will need to comply with the most current Engineering Standards.

Building
The building plans are reviewed and approved by Public Works Building Services.
Proposed setbacks are required on the site plan. The site plan should stipulate amount of impervious/saturation development allowed (maximum building lot coverage is 35% and maximum impervious surface area is 50%).

Development shall not create hazards or conditions for any adjacent property. A geotechnical report will be required. An adequate absorption/dissipater design that cannot flow by gravity to the storm lateral should be included in the plat conditions for stormwater. Stormwater collected from newly created impervious sources or surfaces (roof, slabs, flatworks, etc.) shall be terminated in an approved manner. Construction plans shall provide for a concrete truck washout area which the contractors shall be required to use and maintain until final build out.

Any required walls shall be installed and approved before final occupancy approval. Other walls built shall be built to a plat standard detail. Fence detail will need to be provided. Fencing should be uniform.

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

Land Use

Municipal Code: http://www.codepublishing.com/WA/LaCenter/#!/LaCenter18/LaCenter18.html

Legal Lot Determination:
An application package should include an application for legal lot determination.

Chapter 18.130 (Low Density Residential)
Use: The site is zoned LDR-7.5, low density residential. Public schools (grades 7 – 12) require a conditional use permit. LCMC Table 18.130.030(13)(Fn4).

Height: The maximum building height in the LDR district is 35 feet measured from the lowest finished grade level to the highest point on the roof. The maximum building height for a detached accessory structure is 12 feet; 14-1/2 feet for a solar energy system on a detached accessory structure. The maximum building height for a solar energy system on a primary structure is 39-1/2 feet. LCMC 18.130.070.

The applicant proposes to exceed the base zone height limit, therefore, a technically complete application shall include an application for a height variance.

Lot coverage and dimensions. LCMC 18.130.090
Maximum building lot coverage shall not exceed 35 percent. Maximum impervious surface area shall not exceed 50 percent. A technically complete application must calculate building lot coverage for the total site and total amount of impervious surface area to be created.

Setbacks are measured from the nearest edge of the applicable property line to the nearest vertical wall or other element of the building or structure. Side yard setbacks must be consistent with Table 18.130.090, unless otherwise expressly allowed through the Conditional Use process.

- Front yard minimum setbacks are 20 feet
- Side yard minimum setbacks are 7.5 feet
- Street side yard minimum setbacks are 10 feet
- Rear yard minimum setbacks are 20 feet

Vesting: Applications are vested on the date of application on which the City deems the application to be technically complete. LCMC 18.30.060.

Chapter 18.215 Site Plan Review

Site plan review applies to all changes of use, new construction, expansion or alteration of the use of land unless expressly exempted by this title. LCMC 18.215.020. (2) The City shall review the site plan review as part of the Type III CUP application. LCMC 18.215.040(2).

Trail Access: The site plan should provide details regarding the proposed trail around the southern wetland. A pervious non-motorized trail is allowed in the wetland buffer. Please provide details addressing the type of trail proposed (Type 3, Rustic), or (Type IV, Semi-primitive). The City's adopted Park and Recreation Capital Facility Plan projects a trail through the riparian corridor at the western edge of the site to the west – eventually connecting to the school and park lands to the west (Trail #12). Participation in the dedication or construction of that trail might be a means to provide safe walking access to schools. Please consider ow the residential land to the east may directly access the school site.

Bus pedestrian conflicts: The site plan should carefully consider how the bus movement and parking area in the northwest corner of the site will minimize conflicts between vehicles and pedestrians. Detached or raised sidewalks, and appropriate warning signs may be a reasonable way to protect pedestrians.

Safe routes to schools: Consistent with the legislative mandate the City requires new development to provide safe walking and biking access to schools. LCMC 18.240.010 and 18.240.020(1)(a)-(b) provides authority for the city to mitigate for adverse impacts such as young children walking along an arterial roadway not on a sidewalk. The safe route may be provided:

- Along the south side of Lockwood Creek Road across the abutting property to the west and connecting to the exiting sidewalk;
- On the north side of Lockwood Creek Road; or
- To the west outside of the frontage area if the walkway/trail connects to another existing walkway or trail.

