

Owner/Applicant: Minit Management LLC, Don Rhoads; PO Box 5889, Vancouver, WA 98668; 360.901.3875

Applicant's Representative: Olson Engineering, Inc., Mike Odren; 222 E Evergreen Blvd., Vancouver, WA 98660; 360.695.1385, mikeo@olsonagr.com

Public Review: Application materials are available for public review at La Center Public Works Building, 305 NW Pacific Highway, La Center, WA. www.ci.lacenter.wa.us/city_departments/pw_landuse.php.

Staff Contact: Anthony Cooper, City Engineer, 305 NW Pacific Highway, La Center, WA 98629. 360.263.7665, acooper@ci.lacenter.wa.us

Planning Consultant Contact: Eric Eisemann, E² Land Use Planning, LLC, 215 W. 4th Street, Suite # 201, Vancouver, WA 98660. 360.750.0038, e.eisemann@e2landuse.com

Approval 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, in effect on March 28, 2016, include chapters: 18.30 Procedures; 18.150 Commercial (C-2); 18.150; Supplemental Development Standards, 18.245; Conditional Uses, 18.250; Variances, 18.260, Signs; 18.275; Off-Street Parking and Loading; 18.280 Environmental Policies (SEPA); 18.340 Native Plant List; 18.350 Tree Protection; and 18.360 Archaeological Resource Protection.

REVIEW

Development Standards – Vested Rights

The property is zoned Junction Plan (JP) and has a Town Center (TC) overlay which is governed by LCMC 18.158. However, the application is vested to the development regulations in place at the time when city and applicant entered into a development agreement regulating future development activity on this property. The effective date of the development agreement is March 28, 2016. Therefore, unless the applicant elects to pursue development under LCMC 18.158, the zoning regulations pertaining to the C-2 zoning district and other development regulations in effect on March 28, 2016 govern this land use application.

For the applicant's convenience, this report contains extensive excerpts from Title 18 in effect on March 28, 2019. 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.

Grading

A grading and erosion control permit is required as part of the site plan approval. As part of the grading plans finished floor elevations need to be shown for the lots in addition to grading quantities, the plan shall show retaining walls necessary to grade the lots.

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 side sewer shall be borne by the applicant. LCMC 13.10.110.

As part of the street realignment and utility construction done as part of the casino, a sewer main was placed in La Center Road, with 6-inch lateral installed to serve future Minit Management site redevelopment.

Per LCMC 13.10.350 a sewer impact fee shall be charged for commercial development based on the use of the proposed structures. The exact impact charge will be assessed at the time of building permit application or before occupancy is issued. Each equivalent ERU calculated for each structure on the site will be multiplied by the impact fee of \$7,800 per ERU to determine the total sewer impact. If development is phased, impact fees will be charged for the structures permitted at the time of building permit application.

Any development west of the La Center Road Bridge is required to connect to the recently constructed sewer system in La Center Road. A latecomer agreement was approved by City Council in April of 2018, requiring that connection to this sewer system be assessed for development according to the cost per equivalent ERU. The latecomer cost is based on the location within the sewer basin as shown on the attached latecomer agreement and cost table. The Minit Management Site will connect to the sewer within basin A and will be assessed \$6,173.96 per equivalent ERU. The ERUs for the development will be calculated by LCMC 13.10.350 as stated above. The Latecomer agreement is attached for information.

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 is predominately Gee Silt Loam and some 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 site building construction, grading and retaining wall design as necessary.

Per the Development Agreement between the City of La Center and Mint Management LLC, on March 2016, Minit Management was vested 199 PM Peak Hour trips for their site. According to LCMC 3.35.070 and 3.35.090, traffic impact fees shall be assessed for peak PM trips above the vested trips in the agreement. Traffic Impact Analysis: The developer shall submit a trip generation memorandum to estimate the trips. Following review of this memorandum by the City's Traffic Consultant, a traffic study may be required depending on the number of additional trips above 199 is determined. The impact fee will be based on the additional PM Peak trips multiplied by the TIF rate of \$7,561. The impact fee will be assessed at the time of application or prior to certificate of occupancy is issued.

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.

In 2016, Minit Management the parking lot was modified to accommodate the realignment of the Paradise Park Road. As part of that construction, an underground filter vault was installed to treat stormwater from the parking lot and an underground detention system was placed to detain stormwater per LCMC. The water quality and detention system were sized to accommodate the existing site impervious area and for future redevelopment of the site. The City Engineering Standards require that roof drains be connected directly to an underground storm system. The applicant will need to show how the new building downspouts will connect to the underground detention system and the parking lot will be graded and connected to the filter vault for water quality treatment.

