

Staff Report

Hearing Date: December 16, 2025, at 5:30 pm City Hall 210 East 4th Street, La Center, WA 98629

Issuance Date: December 2, 2025

Case #: 2025-040-PLD Manning Meadows Subdivision

Public Hearing: Manning Meadows Subdivision

Preliminary Plat, Legal Lot Determination, SEPA Mitigated Determination of Non-significance (MDNS), Variance, Critical Areas Permit, and Tree Cutting Permit: Type III Review

CONTACT LIST

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Staff Report & Recommendations

Manning Meadows Subdivision: Type III

Preliminary Plat, Legal Lot Determination, SEPA Mitigated Determination of Non-significance (MDNS), Critical Areas Permit, and Tree Cutting Permit: Type III Review (File #2025-044-PLD)

PROPOSAL:	The applicant is requesting approval to divide approximately 11.6 acres into 81 attached and detached single-family residential lots. The property is currently zoned LDR -7.5 (Low Density Residential), and a zone change to MDR-16 (Medium Density Residential) is proposed through a separate Type IV application. The proposed lot sizes range from 2,649 square feet to 7,750 square feet. The applicant is proposing to utilize the density transfer provision.
LOCATION:	■ 1819 NE 339 th Steet, La Center WA ■ Parcel # 209048000
HEARING:	The La Center Hearings Examiner will conduct a public hearing on December 16, 2025, beginning at 5:30 PM at La Center City Hall, 210 East 4th Street, La Center, WA
APPLICABLE STANDARDS	La Center Municipal Code (LCMC): 3.35 Impact Fees; Title 12, Streets, Sidewalks, and Public Ways; Title 13, Public Utilities; Title 18, Development Code; 18.10 General Provisions; 18.10.090 Concurrency; 18.30 Procedures; 18.30.100 Type III Procedure; 18.130 Low Density Residential (LDR-7.5); 18.140 Medium Density Residential (MDR-16); 18.147 Parks and Open Spaces; 18.210 Subdivision Provisions; 18.225 Legal Lot Determination; 18.240 Mitigation of Adverse Impact; 18.245 Supplementary Development Standards; 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.
SEPA DETERMINATION	Mitigated Determination of Non-Significance issued September 30, 2025
RECOMMENDATION:	APPROVAL, Subject to Conditions

OVERVIEW

The applicant is proposing to subdivide approximately 11.6 acres into 81 single-family attached and detached residential lots, to include 3 tracts. One tract for a stormwater facility, one tract for park amenities, and one open space tract. The site is currently zoned Low Density Residential (LDR-7.5). The applicant has applied for a zone change to Medium Density Residential (MDR-16) with a separate Type IV application.

The proposed lots are between 2,649 and 7,750 square feet, with an average lot size of 5,199 square feet. Minimum lot widths are 20 feet for attached single family lots and 30 feet for detached and minimum lot depth for attached & detached single-family lots 60 feet. All proposed lots are in accordance with LCMC 18.140.030.

The project site is abutting the east boundary of La Center High School. The site is currently developed with one single-family residence and a detached garage. The northern portion of the site abuts NE 339th Street and Clark County is on the north side of 339th Street. To the west of the site is Heritage Country Estates and the zoning is LDR-7.5. A vacant property zoned LDR-7.5 and Heritage Country Estates is located on the south side of the site.

The site is currently accessed by NW 339th Street. Access to the proposed development will be off of 339th Street, E 8th Street is proposed to run west through the development area to proposed E Willow Avenue (running north and south), and E Spruce Avenue will extend north through Heritage Country Estates.

Park and open space amenities are proposed as a part of the project as required by LCMC 18.147 and the City's Parks and Recreation plan. A 25,633 square foot park and open space tract that includes playground equipment is proposed at the south-east corner of the site.