The applicant may mitigate for unsafe walking conditions by providing a pedestrian /bike link to existing sidewalks or paths. In addition the CUP approval criteria, LCMC 18.250.040(1)(a) and (1)(d) require the hearing examiner to find that the applicant has sustained the burden of mitigating potential adverse impacts, such as unsafe walking areas, and that the proposal is not significantly detrimental to public health/safety and general welfare.

Providing a pedestrian/bike link to an existing sidewalk or trail might provide physical evidence that could allow the Hearing Examiner to find that the proposal mitigates for potential unsafe conditions and meets the intent of in RCW 47.04.300 and WAC 393-141-340.

An asphalt path in the city half street improvements would not be allowed as a safe walking or bike route to school. A curb tight sidewalk would have to be concrete to meet the city standard detail. For a separate path not in city ROW, it is normally 3/8" rock or some other fine aggregate mix.

Submittal requirements. 18.215.050. A technically complete application shall provide the information provided in subsection (2) of this chapter unless otherwise expressly waived in writing:

Criteria for site plan approval. 18.215.060. A technical complete application must fully address all of the applicable site plan approval criteria in LCMC 18.215.060(2)(a) through (k):

Final site plan approval. 18.215.080. Type I final site plan review and approval is required prior to occupancy.

Compliance required and expiration. 18.215.100(2). Site plan approvals shall be valid for two years from the date of issuance, during which time substantial completion of the project improvements shall have occurred.

Completion prior to occupancy. 18.215.110. All required public and site improvements and other conditions of site plan approval shall be met prior to occupancy of any site unless required sooner as a condition of approval; provided.

Chapter 18.245 Supplemental Development Standards

A technical complete application must the Supplemental Development Standards, as applicable:

Height of fences and hedges. 18.245.020
Maximum fence height is six feet along all yard lines. Front yard fences may not exceed 4 feet. Fencing shall not conflict with the sight distance requirements of the La Center Engineering Standards for Construction. Fiberglass or plastic sheeting, barbed wire, razor ribbon or other similar temporary material shall not be permitted as a fencing material.

Solid waste. 18.245.030. Refuse containers shall be screened from view from off-site by a sight-obscuring fence and/or evergreen landscaping and the area kept clean of all litter.

Lighting. 18.245.040. Lighting, including permitted illuminated signs, shall be designed and arranged so as not: (a) Reflect or cast glare into any residential zone; (b) Rotate, glitter, or flash; or (c) Conflict with the readability of traffic signs and control signals. Lighting on any site shall not cause more than one foot-candle measured at any property line. The La Center Planning Commission is preparing a 'Dark Sky' lighting ordinance for review and adoption this year. Please consider the goals and intent of this new approach to lighting.

Noise. 18.245.050. All development shall comply with the noise standards in Chapter 173-60 WAC.

Landscaping. 18.245.060. Landscaping and screening within public rights-of-way shall comply with the applicable provisions in Chapter 12.10 LCMC. The site abuts low density residential zoning to the west, north and east and abuts AG zoning to the west, south and east. Landscaping for conditional uses is regulated under the Conditional Use approval criteria. LCMC 18.250.040(2).

Chapter 18.250 Conditional Uses

Pre-application review. 18.250.010. The requirement for a pre-application conference has been satisfied.

Application contents. LCMC 18.250 030. An applicant for a conditional use permit shall submit the requisite fee and the information required by LCMC 18.30.050.

Criteria for approval, minor modifications and revocation. 18.250.040. A technically complete application must fully address the following approval criteria:

(1)(a) The characteristics of the site are suitable to accommodate the proposed use and necessary mitigation of potential adverse impacts considering size, shape, location, topography and natural features;

(b) All required public facilities (i.e., water, sanitary waste, drainage and roads) have adequate capacity to serve the proposed use;

(c) The proposed use complies with the applicable requirements of the zone except as otherwise approved by variance or other means consistent with the La Center Municipal Code;

(d) The establishment, maintenance or operation of the proposed use will not, under the circumstances of the particular case, be significantly detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the city.

