



## Staff Report & Recommendations

### Riverside Estates Subdivision: Type III

### Preliminary Plat and SEPA DNS

(2017-007-SUB) September 26, 2017

<b>PROPOSAL:</b>	Preliminary subdivision of 43.25 acres (zoned Medium Density Residential, MDR-16) into 211 single-family residential lots and four (4) multi-family lots. These single-family units will be built in the first five (5) phases, some occurring concurrently. The density will be as follows once complete: Single Family Residential is 9.85 units/acre (3000 sq. ft. minimum). Several parks with trails are proposed along with stormwater tracks with a sewage pump station. The final phase, as currently proposed, will develop the four (4) multi-family lots in a future development application.
<b>LOCATION:</b>	1514 NW 339th Street and 34509 & 34512 NW Pacific Highway, La Center, WA. Also described as East Fork Estates Lot 1/10 & 2/20, East Fork Estates Phase 2 Lot 1, Lot 2 and Lot 9: Assessor's #: 986028830, 986030206, 986028825, 986030202, 986030201 and 258641000; SE ¼ of Section 33, T4N, R1E, WM.
<b>HEARING:</b>	The La Center Hearing Examiner will conduct a public hearing beginning at <b>5:30 PM on October 03, 2017</b> at La Center City Hall, 214 East 4 <sup>th</sup> Street, La Center, WA
<b>APPLICABLE STANDARDS</b>	La Center Municipal Code; 18.30, Procedures; 18.60, Development Agreements; 18.140, Medium Density Residential; 18.147, Parks and Open Spaces; 18.210, Subdivision; 18.230, Monumentation, Survey, and Drafting Standards; 18.240 Mitigation of Adverse Impacts; 18.245, Supplemental Development Standards; 18.280, Off-street Parking and Loading Requirements; 18.300, Critical Areas; 18.310, Environmental Policy; 18.320, Stormwater; 18.340, Native Plant List; 18.350, Tree Protection; 18.360, Archaeological Protection; and La Center Engineering Standards.
<b>RECOMMENDATION:</b>	<b>APPROVAL</b> , subject to conditions

## I. CONTACT LIST

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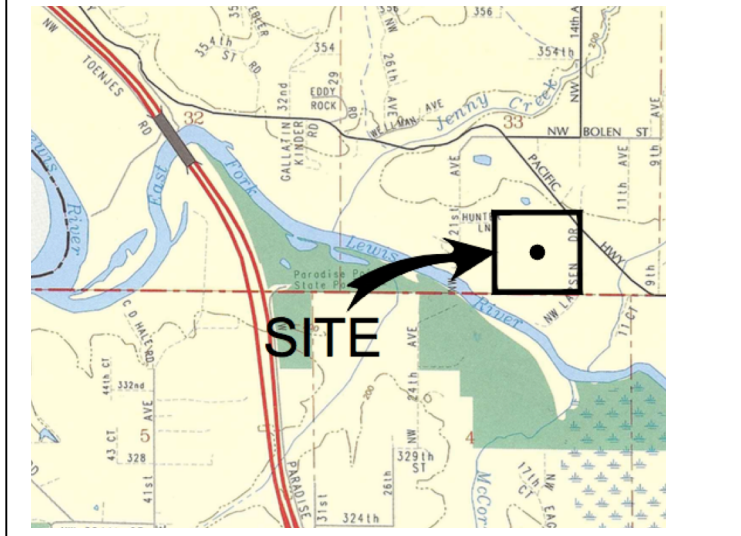
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## II. OVERVIEW

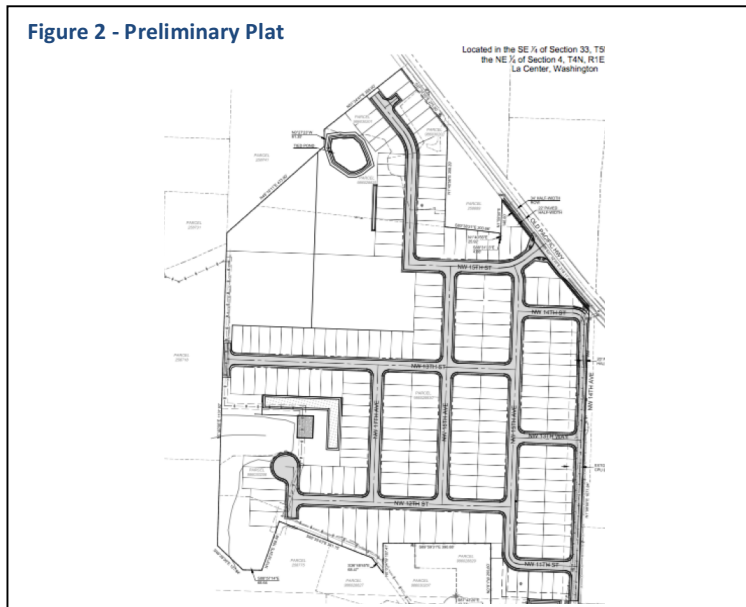
The project is located in the northwest corner of the City of La Center between the Lewis River and the NW Pacific Highway and NW 21<sup>st</sup> Ave and NW Larsen Rd. The five parcels are known as the East Fork Estates property. All properties are zoned MDR-16, Medium Density Residential.

**Figure 1 – Project Location**



The applicant proposes to subdivide 43.25 acres (zoned Medium Density Residential, MDR-16) into 211 single-family residential lots and four (4) multi-family lots. These multifamily lots will be developed in the future as an apartment complex(s) with an unknown number of units, but not included in this process. The 211 single family residences will be spread over 35.02 gross acres. The single-family lot sizes will range from 3,000 to 6,852 square feet (SFR) over the five (5) phases with a net density of 9.85 units/acre (3000 sq. ft. minimum lot size). The project will take access from two locations on NW Pacific Highway (Figure 2).

**Figure 2 - Preliminary Plat**



### III. REVIEW

#### III. A Jurisdiction

The subject properties are within La Center City limits and are zoned MDR-16. The MDR-16 code allows from eight (8) to fourteen (14) units per acre.<sup>1</sup> The MDR-16 code also limits the maximum of one form of housing to 75% of the total units, this ratio will be established by a Development Agreement (DA) by requiring the four (4) future tracts to build a housing type other than single-family detached. The City of La Center provides sanitary sewer service and public streets. Clark Public Utilities provides potable water and electrical services. The project is within the La Center School District and the Clark County Fire and Rescue Service area. CTRAN does not serve the site.

#### III.B Applicable regulations

The relevant La Center regulations include:

- 18.30, Procedures
- 18.60, Development Agreements
- 18.140, Medium Density Residential (MDR-16)
- 18.147, Parks and Open Spaces
- 18.210, Subdivision
- 18.230, Monumentation, Survey, and Drafting Standards
- 18.240 Mitigation of Adverse Impacts
- 18.245, Supplemental Development Standards
- 18.280, Off-street Parking and Loading Requirements
- 18.300, Critical Areas
- 18.310, Environmental Policy
- 18.320, Stormwater
- 18.340, Native Plant List
- 18.350, Tree Protection
- 18.360, Archaeological Protection
- La Center Engineering Standards

#### III.C Public Notice

The Battle Ground Reflector published legal notice of the land use application, SEPA DNS, and public hearing on August 03 2017. The Department of Ecology entered the SEPA Checklist and DNS in the Ecology SEPA Register on July 31, 2017. (Ecology SEPA # 201704035.) The SEPA comment period closed on August 16, 2017 and the City has received multiple public and agency comments about this project.

#### III.D Proposal

The applicant proposes to subdivide 43.25 acres into lots for a mix of housing types and densities for a minimum of 211 residences in the initial five phases and four reserved tracks. The net area developed for the single-family residences will be 29.63 AC. Net density of the phased project is 9.85 lots per acre.

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<sup>1</sup> The LCMC does allow the maximum of 14 to be increased to 16 units per acre through an approved density transfer.

The project will develop in five (5) phases; Phase 1 will take access from NW Pacific Highway. There are no archaeological resources on the site. The existing farm pond will be treated as a critical area for purposes of enhancing it as a stormwater storage feature. There are two (2) larger park facilities proposed and several smaller passive park /open space areas.

### III.E Key Issues

The relevant issues to consider for a successful public hearing review include:

- Development phasing: as part of the DA it will be critical as to how any facilities proposed as part of the four reserved tracks may affect the earlier Phases 1 through 5, if constructed late or never at all;
- Density: the proposal's density of 9.85 units per AC for the Phases 1 through 5 (211 units) is under the code's maximum of 14 units and over the minimum of 8 units;
- Parks and open spaces: some of the parks areas set aside may not meet the quality of facilities under the "Family Park" definition if credit is sought as such by the Developer;
- SEPA / Critical Resource Areas / wetlands: the site has potential wetland area(s) based on conflicting earlier reports and SEPA comments that may affect the size of buffer areas;
- Critical area analysis by a qualified expert confirmed there are no regulated Critical Areas on site though there is a farm pond being treated as such. ECY provided SEPA comments that recommend an additional site visit for better determination of the presence and extent of any wetland due to the previous studies less than ideal time of year of fieldwork;
- An archeological investigation concluded there are no cultural resources within the project site; and
- Stormwater: a few SEPA comments raise the issue of the strong potential for future on-site flooding due to grading and overloading of existing stormwater facilities, this will be addressed by the City Engineer's conditions once approved.

### III.F Land Use Analysis

***LCMC Title 18, Development Code.***

#### **LCMC 18.30.100 Type III Procedures**

This chapter establishes the process by which the Hearings Examiner manages the review of project information and public comments.

(4) Public Hearings. Public hearings shall be conducted in accordance with the rules of procedure adopted by the hearings examiner, except to the extent waived by the hearings examiner.

(a) At the beginning of the hearing, the hearings examiner shall:

- (i) State that testimony will be received only if it is relevant to the applicable standards and is not unduly repetitious;

Public comments must be submitted either in writing or during the upcoming public hearing. There has been one non-SEPA written comment submitted to date to the City. See Exhibits section for a full copy.

Dennis L. Nuttbrock, President, East Fork Home Owners Association (HOA) submitted public comments addressed to the Hearings Examiner concerning the following topic areas for the Riverside Estates Subdivision, September 15, 2017:

- *Lot Size and Setback Beveling*
- *Dwelling Unit Density*
- *Project Types*
- *Half-Width Road Improvements*
- *Landscaping*
- *Parks*
- *Stormwater Management*

**Response**

The City of La Center welcomes the public to participate in the planning process. The response to each of the topics raised above are addressed in the following report sections.

**LCMC 18.60 Development Agreement**

The Developer and the City of La Center will enter into a development agreement for all phases of this project per LCMC Chapter 18.60 that will be in effect for five years.

**LCMC 18.140 (Medium Density Residential District)**

This chapter regulates uses within the Medium Density Residential (MDR-16) zoning district and establishes design and dimensional requirements. Detached single-family dwellings are a permitted use in the MDR-16 zone (LCMC 18.140.030). The maximum building height in all MDR districts is 35 feet measured from the lowest finished grade level to the highest point on the roof for single-family detached units. Detached garages shall not exceed 18 feet in height. (LCMC 18.140.040.)