Figure 1: Project Location



Figure 2: Project Site



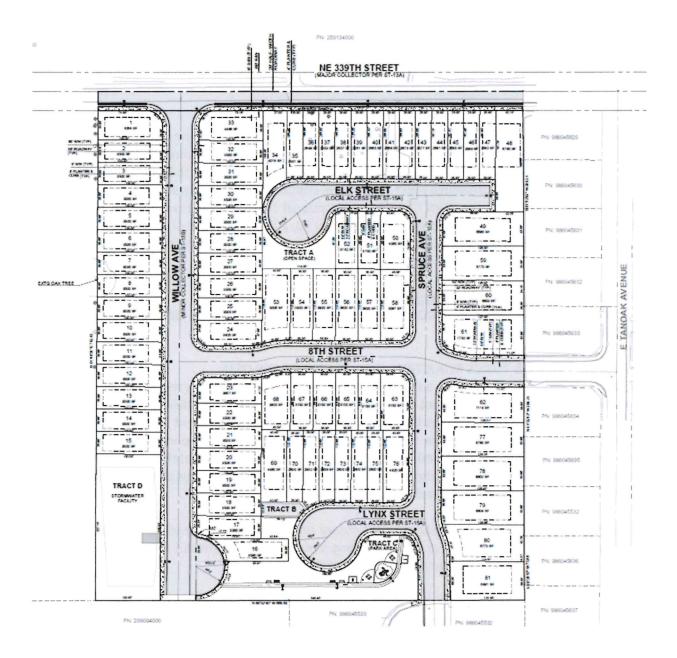


Figure 3: Proposed Preliminary Plat

REVIEW

Jurisdiction

The site is located within the City of La Center city limits and is zoned Low Density Residential (LDR-7.5). A zone change to Medium Density Residential is proposed as a separate Type IV application. The City of La Center provides sanitary sewer service and public streets. Clark County provides law enforcement services. Clark Public Utilities provides potable water and electricity service. The project is within the La Center School District and the Clark-Cowlitz Fire Rescue (CCFR) service area.

Public Notice

On September 30, 2025, a notice of application and likely SEPA Mitigated Determination of Non-Significance was sent to property owners within 300 feet of the site, parties of record, and the SEPA distribution list. On December 2, 2025, The Columbian published legal notice of the public hearing scheduled for December 16, 2025, preliminary plat application, critical areas permit, tree cutting permit, and SEPA MDNS. The City entered the SEPA Checklist and Optional Mitigated Determination of Non-Significance (MDNS) in the Ecology SEPA Register on September 30, 2025. The notice of application and SEPA comment period closed on October 14, 2025, and the City received four (4) comments (Exhibits 5, 6, 7 and 8).

Southwest Washington Department of Ecology (Exhibit 5)

Mr. Peck and Mr. Rocket from Washington DOE provided the following comment on October 13, 2025, via an e-mail to the City of La Center

HAZARDOUS WASTE & TOXICS REDUCTION: Garret Peck (564) 669-0836

The applicant proposes to demolish an existing structure(s). In addition to any required asbestos abatement procedures, the applicant should 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. It is important that these materials and waste are removed and appropriately managed prior to demolition. It is equally important that demolition debris is also safely managed, especially if it contains painted wood or concrete, treated wood, or other possibly dangerous materials.

As **a condition of approval**, the applicant must 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.

Please review the "Dangerous Waste Rules for Demolition, Construction, and Renovation Wastes," posted at Ecology's website, https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Dangerous-waste-guidance/Common-dangerous-waste/Construction-and-demolition. The applicant may also contact Katy Harvey of Ecology's Hazardous Waste and Toxics Reduction Program at katy.harvey@ecy.wa.gov for more information about safely handling dangerous wastes and demolition debris.

SOLID WASTE MANAGEMENT: Derek Rockett (360) 995-3176

All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from your local jurisdictional health department prior to filling. All removed debris resulting from this project must be disposed of at an approved

site. Contact the local jurisdictional health department or Department of Ecology for proper management of these materials.

Staff's Response: These items have been addressed in the SEPA (MDNS) Documentation and Mitigation Conditions within this report and is a **condition of approval.**

Washington State Department of Fish and Wildlife (Exhibit 6)

Mr. Holowatz from WDFW provided the following comment on October 13, 2025, via an e-mail to the City of La Center. A summary of her comments is provided below:

We appreciate that the project proponent has identified that there is a large Oregon white oak (OWO) present in the southwestern corner of the project area, and that impacts to the tree and dripline have been avoided. WDFW's guidance document Best management practices for mitigating impacts to Oregon white oak priority habitat contains additional information on avoiding, minimizing, and mitigating impacts to OWOs. We recommend that the project proponent seek further consultation from a certified arborist if the OWO tree's health appears to decline during or after construction.

