



Public Hearing

May 1, 2024, at 5:30 pm
210 East 4th Street, La Center, WA 98629

Public Hearing: Larsen Subdivision

Preliminary Plat, Boundary Line Adjustment, Tree Removal, Mitigated SEPA DNS, Critical Areas Review and
Public Hearing: Type III Review

Hearings Examiner: Joe Turner

Applicant: Rob Risinger

Hearing Materials:

Exhibit I – Application Materials

- A. Cover & Table of Contents
- B. City Master Land Use Applications
- C. Proof of Ownership & Authorization
- D. Pre-Application Conference Notes
- E. Project Narrative
- F. Legal Description
- G. Preliminary Stormwater Report
- H. State Environmental Review (SEPA)
- I. Geotechnical Report
- J. Water Review Letter
- K. Archaeological Report
- L. Critical Areas Report
- M. Traffic Analysis Report
- N. Pump Station Calculations
- O. Preliminary Plans
- P. Applicant Memo Response to Comment Period

Exhibit II – SEPA

04/23/2024

Larsen Subdivision 2024-003-SUB/SEPA/BLA/CAR/TRE

- A. Mitigated DNS Notice and Checklist
- B. Combined SEPA Comments

Exhibit III – Staff Report



Staff Report & Recommendations

Larsen Subdivision: Type III

Preliminary Plat, Boundary Line Adjustment, SEPA Review, Critical Areas Review, and Tree Removal Permit

(#2024-003-SUB/SEPA/BLA/CAR/TRE)

April 19, 2024

PROPOSAL:	Boundary line adjustment and preliminary plat of approximately 6.4 acres to create 41 single-family detached residential lots, stormwater facilities, and associated landscaping. Reviews for a boundary line adjustment, subdivision, critical areas review, SEPA MDNS, and tree removal permit apply.
LOCATION:	3214 NW Pacific Highway, La Center, WA 98629 Parcel Nos.: 258766000 and 258631000
HEARING:	The La Center Hearing Examiner will conduct a public hearing on May 1, 2024, beginning at 5:30 PM at La Center City Hall, 210 East 4th Street, La Center, WA
APPLICABLE STANDARDS	The application will be reviewed for compliance with the La Center Municipal Code (LCMC): 3.35 Impact Fees; Title 12, Streets, Sidewalks & Public Ways; Title 13, Public Utilities; Title 18, Development Code Chapters: 18.30 Procedures; 18.140 Medium Density Residential (MDR-16); 18.147 Parks and Open Spaces; 18.190 Urban Holding District (UH-10); 18.210 Subdivision Provisions; 18.220 Boundary Line Adjustments; 18.225 Legal Lot Determinations; 18.240 Mitigation of Adverse Impact; 18.245, Supplementary Development Standards; 18.260 Variances; 18.280 Off-Street Parking Requirements; 18.282 Outdoor Lighting; 18.300 Critical Areas; 18.310 Environmental Policy; 18.320 Stormwater and Erosion Control; 18.350 Tree Protection; and 18.360 Archaeological Resource Protection.
RECOMMENDATION:	APPROVAL , subject to conditions

I. CONTACT LIST

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II. OVERVIEW

The project site is located in the southwestern side of La Center approximately .17 miles north of the East Fork Lewis River. The project site is approximately 8.61 acres in total size and includes parcels 258766000 (4.65 acres) and 258631000 (3.96 acres). The applicant is proposing a boundary line adjustment with a concurrent subdivision of the adjusted site to create 41 lots for detached single-family residences in the Mixed Density Residential District (MDR-16) zone. Parcel 258766000 will be adjusted to 2.21 acres, and Parcel 258631000 will be adjusted to 6.4 acres. All proposed development will occur on the adjusted Parcel 258631000. The development site has a proposed density of 8 units per net acre. Proposed lots range in size from 3600 square feet at the smallest, to 6309 square feet at the largest.

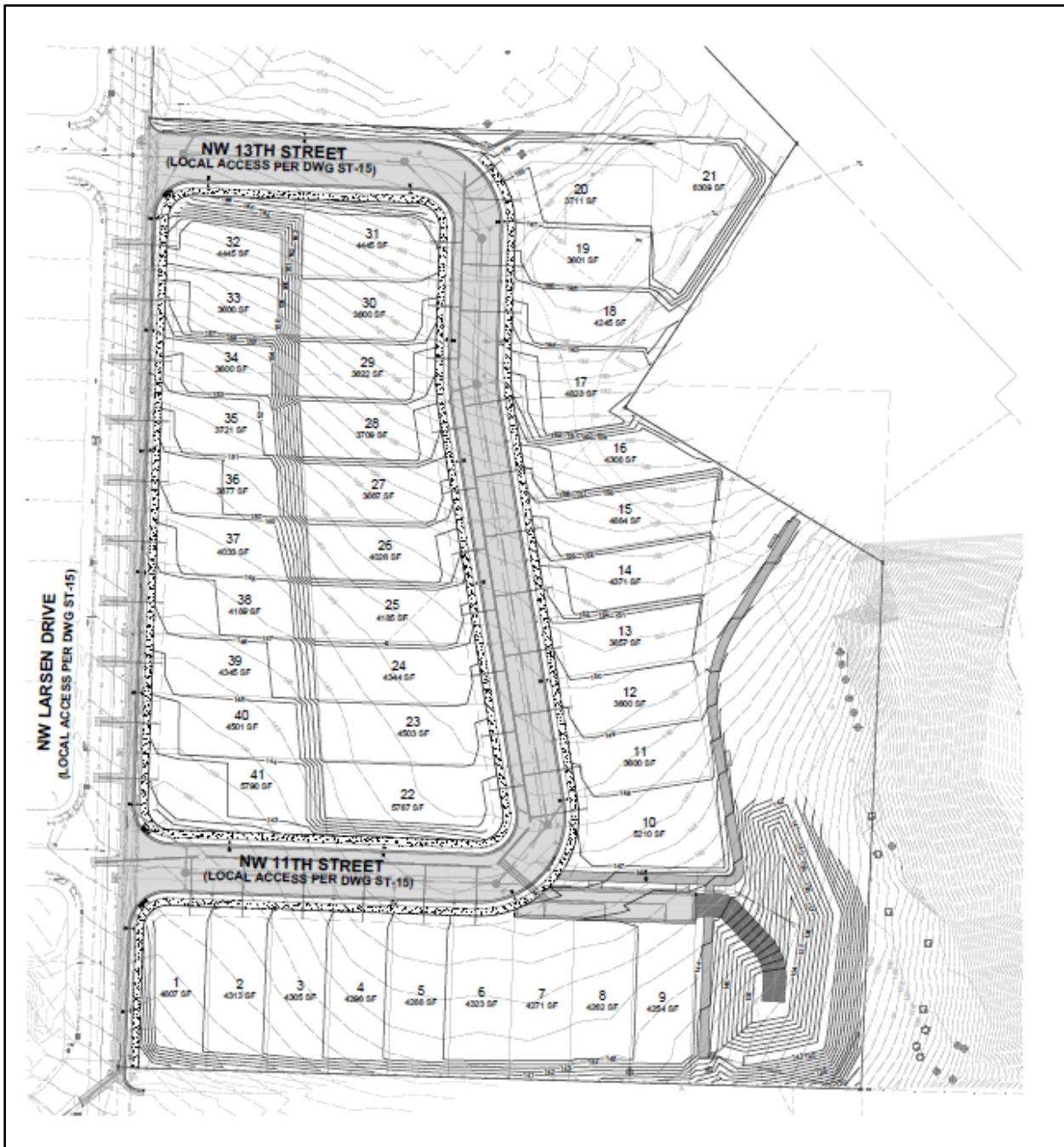
The project site is generally vacant with only an outbuilding and contains primarily field grass and scattered trees. Larsen Drive and Riverside Estates are found to the west of the site, NW Pacific Hwy and large lot single-family homes are to the north, single-family homes border the eastern property line, and single-family homes and an open space tract are located to the south. The project site currently has an Urban Holding overlay, which the applicant has requested to be removed with this application. A fish-bearing stream exists to the east of the project site, and a 200-foot stream buffer extends onto the southeastern portion of the site. The eastern portion of the site also contains steep slopes, severe erosion hazard areas, an Oregon White Oak tree, a Critical Aquifer Recharge Area (CARA) 2 designated areas, and moderate-high and high archaeological probability. A Critical Areas report, geotechnical report, and archaeological predetermination have all been included as Exhibits M, I, and L, respectively. The applicant also proposes to remove 4 of the identified 13 jurisdictional trees on site; 89 new trees will be planted along streets and within landscape buffers.

The applicant is proposing the development of a 6' wide trail in the riparian buffer tract area along the eastern boundary of the project site in compliance with the park and open space standards of LCMC 18.147. The 41-unit development requires a minimum of 0.25-acres of open space. Tract A, the identified open space tract, is approximately 43,017 square feet (.98 acres). Future expansion of the trail to the north and south may be possible as development occurs on adjacent parcels outside of this project limits.

Access to the site is provided via Larsen Drive which is classified as a Local Access Street. Frontage improvements including right-of-way dedication, pavement and sidewalks will be provided to meet standard detail ST-15. Within the subdivision to new roadways, NW 13th Way and NW 11th Street, will be constructed to serve the development. The streets will be designed as Local Access Streets per standard drawing ST-15. NW 13th Way and NW 11th Street will match existing intersections built with Phase 1 of Riverside Estates. All interior street improvements will have streetlights, street trees and stormwater improvements in accordance with LCMC 12.10.350 and 12.10.360.

The applicant is seeking review for the preliminary subdivision, boundary line adjustment, tree removal, SEPA, and critical areas review.

Figure 3 – Proposed Preliminary Plat



III. REVIEW

III. A Jurisdiction

The site is within La Center City limits and is zoned Mixed Density Residential (MDR-16). The City of La Center provides sanitary sewer service and public streets. Clark Public Utilities provides potable water service. The project is within the La Center School District and the Clark County Fire and Rescue Fire District service area.