Potable Water

The following is a summary of Clark Public Utilities Water Department pre-application comments:

1. Clark Public Utilities has constructed a 24" water main within the recently re-conveyed NW Paradise Park Road Right-of-Way. The water main was constructed while the property was City of LaCenter Right-of-Way, with the understanding that the property owner will grant the appropriate easements, after the right-of-way is conveyed, to Clark Public Utilities for both public water and electric utilities. To the best of our knowledge the easement has not been granted and should be addressed as soon as possible.
2. Clark Public utilities has existing water facilities capable of serving this development. There is an existing 24" water main within NW LaCenter Road and along the west property line. There is an existing 8" water main within the portion of NW Paradise Park Road which is adjacent & north of the project. There is an existing 16" water main within the portion of NW Paradise Park Road which is adjacent & north of the project. There are two existing water services/meter boxes along the NW LaCenter Road Right-of-Way. We believe one of the existing water services is for WSDOT irrigation and shall stay in place. The other service is unused currently and was originally for the existing gas station's use. Also, along NW Paradise Park Road an 8" water main was stubbed into the existing gas station's road frontage.
3. If on-site domestic and fire service is required, then the applicant can connect to the existing water mains and construct a looped water system on-site. Since the site may have hydrocarbon contamination, use ductile iron pipe with nitrile gaskets, and copper pipe for water services. This issue can be explored in more detail during design.
4. During final site plan and engineering phase, submit a water plan for review and approval showing all proposed water and fire services. The plan shall also identify required fire flow and expected domestic water demand for each structure.
5. Provide state approved backflow protection as needed for each structure.
6. Existing static water pressure is in the range of 70 psi to 112 psi. When the Utility's Paradise Point Treatment Plant, water pressure will rise to 120 psi to 140 psi. Appropriate pressure reducing valves should be used for all end users.

Street Lighting and/or Parking & Security Lighting

Dark sky compliant street lighting is required for public right of way per the City of La Center Engineering Standards. Because the site is private, the city does not regulate the site lighting. The city encourages onsite lighting to be dark sky compliant.

Fire Code

See the attached exhibit A, with the commercial pre-application notes provided by Clark County Fire & Rescue.

Building Comments

The Building Official did not participate in the pre-application conference. Typical comments the Building Official has provided in the past potentially applicable to this project include:

1. Identify the proposed setbacks for building.
2. Submit a geotechnical report analyzing the development design and for infill. The report should propose short-plat development conditions for the builders, by lot if required.
3. The plat notes should stipulate amount of impervious/saturation development allowed maximum impervious surface area is 85%.
4. Plat and site plan conditions for individual buildings should include provision of adequate foundation drainage, on the high side of the building/lot.
5. If retaining walls are to be constructed there needs to be design details in the conditions for the builder(s). Any required walls shall be installed and approved before final occupancy approval. Other walls built shall be built to a standard detail.
6. Fencing should be uniform. Provide a fence detail.
7. No one development shall create hazards or conditions for any adjacent lot.
8. Stormwater collected from newly created impervious sources or surfaces (roof, slabs, flatworks, etc.) shall be terminated in an approved manner.
9. Provide a note and detail for a concrete truck washout area which builders and contractors shall be required to use and maintain until final build out.
10. Coordinate with Chief Mike Jackson, CCF&R regarding hydrant spacing and related fire flow and fire protections issues he might have.

Land Use

Under the vested C-2 zoning regulations the proposal will require the following land use applications (18.150.020-Table):

- Short Plat – Permitted activity
- 93-unit, 4-story hotel – Conditional use
- 16,680 square foot, one-story multi-tenant commercial building. General Retail , 25,000 S/F - Conditional use
- 5,000 square foot, one-story convenience store - Permitted use
- 2,300 square foot, one-story drive-through restaurant - Conditional use
- 12-pump automobile fueling island - Conditional use
- Associated parking, utility and other infrastructural improvement – Permitted use

All land use application and SEPA will be combined into one land use hearing before the La Center Hearing Examiner.

Legal Lot Determination:

An application for legal lot determination is NOT required.

Chapter 18.150 Commercial Zoning Districts

Chapter 18.150.010 Purpose

B. Community Commercial (C-2) District. These more intensive, auto oriented commercial areas are intended to provide for the regular shopping and service needs for the community as a whole and adjacent service areas.