<i>Zoning District</i>	<i>Minimum Lot Area (sq. ft.)</i>	<i>Maximum Lot Area (sq. ft.)</i>	<i>Minimum Net Density per Acre<sup>1</sup></i>
<i>LDR-16 (SFR)</i>	<i>3,000</i>	<i>15,000</i>	<i>8</i>

<sup>1</sup>*In a phased project, each phase of the project shall meet the density requirements.*

Maximum building lot coverage shall not exceed 60 percent (SFR) and 85 percent (MFR). Maximum impervious surface area shall not exceed 85 percent. (LCMC 18.140.040(3)(c))

*Table 18.140.030  
– Lot Coverage and Dimensions (feet)*

<i>District</i>	<i>Minimum Lot Width</i>	<i>Minimum Lot Depth</i>	<i>Minimum Front Yard Setback<sup>1, 2</sup></i>	<i>Minimum Side Yard Setback<sup>1</sup></i>	<i>Minimum Street Side Yard Setback<sup>1</sup></i>	<i>Minimum Rear Yard<sup>1</sup></i>
<i>MDR-16 SFR</i>	<i>30</i>	<i>60</i>	<i>10</i>	<i>4</i>	<i>10</i>	<i>10</i>

<sup>1</sup> *Setbacks and building envelopes shall be identified for each lot on the face of the plat or binding site plan.*

<sup>2</sup> *Minimum front yard setback shall be 25 feet from arterial and collector streets.*

The city desires to create a variety of MDR-16 housing products so as to promote housing affordability, architectural variety and unique neighborhood character.

Properties zoned MDR-16 zone that are five acres or larger may not include more than 75 percent of one housing type, i.e., multifamily, single-family attached or single-family detached per LCMC 18.140.030(4). The Developer may demonstrate compliance with this standard cumulatively over all phases of development, excluding the tracts reserved for future development. For example, if the preliminary plat creates 211 lots, 25% of the dwellings (53 units) must be a different product type. The City proposes to accomplish this through the use of a DA to secure the construction of non-single-family units in the reserved future phases.

New residential developments shall provide street or front yard trees at a minimum of 30-foot intervals near the street frontage of each lot. As a **Condition of Approval**, prior to final plat approval, the Developer shall provide the Public Works Director with a scaled plan showing the type, location, and planting method of street or front yard trees. LCMC 18.130.100.

New lots used for medium density residential purposes created adjacent to low density residential (LDR) districts shall employ a “beveling” technique at the perimeter of the project. (See, LCMC 18.140.030(2).) Each newly created lot shall demonstrate compliance with this standard. As a **Condition of Approval**, development of one or more of the tracts reserved for future development will provide a 20-foot landscaped buffer or recreational amenity such as a trail between the property line and any site development including buildings, structures and parking lots.

Dennis L. Nuttbrock submitted a public hearing comment concerning Lot Size and Setback Beveling  
“Note, that this minimum buffer lot size [6,750 square feet] does not apply to the majority of Riverside Estates since only one abutting parcel is zoned LDR-7.5.”

#### Response

The City is proposing treating these adjoining lots that are currently in the county AND within its UGA, as if they were LDR-7.5, which would be how they would be handled today if annexed. This is a minimum lot size much larger than the current County requirements for these R-12 and R1-6 lots. The use of the larger LDR-7.5 size meets the intent of the beveling outcome. A proposed MDR-16 beveled lot must be at least 80% of the minimum lots size of a LDR-7.5 lot, thus any new MDR-16 residential lot directly abutting another lower density residential lot should be at least 6,000 sq. ft.<sup>2</sup> in size per LCMC 18.140.030(2). The fourteen lots (Lots 44 to 48 and 108 of Phase 1, and Lots 101 to 108 of Phase 3) abutting the residences of the southern project boundary are all above 6,000 sf. ft. The other remaining five lots (Lot 109 to 113 of Phase 1) are under 6,000 sq. ft. but this is allowable as they abut a private road and no residences.

Additionally, Mr. Nuttbrock asked the hearings examiner to review the following two City policies and an ordinance concerning the use of beveling and lot sizes:

#### 2016 Comprehensive Plan Land Use Policy 1.1.5

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<sup>2</sup> 80% of 7,500 = 6,000

*Consider standards or guidelines to foster greater compatibility in cases where adjacent uses differ. Standards might include beveling lot size, building scale, landscape buffers, or public trails or parks, and other effective means to create separation between uses.*

Response

Regarding policy 1.1.5, it is only one of multiple standards or guidelines that can be used to create separation between uses such as landscaping buffers, trails / parks, etc. Thus, a mix of such may be applied in different phases or sections of a development.

2016 Comprehensive Plan Land Use Policy 1.2.5

*Allow "Urban Residential" lot size for newly created lots to reach 11,000 square feet where the lot abuts the Urban Growth Boundary, particularly if there are no roads at the boundary.*

Response

Regarding policy 1.2.5, this policy is not mandatory but an aspiration that lots in this land use scenario reach up to 11,000 sq. ft. when possible.

La Center Ordinance 2016-003, Section 2

*New lots created adjacent to low density residential land shall employ a "beveling" technique at the perimeter of the project. New lots adjacent to: (a) LDR districts, (b) the La Center UGA or (c) land outside of the La Center UGA, shall be no less than 7,000 square feet. The term 'adjacent' includes abutting land or land separated by a public right-of-way, private road, utility or transportation easement or open space or critical areas less than 60 feet wide. Adjacent rear and side yard setbacks shall be no less than 20 feet and 15 feet respectively. The future developer may transfer the density lost by application of this beveling standard to interior lots.*

Response

Regarding this ordinance, the proposed 19 lots in question are not (a) adjacent to a La Center LRD district, (b) adjacent to the La Center UGA, or (c) land outside the La Center UGA; while other proposed lots on the west side are affected by this ordinance, but are buffered by other lots, open space, or roadways thus meet it.

Dennis L. Nuttbrock submitted a public hearing comment concerning Dwelling Unit Density

*"With [the] July update to the site plan, the apartments were removed from the site plan, however, the apartments are still being used in the calculation of the dwelling unit density. The dwelling unit density of the apartments far exceed the maximum density requirements."*

*"In the Project Narrative, the applicant incorrectly interprets the density requirements as a minimum of 8 dwelling units per acre to a maximum of 16 dwelling units per acre. In, fact LCMC 18.130.030 specifies the maximum as 14 dwelling units per acre for multi-family and attached single family units and 12 dwelling units per acre if a density transfer is approved."*

*"The applicant must be required to comply with the city's density requirements."*



Response

As Mr. Nuttbrock acknowledged, this project proposal no longer includes the multi-family apartments, as these will be evaluated in the future. Thus, the dwelling unit density of the apartments cannot exceed the LCMC at this time.

Mr. Nuttbrock is correct that the narrative used the numbers 8 to 16 dwelling units per acre reflect the use of a density transfer.

Dennis L. Nuttbrock submitted a public hearing comment concerning Project Types

“Project Types, specifies that no single housing type (multifamily, single-family attached, or single family detached) shall exceed 75% of the total dwelling units. While the July updated to the site plan removes apartments from the propose site plan, the applicant is still using the apartments to justify compliance with product types requirements. Additionally, the updated site plan no longer specifies the mix of single-family attached and single-family detached residences, so it is impossible to determine compliance with the product type requirements.”

Response

Mr. Nuttbrock is correct that the current project plan only includes the single-family project type.

The City proposes to enter into a DA which will guide the future development of the four multi-family lots. Additionally, the public hearing will include a conditional of approval to require a minimum of 53 multifamily residences for this future project. This will also be noted on the plat.

***LCMC 18.147 Parks and Open Spaces***

The purpose of this chapter is to ensure implementation of the 2013 La Center Parks, Recreation, and Open Space master plan (“parks plan”) in new residential development by requiring developers to dedicate, develop, and maintain family parks, trails, and open space based on the size of their development.

The Developer proposes the following park and open space areas, see exhibits for plans<sup>3</sup>:

Phase 1

115 lots = 0.82 AC park required  
1.31 AC proposed (Tracts A, B, C, E, H)

Phase 2

11 lots = 0.08 AC park required  
0.1 AC proposed (unnamed tract)

Phase 3

45 lots = 0.32 AC park required

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<sup>3</sup> Calculations submitted with preliminary parks plan pages by applicant on September 20, 2017.

3.58 AC proposed (Tract D)

Phase 4

22 lots = 0.16 AC park required

0.11 AC proposed (unnamed tracts)

Phase 5

18 lots = 0.13 AC park required

0 AC proposed

TOTAL

1.51 AC required

Response

A parks and open space plan is required for this project because it has more than 35 medium density dwelling units. LCMC 18.147.020. The 2017 La Center Parks Recreation and Open Space Master Plan (Parks Plan) provides that neighborhood parks are two to five (2-5) acres in size. Development of the Property for 211 detached single-family units and the attached multi-family development of the four tracts reserved for future development may require the creation of two to five acres of park and open space areas. The 5.10 AC proposed for the parks likely exceeds the 1.51 AC minimum required for the 211 units proposed at this time but this will depend greatly on further information.<sup>4</sup>

The information submitted<sup>5</sup> concerning park and open spaces facilities must be completed prior the final plat approval for each phase developed. The preliminary plans set included areas set aside for parks and opens spaces, pathways, and landscaping but not complete information on amenities thus not a preliminary facility plan meeting the requirements of a “Family Park” under LCMC 18.147.030 Park size and design standards and LCMC 18.147.040 Facility plan.

If the Developer develops a “Neighborhood Park” consistent with the Park Plan and applicable City regulations, park and trail improvements and dedications made pursuant to LCMC 18.147 may be eligible for park impact fee credits pursuant to the provisions of the Chapter 3.35 LCMC.

Furthermore, storm water facilities such as a detection vault that incorporate all weather play surfaces, such examples could be: as basketball court or playfield, on top of the vault’s roof may use this surface areas towards its park area requirements assuming the design of such meets “Neighborhood Park” standards and is dedicated to the City. Only the direct costs of the parks portion of such a joint use facility may be creditable for Park Impact Fees (PIF).

Future development of the four tracts reserved for future development will increase the demand on the developed Property for active, park and open space areas which shall be provided upon the reserved tracts consistent with the requirements in LCMC 18.147.

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<sup>4</sup> Calculation: 0.25 AC per 35 MDR units,  $(35 / 211 = 6.02) * (0.25) = 1.50$  AC

<sup>5</sup> Preliminary Parks Plan (6 pages) received on September 20, 2017.

As a **Condition of Approval**, if the Development cannot meet the above Parks standards per phase or for all phases, then the Developer will have to redesign the plat to meet the requirements.

Dennis L. Nuttbrock submitted a public hearing comment concerning Parks

“While the applicant has a good proposal<sup>6</sup> for parks and trails, the applicant has not demonstrated compliance with the following requirements:

- (a) Per 18.147.030(1)(b)(vi) at least 40% of the park perimeter shall be fronted by a public road or provide a 20-foot-wide pathway,
- (b) Per 18.147.030(1)(b)(iii) applicant did not demonstrate why a single contiguous park not feasible,
- (c) Per 18.147.030(1)(b)(xi) applicant did not demonstrate how the proposed parks are designed to meet CPTED guidelines,
- (d) Per 18.147.040 the required park facilities plan has not been provided, and
- (e) It is not clear when the parks facilities would be completed, LCMC 8.147.30(2) requires the park facilities completed prior to the issuance of the occupancy permit for the 25<sup>th</sup> dwelling unit.”