If impacts do occur, we support La Center's mitigation measure 9, "Plants: The applicant shall mitigate for Oregon white oak removal if applicable in compliance with best available science as required by LCMC 18.300.100 (Best Available Science) and in coordination with the Washington Department of Fish and Wildlife."

Staffs Response:

The applicant is preserving and protecting the existing Oregon white oak to the extent practicable. No impacts are anticipated to the Oregon white oak, however, if impacts or decline to the tree occur, the applicant will be conditioned to comply with mitigation measures as required by BAS and LCMC 18.300.100 with WDFW coordination. Additionally, staff are conditioning the applicant to impose a monitoring plan with it's critical areas report to ensure that the proposed site improvements do not cause tree decline overtime.

Meachel Hill (Exhibit 7)

Meachel Hill, concerned neighbor emailed comments on October 9, 2025, A summary of her comments are provided below:

Meachel is extremely concerned about the application to rezone the property in question from low-density, to medium-density residential for the following reasons:

La Center is already expanding at an accelerated rate, with many new housing developments already in progress.

The impacts of the current developments are yet to be seen in real time, and should be evaluated after a period of time that the current and in-process constructions are complete.

Some considerations should include: added traffic, particularly in school zones, noise pollution, neighborhood population, overcrowding, school resources strain; school capacities, student-teacher ratio, ability to hire additional education staff, city services strain; water, sewer, police.

They believe growth in La Center is happening at an unmanageable pace and have seen the negative impacts that similar situations have caused in neighboring towns of Battle Ground and Ridgefield. Please strongly consider rejecting the medium-density zoning of Manning Meadows.

Staff Response:

- The UGB requires a certain amount of housing allocations within the City of La Center. The LDR-7.5 zone & MDR-16 zone are within the same comprehensive plan designation. Therefore; a zone change is an allowed use and a separate Type IV application has been applied for the rezone.
- As part of the application review the city requires a traffic study. The City engineer reviews the
 report and the applicant is required to make the appropriate mitigations needed. All
 developments are required to pay School Impact Fees for the impacts on the schools and the
 applicant is required to get approval from Clark Public Utilities and from La Center Sewer prior to
 applying for the application.

Adrianne Ward (Exhibit 8)

Adrianne Ward, concerned neighbor emailed comments on October 14, 2025, A summary of her comments are provided below:

As an original homeowner in Heritage Country Estates. I understand and appreciate the need for additional housing and more efficient land use. However, I have serious concerns about the proposed Manning Meadows development immediately adjacent to our low-density neighborhood. I believe that without proper transition, buffering, and design, this will lead to harm neighborhood character and infrastructure. My purpose is not to oppose change in all forms, but to ensure changes that are sensitive, compatible, and equitable.

Preservation of Neighborhood Integrity:

The current LGI proposal introduces differences in scale, and bulk that can feel abrupt and intrusive when placed directly next to the current low-density neighborhood environment.

The character of our neighborhood is defined by generous lot sizes, open spaces between buildings, quieter street frontages, and generally more privacy. The current LGI proposal needs to respect these by reducing building mass, preserving sightlines, and maintaining setbacks from existing homes.

More units, more traffic, more noise overall can degrade the quiet ambiance typical for a low-density area.

Traffic Flow, Parking, and Safety:

Parking spillover is a real concern. If the proposed development does not provide adequate parking (both for residents and visitors), some of it will inevitably move into our neighborhood. Higher density residential without sufficient access points, will increase traffic in current residential streets and increase safety concerns for the many families with young children.

Impacts on Property Values:

Residents of Heritage Country Estates are tied not only to their individual homes, but to the stability, predictability, and perceived quality of their neighborhood. An abrupt increase in density may lower the desirability for some potential buyers, affecting property values or the pace of appreciation.

While I oppose the proposal in its current form, I recognize that increased housing is a legitimate goal. Therefore I encourage the following mitigations or alternatives: transition zones; setbacks; landscaping; and screening; traffic and parking management; preserving open space and view corridors.

I believe all should have access to the amenities and qualities that are offered by the City of La Center, however current residents should not bear the negative impacts without corresponding benefits. The development should contribute positively to the neighborhood, not diminish it.

For these reasons, I urge the planning commission/city council to reject the proposal as currently configured. If allowed, it should be modified to align with existing neighborhood character.