III.B Public Notice

The public hearing notice was mailed April 16, 2024, and posted at the site April 17, 2024. The public hearing notice was published in The Columbian April 19, 2024.

The Department of Ecology entered the SEPA Checklist and MDNS in the Ecology SEPA Register on March 1, 2024 (Ecology SEPA # 202400958). The notice of application and SEPA comment period closed on March 15, 2024. The City received comments from two agencies, the State of Washington Department of Ecology (Ecology) and the State of Washington Department of Fish and Wildlife (WDFW).

Washington Department of Fish and Wildlife (WDFW)

WDFW provided comments on March 15, 2024 (Exhibit II). A summary of their comments is as follows:

- WDFW expressed concerns regarding the impacts future development will have on the critical areas on site. Particularly, the preliminary plans show the development of a stormwater pond and paved trail within the existing riparian buffer of the nearby Type F stream.
- WDFW provided recommendations for additional mitigation efforts to minimize impacts to the stream buffer as follows:
 - Using pervious surfaces for the proposed trail such as gravel or bark.
 - Planting species such as willows, red alder, and native wetland plants and grasses.
- WDFW acknowledged that an increase in human presence is likely to degrade the surrounding area, including potential introduction of invasive plant species, soil compaction, increased soil erosion risk, and an increase in garbage. To minimize impacts, WDFW suggests designating stream access points to consolidate potential impacts and limit human interaction to those designated areas by utilizing signage, trash receptacles, and educational materials.

Response: The applicant provided a memo (Exhibit Q) in response to the above comments received by the WDFW. The memo and associated critical areas exhibit detail that the proposed storm pond is over the 100-foot minimum distance from the identified Type F stream. Specifically, the storm pond is approximately 150-feet from the stream and storm outfall is approximately 135-feet from the stream. Willows and native wetland plants and grasses in and around the stormwater facility will be planted as recommended. The proposed path will be constructed using pervious gravel materials where it crosses within the buffer. A fence is proposed on the east side of the path to demarcate the buffer. The fencing consists of a chain link fence along the stormwater facility and a split rail fence in the remaining areas.

Washington Department of Ecology (Ecology)

The Washington Department of Ecology provided comments on March 14, 2024 (Exhibit II). A summary of their comments is as follows:

- The Department of Ecology pointed to the City of La Center's Critical Areas Ordinance (CAO) which states that riparian ecosystem buffers are generally an area of no building, consisting of undisturbed natural vegetation. The project must therefore follow mitigation sequencing to achieve no net loss of riparian function and maintain riparian vegetation. Department of Ecology suggests that the proposed stormwater detention pond be located entirely outside of the riparian buffer.

Response: The applicant provided a memo (Exhibit Q) in response to the above comments received by the Ecology. As detailed in the memo, the proposed location of the storm pond in the southeast portion is the only feasible location due to the topographic nature of the project site and cannot be moved further uphill due to the need to be situated at the low point of the site and near the stream for anticipated outfall. No

mature vegetation exists in the proposed location, and a mitigation plan has been provided to ensure no net loss of riparian habitat function occurs. Additional plantings will be provided in the degraded buffer to offset impacts from the proposed trail and storm facility.

III.C Key Issues

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

1. **Critical Areas:** According to the Washington Department of Natural Resources Forest Practices Application Mapping Tool, there is a mapped unnamed Type F (Fish) stream to the east of the Subject Site that flows from north to south. Type F streams require a 200-foot-wide buffer measured landward – this buffer extends into the southeast portion of the project site. The proposed stormwater facility falls partially within the stream buffer. The applicant is conditioned to obtain a critical areas permit for the impacts within the habitat buffer.
2. **Boundary Line Adjustment:** To facilitate the development of the proposed subdivision, a boundary line adjustment has been proposed between parcels 258766000 and 258631000. All development is proposed to occur on the newly oriented parcel 258631000, which will be adjusted to 6.4 acres in size. The proposed boundary line adjustment plat must be recorded prior to submittal of the final engineering plans.
3. **Tree removal/preservation:** The applicant provided an inventory of trees on the site, a tree protection plan, and a mitigation plan in compliance with LCMC 18.350 to obtain a tree cutting permit. Four of the existing 13 jurisdictional trees are proposed to be removed as part of this application, and 89 new trees are proposed to be planted along street frontage and proposed landscaping buffers.

Pedestrian Circulation: The subdivision plans show public sidewalks and handicap ramps from the subdivision to the existing sidewalk and ramps in Riverside Estates west of Larsen Subdivision.

III.D Land Use Analysis

LCMC Title 18, Development Code.

LCMC 18.30 Procedures

A pre-application conference was held with the applicant and other interested parties on July 26, 2023. The application was deemed technically complete on February 16, 2024. The City publicly noticed the SEPA MDNS on March 1, 2024. Two comments were received during the 14-day comment period that occurred following publication (see Exhibit II.B of this staff report). The City released the staff report on April 23, 2024, 8 days before the public hearing. Public hearings shall be conducted in accordance with the rules of procedure adopted by the hearings examiner. Public comments may be submitted either prior to or during the public hearing in writing or orally during the hearing. The City has not received any public comments on the proposal.

LCMC 18.140 (Medium Density Residential District | MDR-16)

The applicant is proposing 41 lots for detached single-family residences. Detached single-family dwellings are a permitted use in the MDR-16 zone (LCMC 18.140.020). Buildings are limited to 35 feet in height. The applicant is not proposing buildings at this time. A condition of approval will require that building height be met at time of building permit issuance.

The project is consistent with the density requirements of the MDR-16 zone which requires a minimum of 8 dwelling units per net acre. A net acre is defined to exclude public rights-of-way, private streets, public utility easements, public parks, and undeveloped critical areas and required buffers. The gross site area is 6.4 acres. Rights-of-way, public utilities, and critical area buffers total 2.304 acres, leaving a total of 4.096 net acres for the project site. With 41 proposed lots, the applicant is providing 10 units per acre meeting the minimum density and not exceeding the maximum density requirements of the zone.

Lots within the MDR-16 zone must be a minimum of 3,000 square feet and a maximum of 15,000 square feet. All lots fall within the minimum and maximum lot size requirements of the code.

Maximum building lot coverage area is 60% in the MDR-16 zone. No building development is proposed with the subject application, however compliance with this standard appears feasible. A condition of approval has been included which requires that all future building developments comply with the 60% maximum lot area coverage requirement.

The following table highlights the required lot dimension and setback standards for the MDR-16 zone.

Table 18.140.030

MDR-16 Density and Dimensional Requirements

Standard	Multifamily	Single-Family		
		Attached	Detached	Manufactured Home Park/Subdivision
Net Density ¹	8 – 16	8 – 14	8 – 12	4 – 12
Minimum Project Area ⁵	2.5 ac.	2.5 ac.	2.5 ac.	2.5 ac.
Minimum Lot Width	20 feet	20 feet	30 feet	20 feet ⁴
Minimum Lot Depth	60 feet	60 feet	60 feet	60 feet ⁴
Minimum Lot Area	1,400 SF	1,400 SF	3,000 SF	3,000 SF ⁴
Maximum Lot Area	N/A	N/A	15,000 SF	5,000 SF ⁴
Maximum Lot Coverage	85%	60%	60%	85% ⁴
Maximum Height ⁶	45 feet	35 feet	35 feet	20 feet
Setbacks ²				
Minimum Front Setback ³	10 feet	10 feet	10 feet	5 feet ⁴
Minimum Garage Setback from the Property Line	5 feet	20 feet	20 feet	5 feet ⁴
Minimum Garage Setback from Alley	3 feet	3 feet	3 feet	5 feet
Minimum Side Setback	0 feet attached or 10 feet abutting single-family detached	0 feet attached/4 feet nonattached	4 feet	5 feet ⁴
Minimum Street Side Setback	0 feet	10 feet	10 feet	5 feet ⁴
Minimum Rear Setback	20 feet	10 feet	10 feet	3 feet ⁴

¹ In a phased project, each phase of the project shall meet the density requirements.

² Setbacks and building envelopes shall be identified for each lot on the face of the plat or binding site plan.

³ Minimum front yard setback shall be 25 feet from arterial and collector streets.

⁴ In a manufactured home subdivision the lot area and setback standards represent an average within the subdivision.

⁵ The minimum project area requirements do not apply when legal lots in the R/P zone are proposed for multifamily or attached single-family housing.

⁶ The maximum height of a dwelling is depicted in this table; the maximum height of a garage or accessory building is 20 feet.

All lots will meet the minimum lot requirements of the zone. LCMC 18.40 defines “lot width” as “the horizontal distance measured at the building setback line between the two opposite side lot lines. Average lot width shall be the average of the front and rear lot lines.” The applicant is not showing proposed building footprints at this time. Average lot widths are 40-feet at the smallest, and a minimum depth of 74-feet.

LCMC 18.140.040 states that developments in the MDR-16 zone must provide street trees spaced 30 feet on center in planter strips along each street frontage. Type, location, and planting method shall be approved by the public works director. The applicant’s landscape plan (Exhibit P) shows street trees on all street frontages. Some of the proposed trees are grouped together and spaced at intervals exceeding 30-feet on center, likely to accommodate future driveways. A condition of approval will require that, prior to engineering approval, the applicant provide a final landscape plan which specifies location, quantity and planting methods for street trees. Trees will be planted as part of the Building Department approval to accommodate new driveways for each home.

As a **condition of approval**, the applicant shall submit engineering, construction, final plat, and building permit documents in compliance with the preliminary plat documents unless otherwise modified by conditions of approval in this staff report or as approved by the City through subsequent approvals.

As a **condition of approval**, the applicant shall demonstrate that the maximum building coverage and maximum impervious surface area requirements are met prior to issuance of a building permit for each lot.

As a **condition of approval**, prior to engineering approval, the applicant shall provide a final landscape plan with street trees spaced no greater than 30 feet on center and complying with all other street tree standards as outlined in LCMC 18.140.040(3).