Response

The Mr. Nuttbrock was correct that at, an earlier point of time, based on May’s Preliminary Landscape Plan there was not a compete Parks Plan as such. Now there is a new Parks Plan, as this plan was just shared with the City a week after their comments were delivered. The current plan and recent correspondence does address the phasing question but not all of the design issues raised by the commenter. The City has requested the Developer to address these design issues and others per 18.147 before the Public Hearing.

**LCMC 18.210 Subdivisions**

A preliminary plat is subject to pre-application review. LCMC 18.210.010. Technically complete review of a plat application is subject to a Type I process. After a preliminary subdivision application is deemed to be technically complete the review of the application for a preliminary plat approval is subject to a Type III process. LCMC 18.210.020.

Response

The City conducted a pre-application conference for Riverside Estates Subdivision on December 20, 2015. 2016-025-PAC. The City found the application Technically Complete on June 06, 2017. The La Center Hearing Examiner will consider the application for preliminary plat approval on October 03, 2017 at La Center City Hall beginning at 5:30 PM.

**18.210.040 Approval criteria for a preliminary plat.**

- (1) *The review authority shall approve a preliminary plat if he or she finds:*
  - (a) *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:*
    - (i) *Chapter [12.05](#) LCMC, Sidewalks, and Chapter [12.10](#) LCMC, Public and Private Road Standards;*

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<sup>6</sup> Based on May’s Preliminary Landscape Plan.

- (ii) Chapter [18.300](#) LCMC, Critical Areas;
- (iii) Chapter [18.310](#) LCMC, Environmental Policy;
- (iv) Chapter [18.320](#) LCMC, Stormwater and Erosion Control;
- (v) Chapter [15.05](#) LCMC, Building Code and Specialty Codes;
- (vi) Chapter [15.35](#) LCMC, School Impact Fees; and
- (vii) LCMC Title [18](#), Development Code.
- (viii) LCMC Title 13.10, Sewer System Rules and Regulations.

### Response

The staff report evaluates compliance with the applicable Municipal Code regulations below.

- (b) *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 plat is approved;*
- (c) *The subdivision makes appropriate provision for parks, trails, potable water supplies and disposal of sanitary wastes; and*
- (d) *The subdivision complies with Chapter [58.17](#) RCW.*

### Response

Refer to the sections that follow for more detail.

The builders shall pay all system development fees and park, traffic and school impact fees in effect at the time of building permit application.

- (2) *If phases are proposed, then the subdivision also complies with the following:*
  - (a) *The preliminary plat identifies the boundaries of each phase and sequence of phases;*
  - (b) *Each phase includes open space and other required public and/or private infrastructure at least in proportion to the number of lots in the phase;*
  - (c) *The sequence and timing of phases maintains compliance with applicable standards throughout the development of the subdivision;*
  - (d) *The applicant completes or assures completion of public parks improvements consistent with LCMC 18.147.030, such as concerning size (0.25 ac/ 35 du), design (ADA accessibility, licensed landscape architect, etc.), timeliness (required park facilities to be completed before the issuance of the occupancy permit of the twenty-fifth dwelling unit per the approved development phase), and public access (either a dedication or with public access easements prior to / concurrent with final development approval);*
  - (e) *The applicant assures the provision of public parks, quantity and quality of its amenities and construction information with the submission of a preliminary park site plan and landscape plan in order that the preliminary land-use plan is consistent with Facility Plan LCMC 18.147.040 and thus complete;*
  - (f) *The applicant provides [or assures that the HOA provides] liability responsibilities and maintenance comparable to City facilities for the non-city parks and trails developed with this project consistent with LCMC 18.147.050, and the owner of these facilities shall permit the city the right of third-party enforcement if needed; and*
  - (g) *The applicant completes or assures completion of public improvements consistent with LCMC [18.210.090](#)*

### Response

Riverside Estates Subdivision is divided into a five (5) phases and four (4) tracts reserved for future MDR-16 development will be reviewed for this hearing process. The construction of Biofiltration swale #1 and

pond capacity enlargement will be addressed during preliminary site plan review when the four reserved tracts develop.

Phase 1:

- Bioretention Facility #3
- Tied pond (existing pond to be enlarged: surface storage capacity raised 2.5 ft with 3:1 max slope). This existing stock pond will drain part of Phase 1 and future multifamily phase.
- Sanitary Pump Station Construction
- Parks: Tracts A, B, C, E, H
- Roads: NW 11<sup>th</sup> St., NW 13<sup>th</sup> St., NW 13th Way, NW 14<sup>th</sup> Ave., NW 15<sup>th</sup> St., NW 15<sup>th</sup> Ave., NW 16<sup>th</sup> Ave., NW 17<sup>th</sup> Pl., and Pacific Highway
- Fences and walls: all [assumed]

Phase 2:

- Parks: Track “unnamed” [near pond]
- Roads: NW 17<sup>th</sup> Pl.

Phase 3:

- Detention vault
- Oldcastle perk filter water quality facility
- Trench drain
- Parks: Tract D
- Roads: NW 12<sup>th</sup> St., NW 13<sup>th</sup> St., NW 17<sup>th</sup> Ave.

Phase 4:

- Parks: Tract “unnamed” [North of Tract D, link to bottom of hammerhead] and “unnamed” [path link along SW of property line]
- Roads: NW 13<sup>th</sup> St.

Phase 5:

- Parks: None
- Roads: NW 13<sup>th</sup> Way, NW 14<sup>th</sup> Ave.

Four Tracts Reserved for Future Development:

- Units: 53 minimum per code, total number unknown at this time
- Stormwater: Biofiltration swale #1 and tied pond
- Parks: None proposed at this time per notes on plan, to be addressed in the future
- Roads: Internal network is unidentified

***LCMC 18.210.050 Expiration and extension of preliminary plat approval.***

*(1) Approval of a preliminary plat expires five years from the effective date of the decision approving it unless, within that time, an applicant files with the city clerk an application for a final plat for a subdivision or given phases of a subdivision or for an extension.*

Response

A preliminary plat shall expire within five years of the date of preliminary plat approval if the date of preliminary plat approval is on or after January 1, 2015. LCMC 18.210.050(1) and RCW 58.17.140(3)(a).

***LCMC 18.230 Monumentation, Survey, and Drafting Standards***

- *18.230.010 Imprinted Monumentation*

- 18.230.02 Centerline Monumentation
- 18.230.030 Property Line Monumentation
- 18.230.040 Postmonumentation
- 18.230.050 Postmonumentation Bonds
- 18.230.060 Survey Standards
- 18.230.070 Elevations or Vertical Information
- 18.230.080 Preferred Scale Proportions

### Response

All sections apply to the Applicant's development.

#### **Chapter 18.230.090 Final Plat Drawing Requirements through 18.230, Lettering and Location**

The Mylar "as-built" drawings shall be 22" by 34" full scale drawings. A copy of the "as-built" drawings shall be provided in PDF format on disk. The information on the as-built drawings shall be per 1.13 of the Engineering Standards.

#### **LCMC 18.240 Mitigation of Adverse Impacts**

##### **Chapter 18.240.010 Purpose**

(1) It is the purpose of this chapter to provide alternatives for prospective developers of land within this city to mitigate the direct impacts that have been specifically identified by the city as a consequence of proposed development, and to make provisions for impacts including, but not limited to, impacts upon the public health, safety and general welfare, for open spaces, drainage ways, streets, other public ways, parks, playgrounds, and sites for schools and school grounds.

(2) For purposes of this chapter the term "development" shall include, but not be limited to, subdivision approval, short subdivision approval, site plan approval and the issuance of any building permit related to the foregoing. [Ord. 2006-17 § 1, 2006.]

##### **Chapter 18.240.020 Determination of Direct Impacts**

(1) *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, considering but not limited to the following factors:*

- (a) Predevelopment versus post development demands upon city streets, drainage facilities, parks, playgrounds, recreation facilities, schools, police services, and other municipal facilities or services;*
- (b) Likelihood that a direct impact of a proposed development would require mitigation due to the cumulative effect of such impact when aggregated with the similar impacts of future development in the immediate vicinity of the proposed development;*
- (c) Size, number, condition and proximity of existing facilities to be affected by the proposed development;*
- (d) Nature and quantity of capital improvements reasonably necessary to mitigate specific direct impacts identified as a consequence of the proposed development;*
- (e) Likelihood that the users of the proposed development will benefit from any mitigating capital improvements;*
- (f) Any significant adverse environmental impacts of the proposed development;*
- (g) Consistency with the city's comprehensive plan;*

*(h) Likelihood of city growth by annexation into areas immediately adjacent to the proposed development;*

*(i) Appropriateness of financing necessary capital improvements by means of local improvement districts;*

*(j) Whether the designated capital improvement furthers the public health, safety or general welfare;*

*(k) Any other facts deemed by the review authority to be relevant.*

*(2) The cost of any investigations, analysis or reports necessary for a determination of direct impact shall be borne by the applicant. [Ord. 2006-17 § 1, 2006.]*

#### Response

The staff report in other sections addresses the above topics in more detail and proposes conditions of approval for areas such as transportation network connectivity, payment of impact fees, utility connections, stormwater management, etc.

#### **Chapter 18.240.030 Mitigation of Direct Impacts**

(1) The review authority shall review an applicant's proposal for mitigating any identified direct impacts and determine whether such proposal is an acceptable mitigation measure considering the cost and land requirements of the required improvement and the extent to which the necessity for the improvement is attributable to the direct impacts of the proposed development. Such developments will not be approved by the review authority until provisions have been made to mitigate identified direct impacts that are consequences of such development.

(2) The methods of mitigating identified direct impacts required as a condition to any development approval may include, but are not limited to, dedication of land to any public body and/or off-site improvements. [Ord. 2006-17 § 1, 2006.]

#### Response

The planning process and engineering review has identified the adverse impacts of this development proposal and the City is recommending addressing these with multiple proposed conditions, see Conditional of Approval section.

#### **Chapter 18.245 Supplementary Development Standards**

The applicant did not include specific information regarding the fencing, hedging, solid waste, lighting, noise, and landscaping requirements regulated by Chapter 18.245.

Dennis L. Nuttbrock submitted a public hearing comment concerning Landscaping:

*"(8) The applicant's landscaping plan does not meet the requirements of LCMC 18.245.060, Landscaping. These requirements are intended to provide a landscaping buffer between different zoning districts. The applicant proposed landscaping plan does not meet these requirements along that portion of the subject property abutting NW 339<sup>th</sup> St., along the western boundary with the Urban Reserve Area, and along the northwestern boundary with the Urban Growth Area."*

#### Response

Mr. Nuttbrock is correct in this comment. Though now there is a new Landscaping Plan. The current plan will need to meet the Landscaping requirements of LCMC Table 18.245.060, such as providing a

landscape buffer for open areas (to a L1 level) and sight obscuring fencing (to a F2 level) for areas abutting adjoining yards.

As a **Condition of Approval**, the application for final plat approval must provide information regarding and proposed fencing, hedging, and landscaping and solid waste, lighting, and noise impacts to the extent as regulated by Chapter 18.245.

***LCMC 18.260 Variances***

Response

No variances have been requested in writing or in the development agreement.

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

Each dwelling unit shall be provided with at least three (3) off-street parking spaces per LCMC Table 18.280.010. This may be accommodated with a note on the plat requiring each lot to provide two off-street parking spaces. Parking spaces within garages, carports and driveways serve to meet this requirement. Garage doors shall be a minimum of 18 feet from the interior edge of the public sidewalk.

Response

No supplemental off-street parking areas have been identified by the Developer.