18.150.030 Development Standards

A. New lots and structures and additions to structures subject to this section shall comply with the applicable standards for lots and building height, and setbacks in Section 18.150.030(A) LCMC. Site plan review is required for all new development and modifications to existing permitted development unless expressly exempted by this title.

B. Landscaping.

1. In C2 and C3 districts, not less than fifteen percent (15%) of the total lot area shall be landscaped. Pedestrian plazas, sidewalks over the minimum width and other pedestrian amenities may be used to meet the required landscaping at a one to one (1:1) ratio.

C. Site Plan Review Standards. In addition to the site plan approval criteria contained in Chapter 18.215 LCMC the following shall apply to all development within the commercial districts unless expressly exempted. The review authority may modify these standards for the expansion of existing uses for site-specific issues:

1. Primary pedestrian circulation routes connecting the street(s) to the primary building entry or entries shall be a minimum of eleven (11) feet (eight (8) feet of sidewalk/walkway with a minimum of three (3) feet of landscaping on one (1) side of the pedestrian route). The minimum three (3) foot landscaped area shall contain street trees planted at thirty (30) foot intervals to provide for a continuous tree canopy. The required landscape area should function as a buffer between auto drives and the pedestrian routes. Where the pedestrian circulation route crosses vehicular accessways the landscape area is not required. Pedestrian awnings, with a minimum of eight (8) feet of head clearance shall be provided along the front building façade when abutting public rights-of-way. Awnings may not project over the parking area or street.
2. Landscaping.
 - a. Landscaping is required along the side of all buildings in C2 and C3 districts where the primary pedestrian access is provided. Minimum requirements shall be trees provided every thirty (30) feet on center planted along the length of the parcel. Street trees may not be planted closer than 25 feet away from street corners to preserve intersection sight-distance.
 - b. Landscape buffers required by Section 18.245.060 LCMC shall not apply between pad development sites and the remainder of the development site.
 - c. Landscaping required between commercial developments may be altered where parking lots are adjoining as follows: a single, shared five (5) foot buffer instead of five (5) feet for each development; provided, that joint access is provided between parcels for auto and pedestrian access and trees are planted every twenty (20) feet on center along the length of the buffer.

Table 18.150.030A Lot Requirements

District	Minimum Lot Area (SF)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)
<u>C-2</u>	10,000	None	None

Table 18.150.030B Setbacks, Lot Coverage and Building Height

Minimum setbacks	Pursuant to buffering and screening standards contained in Chapter 18.245 LCMC
Minimum setbacks adjacent to residential district	Pursuant to the screening and buffering standards contained in Chapter 18.245 LCMC, plus an additional 1/2 foot for each foot the building exceeds 20 feet in height to a maximum setback requirement of 40 feet.
Maximum lot coverage	Maximum determined by compliance with screening and buffering standards contained in Chapter 18.245 LCMC, Chapter 18.320 LCMC, and all other applicable standards.
Maximum building height	60 Ft.

18.205 – Short Plat Provisions

18.205.030 Preliminary short plat application contents

An applicant for a preliminary short plat shall submit the requisite fee, a completed application review form provided for that purpose by the city, and four (4) copies of the following information:

- A. Short plat name (if any);
- B. Contact information including the name, mailing address, and telephone number of the owner/s, engineer, surveyor, planner, and/or attorney and the person with whom official contact should be made regarding the short subdivision;
- C. Environmental (SEPA) checklist or EIS, if applicable under Chapter 18.310 LCMC;
- D. A preliminary short plat at a scale of no more than one inch equals 200 feet, with north arrow, date, graphic scale, existing and proposed lots, tracts, easements, rights-of-way and structures on the site, and existing lots, tracts, easements, rights-of-way and structures abutting the site; provided, information about off-site structures and other features may be approximate if such information is not in the public record. The applicant shall provide one copy of the plan reduced to fit on an eight-and-one-half-inch by 11-inch page. The short plat shall show the dimensions and areas of all proposed lots, tracts and dedications. The short plat shall show the distance from proposed lot lines to the nearest existing structures on the site unless those structures will be removed;
- E. Proposed dedications of title, easements or other interests to the city or other agency, if applicable;
- F. 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;
- G. Proof of ownership document, such as copies of deeds and/or a policy or satisfactory commitment for title insurance;
- H. A legal description of the property proposed to be divided;
- I. If a short subdivision contains large lots which at some future time could 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;
- J. A copy of the pre-application conference summary and a description of information submitted in response to the issues, comments and concerns in the summary;
- K. A written description of how the proposed preliminary short plat does or can comply with each applicable approval criterion for the preliminary short plat, and basic facts and other substantial evidence that supports the description;