LCMC 18.147 Parks and Open Spaces

The purpose of this chapter is to ensure implementation of the 2017 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.

According to LCMC 18.147.020(1)(b), any development in an MDR-16 zoning district that includes 35 or more dwelling units must dedicate or develop parkland, open space, and/or trails. Since 41 lots are proposed, this applicant is obligated to dedicate or develop parkland, open space or trails at the ratio of 0.25 acres for each 35 dwelling units (see LCMC 18.147.030[1][b]). The applicant is required to provide 0.25 acres of parks. The applicant is providing approximately .96-acres of open space with a trail, benches and other amenities within Tract A to meet this requirement.

LCMC 18.147.030(1)(b) contains park design standards which require that:

- Parks meet ADA accessibility regulations.
- Parks be designed by a landscape architect.
- Parks be one contiguous space.
- The minimum contiguous park size be 0.25 acres.
- Parks should not be located on a street of minor collector or higher classification.
- Parks be fronted by a road on 40 percent or more of their perimeter or a pedestrian pathway or other design element approved by the review authority to assure free and open public accessibility shall be established through a dedication or perpetual easement with a minimum width of 20 feet.
- Parks must have 75 percent of their area as usable active play areas and improved open space.
- Parks must contain certain amenities including: (1) paved pedestrian path (2) two sitting benches, one trash receptacle, one bike rack for six bikes, and one picnic table (all amenities to be provided per 0.25 acres) and one play structure for children ages 2-12.
- Undeveloped play space must be provided by live vegetation and have underground irrigation.
- There be a low fence or vegetative barrier between abutting residential lots that is 3.5 to six feet high that is not fully sight obscuring.
- Safety requirements of LCMC 18.147.030(1)(b)(xi) must be met.
- Trail linkages be provided to the existing La Center and regional trail system. An on roadway trail is shown along NW Pacific Highway. The new sidewalk infrastructure proposed by the project will further the goals of the plan by connecting the new neighborhood by public sidewalk to NW Pacific Highway.
- Passive open spaces such as wetlands shall be combined with active open spaces and improved with trails, where feasible.
- Parks must be completed prior to issuance of occupancy of the 25th dwelling unit, this includes construction of benches, trash receptacles, and the open space identified in Tract A.
- Parks must be dedicated or have public access easements.

The applicant's proposed park and open space in Tract A meet or can be conditioned to meet the above requirements as follows:

- The applicant does not provide details on ADA accessibility for the park. A condition of approval will require that the applicant demonstrate that the park meets ADA accessibility requirements.
- The park is designed by Christopher Baumann, a registered Washington landscape architect.
- Tract A is 0.96 acres in size, exceeding the 0.25-acre minimum contiguous park size.
- The park is accessed from a local road.

- Due to the location of the habitat area, it is infeasible for the park to have frontage along a public road. The applicant has provided a pedestrian pathway connection which will be conveyed for public use through a perpetual easement as reflected in the plans.
- More than 50 percent of Tract A is usable active play area and improved open space.
- Tract A is approximately 0.96 acres, however a portion of the tract, approximately 20,000 square feet is occupied by the stormwater facility, thus the park is approximately .5 acres. Given the adjusted size of the park area, the applicant is required to provide: four (4) benches and two (2) trash receptacles. Given the sensitive nature of the park as habitat buffer, the City has agreed that bike racks, picnic tables and play equipment are not appropriate. The applicant's proposed park design is consistent with alternate design standards approved by the Public Works Director.
- The undeveloped play area is mostly covered by seed or sod and trees, and no irrigation is shown.
- The applicant's park plans do not show a low fence or vegetative barrier adjacent to lots 9-15. A condition of approval will require a low fence or vegetative barrier adjacent to these lots.
- The proposed park and trail system in Tract A will connect to the proposed NW 11th Street. An on roadway trail is shown along NW Pacific Highway. The new sidewalk infrastructure proposed by the project will further the goals of the plan by connecting the new neighborhood by public sidewalk to NW Pacific Highway.
- A condition of approval will require that the park be constructed prior to the 25th dwelling unit, this includes construction of benches, trash receptacles, and development of the open space identified in Tract A.
- As a previously stated condition of approval, the applicant shall place the park in a public access easement.

As a **condition of approval**, prior to engineering plan approval, the applicant shall demonstrate that the park meets ADA accessibility regulations.

As a **condition of approval**, the applicant shall place the park in a public access easement.

As a **condition of approval**, the applicant's final park plan must provide a minimum of four benches and two trash receptacles.

As a **condition of approval**, the applicant's final park plan shall show a low fence or vegetative barrier where the park abuts residential lots.

As a **condition of Approval**, the applicant shall complete the required park and trail improvements or provide the City with a bond or other financial security bond, in an amount of at least 125 percent of the estimated cost of construction of the Tract A improvements with surety and conditions satisfactory to the Public Work Department providing for and securing to the City the actual construction and installation of such improvements prior to final plat approval.

As a **condition of approval**, the applicant shall construct the park prior to the issuance of occupancy for the building permit of the 25th dwelling unit, this includes construction of benches, trash receptacles, and development of the open space identified in Tract A.

LCMC 18.190 Urban Holding District (UH-10)

The City applies the Urban Holding-10 overlay zone to protect lands identified within the city limits from premature development where capital facilities are inadequate to support development under the urban zoning designation. Development within this overlay zone has certain restrictions. The subject site was recently annexed into the City. The project area is located within the UH-10 designation. Per LCMC 18.190.060(2), the UH-10 overlay zone may be removed if adequate capital facilities, as defined in the capital facilities plan, are required as a condition of phased development approval. Public facilities for the subdivision are proposed, and the City public works staff will determine the adequacy of these facilities.

As a **Conditional of Approval**, all proposed public facilities must meet the requirements of the capital facilities plan and all City engineering standards prior to approval of engineering and construction plans for the development. Meeting this condition will remove the UH-10 designation from the two parcels.

LCMC 18.210 Subdivisions

A preliminary plat is subject to pre-application review (LCMC 18.210.010). A 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 review process (LCMC 18.210.020) with the City's hearing examiner making the final decision.

The City conducted a pre-application conference for the proposed project on July 26, 2023 (2023-025-PAC). The City received an application for preliminary plat on January 30, 2024. The City found the application "technically complete" on February 16, 2024. The La Center Hearing Examiner will consider the preliminary plat application on May 1, 2024, 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;***
- (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.***

LCMC 18.210.040(1) requires the La Center review authority to approve a preliminary plat if he or she finds:

- (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.***

Refer to the appropriate sections in this staff report that address the aforementioned chapters of the LCMC. Conditions of approval are outlined throughout the document and listed in Section IV of this staff report. A condition of approval will require that, prior to construction, the applicant obtain building permits in compliance with LCMC 15.05. A condition of approval will also require that the applicant pay all system development fees and park, traffic, and school impact fees in effect at the time of the building permit issuance.

As a **condition of approval**, the applicant shall obtain building permits in compliance with LCMC 15.05 prior to construction.

As a **condition of approval**, prior to the issuance of occupancy for building permits, the applicant shall pay all system development fees, park, school, and traffic impact fees in effect at the time.

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.

As a **condition of approval**, the preliminary plat shall expire five years from the date of approval by the hearing examiner, unless an application for final plat is submitted or an extension is requested per LCMC 18.210.050(2) and (3).

As a **condition of approval**, 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 20 feet from the interior edge of a sidewalk.

LCMC 18.220 Boundary Line Adjustments

The applicant has submitted a boundary line adjustment application with relevant sales history for each parcel, copies of all deeds showing previous owners, a site plan showing the current conditions of the site, and a site plan showing the proposed conditions in accordance with LCMC 18.220.010(3). This application was deemed technically complete on February 16, 2024. The proposed boundary line adjustment between parcels 258766000 and 258631000, two MDR-16 zoned properties, will result in the following parcel sizes:

- Parcel 258766000 – adjusted from 4.65 acres to 2.21 acres.
- Parcel 258631000 – adjusted from 3.96 acres to 6.4 acres.

Both resulting parcels will meet the minimum lot size requirements of MDR-16 zoned properties.

As a **condition of approval**, both new parcel configurations must be recorded prior to the submittal of final engineering plans.

Interior streets of Larsen Subdivision show a pedestrian connection and ADA accessibility to Riverside Estates subdivision. Riverside Estates subdivision provides access to a future shared use path along Pacific Highway that will connect to downtown La Center.

LCMC 18.225 Legal Lot Determinations

According to LCMC 18.225.010(2), the legal lot determination standards apply to all subdivision applications. Per 18.225.010(3)(a), the lot of record status may be formally determined as part of a development request for parcels that are not part of a platted land division and shall be reviewed by the City for compliance with the criteria standards of this section.

A request for a legal lot determination for both subject parcels, 258766000 and 258631000, was included with the subject application. All required information outlined in LCMC18.225.010(4) have been included with the proposal. Both parcels were the subject of a previously approved boundary line adjustment which was reviewed, approved, and declared exempt from platting regulations and found to be in conformance with zoning standards by the City of La Center Department of Community Development under case #2019-031-BLA/VAR. Therefore, both parcels are legal lots of record.

LCMC 18.230 Monumentation, Survey, and Drafting Standards

- *18.230.010 Imprinted Monumentation*
- *18.230.020 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*

All sections apply to the applicant's development.

Chapter 18.230 Monumentation, Survey, and Drafting Standards

As a **Condition of Approval**, the applicant shall comply with all provisions regarding monumentation outlined in Chapter 18.230.

As a **Condition of Approval**, as outlined in LCMC 18.230.090, the final plat shall be drawn with ink upon three-millimeter Mylar film, or equivalent; said sheets are to be 30 inches by 21 inches, with a one-inch border on each side or as otherwise directed by the Clark County recording agency.

LCMC 18.240 Mitigation of Adverse Impacts

Chapter 18.240.010 Purpose

This chapter provides the City with the authority to require prospective developers to mitigate the direct impacts the City has specifically identified as a consequence of proposed development, and to make provisions for mitigation 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.