(2) The hearings examiner may impose, in addition to regulations and standards expressly specified in this title, other conditions of approval necessary to ensure the use complies with applicable approval standards. See subsection (a) through (l).

Expiration and extension. 18.250.050. A conditional use permit expires and can be extended as provided in LCMC 18.30.140.

Chapter 18.260 Variances

The application proposes to exceed the base zone height limitation, therefore a variance is required.

Pre-application review. 18.260.010 . The requirement for a pre-application conference has been satisfied.

Review process. 18.260.020. A request for one or more variance will be combined with the CUP application and processed as a Type III review.

Application contents. 18.260.030. An applicant for a variance(s) shall submit the requisite fee and the information required by LCMC 18.30.050.

Approval criteria. 18.260.040. A technically complete application for a variance must fully address the following approval criteria:

(1) Unusual circumstances or conditions, such as size, shape, topography and location of an existing legal development on the site, apply to the property and/or the intended use such that the strict application of this title would deprive the owner of the subject property of rights and privileges enjoyed by owners of other properties in the vicinity in the same zone; and

(2) The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity and zone in which the property is situated.

Expiration and extension. 18.260.050. A decision approving a variance expires and can be extended as provided in LCMC 18.30.140.

Chapter 18.275 Sign Requirements

If proposed, monument signs must comply with this chapter.

Chapter 18.280 Off-Street Parking and Loading Requirements

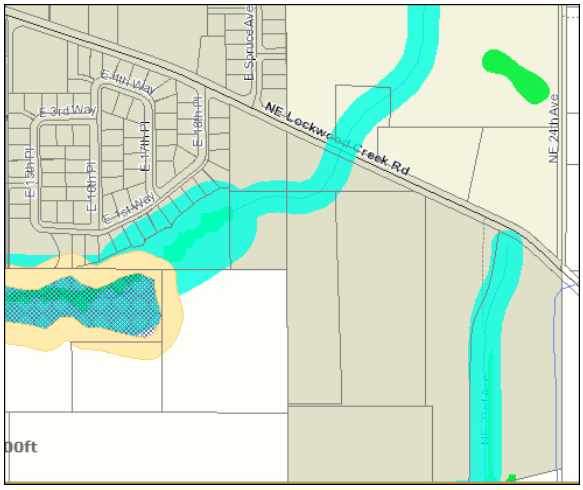
Off-street parking requirements. 18.280.010. Off-street parking shall be provided in compliance with Table 18.280.010. An elementary or middle school shall provide 1 space for each 12 students, plus one space for each two employees and based on maximum capacity, including temporary structures.

Parking design standards. 18.280.030. Each off-street parking space shall have an area of not less than 180 square feet, exclusive of drives and aisles, and a width of not less than nine feet. Each space shall be provided with adequate ingress and egress. Off-street parking facilities shall be surfaced with a durable and dustless surface and shall be graded and drained so as to dispose of surface water. In no case shall two-way and one-way driveways be less than 20 feet and 12 feet, respectively, and be so arranged so as not to use any part of adjoining public sidewalks, street, or alley rights-of-way, except for ingress and egress. Lighting used to illuminated off-street parking facilities shall be arranged so as to reflect light away from any adjoining residential area(s).

Loading. 18.280.040. Schools between 30,000 and 100,000 s/f shall provide one 1) off-street truck loading or unloading berths in accordance with 18.280.040. A loading berth shall contain space 12 feet wide, 35 feet long, and have a height clearance of 14 feet.

Chapter 18.300 Critical Areas

The applicant states, and staff agrees, that there are two regulated critical areas on or abutting the site: wetlands and fish and wildlife habitat conservation areas. The site includes CARA 2 coverage but the school use will not trigger additional CARA 2 review. The city also regulates impacts to Oregon white oak trees if present on site.