- L. 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.
 - 1. 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;
 - 2. 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;
- M. Applications necessarily associated with the preliminary short plat, such as applications for 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 short plat application as proposed;
- N. A wetlands delineation and assessment for wetlands on-site and abutting the site (Not Applicable)
- O. A report prepared by a geotechnical engineer or geologist licensed in the State of Washington if:
 - 1. The site contains substantial fill (10 cubic yards or more), or the applicant proposes to place substantial fill on the site; or
 - 2. 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;
- P. An archaeological predetermination if the area proposed for development contains lands classified as having moderate or higher probability of containing archaeological resources as determined.
- Q. Preliminary grading, erosion control and drainage plans, which may be a single plan, consistent with applicable provisions of Chapter 18.320 LCMC;
- R. 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.

18.205.040 Approval criteria for a preliminary short plat

- A. The review authority shall approve a preliminary short plat if he or she finds:
 - 1. The applicant has sustained the burden of proving that the application complies with the following regulations of the La Center Municipal Code to the extent relevant; or
 - a) Chapters 12.05 (Sidewalks) and 12.10 (Public and Private Road Standards) LCMC;
 - b) Chapter 18.300 LCMC (Critical Areas);
 - c) Chapter 18.310 LCMC (Environmental Policy);
 - d) Chapter 18.320 LCMC (Stormwater and Erosion Control);
 - e) Chapter 15.05 LCMC (Building Code and Specialty Codes)
 - f) Chapter 15.35 LCMC (School Impact Fees); and
 - g) Title 18 LCDC (Development Code)

2. That the application can comply with those regulations by complying with certain conditions of approval, and those conditions are adopted; or that necessary adjustments, exceptions, modifications or variations have been approved or are required to be approved before the final short plat is approved;
 3. The application makes appropriate provision for potable water supplies and for disposal of sanitary wastes; and
 4. The application complies with RCW 58.17.010.
- B. If the application includes the creation of one or more flag lots, those lots shall comply with Section 18.210.040(E) LCMC.

18.205.050 Expiration and extension of preliminary short plat approval

A decision approving a preliminary short plat expires five (5) years from the effective date of approval and can be extended as provided in Section 18.030.140 LCMC.

18.205.060 Final short plat application contents

An applicant for a final short plat shall submit to the city clerk the requisite fee and the following information:

- A. A form provided by the city containing the following information:
1. Short subdivision name (if any);
 2. Name, mailing address, and telephone number of owner and/or developer, and, if required, surveyor of the plat;
 3. Date;
 4. Acreage;
 5. Number of lots;
 6. Zoning designation;
- B. The final short plat map, including the following:
1. Short subdivision name (if any);
 2. Legend;
 3. Location, including one-fourth section, section, township, range, and, as applicable, donation land claim and/or short subdivision or subdivision name;
 4. Boundary survey (if required);
 5. Lot, block, and street right-of-way and centerline dimensions;
 6. Street names;
 7. Scale, including graphic scale, north arrow, and basis of bearings;
 8. Identification of areas to be dedicated;
 9. Surveyor's certificate, stamp, date, and signature (if required);
 10. Signature blocks for the following:
 - a. Engineer;
 - b. County auditor;
 - c. County assessor;
 - d. City clerk or Director;

- e. Mayor;
- 11. Special setbacks (if any);
- 12. Public and private easements (if any) and the purpose of each;
- 13. Tracts (if any) and the purpose of each;
- 14. Walkways (if any);
- C. Legal description of the boundary which has been certified by the land surveyor, with seal and signature as being an accurate description of the lands surveyed;
- D. Short plat certificate, including dedications, if any (RCW 58.17.165);
- E. A certificate of title shall be provided;
- F. Restrictions and covenants, if proposed to fulfill conditions of approval or applicable provisions of law.

18.205.070 Approval criteria for a final short plat

The review authority shall approve a final short plat if he or she finds:

- A. It complies with the decision approving the preliminary short plat;
- B. The applicant has fulfilled all conditions of approval that that decision or the La Center Municipal Code requires to be fulfilled before approval of the final short plat; and
- C. The final short plan application must meet the submittal requirements of Section 18.210.060 LCMC.

18.215 Site Plan Review

Please provide 4 paper copies of all application materials along with an electronic version (FTP, CD or USB Drive). Please include a word version of your narrative and SEPA checklist.