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.]

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.

The proposed project has the potential to impact public services, traffic, critical areas, and other elements of the environment. Mitigations proposed by the applicant are reviewed in this staff report for conformance with applicable standards and any additional mitigations and conditions addressing said impacts are highlighted throughout this report. How the project impacts public facilities and mitigations to these impacts are addressed in the following sections of this staff report.

- **Parks:** Section III.E, 18.147
- **Sewer:** Section III.G
- **Water:** Section III.G
- **Stormwater:** Section III.G
- **Streets, sidewalks, and traffic:** Section III.G

- **Police, fire, and schools:** Section III.G
- **Street lighting:** Section III.G
- **Impact fees:** Section III.G

Chapter 18.245 Supplementary Development Standards

The standards in this chapter apply to development generally within the city of La Center. They can be used in any review process where applicable to evaluate or condition approval of an application.

According to the submitted narrative, no landscape fences or hedges are proposed. Security fencing is proposed but not depicted on the preliminary plan set. As a **condition of approval**, if any fences or hedges are proposed prior to the final plat, the applicant must provide information to the extent as regulated by LCMC 18.245.020.

Each unit will have individual temporary storage for solid waste.

The applicant is proposing street lighting with the project and has submitted a preliminary lighting/photometrics plan. The proposed lights will not cause more than a one foot-candle measure at any property line in conformance with 18.245.040 and LCMC 18.282.

The site is zoned MDR-16 and properties to the south and west are zoned MDR-16. Lots to the immediate east are zoned LDR-7.5. Properties to the north are separated by NW Pacific Hwy and are zoned LDR-7.5. According to Table 18.245.060, MDR sites abutting other LDR sites require additional landscape screening. Screening is shown where residential lots abut Parcel 258766-000 and Parcel 258768-000. A buffer is not proposed within Tract A since it is designated critical areas open space and provides sufficient separation from any proposed MDR lots from the LDR-7.5 lots to the east. Therefore, staff finds that the preliminary landscape plan and proposed landscape screening comply as presented.

LCMC 18.245.060(8) requires that ground-level exterior equipment be screened from adjoining property used or zoned for residential purposes or from an adjoining public road right-of way to at least an F2 or L3 standard, if visible. A **condition of approval** will require this be met.

LCMC 18.245.060(10) requires all landscaping be installed prior to issuance of occupancy or final inspection within six months after issuance of occupancy or final inspection if it would increase the likely survival of plants. A **condition of approval** will require this be met.

LCMC 18.245.060(11-16) contain plant material size and quality requirements. The applicant's final landscape plan must comply with these requirements.

LCMC 18.245.060(18) contains irrigation requirements. All required landscape areas including within the Tract A open space and trail, planter strip on along public roadways, and Tract B must meet the City's irrigation requirements.

As a **condition of approval**, if any fences or hedges are proposed prior to the final plat, the applicant must provide information to the extent as regulated by LCMC 18.245.020.

As a **condition of approval**, ground-level exterior equipment such as air condition units, must be screened from view to an F2 or L3 standard prior to issuance of occupancy for each dwelling unit.

As a **condition of approval**, the applicant shall install all landscaping prior to issuance of final inspection for each dwelling unit or no more than six months after final inspection if it will increase plant survival.

As a **condition of approval**, the applicant's final landscape plan shall comply with the requirements of LCMC 18.245.060(11-16) prior to final plat approval.

As a **condition of approval**, all required landscape areas including within the Tract A open space and trail, Tract B, and planter strip along public roadways must meet the City's irrigation requirements in LCMC 18.245.060(18).

LCMC 18.280 Off-Street Parking and Loading Requirements

Each dwelling unit shall be provided with at least two (2) off-street parking spaces per LCMC Table 18.280.040 for developments of single-family detached homes.

The narrative states that "each future home will provide at least 3 off-street parking spaces within garage and/or driveway areas." As a **Condition of Approval**, the applicant shall provide each dwelling unit prior to building permit approval with at least two (2) off-street parking spaces per LCMC Table 18.280.040.

III.E Critical Areas Review / SEPA Analysis

LCMC 18.300 Critical Areas

Mapped critical areas on the site by Clark County include geologic hazards and a Type F stream buffer. A summary of key findings from technical reports are as follows:

1) Geological Hazards

According to the Geotechnical Engineering Report prepared by Columbia West Engineering, Inc. (Exhibit I), the site has the following geological hazard indicators:

- Erosion Hazard Areas
- Slope and Landslide Hazard Areas
- Seismic Hazard Areas

The report provides various recommendations for mitigating potential geological hazards including the prohibition of concentrated drainage or water flow over the face of slopes and the implementation of adequate erosion control measures during and post construction. A geotechnical setback of 30 feet from the eastern ravine's existing top-of-slope has been recommended to reduce the risk of adverse impacts of slope stability. The geotechnical setback is reflected on the preliminary plat. The report concludes that the "proposed development is generally compatible with surface and subsurface soils, provided the recommendations presented in this report are incorporated in design and implemented during construction...."

As a **condition of approval**, the applicant shall comply with all recommendations presented in the Geotechnical Engineering Report prepared by Columbia West Engineering, Inc.

As a **condition of approval**, the geotechnical setback shall be denoted on all construction plans as well as the final plat.

2) Fish and Wildlife Habitat Conservation Areas

Priority Habitat (Type F Stream/Oregon White Oak)

A Critical Areas Report was prepared by Loowit Consulting and is included by reference as Exhibit M. As reflected in that report the subject site has mapped habitat areas which are further discussed below.

An Oregon white oak is located on the east property line with a drip line that extends onto the site. The tree falls within the geotechnical setback and the 200' stream buffer and will not be impacted by this development.

A Type F stream is found to the east of the project site. Type F streams have an identified 200-foot riparian buffer. Per comments received by WDFW, functional stormwater facilities should be setback 100-feet at a minimum from the identified stream. The proposed storm pond falls approximately 150-feet from the identified buffer, with storm outfall occurring approximately 125-feet away. Additional mitigation measures have been included as a condition of approval in concurrence with the required critical areas permit. Planting of native species within and around the storm facility, and the construction of a pervious pedestrian path have been recommended.

As a **condition of approval**, the applicant shall provide a final mitigation plan prepared by a licensed biologist that:

- Addresses the anticipated impacts to the riparian buffer occurring as a result of the proposed storm facility and pedestrian path.
- Incorporates revised plant lists consistent with the response letter submitted by the applicant (Exhibit Q).
- Extends the monitoring period of all mitigation to 7 years as required by LCMC 18.300.090(2)(i).
- Reflects temporary and permanent physical demarcation along the buffer boundary consistent with LCMC 18.300.090(2)(n).

As a **condition of approval**, the applicant shall obtain a critical areas permit for impacts to the identified fish and wildlife habitat conservation area (Type F stream) buffer prior to engineering document approval in compliance with all applicable provisions of LCMC 18.300.090(2) including submittal of a critical areas report and mitigation plan.

As a **condition of approval**, the applicant shall record a conservation covenant over the identified critical area consistent with LCMC 18.300.090(2)(n)(iii). The limits of the covenant shall be reflected on the face of the final plat.

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 report, and the Responsible Official issued an optional Mitigated Determination of Non-Significance (MDNS) Threshold Determination in conformance with Washington Administrative Code 197-11-355 on March 1, 2024. The City filed the MDNS on March 1, 2024. The City published notice of the MDNS in Ecology SEPA Register. SEPA mitigation measures are incorporated in Section IV.C of this staff report.

LCMC 18.340 Native Plant List

All property owners throughout the city are required to avoid the use of plants from the nuisance plant list and shall not landscape with any plants on the prohibited plant list. The applicant's preliminary landscape plan (Exhibit P) does not include any nuisance or prohibited species.

As a **Condition of Approval**, the final Landscape Plan, once submitted, shall avoid the use of plants from the nuisance plant list and the prohibited plants list per Table 18.340.040(3) and Table 18.340.040(4).

LCMC 18.350 Tree Protection

The applicant has submitted a tree removal permit with an associated narrative and preliminary landscaping plan which identifies 89 new, native species trees to be planted. The site currently contains 13 jurisdictional trees, four (4) of which are proposed for removal. The existing trees fall into the following categories: (1) native trees and (2) evergreens. All trees onsite which are greater than 5 inches are regulated. A tree protection plan was also included with the proposal identifying which trees are to remain, which trees will be removed, and the new trees to be planted. All remaining trees have an identified protection fence surrounding them in accordance with LCMC 18.350.060(3).

As a **Condition of Approval**, any trees proposed for removal shall be flagged in the field consistent with LCMC 18.350.060 so that the City can verify trees to be removed and preserved consistent with 18.350.070(3). In addition, the applicant shall install construction fencing around trees to remain, so they are not inadvertently removed, and grading does not occur within their root zones.

As a **Condition of Approval**, trees regulated by chapter 18.350 that are proposed to be removed shall be mitigated consistent with LCMC 18.350.

LCMC 18.360 Archaeological Resource Protection

According to the Clark County Maps Online archaeological predictive model, the subject site is located in areas containing a moderate and moderate high risk of encountering archaeological resources. Per 18.360.030(12), an archaeological predetermination is required for projects which will have a high impact defined to include excavation of 12 inches below the ground surface and more than 10,000 square feet in moderate and moderate high-risk areas. The applicant's proposal will include excavation of more than 12 inches below grade for construction of roads and utilities which exceed 10,000 square feet in area and for grading on some areas of the site. Therefore, an archaeological predetermination is required for the proposed project.

An archaeological predetermination report was completed by Applied Archaeological Research and included in the submittal package (Exhibit L). No artifacts were observed on the surface or in the shovel test probes performed in the field. It is the archaeologist's opinion that no further archaeological work is necessary in association with the proposed project aside from adherence to an inadvertent discovery plan. A **condition of approval** will require that the applicant implement an inadvertent discovery plan, as recommended.