As a **Condition of Approval**, the Developer shall provide each dwelling unit, at the time of construction, with at least three (3) off-street parking spaces per LCMC Table 18.280.010.

III.G Critical Areas Review / SEPA Analysis

***LCMC 18.300, Critical Areas***

The Department Natural Resources' (DNR) Forest Practices Application Review System (FPARS) web site indicates the possibility of class N seasonal streams traversing the north and northwest (ditch in parcel 986028830) and another on the west (headwater in parcel 986028830) portions of the development site. The latter in a ravine will be left undeveloped as part of this proposal. Parcel 986028825 has a Category IV isolated depressional wetland. This feature predates 1990 aerial photos (Google Earth 2017) and will be enhanced as part of this proposal and deepened to facilitate additional stormwater storage and infiltration. Clark County GIS indicates a mapped National Wetland Inventory (NWI) and the presence of hydric soils (Odne) on tax lots 986028825 and 986028830. Identified headwater(s) are adjacent to the site.

The applicant provided a Technical Memorandum authored by Jason A. Smith of Castle-Rose Environmental (C-RE), dated October 05, 2016. C-RE conducted wetland assessments and soil sampling in the mapped NWI wetlands and Odne soils. Cascadia concluded that based on field sampling and observations of "upland soils, lack of hydrophytic vegetation, and hydrology indicators, the property does not contain any City of La Center regulated wetlands ..."

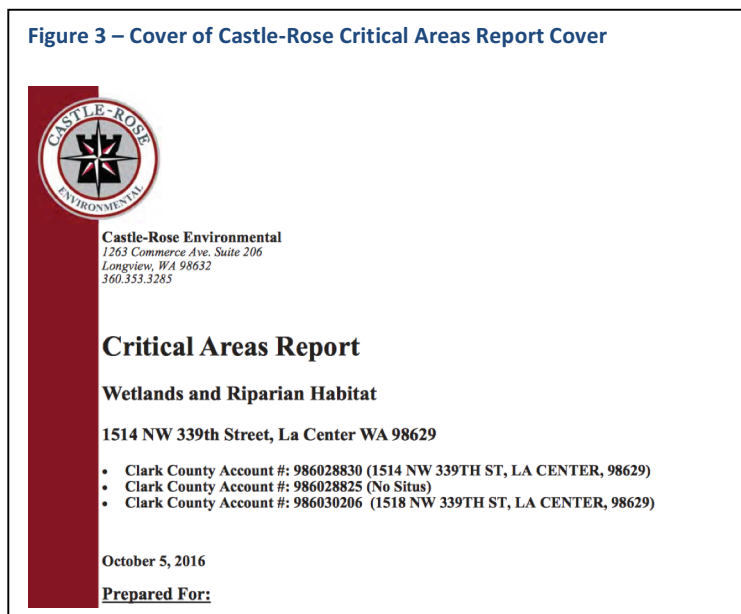
C-RE conducted a field visit on September 23, 2016 and concluded that the possible Type N (seasonal, non-fish bearing) stream was a man-made irrigation ditch. C-RE did not find any indicators of wetland hydrology scour marks or defined channel within the flat ditch bottom.



C-ER stated that:

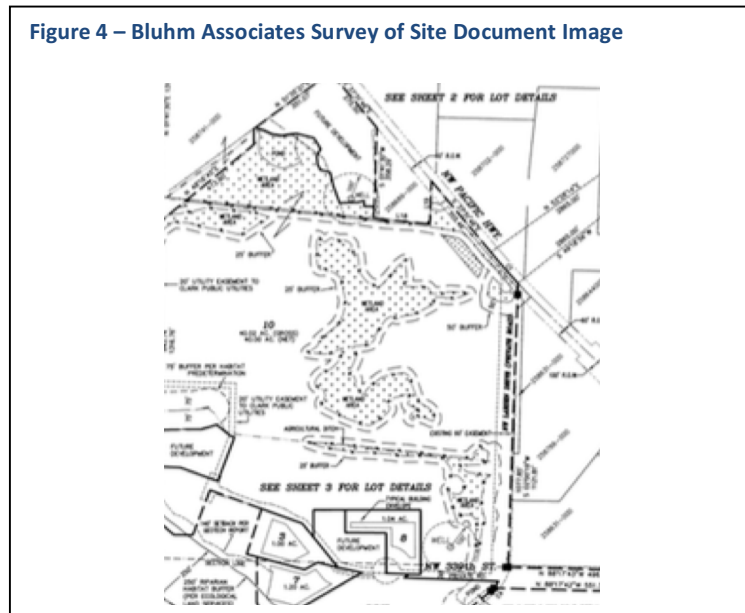
- the depressional wetland was judged to be artificial, as it was created as a dammed farm pond in the recent past and “exhibited no aquatic habitat features”;
- *Based on wetland and riparian buffer information available on the date of this report, no Critical Areas permits are anticipated. Non-exempt development is not proposed within the boundaries of a regulated wetland or riparian habitat.;*
- *A single Oregon white oak sapling was identified in the tree line adjacent to the pond in Parcel 986028825; and*
- *Thus, because the site does not contain any regulated critical areas, staff concludes that a critical areas permit is not required.*

Figure 3 – Cover of Castle-Rose Critical Areas Report Cover



Upon further review and in response to City of La Center staff questions as part of the Review for Technically Complete step of this application, C-RE responded on June 22, 2017 with the following information:

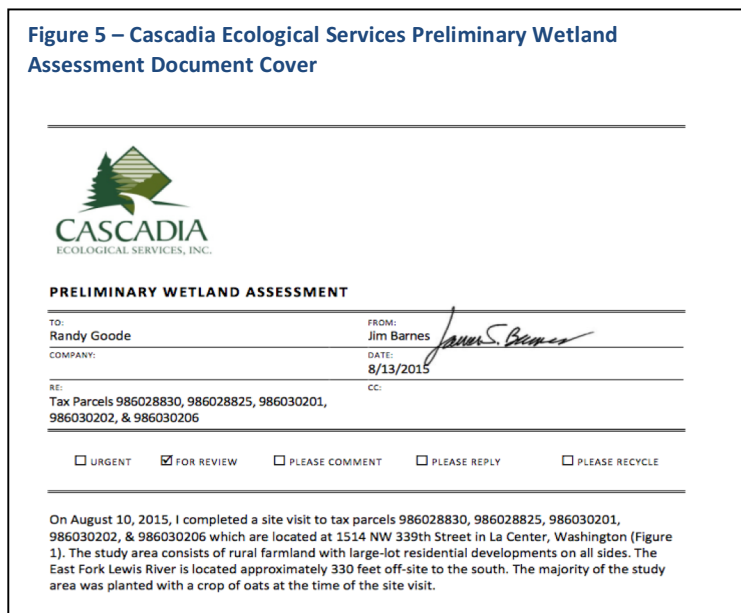
- *The wetlands shown by Bluhm Associates<sup>7</sup> on Parcel 986028830 do not exist;*
- *The proposed 2009 Wetland Mitigation Plan prepared by ELS identifies Parcel 986028830 wetlands as Wetland A (northernmost), Wetland B (southernmost) ...based on the Bluhm and Associates drawings and additionally do not meet current wetland delineation standards.*



<sup>7</sup> 2010 Survey of project site by Bluhm Associates Land Surveyors Inc., 3 pages, showed multiple wetland areas and buffer areas that would be impacted by the current development proposal.

The applicant provided an earlier Technical Memorandum authored by Jim Barnes of Cascadia Ecological Services Inc. (CES), dated August 13, 2015. CES site assessment had a slightly different opinion as to when the wetland at the pond came into existence, the size of the wetland and the size of the buffer:

- *Wetlands were observed in the north portion of the study area that would be classified as depressional (slope + depressional);*
- *The pond appears to have been excavated from palustrine emergent depressional wetlands that extend over 200 feet to the south and west from the waters edge;*
- *The wetlands on the study area are regulated under Chapter 40.440 (Wetlands) of the Clark County Municipal Code as follows: Category 4 depressional wetlands – 50 feet buffer for high intensity land uses; and*
- *Any fill of jurisdictional wetlands on this property may be subject to permitting through Clark County, Washington Department of Ecology, and the Corps of Engineers.*



## Response

Rebecca Rothwell, with the Washington State Department of Ecology (ECY), provided comments on the environmental analysis guiding this project proposal<sup>8</sup>, as part of the SEPA evaluation. ECY stated that these studies either were out of date (older than five years) or conducted during periods of drought / summer time when it can be challenging to perform an accurate wetland delineation. That this may have caused discrepancies between their findings.

The City recommends, as a **Condition of Approval**, that an additional field visit be held during the time of year that ECY stated in their SEPA comments. And that the developer’s consultant coordinates their visit to include a representative of the ECY so as to minimize any further delay for review that could be created if ECY were to do their visit later. Additionally, there should be no mowing or haying of affected areas until an approved study has been accepted. This visit should also include evaluation of the large

<sup>8</sup> SEPA comments via email on August 16 and 17 of 2017.

Oregon white oak (*Quercus Garryana*) tree was observed by CE-R within the project site but missed by others and not included in as a mitigation or protected in the landscaping plan.

The City recommends, as a **Condition of Approval**, that the tree above be protected now and during site grading. Guidance on these methods of protection can be found in Chapter 18.350.

***Chapter 18.310 LCMC Environmental Policy***

The Applicant submitted a SEPA Checklist. The City reviewed the checklist and relevant materials, including an archaeological pre-determination, and the Responsible Official issued a Determination of Non-Significance (DNS) Threshold Determination on August 02, 2017. The City published notice of the DNS in the Battle Ground reflector, a center newspaper of record, and the Ecology SEPA Register. As of this writing, the City has received SEPA comments from eight (8) individuals / agencies during the comment period.