Site Plan Review (§§18.215.050): A completed application form and the following materials are required prior to a determination of technical completeness.

- (a) Written narrative description of uses, types of structures proposed, hours of operation, abutting properties, proposed access, frequency of deliveries and construction schedule including project phasing, if known;
- (b) Current list of names and addresses of all property owners within a 300-foot radius as shown upon the Clark County assessor's records. The list shall be no older than 90 days and shall be dated and certified as being a complete list of adjacent owners by the assessor's office, surveyor, or title company. This list shall also be provided on self-adhesive mailing labels;
- (c) Developer's GIS packet (can be obtained from the Clark County planning department);
- (d) 4 copies of an existing conditions plan drawn to a minimum scale of one-inch equals 200 feet on a sheet no larger than 24 inches by 36 inches and including one reduced 11-inch by 17-inch copy. The existing conditions plan shall at a minimum indicate the following:
 - (i) Vicinity map showing location of subject site within the city of La Center and the surrounding existing street system;
 - (ii) Property boundaries, dimensions and size of the subject site;
 - (iii) Graphic scale of the drawing and the direction of true north;
 - (iv) Zoning and uses of subject site and of properties within 100 feet of the subject site;
 - (v) Current structural or landscaped setbacks;
 - (vi) Location of on-site driveways and access points within 100 feet of the subject site;

- (vii) Location of existing on-site structures and the approximate location of existing structures within 100 feet of the site;
 - (viii) Location of existing aboveground electrical, telephone or utility poles and traffic control poles;
 - (ix) Location of existing fire hydrants;
 - (x) Location of existing structures within 100 feet of the site;
 - (xi) Location, centerline and dimensions of existing public rights-of-way and easements on-site and within 100 feet of the site;
 - (xii) Location, centerline and dimensions of existing private streets on-site and within 100 feet of the site;
 - (xiii) Approximate on-site slopes and grades within 100 feet of the site;
 - (xiv) Approximate location of significant natural conditions such as rock outcroppings, floodplain, drainage patterns and courses, slopes in excess of 25 percent, unstable ground, high seasonal water table or impermeable soils, areas of severe erosion potential, areas of weak foundation soils, areas of significant wildlife habitat, areas of known or suspected historic, cultural or archaeological resources and the location of trees or clusters of trees having a diameter of six or more inches measured four feet above grade;
- (e) Four copies of a site plan drawn to a minimum scale of one-inch equals 200 feet on a sheet no larger than 24 inches by 36 inches and including one reduced 11-inch by 17-inch copy. The site plan shall at a minimum indicate the following.
 - (f) Preliminary utilities plan indicating the proposed location, size, connection points to existing public systems, and terminus points for sanitary sewer, water and stormwater drainage and control. Stormwater information shall be provided in conformance with Chapter [18.320](#) LCMC and shall indicate compliance with all applicable standards of LCMC Titles [13](#) and [15](#). Public and private easements for sanitary sewer, water and stormwater shall also be indicated;
 - (g) Preliminary grading and erosion control plan indicating proposed on-site excavation and fill activities, and within public rights-of-way, if applicable, including demonstration of conformance with city of La Center erosion control measures;
 - (h) Landscape plan indicating the location of proposed vegetation, the common and botanical name of the proposed vegetation, the initial planting size (height or gallon) and the mature planting size, and proposed methods of irrigation, if any. Landscaping proposed in and around buildings, on the perimeter of the site and within proposed parking areas shall be indicated. In addition, street trees or other forms of landscaping within the public rights-of-way shall be indicated;
 - (i) Architectural elevations, showing north, south, west and east elevations and specifying a measurable scale, structural dimensions and structural heights;
 - (j) Lighting plan indicating the location, height and type of proposed exterior lighting fixtures (pole-mounted or wall-mounted);
 - (k) Legal description for the parcel(s) in question;
 - (l) Most recent conveyance document (deed) showing current ownership;
 - (m) State Environmental Policy Act (SEPA) checklist, filled out in ink or type and signed;
 - (n) Traffic study, if applicable;
 - (o) Sign plan(s) (if applicable);
 - (p) Copy of pre-application conference report and any other items requested in the pre-application conference report, if completed. [Ord. 2006-17 § 1, 2006.]

All correspondence must be submitted to the La Center City Clerk. Because several of the uses are classified as conditional uses, the site plan will also be elevated to a Type III land use review. Within 14 days after the Clerk finds the application technically complete, the Clerk shall mail a Notice of Application to you and adjacent property owners. The comment period shall remain open for a minimum of 14 days. The City will issue a decision within 56 calendar days.