Thank you for your attention, I hope that together we can find a balance between the needs/growth of the city with the quality of life of existing residents.

Staff Response:

- The proposal for the subdivision is an allowed use. The applicant has applied for a separate Type
 IV rezone application and is required to meet all applicable design and approval criteria called out
 in LCMC 18.210 (subdivision). This includes setbacks, landscaping, parking etc.
- The required parking is two (2) parking spaces per single-family residence and the attached single-family parking requires 2 spaces per unit plus 1 space for every 5 units for guest parking.
- LCMC 18.140.030(2) requires beveling for new medium density lots that are adjacent to low density residential (LDR) districts. The lots abutting LDR districts shall be no less than 90-percent of the lot area of the minimum lot size of the abutting LDR District. The applicant is conditions to follow the beveling requirements of the code in this staff report.

Land Use Analysis

LCMC 8.60 Sign Requirements

No entry monument signs are proposed with the preliminary development plans. Signs in residential zones, per LCMC 8.60.060, are limited to an illuminated sign at the entrance to the subdivision of 32 square feet.

As **a condition of approval**, the applicant shall apply for and receive approval of a sign permit and building permit (if applicable) for a subdivision entrance sign prior to sign construction in accordance with LCMC 8.60.

LCMC 18.30 Procedures

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 February 12, 2025 (2025-003-PAC). The City found the application "technically complete" on September 17, 2025. Type III applications are required to have a hearing within 78 days after the application is deemed Technically Complete. The La Center Hearing Examiner will consider the preliminary plat application on December 4, 2025, at La Center City Hall beginning at 5:30 PM – 78 days after the application was deemed complete.

The City issued the staff report, the notice of public hearing was published in the Columbian and mailed to properties surrounding the site on December 2, 2025, 14 days before the public hearing.

Public hearings shall be conducted in accordance with the rules of procedure adopted by the Hearing's Examiner. Public comments may be submitted either prior to or during the public hearing in writing or orally during the hearing.

LCMC 18.130 Low Density Residential District (LDR-7.5)

The site is currently zoned as Low Density Residential (LDR-7.5). A zone change to Medium Density Residential (MDR-16) is proposed as a separate Type IV application.

As **a condition of approval**, the zone change to MDR-16 must be completed prior to Engineering approval and the beginning of any construction activities on the site.

LCMC 18.140 Medium Density Residential District (MDR-16)

The applicant proposes a combination of detached & attached single-family dwellings with the project. Both detached and attached single-family dwellings are permitted use in the MDR-16 zone district (LCMC 18.140.020). Attached and detached single family buildings are limited to 35 feet in height.

As **condition of approval**, the city will require that building height be met at time of building permit issuance.

The applicant is proposing to divide the property into 81 lots. Per LCMC 18.040.030, attached single family development must have a density between 8 and 14 dwelling units, and detached single family development must have a density between 8 and 12 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 development area for this project is 8.55 acres. Table 1 below shows the calculations to determine the net area of the site as defined by LCMC 18.40.010 and to determine the net density.

Table 1: Net Area and Density Calculations

Total Gross Acres	11.6 acres		
Net Site Area	8.55 acres		
Total Number of Residential Lots (all Phases)	81 d/u		
Net Density	9.47 units/acre		

Lots within the MDR-16 zone must be a minimum of 1,400 square feet for attached single family residences, and a minimum of 3,000 square feet with a maximum of 15,000 square feet for detached single family residences. The minimum proposed lot size for attached residences is 2,653 square feet, and the proposed lot sizes for detached residences range from 3,500 square feet to 7,750 square feet.

Maximum lot coverage is 60 percent for both attached and detached residences in the MDR-16 zone.

As a **condition of approval** each lot must not exceed the maximum lot coverage prior to issuance of building permits.

The table below highlights the required lot dimensions and setback standards for the MDR-16 zone.

LCMC Table 18.130.080 - Lot Coverage and Dimensions (feet)

District	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Front Setback (feet)	Minimum Side Setback (feet)	Minimum Garage Setback (feet)	Minimum Street Side Yard Setback (feet)	Minimum Rear Setback (feet)
MDR-16 Attached Single Family	20	60	10	0	20	10	10
MDR-16 Detached Single Family	30	60	10	4	20	10	10

All proposed lots meet the minimum lot width and depth requirements.