Based off of the information included in the submitted archaeological predetermination, staff concludes that an archeological resource survey, as detailed in LCMC 18.360.090, is not required for the proposed project.

See Section IV for a condition of approval regarding inadvertent discovery of archaeological or historical materials during project construction.

III.F 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 transportation impact study for the Larsen Drive Subdivision, prepared by Charbonneau Engineering, dated November 2023. The proposed development will construct a 41-lot subdivision is at 3214 NW Pacific Highway. Access to the site is proposed on Larsen Drive just east of Riverside Estate.

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 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 (2023) and future (2026) conditions during the AM peak hour and PM peak hour at the following study intersections:

- Pacific Highway a NW Larsen Drive/NW 14th Avenue
- Pacific Highway at 10th Street
- Pacific Highway at 10th Street
- Pacific Highway at 10th Street
- La Center Road at Timmen Road
- La Center Road at Paradise Park Road

The traffic study for Larsen Drive Subdivision has been prepared to determine the potential impacts at several study intersections along Pacific Highway, Timmen Road and La Center Road.

Development of the site includes 41 single-family homes. Trip generation is projected to be 387 daily trips with 29 AM peak hour trips and 39 PM peak hour trips. Intersection sight distance at the proposed access points on NW Larsen Drive was reviewed in accordance with the AASHTO standards. A travel speed of 25 MPH on Spruce Street requires an intersection sight distance of 280 feet in both directions.

The traffic report found that the intersections at La Center Road/Timmen Road and La Center Road/Paradise Park Road operate at a level of service "D," but the Larsen Drive Subdivision, will not decrease the level of service at these intersections.

No restrictions to the sightlines are present on Larsen Drive and the sight distance standard is met. Therefore, the intersection sight distance standard is met.

Chapter 12.10 -- Public and Private Road Standards

City of La Center Engineering Standards for Construction shall apply to all public road improvements unless modified by the director. LCMC 12.10.040.

General roadway and right-of-way standards shall apply, and the applicant shall provide half street improvements per the Local Access Standard for Larsen Drive per LCMC 12.10.090.

The applicant shall provide full street improvements on interior streets according to the City of La Center Local Access standard ST-15, per LCMC 12.10.090.

Half street improvements are required along the east frontage of Larsen Drive along the entire length of the applicant's property per LCMC 12.10.190. This includes frontage improvements along parcel 258631000, the subdivision frontage, and parcel 258766000, north of the proposed subdivision. Parcel 258766-000, will be on a separate parcel once the BLA is approved, but currently it is part of the applicant's property.

The development shall incorporate interior street improvements, streetlights, street trees, and stormwater improvements per LCMC 12.10.190. Street lighting shall be LED and shall comply with the City Engineering Standards for the type and spacing of the lights.

For driveways to each lot the applicant will need to comply with maximum driveway width as shown on standard detail ST-4.

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 shall be spaced per the IFC or as otherwise approved by the Fire District. The location of all the hydrants must be approved by the Fire District. The Fire District must approve access to all the lots per the IFC.

Clark Public Utilities must approve the water pipe system and service to all lots.

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.

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 through April 30, no soils shall remain exposed for more than two (2) days. From May 1 through September 30, 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 and October 31 with planting and seeding erosion control measures completed by October 1 to become established before the onset of wet weather.

Geotechnical Study

A complete application will include a geotechnical study and report, prepared by a geotechnical engineer or geologist, licensed in the state of Washington. The report shall include at a minimum, testing to support the structural section of the roadway, site building construction, grading, retaining-wall design, as applicable, and subsurface drainage. LCMC 18.212.050.

The applicant provided a Geotechnical Report. The following notes shall be provided:

1. References to Oregon standards for pavement recommendations. WSDOT standard specifications shall be referenced as the standard.

The applicant shall follow all recommendations by the report prepared by Columbia West Engineering dated July 31st, 2023. These are as follows:

2. Over-excavation and stabilization of pipe trenches or other excavations with imported granular fill or aggregate or also be necessary to provide adequate subgrade support.
3. The Geotechnical Report discusses recommends subdrains be installed along cuts slopes. It also suggests that because of the springs and seeps, that a drainage channel or perforated pipes be installed to drain the soil. Figure 6 in the report shows the use of subsurface drain rock and perforated pipe below the edge of the pavement.

A subsurface drainage system will need to be proposed to mitigate this groundwater, seepage problem behind the lots, as well as along the proposed roads. The standard city street sections will need to be modified to drain potential groundwater that can impact the roads. Section 7.5.2 of the report references figure 5 to be installed along the edge of new roadways. Columbia West recommends this design be used on a case-by-case basis. The city reserves the right to determine if groundwater seepage is present during public road construction, as recommended by Columbia West.

Columbia West recommends final cut or fill slopes do not exceed 2:1 slope.

The report recommends for construction traffic and staging use a minimum 12 to 18 inches of imported granular material separated by geotextile fabric.

Retaining Walls shall be designed per the recommended parameters in the Geotechnical Report. Grading for retaining walls can be shown on the Engineering plans, but the applicant will need to obtain a building permit for any retaining wall design.

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).

The Applicant's Engineer proposes to add 41 homes to the existing 8-inch diameter sewer in in Larsen Drive at NW 11th Street. The applicant will need to verify that this stub to the east exists, and it is good condition. This 8-inch sewer drains to a public pump station downstream in Tract E of Riverside Estates.

Per the Engineering Standards, the applicant is required to prepare calculations with a report that shows the future upstream influent and the capacity of the downstream facilities. The applicant provide analysis to show that the existing pump station and force main has enough capacity to facilitate the flow from Larsen Drive Subdivision.

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

- There are new sewer laterals shown for each home proposed along Larsen Drive. Connection to the sewer main in Larsen Drive will require sawcutting the pavement perpendicular to the drive lane. Paving the patches for each sewer lateral will cause a disruptive surface for vehicles driving along Larsen Drive. The applicant will need cold plane and pave the entire width of the pavement along Larsen Drive from the 11th Street to 13th Street to at least 2" depth of HMAC surface.

Chapter 18.320 (Stormwater and Erosion Control)

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. A Technical Information Report (TIR) will need to be submitted by the applicant and must comply with LCMC 18.320. The LCMC section 18.320.220 states that if surface water leaves the site, stormwater must be detained per LCMC. The design must meet the LCMC 18.320 and the 1992 Puget Sound Manual for the design of the system.

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 system. Laterals from the storm main in the street must be shown to serve each lot.

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.

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

The following are comments to the stormwater report and storm plan, which can be addressed during Engineering Design:

- There is a flow spreader shown for the stormwater outfall. Although this may work to distribute the storm flow evenly, it may not be enough to slow the overflow and prevent scouring of the adjacent property/critical area. In addition, an emergency overflow is necessary for stormwater events above the peak flows. The city recommends installing an energy dissipator in addition to the flow spreader. Such as an Army Corp stilling well. Attached are the design criteria for a "stilling well." This is only an example. The applicant can propose another design for energy dissipation.

- Access to the stilling will may be difficult. From the plans it looks like the grading plan shows a 12-foot wide level top of pond pad on the east side of the pond. The contours on the east side of the pond appear to be 2:1 or 3:1 slope. The Geotechnical Report recommends a maximum site fill slope of 2:1, but 4:1 may be better for easier access to the outlet structures, and easy access to the structures.
- The stormwater report used a hydrologic curve number representing the existing vegetation condition today. Per LCMC 18.320.220 (2) (c), states that “if surface runoff leaves a development site, and the predeveloped runoff calculations do not assume undisturbed forest in determining the runoff curve number, then a hydraulic and hydrologic analysis of the capacity of the downstream conveyance system shall be required”. The stormwater report assumed an existing curve number equaled to 85 for type C soil for meadow or pasture from Table III-1.3 SCS Western Washington Stormwater Manual. For Type C soil, the CN is 76 for undisturbed soil forest. In addition, Figure III-1.1 Volume Correction Factor shall be applied to the stormwater pond surface area for site added impervious area to control streambank erosion. This stable is from the 1992 “Puget Sound Manual”, the designated manual referenced by the LCMC.
- The lots south of NW 11th Street appear to be sloped south to drain to the property to the south. South of the property boundary is a paved road that provides access to the public sewer pump station. Stormwater will need to be collected for the roofs and property on these lots and piped either to the stormwater detention pond or west to a new catch basin and drained to the pond for East Fork Estates. If the applicant chooses to drain to this private pond, the applicant will need to obtain an agreement with East Fork Estates HOA and Riverside Estates HOA to connect to this pond.

Maintenance of Stormwater Facility

The applicant shall be responsible for maintenance of the stormwater facility until an HOA is established to maintain the facility. When the HOA assumes responsibility of the facility, the developer will establish monetary funding of a reserve fund, for maintenance of the stormwater facility, when at least 50 percent of development of the housing units has occurred or at minimum two years after completion and acceptance of the subdivision by the City, whichever is more. The applicant and future owners will be responsible for maintaining the stormwater facility. An operations manual must be submitted for City review 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 percent 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 the following.