SEPA Comment 01: Kurt Wohler (August 08, 2017):

- Supports the addition of new homes and apartments that this project will provide
- Warns that the property markers separating the project site and his property need to be checked so that future grading work does not encroach off site properties
- Suggests that utility stubs be added to allow for the future extension of such through his property for improved circulation if developed
- Planned grading may cause on-site stormwater flows to flood off-site properties

SEPA Comment 02: Steve Luther (August 03, 2017):

- Recommended that the future Riverside Estates HOA should participate in the operation and maintenance of any shared wastewater facility

SEPA Comment 03: Rodney Peterson (August 13, 2017):

- Planned grading may cause on-site stormwater flows to flood off-site properties
- LCSD investigated buying the site but stopped due to wetland indicators
- Past history of wetlands on site and recent drainage alterations have adversely effected such
- SEPA checklist missed documenting some wildlife
- Too little project parking is proposed and on-street parking may impact CCFR response unless managed well
- Traffic volume impact on City streets understated
- City needs to have a traffic impact fee for developments
- Suggests that City's land use planning may mismatch land use and infrastructure opportunities when higher density projects are developed

SEPA Comment 04: Jill Kurtz for the Larsen Trust (August 10, 2017):

- Seeking protection from flooding as the proposed grading may create runoff problems in future, given past problems of flooding generated by the adjoining East Fork Estates project
- History of past failure of existing detention pond at East Fork Estates
- Does not support the proposed access restrictions to their property with the closure of Larsen Drive
- The conversion of the name Larsen Drive to a numbered street name

SEPA Comment 05: Gretchen Kaehler, DAHP (August 16, 2017):

- Recommending avoiding two identified precontact archaeology sites (45CL1234 and 45CL1235) and if not possible then a DAHP permit will be required under RCW 27.53 before any disturbance is done
- Standard DAHP comments per permit process requiring 60 days to process and the services of a professional archaeologist once undertaken

SEPA Comment 06: Chris Montague-Breakwell, ECY (August 16, 2017):

- Standard comments per requirement for use of best practice erosion control measures
- That discharge of sediment-laden runoff or other pollutants is a violation of state law (RCW Chapter 90.48 and WAC 173-201A) and will trigger enforcement actions
- The construction activities that require coverage under the Construction Stormwater General Permit
- That additional information will be required if any known soil/ ground water contamination are present on site

SEPA Comment 07: Jill Kurtz for Ed and Bonnie Darienzo (August 16, 2017):

- There is a concern about the potential for future runoff / flooding after project grading work is completed
- A history of failure of the existing detention facility before adding the Riverside Estates to it
- Concern about maintenance of any project related pipes traversing their property frontage and the potential for contamination of river then
- Does not support the proposed access restrictions to their property with the closure of Larsen Drive, and
- The conversion of the name Larsen Drive to a numbered street name

SEPA Comment 08: Rebecca Rothwell, ECY (August 16, 2017 and clarification on August 17, 2017)

- Neither of the two more-recent delineations (Cascade and Castle-Rock) was done in the early part of the growing season, which is when a delineation should be done, especially if there are discrepancies between delineations that need to be resolved. The Cascadia delineation was done in August 2015, during a severe drought, so this was an especially difficult time to do an accurate wetland delineation
- ECY recommends having a follow-up delineation done in spring of 2018
- The haying / mowing of the project site should be suspended prior to doing a delineation so that the delineator will be able to determine the species and area of cover
- If a follow-up delineation is done in the spring, then ECY would suggest that they visit the site to undertake a boundary verification then

Response

The City of La Center follows Federal, State and local laws for environmental protection during its development processes while also respecting the interest of property owners in seeking their full use of their property as protected by law.

As a **Condition of Approval**, the Developer shall inspect and confirm any property markers before grading and add new markers as may be necessary.

As a **Condition of Approval**, the Developer shall add utility stubs to allow future connection of adjoining developments to the public sanitary sewer service and water service.

As a **Condition of Approval**, the Developer shall provide a sanitary sewer stub for the property with higher elevations to the north to be served by the proposed pump station. The cost of any future hook up will be the responsibility of the property owner.

The residence on Parcel 258689000 (owned by La Center Pacific LLC) is on a septic system and if it fails, it will need to connect to the public sewer system if it is within 200-feet from the property. When the sewer system is constructed for Riverside Estates, the sewer within NW 15<sup>th</sup> Street will within 200-feet of the property. As a **Condition of Approval**, per LCMC Title 13, the Developer shall extend the sanitary sewer system to the appropriate extremities of the project. Future sewer service to the Wohlers property will need to be extended by the owner of said property and at their cost. The developer shall dispose of stormwater on-site per LCMC. The applicant is required to treat stormwater and detain on-site meeting the city ordinance. The applicant cannot be required to maintain a stormwater pond not on the applicant's property.

Retain the name of Larsen Drive for the primary entrance and North-South arterial for this development. The distance between Larsen Drive and the applicants proposed road connecting to Pacific Highway is just under 300-feet spacing. Per the Engineering Standards the minimum street spacing between a residential street and an arterial is 300-feet. The traffic report provided by the applicant discussed that there will be enough storage in the proposed left turn lane on Pacific Highway so that it does not impact existing from Larsen Drive. As a **Condition of Approval**, the Developer will need to verify turn lane capacity, but the City expects it is likely that Larsen Drive can be left open for right turn exit onto to Pacific Highway.

As a **Condition of Approval**, the developer shall confirm functionality of existing wastewater facilities and capacity to treat proposed loads from all phases of proposed development, and make design modifications to the proposal if such is found deficient.

As a **Condition of Approval**, the Developer will undertake a new delineation in the early part of the 2018 growing season to avoid the effects of drought in order to achieve a more accurate wetland delineation. That haying or mowing should be suspended prior to doing a successful delineation so that the delineator will be able to determine the species and area of cover.

As a **Condition of Approval**, the Developer or their consultants will coordinate with ECY to update the environmental review documents to address the mature Oregon white oak (*Quercus Garryana*) tree identified on site as terrestrial habitat.

### ***LCMC 18.340 Native Plant List***

#### Response

The final Landscape Plan, once submitted, should only include Native plants approved for use in La Center per Table 18.340.040(2), avoid plants if possible on the Nuisance List Table 18.340.040(3), and use no prohibited plants from Table 18.340.040(4). Though the planning director is authorized to grant case-by-case exemptions to the prohibitions of this chapter in response to a specific request for a particular species, which includes documentation and an explanation as to why the species is not, and will not become, a nuisance. LCMC 18.340.030.

### **LCMC 18.350 Tree Protection**

#### Response

In order to preserve the wooded character of the city and to protect trees as a natural resource of the city, the City of La Center regulates the removal of trees and prescribes preventative protection measures to avoid damage to trees during site development through **LCMC 18.350**. The City of La Center's Tree Protection ordinance is triggered by a Type III project, thus applicable to the Riverside Estates Development per **LCMC 18.350.030**. The final Landscape Plan, Tree Protection Plan and flagging of any trees proposed for removal shall be completed and submitted to the City for review and cast a final decision per **LCMC 18.350.060**. Mitigation measures for any proposed tree removal shall adhere to **LCMC 18.350.070(3)**. Once a final decision has been rendered on a development permit, trees that have been approved for removal as part of that decision shall be subject to City verification **LCMC 18.350.070(3)** and City inspection **LCMC 18.350.090**. Trees remaining after their removal deadline can no longer be removed under the now void permit per **LCMC 18.350.100**.

The City strongly recommends the protection and preservation of any mature trees on site, especially trees important for habitat such as Oregon white oaks. The larger Oregon white oak (*Quercus Garryana*) should be incorporated into the Phase 6 Landscape Plan as a park feature.

As a **Condition of Approval**, the project should complete the required notice for development permit that would require or result in any tree removals shall include a site plan indicating the location of any trees proposed for removal on the subject site and an approved mitigation plan. The proposed trees shall also be flagged with yellow flagging tape on-site and inspected. Such flagging shall be maintained until a final decision on the proposal is rendered. Trees remaining on site must be protected and such approved by the City before construction activities begin.

### III.H Public Works and Engineering Analysis

**Chapter 12.05 LCMC, Sidewalks' Chapter 12.10 LCMC, Public and Private Road Standards; Chapter 18.320 LCMC, Stormwater and Erosion Control; and Chapter 15.05 LCMC, Building Code and Specialty Codes, Chapter 15.35 LCMC, School Impact Fees;**

#### **Transportation Impact Analysis**

The applicant conducted a future traffic impact analysis (TIA): Riverside Estates Subdivision Traffic Analysis Report, prepared for the applicant by Charbonneau Engineering, May 2, 2017.

The proposed Riverside Estates Subdivision is located on the south side of Pacific Highway near the intersection of NW Larson Drive. The site will include 211 single-family lots built over Phases 1 through 5. Access to the subdivision is proposed directly to Pacific Highway via the newly constructed NW 15th Street. The existing NW Larson Drive access to Pacific Highway will be open to "right turn exit only" as substantiated by the revised traffic study provided by the applicant. The proposed project Phases 1 to 5 are scheduled for completion in 2020.

The City of La Center has adopted mobility standards for transportation facilities during the highest one-hour period on an average weekday. The City's Transportation Capital Facilities Plan requires

signalized intersections to operate with a Level of Service (LOS) "D" or better, and have a Volume-to-Capacity (V/C) ratio not higher than 0.95. All unsignalized or roundabout controlled intersections must operate with a Level of Service (LOS) "E" or better.

The traffic impact analysis provided operations for existing (2017) and future (2020) conditions during the AM peak hour and PM peak hour at the following study intersections:

- Pacific Highway/ Site Access (stop-controlled on minor street)
- Pacific Highway/ 10th Street (stop-controlled on minor street)
- Pacific Highway/ 5th Street (stop-controlled on minor street)
- La Center Road/ Timmen Road (stop-controlled on minor street)

Peak hour traffic counts were conducted at all study intersections in April 2017. Year 2017 traffic volumes were increased by two percent per year for three years to account for background traffic growth through 2020. Trips generated from the approved Sunrise Terrace in-process development were also added to the year 2020 traffic volumes. Trips associated with the development are identified for the AM and PM peak hours at each study intersection.

Traffic collision history was obtained and evaluated for the study intersections (2012 to 2016). None of the intersections reach a collision rate of 1.00 collisions per million entering vehicles. The rate of 1.00 is used as a limit level to identify where mitigations could be required. No safety issues were reported at the study intersections.

ITE Ninth Edition Trip Generation Land Use Codes 210 (single-family detached housing) and 220 (apartment) were used to estimate the subdivision trips. The proposed subdivision of 210 single family units and development of the four reserved tracts would generate approximately 2,977 daily trips, 230 AM peak hour trips (50 in/180 out) and 289 PM peak hour trips (186 in/103 out).

Trip distribution assumptions are based on existing traffic patterns and engineering judgment. The trip distribution assumes 60 percent of trips will travel from/to the I-5/La Center Road interchange (or vicinity), 15 percent will travel from/to Timmen Road, 15 percent will travel from/to W 4th Street, and the remaining 10 percent will travel from/to Pacific Highway west of NW Larson Drive.

One transportation improvement project identified in WSDOT's 2016 to 2021 Six-Year Transportation Improvement Program (TIP) is assumed to be completed by 2020. The intersection of La Center Road/ Timmen Road is planned to be improved with a traffic signal or roundabout, and the improvement was assumed in the 2020 traffic analysis.

All intersections were found to operate at LOS D or better during both AM and PM peak periods of the 2017 Existing Conditions and 2020 Background (without the project) scenarios. However, the Pacific Highway/ 5th Street intersection was found to operate at LOS F for the westbound approach during the AM peak period of the 2020 with project scenario. The TIA suggests that with construction of the roundabout at the Pacific Highway/ 4th Street intersection, traffic will divert from the intersection and allow the LOS standard to be met.

The planned site access onto Pacific Highway was reviewed and found to meet minimum sight distance requirements.



Though the applicant still needs to show the queuing length during peak hour evaluation on a drawing so that the City can be assured that there will be no negative affect to Larsen Drive (NW14th Ave) access once built.

#### **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.

In lieu of completion of public improvements bond in the amount not less than 110% of the construction estimate shall be provided prior to issuance of building permits per LCMC 12.10.110.

General roadway and right-of-way standards shall apply and provide for the continuation or appropriate projection of Pacific Highway on adjacent parcels per LCMC 12.10.090.

The applicant shall provide the following street improvements:

- Pacific Highway: Half street improvements per city standard detail ST-13A Rural Major Collector along the site frontage between the boundary of parcel 258766 and parcel 258689. However, a center turn is necessary south of the NW 15<sup>th</sup> Street, A 12-foot wide center turn lane will need to be added to this half section to accommodate vehicles turning into the development.
- NW 15th Street: Full street improvement per city standard detail ST-14 Neighborhood Access.
- NW 14th Avenue (Larsen Road): Half street improvement per city standard detail ST-15, with a 25-foot paved width minimum.
- All other interior streets: Full street improvement per city standard detail ST-15 Local Access.