Site plan approval criteria (LCMC 18.215.060): The applicant carries the burden of proof to demonstrate that the proposal complies with the following city regulations and standards:

A technically complete application must address ALL approval criteria in section 18.215.060.C below:

18.215.060.C. The proposed plan shall meet all applicable provisions of this title and other appropriate provisions of the La Center Municipal Code, the following are enumerated to indicate the various requirements under which a plan must be found consistent. Failure to meet any one of these, and other requirements not necessarily specified here, shall be grounds for denial of site plan approval:

1. The proposed use is permitted within the district in which it is located.
2. The proposal meets the lot, yard, building, height and other dimensional requirements of the district within which it is located.
3. The proposal meets the screening, buffering and landscape strip requirements, as set forth in Section 18.245.060 LCMC.
4. Minimum parking and loading space requirements are met, as required by Chapter 18.280 LCMC.
5. All applicable conditions and criteria contained in other titles of the La Center Municipal Code are met.
 - Chapter 12.05 LCMC, Sidewalks;
 - Chapter 12.10 LCMC, Public and Private Road Standards;
 - Chapter 15.05 LCMC, Building Code and Specialty Codes;
 - 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;
 - Title 18, Development Code;
 - The subdivision must make appropriate provision for potable water supplies and disposal of sanitary wastes
6. Improvement requirements are provided in accordance with the applicable sections of the La Center development code.
7. All conditions of any applicable previous approvals (i.e., CUP) have been met.
8. Development subject to site plan review has provided underground public and private utility lines including but not limited to those for electricity and communication.
9. Public water, sewer and stormwater lines have been installed in conformance with the standards of the city code. Public water, sewer and stormwater lines within or along the frontage of a development have been extended to the extreme property lines of that development unless it can be demonstrated to the city engineer that such extensions are impractical or infeasible or inappropriate.
10. Proposed phasing plans do not exceed six years and all required public infrastructure is installed in the first phase of the development.

18.215.100 Compliance required and expiration

- A. All development of the property for which a site plan was approved shall conform to the approved site plan and any conditions imposed thereon unless amended or replaced by a subsequent city approval.
- B. **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. The planning director may approve up to two one-year extensions if:

1. There have not been any substantial changes in the laws governing the development of the site, with which lack of compliance would be contrary to the changed laws; and
2. The applicant has pursued development in good faith. Good faith shall be evidenced by progress on final permitting, surveying, engineering, and construction of improvements.

18.215.110 Completion prior to occupancy

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, that completion and occupancy may be accomplished in phases if approved by the planning director as part of the site plan review process. Incomplete items may be secured by the issuance of a performance bond or other suitable security as a condition of approval of a site plan to secure applicant's obligation to complete the provisions and conditions of the approved site plan.

18.215.080 Final site plan approval

Where a site plan is issued subject to conditions that require the submittal of additional materials or changes to existing plans, the director may require that the applicant submit for final site plan approval to determine if the revised plans comply with the conditions of site plan approval. Final site plans shall be considered as Type I applications.

18.240 Mitigation of Adverse Effects

18.240.020 Determination of direct impacts

Before any development is given the required approval or is permitted to proceed, the review authority shall determine all impacts, if any, that are a direct consequence of the proposed development and which require mitigation.

18.245 – Supplemental Development Standards

18.245.020 Height of fences and hedges

- A. Front and Street Side Yards. Fences and hedges shall be no higher than four feet (measured from ground level) within five feet of a front property line or street side property line.
- B. Interior Side and Rear Yards. Fences and hedges shall be no higher than six feet (measured from ground level) along interior side and rear property lines.

18.245.030 Solid waste

If refuse containers are used by more than one unit for temporary storage of solid wastes, the container(s) 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.

18.245.040 Lighting

- A. Lighting, including permitted illuminated signs, shall be designed and arranged so as not to do the following:
 1. Reflect or cast glare into any residential zone;
 2. Rotate, glitter, or flash; or
 3. Conflict with the readability of traffic signs and control signals.
- B. Lighting on any site shall not cause more than one foot-candle measured at any property line.

18.245.050 Noise

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

18.245.060 Landscaping

- A. The following standards apply to landscaping and screening on private property required pursuant to Table 18.245.060 LCMC. Landscaping and screening within public rights-of-way shall comply with the applicable provisions in Chapter 12.10 LCMC.