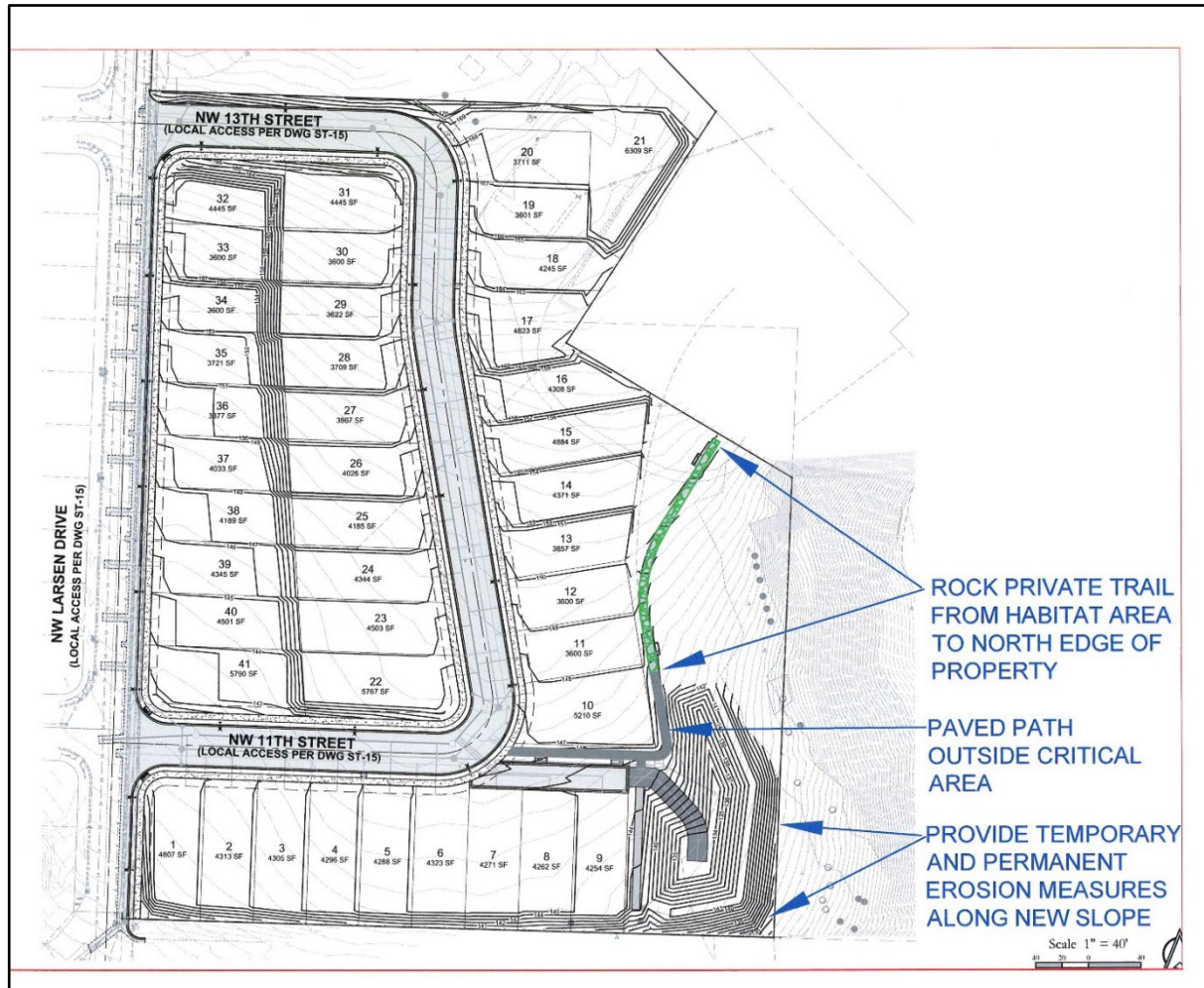
1. The developer shall establish a homeowner’s association (HOA) and Articles of Incorporation, By-laws and CC&Rs of the HOA shall reflect that the HOA’s operation and maintenance costs for stormwater facilities shall be borne by the HOA. The applicant will provide a “Stormwater Covenant” that shall 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 assess 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.

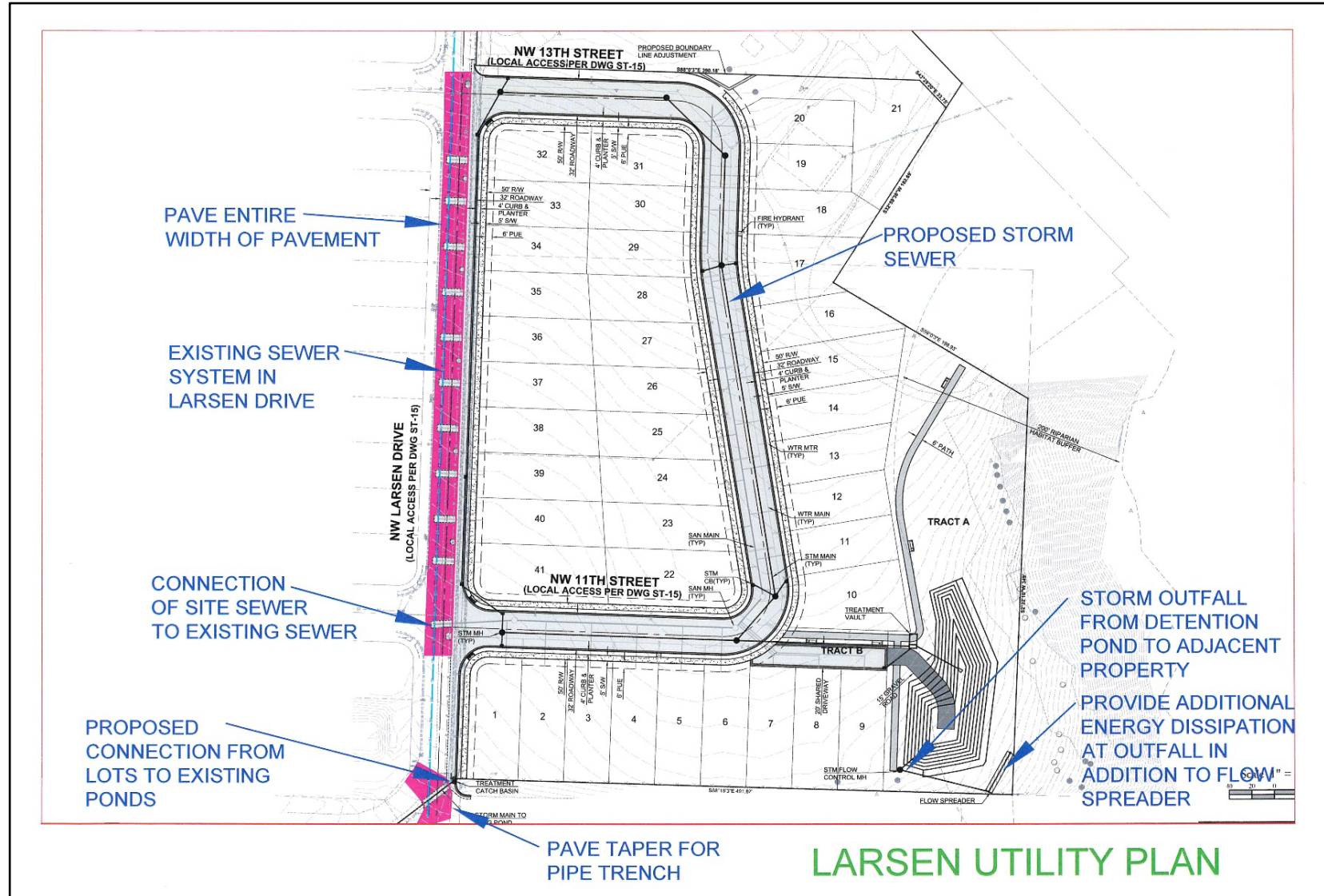
Street Lighting

Street light design and installation is reviewed and approved by the City of La Center. Street lighting on local streets shall be Acorn full-cutoff, single-fixture on a black decorative fiberglass pole per the Engineering Standards. The applicant shall submit a photometric analysis along with the street light design to verify compliance with the Engineering Standard.

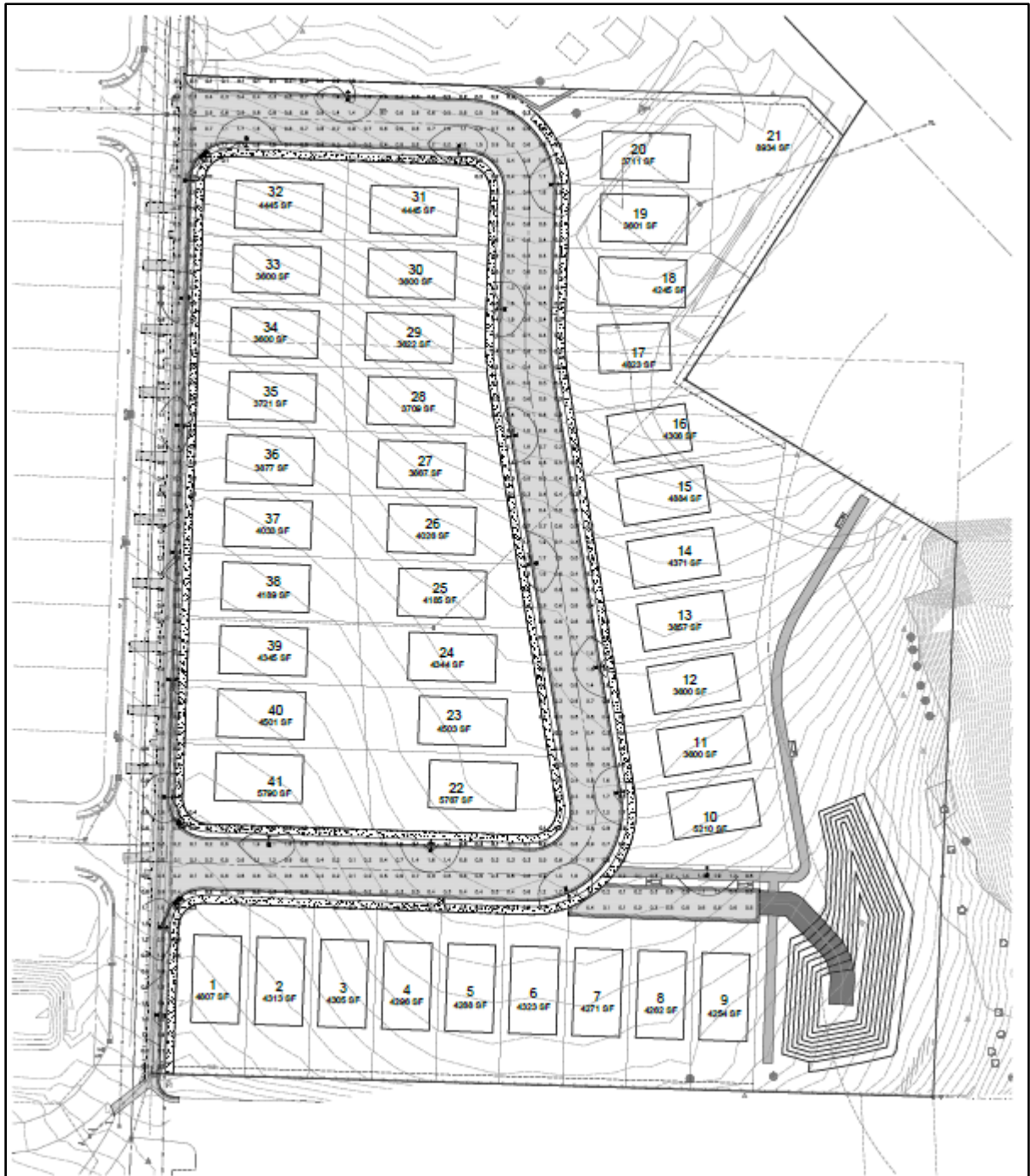
Preliminary Grading Plan



Storm and Sewer Plan



Photometric Plan



04/23/2024

Larsen Subdivision 2024-003-SUB/SEPA/BLA/CAR/TRE

Chapter 15.35 LCMC School Impact Fees

As a **Condition of Approval**, 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.