In addition to the street improvements, street lights, street trees and stormwater improvements shall be provided per LCMC 12.10.190.

Driveways to each lot the applicant will need to comply with maximum driveway width as shown on standard detail ST-3. Shared driveways may be allowed.

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

Fire hydrants must be provided on fire access roadways so that average spacing does not exceed 500' and the maximum distance from any point on the street frontage to a hydrant is no more than 250' per IFC C102.<sup>9</sup> The Fire District must approve the location of all the hydrants.

The perimeter of all structures must be within 150' an approved access road with a minimum clear width of 20' per IFC 503.1.1 / D102. The Fire District must approve access to all the lots per the IFC.

Combustible construction above ground should not occur until the required, paved access roadways and fire hydrants are in place and functional.

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<sup>9</sup> Hydrant spacing was assessed based on structures that are non-sprinklered, type V-B Construction and no larger than 4,800 combined square feet. Additional hydrants may be required for streets providing access to structures greater than 4,800 SF per (IFC Table B105.1(2) / C102.1).

Any dead-end road longer than 150' must be provided with an approved cul-de-sac or hammer-head turn-around in accordance the International Fire Code design criteria per IFC D103.4.

Roadways must have signage for parking restrictions as follows: Signs for no-parking must be provided on both sides of all streets that are less than 26' wide. Signs for no-parking must be provided on one side of all streets that are between 26' and 32' wide in accordance with Ridgefield Standards for future enforcement. IFC D103.6

One and Two Family Residential Developments with more than 30 dwelling units must be provided with two separate and remote fire apparatus access roads. Multiple Family Residential Developments with more than 100 dwelling units must be provided with two separate and remote fire apparatus access roads per IFC D106/107. If significant delays between construction of phases that provide the alternate access to 339th and Larson, temporary access may need to be provided or other mitigating efforts considered. The secondary access from Larson Dr. and 339th Street must meet the minimum clear, unobstructed width of 20'.

Residential (NFPA 13D) may not be required, but are recommended for any dwelling units and may be considered as an alternate method to increase hydrant spacing or to address access issues.

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

The final plat shall contain street names and addresses as provided by the City.

Monumentation shall be as directed by the City and shall be inside a cast iron monument case flush with the final street grade and shall be a brass cap, in a 30-inch long pipe as set by the surveyor of record and shown on the final subdivision plat map.

## **Comments**

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

Per section 12.10.210, on all dedicated right of way exceeding 500-feet in length, cross streets shall be provided at 500-feet; and provide further, that when cross street spacing exceeds 500-feet, pedestrian walkways connecting streets may be required. The applicants plat appears to meet the minimum street spacing on the local and neighborhood streets but needs to provide right of way for future connection to Pacific Highway to provide connectivity. The applicant will be required to provide right of way dedication at the northwest end of the site for a future connection to Pacific Highway.

Per section 2.12 of the Engineering Standards, where a street is temporarily dead ended, a turn -around must be provided where the road serves more than one lot. The turnaround may be a hammerhead if the dead end is less than 200-feet in length. If over 200-feet long, a cul-de-sac is required for residential streets. NW 13<sup>th</sup> Street and NW 17<sup>th</sup> Place have dead end streets that serve at least 20 lots. Technically there needs to be cul-des-sacs at the end of these streets. Since these are MDR-16 lots, it will greatly reduce the number of lots the developer can build using a cul-de-sac. The city will consider approving

the use of temporary hammerheads at the end of these streets as an option to the cul-de-sac, upon submittal of a Design Modification is submitted as described in section 1.16 of the Engineering Standards.

Dennis L. Nuttbrock submitted a public hearing comment concerning Half-Width Road Improvements:  
*“(7) The applicant is proposing to do half-width improvements on the portions of Pacific Highway and NW Larsen Dr. (NW 14<sup>th</sup> Avenue) that are abutting the proposed development. However, they are not proposing to do similar improvements along the abutting portion of NW 339<sup>th</sup> St. It should be noted that the entire width of NW 339<sup>th</sup> St. that abuts the proposed development is contained within the subject property and city limits. In accordance with LCMC 12.19.180 (2), half width improvements are required along the entire length of a private road abutting a new development. The applicant must be required to make half-width improvements to the abutting portion of NW 339<sup>th</sup> St. and dedicate that portion to the city. Additionally, I assume parking will not be allowed on the east side of NW 14<sup>th</sup> Avenue since the half-width street improvements does not allow sufficient width for parking on both sides of the street.”*

Response:

Section 12.10.180 says that: “If a lot abuts an existing public maintained road, the requirements of this section shall be deemed satisfied in the half-width of the entire abutting portion of such public road meets the minimum right-of-way standards set forth herein. If the lot abuts a private easement or road, such private easement or road shall meet the minimum standards set forth herein along the entire frontage of such lot and along the full length of the private easement or road from such lot to and opened, constructed or maintain public road; provided, that a half-width private easement or road may be approved pursuant to LCMC 12.10.170.

Section 12.10.170 states that minimum right of way providing access to a parcel being developed shall have a minimum right of way width as specified in the design criteria contained in the engineering standards; private road easements providing access to a parcel being developed...in situations where the property being developed does not permit full public or private roads, half roads having a minimum right of way or easement width of one-half of the design width may be permitted when placed adjacent to adjoining property so long as there is no physical obstruction or development constraint prohibiting the completion of the road on such adjoining property.

According to the approved East Fork Estates plat, there is a 30-foot wide easement for ingress, egress and utilities containing the private road called NW 339<sup>th</sup> on the applicant’s property. In order to require the applicant to require half street improvements, for road right of way dedication, there needs to be no physical obstruction or restraint allowing for future full street right of way and road improvements on the abutting property. The property south of the applicant’s property is a stormwater pond and riparian zone. It is not feasible to complete future full street improvements for NW 339<sup>th</sup> Street. The applicant cannot be required to dedicate half-width right of way and half-street improvements to NW 339<sup>th</sup> Street.

For the comment concerning parking on NW14th Avenue, parking will not be allowed on the half-width street improvements on NW14th Avenue since the Fire Department requires at least 20-foot width for access. The half street pavement width is required to be 25-feet.

### **Grading**

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

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

Site development earthwork for site grading and construction of sewer, storm drain, water and street systems shall be limited to the dry weather season between May 1<sup>st</sup> and October 31<sup>st</sup> with planting and seeding erosion control measures completed by October 1<sup>st</sup> to become established before the onset of wet weather.

The applicant shall incorporate all recommendations for site construction as described in:

- the Geotechnical Report by Columbia West Engineering Inc. dated January 31, 2008; and
- the Preliminary Drainage Report by PLS Engineering dated March 28, 2017.

The 2008 Geotechnical Report did not investigate the structural section necessary to reflect the proposal to increase the height of the pond walls (increase in pond capacity with a 2.5-foot increase in depth, ~4 feet increase on wall height and maximum side slope of 3:1). In addition, the report will have to analyze the berm or retaining wall for seepage to the increased pond depth. Since this is intended to be a detention pond above the existing pond water surface elevation, the pond walls will need to contain the stormwater and provide safety from flooding adjacent property.

The 2008 Geotechnical Report did not evaluate the project for multifamily dwellings, so the Phase 6 will need a new geotechnical study in the future when developed.

### **Chapter 13.10 -- Sewer System Rules and Regulations**

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

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

Response:

The City Engineer has reviewed the Sewer Basin Capacity Analysis by the applicant's Engineer and found it to be adequate to support connection to the existing 8-inch sewer main West E Avenue south of Old Pacific Highway with the following requirements as described in the report:

- The applicant proposes to construct a new pump station for contributing flow from Riverside Estates and the future Highland Terrace Development north of Pacific Highway.
- The pumps and force main and wet well will be sized for Riverside Estates and Highland Terrace subdivision according to the Department of Ecology (DOE) criteria.
- The applicant's engineer will need to provide a detailed analysis for design of the new pump station and force main. Per the DOE criteria, all sewage pump stations shall be designed with capability for emergency power in case the primary electrical feed is out of service or have enough capacity in the wet well for 1 hour of storage at peak flow. To prevent the 6-foot diameter wet well from becoming too deep to maintain adequately, the applicant will need to provide a permanent back-up generator to support the pump station during emergencies.
- A new 6-inch force main will be constructed from the new pump station and connected to the existing 8-inch sewer in West E Avenue. The existing piping downstream appears to have enough capacity with Riverside and Highland Terrace subdivisions for all piping except for the pipe segment from manhole E-18 and E-17 per the City existing collection system map. This pipe is at 95% capacity assuming the pipe will be at capacity when 75% full. The applicant will need to check by survey to verify the capacity of this pipe. This section of pipe will need to be replaced with an 8-inch to a 10-inch pipe to support Riverside Development. The applicant will need to submit construction plans showing the pump station, force main and connection and upgrade to the existing sewer system.
- The applicant shall provide a manhole for connection upstream of the pump station at NW 14<sup>th</sup> Avenue Pacific Highway for future extension of sewer north of Pacific Highway per Section.
- The applicant shall provide a public gravity sewer to Parcel 258689 per Chapter 1 Section 4 B. of the La Center Engineering Standards for Construction. The public sewer shall be at least 8 inches in diameter (Chapter 1, Section 4.02 LC Engineering Standards for Construction).
- The applicant will need to provide at least a 20-foot wide sewer easement on private property to the city for future access and maintenance of the sewer force main. The easement will need a paved or aggregate base access road along the length of this easement.
- The applicant shall provide an aggregate base or paved road and turnaround at the pump station large enough to allow maintenance and service truck vehicles to access the pump station.

Connection to the manhole, sewer main open trench installation in Pacific Highway shall be constructed per Chapter 1 Section 4 of the La Center Engineering Standards for Construction per LCMC 13.10.180. A minimum 8-inch diameter public main pipe will be installed between the proposed development and the point of connection at the City manhole. LCMC 13.10.190. A backwater 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 sewer cleanout is required at every property line. LCMC 13.10.110 *La Center Engineering Standards for Construction* is also applicable.

A new gravity sewer manhole in Pacific Highway will be added for a connection to future development upstream of the proposed site sewer system per city standard City Standard Detail SS-7. Video inspection, of the existing 8-inch gravity line downstream of the new force main connection must be performed to verify its structural integrity and ability to accommodate additional flow from the development per the developer's preferred option. Should repairs or upgrade be necessary in the

existing 8-inch gravity line, the developer will perform such repairs or upgrades using generally accepted methods at the developer's sole expense prior to connection or discharge from the Riverside Estates Subdivision development into the existing [8-inch] gravity system.

Existing septic system(s) and wells must be abandoned or removed as necessary per Clark County Environmental Health permitting.

Response (CPU):

Clark Public Utilities (CPU) provides potable water service to La Center. CPU completed a Request for utility Review – Water Availability (#2016-071) for this project as of November 23, 2016. This analysis found that the site is served by:

- Existing eight (8) inch water main in NW 339<sup>th</sup> Street connects to the Lower La Center Reservoir Pressure Zone;
- Existing six (6) inch water main along the western portion of the project site connects to the Lower La Center Reservoir Pressure Zone;
- The Lower La Center Reservoir Pressure Zone can only effectively serve the southern portion of the project site;
- The northern portion of the project shall be served by the Upper La Center Reservoir Pressure Zone with a connection point to the twelve (12) inch water main at the intersection of NW Pacific Highway at W "D" Avenue; and
- The approximate dividing line between the pressure zones is at the 170-foot contour line (50 PSI static pressure).

