

PLS

ENGINEERING

**CRITICAL AREAS PERMIT  
NARRATIVE**  
*For*  
**RIVERSIDE NEIGHBORHOOD  
PARK**

**A TYPE II APPLICATION**

Submitted to  
**CITY OF LA CENTER**

For  
**9317 LLC**  
**9321 NE 72<sup>ND</sup> AVE. BLDG C #7**  
**VANCOUVER, WA 98665**

**October 2020**

## GENERAL PROJECT INFORMATION

### Applicant

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<b>Location:</b>	<b>SE 1/4 of Section 33, T5N, R1E, WM</b>
<b>Property Address</b>	<b>34512 NW Pacific Highway, La Center, WA</b>
<b>Project Size:</b>	<b>5.19 acres</b>
<b>Zoning:</b>	<b>MDR-16, UH-10</b>
<b>Comprehensive Plan:</b>	<b>UM – Urban Medium Density Residential</b>
<b>Current Use:</b>	<b>Vacant</b>
<b>Tax Lot Information:</b>	<b>986028825</b>
<b>School District:</b>	<b>La Center</b>
<b>Water District:</b>	<b>Clark Public Utilities</b>
<b>Sewer District:</b>	<b>Rural/Resource</b>
<b>Fire District:</b>	<b>Clark County</b>
<b>Traffic Impact District:</b>	<b>La Center</b>

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## Project Description

The site is zoned MDR-16, Medium Density Residential, and UH-10, Urban Holding, with a comprehensive plan designation of UM – Urban Medium Density Residential. The parcel is identified as parcel number 986028825 and is 5.19 acres in size. The site is located at 34512 NW Pacific Highway, La Center, WA and is located in the Southeast ¼ of Section 33, Township 5 North, Range 1 East, of the Willamette Meridian.

Clark County GIS maps show an area of steep slopes and potential instability along NW Pacific Highway as well as hydric soils and a wetland located onsite. The site is currently vacant. Existing vegetation consists of brush, grass, trees and a manmade pond. Based on aerial mapping between 1978 to 1984 a single-family home and shop was installed on the east side of the property with a driveway accessing NW Pacific Highway. The home and shop have been demolished, leaving a gravel driveway and an existing well.

The applicant proposes to develop the site with a Neighborhood Public Park that will be dedicated to the City of La Center. Construction of the park will begin when all necessary approvals are granted. The City of La Center Park, Recreation and Open Space Master Plan and the City of La Center Comprehensive Plan show a need for a Neighborhood Park on the north side of the Riverside development along NW Pacific Highway. The Comprehensive Plan refers to this Neighborhood Park as NP-1, the proposed park will serve the residents in the northwest area of the City. Pedestrian paths are proposed to connect the park to NW Pacific Highway and to the Riverside development south of the site and will provide pedestrian connectivity to the Highland development north of the site. Park amenities will include play equipment, a basketball half-court, bicycle racks, picnic tables, open space lawn and 6 parking spaces.

The park will have the following impacts:

- Temporary impacts to wetland buffer = 12,360 sf/0.29 acres. These impacts are due to grading for the park and the pedestrian path that is required. Once grading is complete, the area will be re-seeded with a native seed mix.
- Indirect impacts to wetland = 17,829 sf/0.41 acres. These impacts are based on the pedestrian path and park location. Impacts will be mitigated by purchasing 0.21 credits from the East Fork Lewis Mitigation Bank (EFLMB) in order to compensate for indirect Category III wetland impacts and ensure no net loss of ecological wetland and buffer functions.

Impacts to the wetland and buffer cannot be avoided due to the existing conditions of the site. Neighborhood Parks require frontage improvements if fronting a public roadway. The proposed park does front NW Pacific Hwy so frontage improvements will be provided which will require roadway widening and sidewalks. The site also slopes from north to south which requires grading to flatten the site to provide the necessary amenities and provide ADA required paths from the park to NW Pacific Highway, and to the developments to the south. The required roadway widening and grading to flatten the site for amenities and provide ADA pathways to serve all residents will require grading that impacts the wetland buffer. Wetlands and buffer encumber the majority of the site. The applicant has looked at options to minimize impacts and found them to be unfeasible. Options such as follows were reviewed:

- Reduce the size of the park.

Response: The improved portion of the park (exclusive of drive aisle, parking and pedestrian paths) is approximately 25,000 sf/0.57 acres. Any reduction to the size of the park would make it very difficult to include the park elements being provided.

- Move the park.

Response: The parcel is encumbered by wetlands, steep slopes and buffers. The park has been located in the best possible location to minimize impacts. Frontage on NW Pacific Highway allows visibility of the park to maintain safety. The trail will be constructed as far away as possible from the wetland boundaries in the southeastern portion of the site given the proximity to the property lines and the existing ditch. Parking and sport court areas are located on the north/northeast side of the trail, away from the wetland and where topography is less sloped.