Map of Riparian Areas in Project Area

A technically complete application must include a Critical Area report AND Mitigation Plan prepared by a qualified biologist or natural resource specialist. Regulated activities subject to this chapter shall be routed to appropriate state and federal agencies for review and comment as required through the SEPA and/or JARPA review process.

- Wetlands on the site must be classified using the 2015 Ecology Rating System (Hruby).
- Pervious trails and public facilities and utilities are allowed in wetland buffers, where there is no other reasonable alternative, based on topographic and environmental conditions.

- Applications for development within critical areas or buffers shall demonstrate that all reasonable efforts have been examined with the intent to avoid and minimize impacts to critical areas and buffers. LCMC 18.300.050(5).
- Any new building or structure, such as a trail or stormwater facility, affecting critical areas or buffers shall be subject to site plan review, unless otherwise exempted in this chapter. LCMC 18.300.050(5)(b).
- Stormwater Facilities. LCMC 18.300.050(5)(c). Stormwater facilities may be allowed in buffers of Class III and IV wetlands with low habitat function (less than 4 points on the habitat section of the rating system form); provided, the facilities shall be built on the outer 25 percent of the buffer and not degrade the existing buffer function and are designed to blend with the natural landscape. Unless determined otherwise by the responsible official, the following activities shall be considered to degrade a wetland buffer when they are associated with the construction of a stormwater facility:
  - (i) Removal of trees greater than four inches diameter at four and one-half feet above the ground or greater than 20 feet in height;
  - (ii) Disturbance of plant species that are listed as rare, threatened or endangered by the county or any state or federal management agency;
  - (iii) The construction of concrete structures other than manholes, inlets, and outlets that are exposed above the normal water surface elevation of the facility;
  - (iv) The construction of maintenance and access roads;
  - (v) Slope grading steeper than four to one (4:1) horizontal to vertical above the normal water surface elevation of the stormwater facility;
  - (vi) The construction of pretreatment facilities such as fore bays, sediment traps, and pollution control manholes;
  - (vii) The construction of trench drain collection and conveyance facilities;
  - (viii) The placement of fencing; and
  - (ix) The placement of rock and/or riprap, except for the construction of flow spreaders, or the protection of pipe outfalls and overflow spillways; provided, that buffer functions for areas covered in rock and/or riprap are replaced;
  - (x) Stormwater facilities may not be placed in a buffer area that has been reduced through approved buffer averaging or buffer reduction measures.

<u>Wetlands.</u> LCMC 18.300.090(6)(f)

(iv) Buffers. All buffers shall be measured perpendicularly outward from the delineated wetland boundary.

(v) Marking Buffer during Construction. The location of the outer extent of the wetland buffer shall be marked in the field and such markings shall be maintained throughout the duration of the permit.

(vi) Permanent Marking of Buffer Area. A permanent physical demarcation along the upland boundary of the wetland buffer area shall be installed and thereafter maintained. Such demarcation may consist of logs, a tree or hedgerow, fencing, or other prominent physical marking approved by the hearings examiner. In addition, small signs shall be posted at an interval of one per lot or every 100 feet, whichever is less, and perpetually maintained at locations along the outer perimeter of the wetland buffer worded substantially as follows: "Wetland and Buffer – Please Retain in a Natural State."

(vii) A conservation covenant shall be recorded in a form approved by the City attorney as adequate to incorporate the other restrictions of this section and to give notice of the requirement to obtain a wetland permit prior to engaging in regulated activities within a wetland or its buffer.

(viii) In the cases of plats, short plats, and recorded site plans, include on the face of such instrument the boundary of the wetland and its buffer and a reference to the separately recorded conservation covenant provided for in subsection (6)(f)(vii) of this section.

Wetland – base buffer width. LCMC 18.300.090(6)(h)

((iii) Stormwater facilities and public utilities, if approved by the city, may be located within the outer 25 percent of Category III or IV wetland provided no other location is feasible and that it will not degrade the functions of the wetland or its buffer. Stormwater facilities may not be allowed in wetland buffers that have been reduced through the buffer reduction or buffer averaging provisions of this chapter.