The Developer will connect to the existing twelve (12) inch water main in NW Pacific Highway at the proposed intersection of W "D" Street [now NW 14<sup>th</sup> Avenue and NW 14<sup>th</sup> Street] and extend a new [8 or 10] inch water line west along the NW Pacific Highway frontage. Service lines will be then extended to the south of this line along all streets planned for this service zone.

The Developer will construct a new eight (8) inch water line, connecting the lower end of project service area to the existing eight (8) inch water at NW 339<sup>th</sup> Street. This line will be then extended northward of this point along all streets planned for this service zone.

The Developer will conduct further hydraulic analysis to determine where the upper and lower water service areas will be for this project. Then an emergency flow PRV will be installed between the two pressure zones. The water mains will be looped where physically possible.

Additionally, the Developer is responsible for all costs associated with the service installation, hydrant installations, and any other needed water improvements.

Any existing wells located on the site will be properly decommissioned, such as the two identified by the applicant. The City of La Center provides sanitary sewer service. The City Engineer has provided several recommendations and conditions to ensure that the sanitary service is consistent with City policies and standards.

**Chapter 18.320 (Stormwater and Erosion Control)**

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

The applicant proposes to create new impervious interior streets in the subdivision. Per LCMC 18.320.210, treatment BMPs shall be sized to treat the water quality design storm, defined as the six-month, 24-hour storm runoff volume. Per section 18.320.220 (2) Hydraulic Analysis (a), Hydrologic and hydraulic analysis shall be in accordance with Chapter III-1 and III-2 of the Puget Sound Manual with the following exceptions: If stormwater leaves the site, the applicant shall provide detention using peak release rates for the 2-year, 10-year, 25-year and 100-year storm events after development not exceeding the respective predevelopment rates. In addition, per 18.320.220 section 2(c), If the surface runoff leaves a development and the predevelopment runoff calculations do not assume undisturbed forest in determining the runoff curve number, then a hydraulic analysis of the capacity of the downstream conveyance system shall be required.

Per section 18.320.220(2)(i); the analysis shall analyze both the natural and manmade conveyance system to the East Fork of the Lewis River or a point at least one mile downstream from the development site, whichever is less.

18.320.220(3)(e); For development activities where a downstream analysis is performed and the conveyance system is at capacity per 2(c), the runoff volumes after development from 25-year and 100-year storm events after development shall not exceed the 25-year or 100-year after development.

According to the SEPA comments there has been a history of flooding downstream of the applicants' property and from the private stormwater pond, maintained by maintained by East Fork Estates, downstream from the applicants' property. According to the ordinance, the applicant will need to perform and downstream analysis of all downstream system draining from the applicants' property.

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

The applicant proposes to use a combination of bioswales and an underground treatment vault with filters for water quality treatment. There are several detention systems proposed by the applicant for stormwater detention before release of stormwater to the existing downstream facilities. The applicant will need to submit a final stormwater report to verify the size of the underground and above ground detention systems will meet or exceed City ordinances and the 1992 Puget Sound Manual.

Surface water exiting a parcel shall be discharged with adequate energy dissipaters within the development site or prevent downstream damage.

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

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

Dennis L. Nuttbrock submitted a public hearing comment concerning Stormwater Management:

“Riverside Estates proposes directing the stormwater runoff from 47 homes along the eastern portion of the development, from NW 11<sup>th</sup> Street and from the southern portions of NW 14<sup>th</sup> Avenue and NW 15<sup>th</sup> Avenue to an existing stormwater pond on the south side of NW 339<sup>th</sup> St. This stormwater pond is privately owned and maintained by the East Fork Estates HOA, and is not on the property being developed and is not within the city limits, it is not clear that the new development can use this stormwater pond without the approval of the Riverside Estates HOA.”

“The applicant’s Preliminary Drainage Report, dated March 28, 2017, presents no analysis to demonstrate that this existing stormwater pond has the capacity for increase flow coming from the significant increase in impervious surfaces in the Riverside Estates.”

“Additionally, given that the Riverside Estates will be directing the stormwater from 47 homes and a portion of their streets to our stormwater pond compared to three of our homes that direct stormwater to this pond, it is reasonable that Riverside Estates be responsible for the future operation and maintenance of this stormwater pond and associated catch basin and conveyance system.”

#### Response

The existing contours of the applicant’s site currently drains south to the property maintained by the East Fork Estates HOA. According to LCMC section 18.320.220 (2), if storm runoff leaves a development, the peak release rates for the 2, 10, 25 and 100-year storm shall not exceed the respective pre-development rates.

As part of the conditions, if runoff curve numbers for predevelopment do not assume undisturbed forest condition a downstream analysis is required. The applicant is being required to do a downstream analysis since there has been a history of flooding according SEPA comments. The applicant is only required to provide detention or infiltration on-site to meet the LCMC.

The applicant has stated that they will provide over detention on-site to decrease the overall stormwater off site. However, the applicant will need to provide further analysis and design modifications to ensure that the stormwater from the site will not exceed the pre-developed runoff condition.

LCMC does not allow the city to require that the applicant maintain an offsite stormwater pond. The ordinance requires that the developer detain or infiltrate stormwater on-site per LCMC 18.320.

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

The applicant shall be responsible for maintenance of all stormwater facilities until an HOA is established to maintain the facilities. When the HOA assumes responsibility of the facilities, they shall establish a monetary reserve fund for maintenance of the stormwater facility. When at least 50% of the housing



units are constructed or a minimum two (2) years after completion and acceptance of the subdivision by the City, whichever comes first, the HOA will assume responsibility for maintenance. The applicant and future owners will be responsible for maintaining the stormwater facility. An operations manual must be submitted for City review and approval for the maintenance of the facility in all cases. Adequate bonding is required to guarantee maintenance of the facility for a period of two years following final plat. The minimum bond amount shall be 10% of the construction cost of the stormwater facility. Stormwater facilities must be located in a separate tract.

Prior to initiation of any construction or final plat approval, the developer shall demonstrate to the City's satisfaction that:

1. The developer shall establish a homeowners association (HOA) and Articles of Incorporation, By-laws and CC&Rs of the HOA shall reflect that the HOA's operation and maintenance costs for stormwater facilities shall be borne by the HOA. The applicant will provide a "Stormwater Covenant" that shall describe the scope of maintenance of the stormwater facility and it shall be recorded and incorporated in the CC&Rs.
2. The HOA shall be empowered to access its members' fees to be reserved and used to reimburse the City for the operation and maintenance of the facilities, if enforcement becomes necessary.
3. The City shall have the right of a third-party enforcement to ensure that the HOA remains intact and collects the fees and the City shall have the right to recapture any fees and costs associated with enforcement actions. Further, the following language is to be placed on the face of the plat: The City shall be granted the right, but not the duty, to access and maintain the stormwater facility consistent with 18.320.230 LCMC.

### **Street Lighting**

Street light design and installation is reviewed and approved by CPU. All street lighting design shall be reviewed and approved meeting City of La Center Engineering Standards for Construction. All Street Lighting shall be LED per Clark Public Utilities Standards.

### ***Chapter 15.35 LCMC, School Impact Fees;***

#### Response

As a **Condition of Approval**, the for each dwelling the City shall assess and charge the builder School, Park and Traffic impact fees in effect at the time of building permit application.

### **Additional Engineering and Public Works Requirements and Conditions**

1. The plat notes should stipulate amount of impervious/saturation development allowed (Maximum building lot coverage is 60 % (SFR) and maximum impervious surface area is 15%).
2. Plat conditions for individual lot build out should include provision of adequate foundation drainage, in particular on the high side of each lot.
3. If retaining walls are to be constructed, there needs to be design details in the plat 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 plat standard detail.
4. An adequate absorption/ dissipater design should be included in the plat conditions for storm water that can't flow by gravity to the storm lateral.
5. No lot's development shall create hazards or conditions for any adjacent lot.

6. Stormwater collected from newly created impervious sources or surfaces (roof, slabs, flatworks, etc.) shall be terminated in an approved manner.
7. Provide a plat note and detail for a concrete truck washout area which builders and contractors shall be required to use and maintain until final build out.
8. The Developer shall coordinate with Clark County Fire and Rescue (CCF&R) regarding hydrant spacing and related fire flow and fire protections issues and shall provide the Public Works Director with evidence of said coordination prior to final plat approval.

For these reasons, staff concludes that the proposed project has satisfied, or can satisfy as conditioned, the required burden of proof.

## **IV. CONCLUSIONS & RECOMMENDATION**

The review authority finds the applicant has sustained the burden of proving the application complies with the applicable provisions of the La Center Municipal Code. The subject application should be **APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:**

### **IV.A Planning Conditions**

1. As-constructed drawing(s) will be provided in '\*.dwg' electronic format as well as Mylar and paper.
2. Construction plans shall identify staging areas for all equipment, contractors, deliveries, and supplies prior to construction plan approval.
3. Construction plans shall identify and show all utilities with trench and location details.
4. Prior to final plat approval, the Developer shall identify the setbacks for all lots on the face of the final plat. To minimize impacts to pedestrian safety and mobility, garage doors shall be setback a minimum of 18 feet from the interior edge of a sidewalk. The application for final plat approval must provide information regarding any proposed fencing, hedging, landscaping or solid waste, lighting, and noise impacts to the extent as regulated by Chapter 18.245.
5. New residential developments shall provide street or front yard trees at a minimum of 30-foot intervals near the street frontage of each lot. Prior to final plat approval, the Developer shall provide the Public Works Director with a scaled plan showing the type, location, and planting method of street or front yard trees. A Street Tree bond shall be provided to the City guaranteeing the performance and maintenance of planted trees for two years. LCMC 18.130.100
6. Each newly created lot shall demonstrate compliance with the beveling standard per LCMC 18.140.030(2) for phases 1 to 5. Development of one or more of the tracts reserved for future development as attached multifamily units the lot will provide a 20-foot landscaped buffer or recreational amenity such as a trail between the property line and any site development including buildings, structures and parking lots.
7. The preliminary plat shall expire within five years of the date of preliminary plat approval if the date of preliminary plat approval is on or after January 1, 2015. LCMC 18.210.050(1) and RCW 58.17.140(3)(a).

