



**TECHNICALLY COMPLETE REVIEW:
CPU Shorelines Exemption Review**
(2020-022-CAE_SMPE – October 21, 2020)

Owner	Public Right of Way, City of La Center
Applicant	Clark Public Utilities, Gene Morris, Director of Operations 8600 NE 117 th Avenue, Vancouver, WA 98662 Phone: 360-992-8848 Email: gmorris@clarkpud.com
Applicant’s Representative	WSP USA, Dustin Day 210 East 13 th St., Suite 300, Vancouver, WA 98660 Phone: 360-823-6109 Email: dustin.day@wsp.com
Date of Receipt of Application	Wednesday, September 16, 2020 – a one-week extension was acknowledged by the applicant expiring October 21, 2020
Finding	Complete
La Center City Engineer La Center Planning Consultant	Anthony Cooper, P.E. Todd Johnson, TRJ Planning Inc.

PROPERTY IDENTIFICATION AND PROPOSAL

The property subject to this Review for Technical Completeness is within the City of La Center public roadway Right of Way and Public Utility easements. The proposal is a request for a shorelines exemption and critical areas exemptions within areas regulated by the City of La Center Shorelines Management Program (SMP).

The applicant is proposing to conduct ongoing maintenance and repair operations of existing utility infrastructure for a 5 year period. The applicant has requested a Type I application review process.

REVIEW FOR TECHNICALLY COMPLETE STATUS

Before accepting an application subject to a Type I, II or III review, the director shall determine whether the application is technically complete. This determination is not a substantive review of the materials submitted but is only an acknowledgement that the applicant has submitted the materials necessary to begin the review of the application requested. A Type I procedure does not require a pre-application conference, and no pre-application conference has been requested.

Finding

The applicant filed the application materials on September 16, 2020 and acknowledged a 7-day completeness review extension expiring on October 21, 2020. This determination is issued on October 21, 2020 and finds that the items applicable to a Type I review process have been submitted for review. The next step in the review process will be a review of the items submitted and the procedural requirements. Substantive guidance is provided below identifying some areas that will require additional information for review.

LAND USE APPLICATION REQUEST

The applicant is requesting approval of a Type I application for ongoing repair or replacement of Utility infrastructure within Shorelines of the State and other Critical Areas regulated by the City of La Center. This approval is requested for a 5 year period. The applicant has provided a project narrative with responses to the SMP requirements as well as a Critical Areas Management Plan Agreement and Draft Memorandum of Understanding.

STANDARDS FOR TECHNICAL COMPLETENESS

The review for technical completeness is based upon the applicant's materials provided at the time of this review.

Criteria	Completeness & Location
A. §18.30.050 LCMC, Review for technically complete status	
a) A completed application form provided by the city clerk for that purpose;	Complete
b) 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 application;	Complete
c) An environmental checklist or EIS, if applicable under Chapter 18.310 LCMC;	Not submitted, the applicant is requesting a SEPA Exemption. Not Applicable as submitted. Additional support information will be needed for substantive review.
d) A preliminary plan 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. Principal features of the plan shall be dimensioned;	The applicant provided mapping at a scale which allows presentation of the impacts across the city limits. Although this does not meet the scale requirement of being no more than 1"=200', the mapping submitted is sufficient for a completeness determination. Additional detail may be needed in some areas upon further review. Complete
e) Proposed easements or dedications to the city or other agency, if applicable;	Not 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;	Not applicable as the property is within public Right of Way and the applicant has an existing Utility Franchise Agreement with the City.
g) Proof of ownership document, such as copies of deeds and/or a policy or satisfactory commitment for title insurance;	Not applicable
h) A legal description of the site;	Not applicable
i) A copy of the pre-application conference summary, if the application was subject to pre-application review, and a description of information submitted in response to the issues, comments and concerns in the summary;	Not applicable to a Type I procedure requested.

j) A written description of how the application does or can comply with each applicable approval criterion, and basic facts and other substantial evidence that supports the description;	Complete
k) The names and addresses of owners of land within a radius of 300 feet of the site for an application subject to Type II review. Owner names and addresses shall be printed on mailing labels. i. 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. ii. 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;	Not applicable to the Type I process requested
l) Applications necessarily associated with the proposal, 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 proposal;	None requested, not applicable.
m) A wetlands delineation and assessment if required by Chapter 18.300 LCMC, and an application for a wetland permit and associated preliminary plan, if required;	Complete, a Critical Areas Management Plan and City GIS Mapping of Critical Areas was Submitted. Additional information may be needed for substantive review.
n) A geotechnical study, prepared by a geotechnical engineer or geologist, licensed in the state of Washington if: (i) The site contains substantial fill, or the applicant proposes to place substantial fill on the site; or (ii) The site contains land identified by the city, 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;	Not applicable as the applicant is proposing exempted activities only. If Clearing, Grading and other activities are intended within a critical area or buffer are included in the proposed activities, additional information may be required for substantive review.
o) An archaeological predetermination if the area proposed for development contains lands classified as having moderate or higher probability of containing archaeological resources;	Not applicable as the applicant is proposing exempted activities only. If activities are intended within areas having a moderate or high probability of containing archaeological resources are included in the proposed activities, additional information may be required for substantive review.

p) Preliminary grading, erosion control and drainage plans may be required for Type I applications. Type II and Type III applications shall include such a plan and it shall be consistent with applicable provisions of Division 4, Critical Lands;	Not applicable as “grading” activities do not appear to be included in the requested exemption. If these activities are proposed, additional information may be needed for substantive review.
q) Information about proposed utilities, including water and sanitary waste.	Complete

In addition to the items listed above, applications for Type I review, the city is providing this early substantive guidance on some additional items that require additional support information or discussion:

- Additional information and possible modification to the existing utility franchise agreement, contact Jeff Swanson for additional details.
- Additional information on how the proposal would comply with 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.
- Additional information on how the proposal would comply with Chapter 13.10 -- Sewer System Rules and Regulations. If connection or disturbance 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.
- Additional information on how the proposal would limit all work to being within the public right of way or on private property impacting miscellaneous utilities, it will be the responsibility of the applicant to obtain approval from the owners of these utility facilities.
- Additional information on how the proposal would comply with Critical Areas (Wetlands, Geological Hazard Areas, Frequently Flooded Areas, and Fish and Wildlife Habitat Conservation Areas). Table 18.300.040 indicates levels of review required for some of the identified activities in this proposal.
- Additional information on how the project would comply with LCMC 18.360 (Archaeological Resource Protection)

CONCLUSION

The City finds the application **Complete** as of October 21, 2020.

DISCLAIMER

The purpose of this checklist is solely to ascertain whether the application satisfies the minimum requirements for technical completeness consistent with LCMC 18.030.050 and with the conditional use permit conditions of approval (CUP 2018-027). Representations as to completeness or incompleteness of the application material refer solely to the presence or absence of materials and do not reflect the City's evaluation of the substance of the documents. The City, by finding the application complete, does not warrant the information presented by the applicant is accurate. The City does not imply or warrant the information the applicant submitted complies with all or any part of the LCMC, La Center plans, maps or standards; or state or federal statute, rule or regulation, beyond the completeness check. The City reserves the right to request additional information from the applicant.