Table 18.245.060 Landscaping

Zoning of the site	Zoning of the abutting the site							
	LDR		MDR		C2		LI, EC, UP	
	Separated by a street	Not separated by a street	Separated by a street	Not separated by a street	Separated by a street	Not separated by a street	Separated by a street	Not separated by a street
C1, C2, C3, MX	L1 5 feet	L2 5 feet	L1 5 feet	L2 5 feet	None	None	None	None

- F. Parking and loading areas shall be landscaped as follows:
- a. A minimum five-foot-wide strip landscaped to at least an L2 standard or a minimum 10-foot-wide strip landscaped to at least an L1 standard shall be provided where vehicle parking or loading adjoins a public road right-of-way.
 - b. Where a vehicle parking or loading area adjoins a property with zoning or land uses other than the proposed land use, the area shall be landscaped and screened as provided in Table 18.245.060 adjoining the other property.
 - c. Parking areas that contain at least seven spaces shall contain landscape islands equally distributed at a ratio of one island for every seven parking spaces. A landscape island shall contain at least 25 square feet, shall be at least four feet wide, and shall prevent vehicles from damaging trees, such as by using a wheel stop or curb.
 - d. At least one tree shall be planted in each landscape island. Trees in landscape islands shall reach a mature height of 30 feet or more, cast moderate to dense shade in the summer, live at least 60 years, require little maintenance (such as by being insect-, disease- and drought-resistant and not producing fruit), and be suited for use in the proposed location (such as by being tolerant of pollution and direct and reflected heat).
- M. The applicant shall show and comply with the following:
- a. Plant materials will be installed to current nursery industry standards.
 - b. Plant materials shall be properly supported to ensure survival. Support devices such as guy wires or stakes shall not interfere with vehicular or pedestrian movement.
 - c. Existing trees and plant materials to be retained shall be protected during construction, such as by use of chain link or other sturdy fence placed at the dripline of trees to be retained. Grading, topsoil storage, construction material storage, vehicles and equipment shall not be allowed within the dripline of trees to be retained.
- N. Maintenance of landscaped areas is the ongoing responsibility of the property owner. Required landscaping must be continuously maintained in a healthy manner. Plants that die must be replaced with in-kind materials unless otherwise authorized by the review authority. Vegetation shall be controlled by pruning, trimming or otherwise so that it will not interfere with the maintenance or repair of any public utility, restrict pedestrian or vehicular access, or obstruct sight distance at intersections as provided in Chapter 12.05 LCMC.

- O. Irrigation. The intent of this standard is to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering. All required landscaped areas must comply with one of the following:
 - a. A permanent built-in irrigation system with an automatic controller will serve the landscape area in question, and the system will be installed and operational before the county grants an occupancy permit or final inspection for the development in question....

Chapter 18.260 Variances (If requested)

18.260.030 Application contents.

An applicant for a variance(s) shall submit the requisite fee and the information required by LCMC 18.30.050, except as otherwise provided therein. [Ord. 2006-17 § 1, 2006.]

18.260.040 Approval criteria. (Please address all approval criteria for each variance requested.)

The review authority shall approve or approve with conditions an application for a variance if he or she finds the applicant has sustained the burden of proving that:

- (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. [Ord. 2006-17 § 1, 2006.]

18.260.050 Expiration and extension.

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

18.275 Sign Requirements

When proposed, signs must comply with this chapter.

18.280 Off-Street Parking and Loading Requirements

18.280.010 Off-street parking requirements

Off-street parking shall be provided in compliance with Table 18.280.010 LCMC:

Table 18.280.010 Off-street parking requirements

USE	MINIMUM NUMBER OF PARKING SPACES
Retail Stores and Service or Repair Shops	1 space per 400 square feet of floor area ¹
Bank or Office Buildings ²	1 space per 400 square feet of floor area ¹
Hotel, Motel or Bed and Breakfast Houses	1 space per guestroom ¹
Eating and/or Drinking Establishments	1 space per 200 square feet of floor area ¹

18.280.040 Loading

Every use for which a building is erected or structurally altered which will require the receipt or distribution of materials or merchandise by truck or similar vehicle shall provide off-street loading space based on minimum requirements as follows:

- A. Commercial, industrial, and public utility uses shall provide truck loading or unloading berths in accordance with Table 18.280.040(A):

Table 18.280.040(A)

Square feet of floor area	Number of berths required
Less than 5,000	0
5,000 – 30,000	1
30,000 – 100,000	2
100,000 and over	3

- B. Restaurants, office buildings, hotels, motels, hospitals and institutions, schools and colleges, public buildings, recreation or entertainment facilities, and any similar uses shall provide off-street truck loading or unloading berths in accordance with Table 18.280.040(B):

Table 18.280.040(B)

Square feet of floor area	Number of berths required
Less than 30,000	0
30,000 – 100,000	1
100,000 and over	2

18.250 Conditional Uses

A technically complete application must address all approval criteria in 18.250.040.