Wetland buffer reduction. LCMC 18.300.090(6)(I)

(iv) A buffer for a Category III or IV wetland may be reduced by no more than 50 percent of the area of the buffer if:

(A) The buffer proposed for reduction has a habitat rating of 5 points or less (updated to Hruby Ecology rating system);

(B) The proposed reduction will not create a net loss of buffer function;

(C) Buffer width shall not be less than 50 percent of the base buffer width at any point; and

(D) Mitigation and enhancement measures, consistent with the provisions of this chapter, are approved by the City and implemented by the developer.

(E) The City may elect to submit the mitigation and enhancement plans to one or more qualified experts for peer review.

(There are no similar buffer reduction provisions for Category I or II wetlands and buffers.)

Fish and Wildlife Habitat Conservation Areas. LCMC 18.300.090(2)

A Type NS stream is shown on the northwest corner of the site. The anticipated buffer is 75 feet. Water types are defined and mapped based on WAC 222-16-030 or 222-16-031, whichever is in effect on the date of application. While the WAC definitions control, the Critical Area code allows an applicant the opportunity to prove that state or county designations are inaccurate by applying Best Available Science. See, LCMC 18.300.090(2)(e). Only buffer reductions are allowed on Type Np and Np streams. See LCMC 18.300.090(2)(l).

A Species and Habitat Assessment Report is required consistent with LCMC 18.300.090(2)(d). The buffer standards in LCMC 18.300.090(2)(g) and (h) apply. Based on the site plan presented at the conference it appears that impacts to the stream and buffer are not proposed. Enhancements to the riparian buffers could make an excellent environmental learning project.

If impacts to habitat conservation areas or their buffers are proposed a technically complete application shall include a mitigation plan (see LCMC 18.300.090(2)(i)and (k)) which demonstrates there will be no net loss of function. LCMC 18.300.0990(2)(j). The standard requirements regarding buffer marking and conservation easements must be addressed in a technically complete application. See LCMC 18.300.090(2)(n).

Local Habitat Areas: Oregon white oak trees are protected and regulated per LCMC 18.300.090(2) Fish and Wildlife Habitat Conservation Areas. If present, the critical areas report must identify any Oregon white oak trees on site and avoid impacts within the dripline of such trees.

Chapter 18.310 Environmental Policy

The project review application must include a SEPA checklist and appropriate processing fees.

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. An archeological predetermination is required.

Chapter 18.350 Tree Protection

Any trees with trunk greater than 10 inches in dimeter will require a tree cutting permit before cutting and mitigation will be required. A tree protection plan will also be required in accordance with LCMC 18.350.060. Mitigation may consist of replanting on or off-site or payment in lieu of planting. LCMC 18.350.050.

Applications and Fees:

Forms:

- ✓ Application Form: http://www.ci.lacenter.wa.us/forms/LandUseApplication.pdf
- ✓ SEPA Checklist: http://www.ci.lacenter.wa.us/city_departments/pdfs/Environmental%20Checklist.pdf
- ✓ Application Fee Schedule: http://www.ci.lacenter.wa.us/pdfs/FeeSchedule072716.pdf
- ✓ Agreement to Pay Outside Services: http://www.ci.lacenter.wa.us/city_departments/pdfs/AgreementPayOutsideProfessionalReview.pdf

Fees:

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

- Conditional Use (Major) Permit: $3,400;
- Site Plan Review (Type III): $2,040;
- Variance (Type III): $850
- Critical Area Review: $340;
- SEPA: $510;
- The applicant is responsible for payment of fees related to development/engineering review costs as contained in La Center Resolution No. 13-372.
- Traffic Impact Fees shall be assessed at time of building permit.

Exhibits:

Clark County Fire & Rescue, *Pre-Application Notes: La Center,* version dated November 14, 2017.
August 23, 2018 – Attendees