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. The applicant shall submit engineering, construction, final plat, and building permit documents in compliance with the preliminary plat documents unless otherwise modified by conditions of approval in this staff report or as approved by the City through subsequent approvals.
2. Prior to submittal of the final engineering plans, the applicant shall record the proposed boundary line adjustment plat.
3. The applicant shall demonstrate that the maximum building coverage and maximum impervious surface area requirements are met prior to issuance of a building permit for each lot.
4. Prior to engineering approval, the applicant shall provide a final landscape plan with street trees spaced no greater than 30 feet on center and complying with all other street tree standards as outlined in LCMC 18.140.040(3).
5. Parks and Open Spaces
 - a. Prior to engineering plan approval, the applicant shall demonstrate that the park meets ADA accessibility regulations.
 - b. Prior to final plat approval, the applicant shall place the park in a public access easement.
 - c. The applicant's final park plan must provide a minimum of four benches and two trash receptacles.
 - d. The applicant's final park plan shall show a low fence or vegetative barrier where the park abuts residential lots.
 - e. The applicant shall complete the required park and trail improvements or provide the City with a bond or other financial security bond, in an amount of at least 125 percent of the estimated cost of construction of the Tract A improvements with surety and conditions satisfactory to the Public Work Department providing for and securing to the City the actual construction and installation of such improvements prior to final plat approval.
 - f. The applicant shall construct the park prior to the issuance of the occupancy permit for the 25th dwelling unit, this includes construction of benches, trash receptacles, and development of the open space identified in Tract A.
6. The applicant shall obtain building permits in compliance with LCMC 15.05 prior to construction.
7. Prior to the issuance of building permit occupancy, the applicant shall pay all system development fees, park, school, and traffic impact fees in effect at the time.
8. The preliminary plat shall expire five years from the date of approval by the hearing examiner unless an application for final plat is submitted or an extension is requested per LCMC 18.210.050(2) and (3).
9. 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 20 feet from the property line.

10. The applicant shall comply with all provisions regarding monumentation outlined in Chapter 18.230.
11. As outlined in LCMC 18.230.090, the final plat shall be drawn with ink upon three-millimeter Mylar film, or equivalent; said sheets are to be 30 inches by 21 inches, with a one-inch border on each side or as otherwise directed by the Clark County recording agency.
12. If any fences or hedges are proposed prior to the final plat, the applicant must provide information to the extent as regulated by LCMC 18.245.020.
13. Ground-level exterior equipment such as air condition units, must be screened from view to an F2 or L3 standard prior to issuance of occupancy for each dwelling unit.
14. The applicant shall install all landscaping prior to issuance of final inspection for each dwelling unit or no more than six months after final inspection if it will increase plant survival.
15. The applicant's final landscape plan shall comply with the requirements of LCMC 18.245.060(11-16) prior to final plat approval.
16. All required landscape areas including within the Tract A open space and trail and planter strips along public roadways must meet the City's irrigation requirements in LCMC 18.245.060(18).
17. The applicant shall provide each dwelling unit prior to building permit approval with at least two (2) off-street parking spaces per LCMC Table 18.280.010.
18. Critical areas
 - a. The applicant shall comply with all recommendations presented in the Geotechnical Engineering Report prepared by Columbia West Engineering, Inc and dated July 31, 2023.
 - b. The applicant shall include the geotechnical setback on all construction plans as well as the final plat.
 - c. The applicant shall obtain a critical areas permit for impacts to the identified fish and wildlife habitat conservation area (Type F stream) buffer prior to engineering document approval in compliance with all applicable provisions of LCMC 18.300.090(2) including a final mitigation plan.
 - d. The applicant shall provide a final mitigation plan prepared by a licensed biologist that:
 - i. Addresses the anticipated impacts to the riparian buffer occurring as a result of the proposed storm facility and pedestrian path.
 - ii. Incorporates revised plant lists consistent with the response letter submitted by the applicant (Exhibit Q).
 - iii. Extends the monitoring period of all mitigation to 7 years as required by LCMC 18.300.090(2)(i).
 - iv. Reflects temporary and permanent physical demarcation along the buffer boundary consistent with LCMC 18.300.090(2)(n).
 - e. The applicant shall mark the buffer of the Type F stream and priority white oak during and throughout construction in compliance with LCMC 18.300.090(2)(n). Following construction, the applicant shall mark the buffer permanently along the upland boundary of the buffer in compliance with LCMC 18.300.090(2)(n). The permanent marking may consist of logs, a tree or hedge row, fencing and small signs at an interval of one per lot or every 50 feet, whichever is less worded substantially as follows: "Fish and Wildlife Buffer – Please Retain in a Natural State."

- f. The applicant shall include the boundary of the Type F stream and its buffer and a reference to the recorded conservation covenant on the face of the final plat consistent with LCMC 18.300.090(2)(n)(iii).
- 19. The final Landscape Plan, once submitted, shall only include native plants approved for use in La Center per Table 18.340.040(2) within critical areas and buffers, avoid plants on the Nuisance List Table 18.340.040(3), and not use prohibited plants from Table 18.340.040(4).
- 20. Tree Protection
 - a. Any trees proposed for removal shall be identified on the plan and shall be flagged in the field consistent with LCMC 18.350.060 so that the City can verify trees to be removed and preserved consistent with 18.350.070(3). In addition, the applicant shall install construction fencing around trees to remain, so they are not inadvertently removed, and grading does not occur within their root zones.
 - b. Any trees regulated by chapter 18.350 that are proposed to be removed shall be mitigated consistent with LCMC 18.350.
- 21. Impact Fees. Each builder shall be assessed and shall pay the impact fees for schools, parks and transportation in effect at the time of building permit issuance. The applicant shall be credited impact fees for the existing residence onsite.

IV.B Public Works and Engineering Conditions

- 1. City of La Center Engineering Standards for Construction shall apply to all public road improvements unless modified by the director LCMC 12.10.040. General roadway and right-of-way standards shall apply.
- 2. The applicant shall provide half street improvements per the Local Access Standard for Larsen Drive per LCMC 12.10.190, and full street improvements per LCMC 12.10.090.
- 3. Local half street improvements are required along the east frontage of Larsen Drive along the entire length of the applicant's property per LCMC 12.10.190. This includes frontage improvements along parcel 258631000. Parcel 258766000, will be on a separate parcel once the BLA is approved, but currently it is part of the applicant's property, and required to construct half street improvements.
- 4. The development shall incorporate interior street improvements, streetlights, street trees, and stormwater improvements per LCMC 12.10.190. Street lighting shall be LED and shall comply with the City Engineering Standards for the type and spacing of the lights.
- 5. Each driveway must comply with the maximum driveway width as shown on standard detail ST-4.
- 6. All pedestrian paths of travel located in the public right of way, including sidewalks, curb ramps, and pedestrian crossings must comply with the American Disabilities Act standards.
- 7. All fire hydrants must be spaced per the IFC or as otherwise approved by the Fire District – all fire hydrants must be approved by the Fire District.
- 8. Access to each lot must be approved by the Fire District per the IFC.
- 9. The proposed water pipe system and service to all lots must be approved by Clark Public Utilities prior to installation.
- 10. The final plat shall contain street names and addresses as provided by the City.
- 11. Monumentation shall be placed as directed by the City and shall be inside a cast iron monument case flush with the final street grade with a brass cap in a 30-inch-long pipe as set by the surveyor of record. Monumentation must be shown on the final subdivision plat map.
- 12. The City Erosion Control Standards require that any activity disturbance over 500 SF must comply with the city standards. 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 through April 30, no soils shall remain exposed for more than two (2) days. From May 1 through September 30, no soils shall remain exposed more than seven (7) days.