8. The Applicant shall provide a detailed park and amenities plan, prior to final plat approval that demonstrates compliance with the code section for Family Parks LCMC 18.147.030(1)(b)(viii) in order to receive credits.
9. If the Development cannot meet the Family Park standards for each phase or for all phases, then the Applicant shall redesign the plat to meet the requirements.
10. The Applicant shall provide a detailed planting list per LCMC 18.340 prior to final plat approval.
11. The Applicant, prior to final plat approval, shall provide a detailed narrative and figures demonstrating how parks plan meets the CPTED guidelines, street access, and lighting per LCMC 18.147.030(1)(b)(xi)(A) thru (C).
12. The Applicant, prior to final plat approval, shall modify the parks plan to meet the requirements in LCMC 18.230.080 including a plan key and full-sized plan sheet(s).
13. The Applicant, prior to final plat approval, shall provide a detailed parks plan that aligns with other plans, such as stormwater, and accommodates these facilities. The City recommends that the active playfield be sized to accommodate a small soccer field, as these fields are in short supply locally for younger athletes.
14. Oregon white oak tree - The Applicant shall provide a detailed plan that demonstrates compliance with the code section LCMC 18.300.120(2) and secondarily modifies the grading plan to stay outside the dripline and establish such a tract and or conservation easement before any work starts. The plan should consider how to integrate this regulated tree into park planning for the tracts reserved for future development.
15. The Applicant shall confirm that the preliminary plat reflects the adjoining zoning of abutting sites and provides a buffer and landscaping at a minimum or greater than that required LCMC Table 18.245.060.
16. The tracts reserved for future development shall provide a 20-foot landscaped buffer or recreational amenity such as a trail between the property line and any site development including buildings, structures and parking lots. LCMC 18.140.030(2).
17. The application for final plat approval must provide information regarding and proposed fencing, hedging, and landscaping and solid waste, lighting, and noise impacts to the extent as regulated by Chapter 18.245 – Supplementary Development Standards.
18. Pursuant to RCW 27.53.060 it is unlawful to remove or alter any archaeological resource or site without having obtained a written permit from the Washington State Office of Archaeology and Historic Preservation. Upon any discovery of potential or known archaeological resources at the subject site prior to or during on-site construction, the Developer, contractor, and/or any other parties involved in construction shall immediately cease all on-site construction, shall act to protect the potential or known historical and cultural resources area from outside intrusion, and shall notify, within a maximum period of twenty-fours from the time of discovery, the City of La Center Public Works Department of said discovery.

#### **IV.B Public Works Engineering and Transportation Conditions**

1. The Applicant, at time of engineering approval, shall demonstrate compliance with all applicable La Center regulations, goals and policies contained herein including the requirements and condition in Section III.H., Public Works and Engineering Analysis in the Final Staff Report.

2. The development shall construct the street improvements noted in section III.H. Public Works and Engineering Analysis of this Staff Report.
3. The development shall pay a fee in lieu and donate any needed right-of-way for Pacific Highway half street improvements per city standard detail ST-13A along the site frontage between the boundary of parcel 258689 and parcel 258741. The fee will be based on a construction estimate of public improvements. The developer provided a cost, and the city review cost is approximately \$65,000.
4. The development shall install a northbound left-turn lane on NW Pacific Highway at NW 15<sup>th</sup> Street.
5. The development shall provide a future local street (stub) connection from lots 7 and 8 (Phase 2) of the northwest property border (parcel 258741) to allow a future connection to the adjacent property (per LCMC 12.10.250).
6. The Applicant shall dedicate to the City the half-street right of way at Lot 7 (Phase 2) to be used for the future street connection to Pacific Highway and remove the hammerhead at Lot 6 (Phase 2) once this new half-street segment is constructed to Pacific Highway.
7. The development shall extend the sidewalk on the north side of NW 14th Street to the east property border (parcel 258766).
8. The City recommends that the development extend the sidewalk to a trail pathway to the north side of NW 13th Street and NW 17th Avenue intersection near lots 31 and 32 (Phase 3) to connect with the future multifamily development of the reserved tracts.
9. The development shall provide a south sidewalk connection from the NW 14<sup>th</sup> Street to the Old Pacific Highway with a temporary AC concrete ramp to the south shoulder of the Old Pacific Highway for ADA access.
10. The development shall close the existing Larson Drive access to Pacific Highway upon completion of a public roadway connection to a second Pacific Highway access that complies with city access spacing requirements. Larsen Drive will remain as a right turn exit only for Riverside Estates for the interim.
11. Minimum sight distance requirements shall be met at all site intersections and driveways. The City Public Works Director prior to final site plan approval shall approve sight distances on the internal street system.
12. The development shall pay a proportionate share contribution towards improvements at the La Center Road/ Timmen Road intersection.
13. The Developer will need to verify turn lane capacity, but the City expects it is likely that Larsen Drive can be left open for right turn exit onto to Pacific Highway.
14. The Developer shall provide each dwelling unit, at the time of construction, with at least three (3) off-street parking spaces (per LCMC Table 18.280.010).
15. The Developer shall coordinate with the City Engineer regarding the City's future street naming procedure prior to final plat approval.
16. Street lighting installed shall be installed consistent with City and Clark Public Utility standards.

17. The Developer will conduct further hydraulic analysis to determine where the upper and lower water service areas will be for this project. Then an emergency flow PRV will be installed between the two pressure zones. The water mains will be looped where physically possible.
18. The Developer is required to construct the sanitary sewer and pump station for the upstream basin. As a result, the city will require that the project's wet well, vault, force main and pumps be sized for the Riverside Estates Development and future Highland Terrace as shown on the basin map submitted by PLS (May 16, 2017). According to sewer review, the 6-foot wet well is large enough for entire basin
19. The Developer is responsible for all costs associated with the service installation, hydrant installations, and any other needed water improvements.
20. The design and construction of storm drainage shall be in accordance with the LCMC and applicable city engineering standards for public works.
21. The project shall not add any additional drainage to the Larson Road Storm pond.
22. Site development earthwork for site grading and construction of sewer, storm drain, water, and street systems should occur during the dry weather season between May 1<sup>st</sup> and October 31<sup>st</sup> with planting and seeding erosion control measures completed by October 31<sup>st</sup>.
23. Site improvements shall not proceed without an approved erosion control plan. All erosion control measures shall be designed, approved, installed and maintained consistent with Chapter 18.320 LCMC and City Engineering Standards. The applicant is required to have a construction stormwater permit in place with a SWPPP per D.O.E. before construction begins. Where these standards differ, the more stringent shall apply. All erosion control measures shall be in place prior to removal of vegetation or any construction activity and shall be maintained during all phases of construction.
24. Prior to site disturbance, the Applicant shall consult with the City Public Works Director and Public Works Engineer to incorporate the design recommendations in Section 6.0 of the Geotechnical Site Investigation prepared by Columbia West Engineering dated January 31, 2008.
25. The Developer shall inspect and confirm any property markers before grading and add new markers as may be necessary.
26. The City shall assess and charge the home-builder School, Park, Sewer and Traffic impact fees in effect at the time of building permit application for each dwelling.
27. The Developer shall confirm functionality of existing wastewater facilities and capacity to treat proposed loads from all phases of proposed development, and make design modifications to the proposal if such is found deficient.
28. The Developer shall add utility stubs to allow future connection of adjoining developments to the public sanitary sewer service and water service.
29. The Developer shall provide a sanitary sewer stub for the property with higher elevations to the north to be served by the proposed pump station. The cost of any future hook-up will be the responsibility of the property owner.
30. The Developer shall extend the sanitary sewer system to the appropriate extremities of the project. Future sewer service to these properties will need to be connected by the owner of said property and at

their cost. The developer shall dispose of stormwater on-site per LCMC. The applicant is required to treat stormwater and detain on-site meeting the city ordinance.

#### **IV.C SEPA Documentation and Mitigation**

1. The Developer shall undertake a new delineation in the early part of the growing season to avoid the effects of drought in order to achieve a more accurate wetland delineation. That field mowing shall be suspended prior to performing a reevaluation so that the delineator will be able to determine the species and area of cover.
2. Oregon white oak:
  - a. The Developer or their consultants will coordinate with the appropriate state agency to update the environmental review documents to address the mature Oregon white oak (*Quercus Garryana*) tree identified on site as terrestrial habitat.
  - b. The large Oregon white oak (*Quercus Garryana*) must be included in any updated analysis and proposed mitigation or must be preserved in a separate tract.
  - c. The Applicant shall complete the required notice for development permit that would require or result in any tree removals, and shall include a site plan indicating the location of any trees proposed for removal and an approved mitigation plan. The dripline shall be fenced and flagged with yellow tape and inspected by the City so that no compaction of the soil and root zone within the drip line occurs. Such flagging shall be maintained until a final decision on the proposal is rendered and inspected by the City. Trees remaining on site must be protected and such approved by the City before construction activities begin. (LCMC 18.350.)

#### **IV.D CCFR FIRE**

1. Fire hydrants must be provided on fire access roadways so that average spacing does not exceed 500' and the maximum distance from any point on the street frontage to a hydrant is no more than 250' per IFC C102.<sup>10</sup> The Fire District must approve the location of all the hydrants.
2. The perimeter of all structures must be within 150' an approved access road with a minimum clear width of 20' per IFC 503.1.1 / D102. The Fire District must approve access to all the lots per the IFC.
3. Combustible construction above ground should not occur until the required, paved access roadways and fire hydrants are in place and functional.
4. Any dead-end road longer than 150' must be provided with an approved cul-de-sac or hammer-head turn-around in accordance the International Fire Code design criteria per IFC D103.4.
5. Roadways must have signage for parking restrictions as follows: Signs for no-parking must be provided on both sides of all streets that are less than 26 ft. wide. Signs for no-parking must be provided on one

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<sup>10</sup> Hydrant spacing was assessed based on structures that are non-sprinklered, type V-B Construction and no larger than 4,800 combined square feet. Additional hydrants may be required for streets providing access to structures greater than 4,800 SF per (IFC Table B105.1(2) / C102.1).

side of all streets that are between 26 ft. and 32 ft. wide in accordance with local standards for future enforcement. Roadways that are 32 ft. or greater in width do not require parking restrictions or related signage. IFC D103.6

6. One and Two Family Residential Developments with more than 30 dwelling units must be provided with two separate and remote fire apparatus access roads. Multiple Family Residential Developments with more than 100 dwelling units must be provided with two separate and remote fire apparatus access roads per IFC D106/107. If significant delays between construction of phases that provide the alternate access to 339th and Larson, temporary access may need to be provided or other mitigating efforts considered. The secondary access from Larson Dr. and 339th Street must meet the minimum clear, unobstructed width of 20'.
7. Residential (NFPA 13D) may not be required, but are recommended for any dwelling units and may be considered as an alternate method to increase hydrant spacing or to address access issues.

## V. APPEALS

The applicant, applicant's representative, or any person, agency or firm with an interest in the matter may appeal the Critical area decision. The appellant shall file the appeal together with the requisite fee and information within 14 calendar days of the date of the decision being appealed. (§18.030.130 LCMC.)

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Anthony Cooper, P.E.

City of La Center  
City Engineer

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Todd Boulanger

Urbane Streets  
Planning Consultant,  
on behalf of Eric Eisemann,  
E2 Land Use Planning, Inc.

## **Exhibits**

See Exhibits List – Attached

### **Exhibit A – Application Materials**

- A.1 [Master Land Use Application](#)
- A.2 [Narrative Revised 7/25/17](#)
- A.3 [Maps](#)
- A.4 [Preliminary Plat-Sheet 1 Revised](#)
- A.5 [Geotechnical Report](#)
- A.6 [Revised Archeological Report](#)
  - o [2008 Report](#)
  - o [2009 Report](#)
- A.7 [Critical Areas Report](#)
- A.8 [Preliminary Drainage Report](#)
- A.9 [Clark Public Utilities - Water Availability Report](#)
- A.10 [Pre-Application Report](#)
- A.11 [Traffic Analysis Report](#)
- A.12 [Landscaping Plan](#)
- A.13 [Phased Parks Plans](#)
- A.13 [Technically Complete Application](#)
- A.14 [CC&R's](#)
- A.15 [Preliminary Wetland Assessment](#)
- A.16 [KWRL Safe Routes to Schools Letter](#)

### **Exhibit B – SEPA**

- B.1 [SEPA Checklist Updated 7/25/2017](#)
- B.2 [SEPA & Public Hearing Comments](#)

### **Exhibit D – Public Hearing Notice**

- D.1 [Public Hearing Notice](#)