18.250.040 Criteria for approval, minor modifications and revocation

- A. The hearings examiner shall approve or approve with conditions an application for conditional use permit if he or she finds the applicant has sustained the burden of proving that:
1. 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;
 2. All required public facilities (i.e., water, sanitary waste, drainage and roads) have adequate capacity to serve the proposed use;
 3. 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;
 4. 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.

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.

18.250.050 Expiration and extension

A conditional use permit expires within two years from issuance and can be extended for a single one-year period. See 18.030.140 LCMC.

18.250.060 Transfer prohibited

An approved conditional use permit is specific to the subject property and cannot be transferred to another property.

Chapter 18.300 Critical Areas

The location is within a wellhead protection area and 1-year and 10-year wellhead zone of travel. (CARA - I) Clark County indicates the site also has a “High” probability of archaeological resources. A CARA -II reports required. An archaeological predetermination is required for areas on not previously investigated within the past 5 years.

The applicant shall demonstrate, through the land use approval process, that the proposed activity will not have any adverse impacts on ground water 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 Ground Waters of the State of Washington, Chapter [173-200](#) WAC; and Dangerous Waste Regulations, Chapter [173-303](#) WAC. By this reference, Chapters [173-200](#), [173-303](#) and [246-290](#) WAC, as written and hereafter updated, will be part of this chapter.

18.310 (Environmental Policy)

The project review application must include a SEPA checklist and appropriate processing fees. The City will review the SEPA checklist and application materials and will make a threshold determination. 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 inadvertent discovery plan is required for areas not evaluated within the past five (5) years)

Application Fees

An estimated fee schedule was provided during the meeting. Based upon the information provided to date, we estimate that the land use application fees will include:

- Short Plat (4 lots or less) = \$850 + 125/lot
- Site Plan Review: Type II \$1,275 + \$85/1000 SF
- Conditional Use Permit: \$3,400 plus cost recovery
- Variance, Type II: \$850 (if requested)
- SEPA: \$510
- Critical Area Review \$340 (CARA 1)
- Archaeological predetermination: \$350

The applicant is responsible for payment of fees related to development/engineering review costs as contained in La Center Resolution No. 13-372 (copy provided at pre-application conference). Transportation Impact Fees shall be assessed against at time of building permit.

June 11, 2019 – Attendees

Name	Address	Phone	Email
Tony Cooper, P.E., City Engineer	305 NW Pacific Highway La Center, WA 98629	360.263.2889	acooper@ci.lacenter.wa.us
Matt Jenkins, Director La Center Public Works	305 NW Pacific Highway La Center, WA 98629	360.263.3333	mjenkins@ci.lacenter.wa.us
Jeff Swanson, Consulting Community Dev. Director	305 NW Pacific Highway La Center, WA 98629	360.863.9651	jswanson@ci.lacenter.wa.us
Eric Eisemann, E ² Land Use Planning	215 W 4 th St., #201 Vancouver, WA 98662	360.750.0038	e.eisemann@e2landuse.com
Barry Lovingood, Clark PUD		360.992.8020	blovingood@clarkpud.com
Chief Mike Jackson Clark FR	911 N 65 th Ave, Ridgefield, WA	360.887.4609	Mike.jackson@clarkfr.org
David Tetz, Clark PUD		360.992.8781	dtetz@clarkpud.com
Don Rhoads, Minit Management LLC	PO Box 5889 Vancouver, WA 98668	360.695.1385	drhoads@tcgstores.com
Joe Tanner, Minit Management LLC	PO Box 5889 Vancouver, WA 98668	360.910.1600	jtanner@tcgstores.com
Mark Stokes, Heurlin Potter	PO Box 611 Vancouver, WA 98666	360.750.7547	Mfs@hpl-law.com
Mike Odren Olson Engineering	222 E. Evergreen Blvd. Vancouver, WA 98660	360.695.1385	mikeo@olsonengr.com

EXHIBITS

CCF&R Commercial Pre-application Notes: La Center
La Center Latecomer Agreement