13. 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 and October 31 with planting and seeding erosion control measures completed by October 1 to become established before the onset of wet weather.
14. Final grading and erosion control plans showing the proposed contours must be submitted as part of the final subdivision plans.
15. A construction stormwater permit is required per the Department of Ecology and an SWPPP must be included within the final plans submitted to the city.
16. The applicant shall follow all recommendations by the report prepared by Columbia West Engineering dated July 31st, 2023, these are as follows:
 - a. Over-excavation and stabilization of pipe trenches or other excavations with imported granular fill or aggregate or also be necessary to provide adequate subgrade support.
 - b. The Geotechnical Report discusses recommends subdrains be installed along cuts slopes. It also suggests that because of the springs and seeps, that a drainage channel or perforated pipes be installed to drain the soil. Figure 6 in the report shows the use of subsurface drain rock and perforated pipe below the edge of the pavement.
 - c. Retaining Walls shall be designed per the recommended parameters in the Geotechnical Report.
 - d. Final cut and fill slopes should not exceed 2:1 slope.
 - e. Use of a minimum 12to18 inch imported granular material separated by geotextile fabric is recommended for construction access and staging.
17. The geotechnical engineering report shall be revised to reference the WSDOT standard rather than the Oregon standards.
18. The applicant shall obtain a building permit for any retaining wall design.
19. Connection to public sewer is required as per LCMC 13.10. All work is to be performed by a duly licensed contractor in the City of La Center. Work will be performed using an open trench method unless otherwise approved.
20. Existing septic system must be abandoned or removed as necessary per Clark County Environmental Health permitting.
21. The applicant shall cold plane and pave the entire width of the pavement along Larsen Drive from the 11th Street to 13th Street to at least 2" depth of HMAC surface.
22. A final Technical Information Report (TIR) shall be submitted by the applicant and must comply with LCMC 18.320 and the 1992 Puget Sound Manual for the design of the system.
23. The Final Stormwater Report and design should address the following comments:
 - a. There is a flow spreader shown for the stormwater outfall. Although this may work to distribute the storm flow evenly, it may not be enough to slow the overflow and prevent scouring of the adjacent property/critical area. In addition, an emergency overflow is necessary for stormwater events above the peak flows. The city recommends installing an energy dissipator in addition to the flow spreader. Such as an Army Corp stilling well. Attached are the design criteria for a "stilling well." This is only an example. The applicant can propose another design for energy dissipation.
 - b. Access to the stilling will may be difficult. From the plans it looks like the grading plan shows a 12-foot wide level top of pond pad on the east side of the pond. The contours on the east side of the pond appear to be 2:1 or 3:1 slope. The Geotechnical Report

recommends a maximum site fill slope of 2:1, but 4:1 may be better for easier access to the outlet structures, and easy access to the structures.

- c. The stormwater report used a hydrologic curve number representing the existing vegetation condition today. Per LCMC 18.320.220 (2) (c), states that “if surface runoff leaves a development site, and the predeveloped runoff calculations do not assume undisturbed forest in determining the runoff curve number, then a hydraulic and hydrologic analysis of the capacity of the downstream conveyance system shall be required”. The stormwater report assumed an existing curve number equaled to 85 for type C soil for meadow or pasture from Table III-1.3 SCS Western Washington Stormwater Manual. For Type C soil, the CN is 76 for undisturbed soil forest. In addition, Figure III-1.1 Volume Correction Factor shall be applied to the stormwater pond surface area for site added impervious area to control streambank erosion. This table is from the 1992 “Puget Sound Manual”, the designated manual referenced by the LCMC.
 - d. The lots south of NW 11th Street appear to be sloped south to drain to the property to the south. South of the property boundary is a paved road that provides access to the public sewer pump station. Stormwater will need to be collected for the roofs and property on these lots and piped either to the stormwater detention pond or west to a new catch basin and drained to the pond for East Fork Estates. If the applicant chooses to drain to this private pond, the applicant will need to obtain an agreement with East Fork Estates HOA and Riverside Estates HOA to connect to this pond.
24. 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.
 25. Downspouts connections from the houses must connect directly into the site stormwater system. Laterals from the storm main in the street must be shown to serve each lot.
 26. Treatment BMPs shall be sized to treat the water quality design storm, defined as the six-month, 24-hour storm runoff volume.
 27. The applicant shall be responsible for maintenance of the stormwater facility until an HOA is established to maintain the facility. When the HOA assumes responsibility of the facility, the developer will establish monetary funding of a reserve fund, for maintenance of the stormwater facility, when at least 50 percent of development of the housing units has occurred or at minimum two years after completion and acceptance of the subdivision by the City, whichever is more.
 28. An operations manual must be submitted for City review and approval for the maintenance of the facility whether by the developer or future HOA.
 29. Adequate bonding is required to guarantee maintenance of the facility for a period of two years following final plat recording. The minimum bond amount shall be 10 percent of the construction cost of the stormwater facility.
 30. Stormwater facilities must be located in a separate tract.
 31. Prior to initiation of any construction or final plat approval, the developer shall demonstrate to the City’s satisfaction the following:
 - a. The developer shall establish a homeowner’s 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.

- b. The HOA shall be empowered to assess its members' fees to be reserved and used to reimburse the City for the operation and maintenance of the facilities if enforcement becomes necessary.
- c. 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.

32. Street light design and installation shall be reviewed and approved by the City of La Center.

IV.C SEPA (MDNS) Documentation and Mitigation Conditions

- 1. Earth: The applicant must comply with the design recommendations of the geotechnical site investigation by Columbia West Engineering, Inc. dated July 31, 2023.
- 2. Earth: All grading and filling of land must utilize only clean fill, i.e., dirt or gravel from an approved source;
- 3. Earth: All debris removed offsite must be disposed of at an approved location;
- 4. Air: The applicant is required to sprinkle the site with water during construction to reduce dust.
- 5. Air: The applicant shall use vehicles fitted with standard manufacturer's emission's control equipment to reduce construction-period emissions. Construction vehicles shall not be permitted to idle when not in use.
- 6. Water: The applicant must use approved erosion control best management practices during construction in compliance with LCMC 18.320 and the final approved stormwater technical information report.
- 7. Water: The applicant must comply with the recommendations of the Critical Areas Report and Stream Buffer Mitigation Plan prepared by Loowit Consulting Group, LLC., dated January 18, 2024, and any subsequent revision approved by the City.
- 8. Water: The applicant must comply with the recommendations of the critical areas report (January 18, 2024).
- 9. Water: The applicant must comply with the recommendations of the Water Utility Review Letter dated July 11, 2023.
- 10. Water: The applicant must use approved erosion control best management practices during construction.
- 11. Water: A City stormwater permit, and Stormwater Pollution Prevention Plan (SWPPP) shall be required for the proposed project and shall be approved prior to construction.
- 12. Plants: The applicant shall provide mitigation required by LCMC 18.350 for all trees on-site of 10 inches diameter at breast height (dbh) or greater which will be impacted or removed as reflected on the Existing Tree Protection Plan, prepared by Planning Solutions, Inc. dated January 9, 2024. The applicant shall protect the Oregon white oak tree and associated drip line located at the eastern property line as reflected in the Existing Tree Protection Plan, prepared by

Planning Solutions, Inc. dated January 9, 2024. All proposed street trees are to be planted thirty feet apart at center.

13. Environmental Health: The applicant shall decommission the existing septic system prior to engineering acceptance of public improvements and/or final plat recording accordance with Clark County requirements.
14. Environmental Health: For the demolition of the existing house on site, in addition to any required asbestos abatement procedures, the contractor shall ensure that any other potentially dangerous or hazardous materials present, such as PCB-containing lamp ballasts, fluorescent lamps, and wall thermostats containing mercury, are removed prior to demolition.
15. Environmental Health (Noise): All construction equipment shall have muffled exhaust and construction activities are only permitted during City-approved construction hours. Contractors are required to comply with the maximum noise level provisions of WAC 173-60 during construction.
16. Light and Glare: The applicant shall comply with the requirements of LCMC 18.282 (Outdoor Lighting).
17. Recreation: The applicant shall comply with LCMC 18.147 (Parks and Open Space).
18. Recreation: The applicant is required to pay park impact fees prior to issuance of building permits.
19. Historic and cultural preservation: In the event any archaeological or historic materials are encountered during project activity, work in the immediate area (initially allowing for a 100' buffer; this number may vary by circumstance) must stop and the following actions taken:
 - a. Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering;
 - b. Take reasonable steps to ensure confidentiality of the discovery site; and,
 - c. Take reasonable steps to restrict access to the site of discovery.
20. The applicant shall notify the concerned Tribes and all appropriate county, city, state, and federal agencies, including the Washington Department of Archaeology and Historic Preservation and the City of La Center. The agencies and Tribe(s) will discuss possible measures to remove or avoid cultural material and will reach an agreement with the applicant regarding actions to be taken and disposition of material. If human remains are uncovered, appropriate law enforcement agencies shall be notified first, and the above steps followed. If the remains are determined to be Native, consultation with the affected Tribes will take place in order to mitigate the final disposition of said remains.
See the Revised Code of Washington, Chapter 27.53, "Archaeological Sites and Resources," for applicable state laws and statutes. See also Washington State Executive Order 05-05, "Archaeological and Cultural Resources." Additional state and federal law(s) may also apply. Copies of the above inadvertent discovery language shall be retained on-site while project activity is underway.

Contact	Information
Cowlitz Indian Tribe, Nathan Reynolds, Interim Cultural Resources Manager	Phone: 360-575-6226; email: nreynolds@cowlitz.org
City of La Center, Bryan Kast, Public Works Director	Phone: 360-263-2889; email: bkast@ci.lacenter.wa.us
Office of the Clark County Medical Examiner (for human remains)	Phone: 564-397-8405; email: medical.examiner@clark.wa.gov

Washington DAHP, Dr. Allison Brooks, Ph.D, Director	Phone: 360-586-3066; email: Allyson.Brooks@dahp.wa.gov
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21. Transportation: The applicant shall comply with the recommendations of the Traffic Analysis Report prepared by Charbonneau Engineering, dated November 2023.
22. Transportation: The applicant is required to pay transportation impact fees prior to issuance of building permits.
23. Utilities: The applicant shall pay the applicable sewer system development charge for each residential unit. Applicable fees will be assessed at the time of building permit application and are due prior to issuance of final occupancy for each unit.
24. Public Services: The applicant shall pay school, and park impact fees prior to the issuance of building permits for the onsite units. Applicable impact fees will be assessed at the time of building permit application and are due prior to issuance of final occupancy for each unit.

IV.D CCFR Fire Conditions

1. Applicant must comply with all applicable requirements and receive approval through Clark Cowlitz Fire & Rescue.

IV.E CPU Conditions

1. Applicant must comply with all applicable requirements and receive approval through Clark Public Utilities.

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.)

Bryan Kast, P.E.,
Public Works Director
City of La Center



Anthony Cooper, P.E.
City Engineer
City of La Center