Please see the included Bank Use Plan prepared by Ecological Land Services (ELS) for details. This report includes a Critical Areas Report Addendum that encompasses the subject site as well as proposed mitigation.

A Type II review is necessary to permit indirect wetland impacts in order to develop the park site. Please see the following narrative that demonstrates compliance with the approval criteria for critical areas permits.

## **Critical Areas Code Compliance Discussion**

### **18.300.050 Allowed uses with critical areas review or permit**

Item 4 in this section specifically states, “The city may allow the following uses on critical areas and within buffer areas subject to the development standards of LCMC [18.300.110](#) and appropriate mitigation standards as described in LCMC [18.300.120](#):

- (a) Walkways and trails. Walkways and trails may be permitted in a wetland or riparian buffer with review; provided, that they are generally parallel to the perimeter of the wetland or stream, are located in the outer 25 percent of the buffer area, are constructed with a surface that does not interfere with soil permeability, and their surface is no more than five feet wide. The design and construction of walkways and trails shall avoid impacts to established native woody vegetation. Raised boardwalks using nontreated materials are acceptable. Walkways and trails may be located in the inner 75 percent of a wetland or riparian buffer or crossing a stream or wetland, provided there is no alternative location in the outer buffer area, and shall be minor crossings that minimize impact with approval of a critical areas permit. Wetland or riparian buffer widths shall be increased to compensate for the loss due to the width of the trail.
- (b) Below or aboveground utilities, facilities and improvements, where necessary to serve development consistent with the La Center comprehensive plan and development code,

including: streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, open space, and parks and recreational facilities, where there is no other reasonable alternative, based on topographic and environmental conditions, as determined by the director.”

The proposed trail and park are both addressed within sections a and b above and should be subject to the development standards of 18.300.110 and mitigation standards in 18.300.120.

### **18.300.110 Development standards**

During the design process the applicant reviewed reasonable locations on the site for locating the park. The amenities for the park are placed in such a way so as to avoid impacts to the low quality wetland and only impact the buffer. Additionally, the park area and path have been located in the least environmentally sensitive area as practicable. Avoidance of the buffer is not practicable no matter the use of the property. The park design minimizes adverse impacts to critical areas and buffers consistent with the mitigation sequencing measures and mitigation and enhancement measures of the LCMC. Vegetation removal methods and removal of native plants in non-impacted areas has been avoided. All impacts have been fully mitigated and the plan minimizes cuts and fills; the grading is the least necessary to provide ADA paths and to pad the site for the required amenities of a Neighborhood Park.

Construction is proposed to start when the rainy season ends, approximately May of 2021. An approved erosion control plan will be implemented prior to any ground disturbances.

### **18.300.120 Mitigation**

A mitigation plan is attached with the application prepared by Ecological Land Services Inc. As mentioned above, avoidance to wetland buffers will be physically impossible on this property no matter what use is proposed. All impacts have been minimized while still allowing a park that meets the Neighborhood Park requirements. Mitigation sequencing is discussed within the report provided by Ecological Land Services Inc. attached with this submittal.

### **18.300.060 Variances**

This chapter requires that an application that seeks to vary from the requirements of this chapter must seek a variance. The applicant is not seeking to vary from the requirements of the chapter, rather code is being met through mitigation sequencing: avoidance, minimization, and mitigating impacts. Please see the included Bank Use Plan and Critical Areas report prepared by ELS for details.

### **18.300.090(4) Geologically Hazardous Areas**

A Geotechnical Report was prepared for the site by Carlson Geotechnical on July 22, 2020 and has been submitted with this application. The report finds that, “The primary geologic hazards that

may affect the site are potential for slope instability and seismic shaking. We anticipate that with proper construction control, the geology and topography of the site and the surrounding area will not adversely affect the proposed project, and the project will have no geologic impact on adjacent properties or the risk of slope instability. It is our opinion that, with the use of generally accepted construction techniques and by strictly following the recommendations contained in this report and in the building code, the site is geologically suitable for the proposed development.”

### **18.300.090(5) Wetlands**

A Bank Use Plan and Critical Areas Report has been prepared for the site by ELS and has been submitted with this application. The report addresses the following code sections:

- 18.300.090 (5) Wetlands
- 18.300.100 Best Available Science
- 18.300.110 Development Standards
- 18.300.120 Mitigation

## **Conclusion**

The Riverside Neighborhood Park is a public project whose construction will aid in meeting comprehensive plan goals for the area and will provide a benefit to the community. The granting of this Type II Critical Areas Permit will not adversely affect neighboring properties and will enhance the wetland and buffer area onsite.