LCMC 18.140.030 (2) requires that new lots used for medium density residential purposes created adjacent to low density residential (LDR) districts shall employ a "beveling" technique at the perimeter of the project. New perimeter MDR-16 lots abutting LDR districts, not including public rights-of-way or dedicated public open space, shall be no less than 90 percent of the lot area of the minimum lot size of the abutting LDR district. Setbacks from the property lines of abutting LDR land shall be no less than 80 percent of the setback requirement of the abutting LDR district.

This project abuts LDR zoned property on the south and east property lines, to the north of the site is NE 339th Street, and to the west is La Center High School. The LDR 7.5 zone has a minimum lot size of 7,500 square feet. 90% of this area is 6,750 square feet.

As a condition of approval all lots abutting the southern & eastern property lines shall be a minimum of 6,750 square feet, and setbacks for these lot shall be no less than 80 percent of the setback requirements of the LDR-7.5 district.

LCMC 18.140.030(4) requires MDR project that consists of 10 gross acres or more, including abutting lands under common ownership, may not include more than 75 percent of one housing type.

This project exceeds 10 gross acres. The project is proposing 81 lots total, 20 of which are attached single family lots, with the remainder being detached single family. This equates to 25-percent of lots being attached single family and 75-percent are detached single family.

As a condition of approval, no more than 75-percent of lots shall be a single housing type.

MDR projects are subject to design requirements per LCMC 18.140.040(1). Projects are required to create a unifying design theme throughout the project. The design theme can be created by the use of stone, wooden lap siding, or other natural material. Repetitive building mass and facade designs are to be avoided. A variety of scale and articulation is encouraged and can be accomplished by the use of design elements such as porches, balconies, bay windows, covered entries, and garages set back from the primary facade. Additionally, monotonous rooflines are required to be broken up using devices such as various elevations, gables, dormers, and chimneys, etc.

As **a condition of approval**, the applicant shall demonstrate that building design requirements are met prior to issuance of a building permit for each lot.

According to LCMC 18.140.040(2), Active Open Space – Family Parks, if a medium density residential (MDR-16) development meets the applicable criteria of LCMC 18.147.020, the new development shall provide parks and open space pursuant to the applicable requirements of Chapter 18.147 LCMC (Parks and Open Spaces). The applicant has demonstrated on their site plan and in the narrative, that a 25,633 square foot neighborhood park is proposed to be located on Tract C.

Per LCMC 18.140.040(3) landscaping is required & open storage is prohibited:

- (a) Landscaping. On-site plantings, with individual character, are encouraged to provide multiple layers of plantings, including canopy trees, understory trees, shrubs and groundcover. Seasonal interest is encouraged to be enhanced through the use of blooming sequence, fragrance, fall color, and specimen plant materials. Introduction of other landscape architectural hardscape elements such as: use of natural stone, sculpture, water features, enhanced paving, accent lighting, site furnishings, recreational facilities, and the like are strongly encouraged. Preservation of environmentally constrained areas as natural areas and the restoration of buffer areas with native plant materials and recreational opportunities are priorities.
- (b) All landscape plantings shall be irrigated with an automatic, underground irrigation system designed with water conservation in mind. Use of techniques, such as separate water zones based on soil type, sun exposure, and plant water requirements is encouraged. All required plant materials shall meet or exceed specifications established by the American Association of Nurserymen for nursery stock.
- (c) At least 15 percent of the net acreage of the project site must be landscaped.
- (d) All setback areas shall be landscaped and maintained with live vegetation.
- (e) Street trees, if required by the director of public works, shall be planted on all street frontages and within all median planting strips. In addition, street trees shall be placed a minimum of two feet from the curb as measured from the center of the tree to the planter side of the curb, unless otherwise specified by the city's public works director. Street trees shall be a minimum of two-inch caliper, fully branched, and staked at the time of planting. Minimum spacing shall be 30 feet on center of planter length. Trees selected for use as street trees shall be long-lived species possessing qualities suitable for an urban streetscape including branching characteristics, rooting characteristics, disease resistance, drought resistance and nonfruiting. Planter strips abutting a public street shall be planted with live vegetation and irrigated, unless otherwise specified by the city's public works director.
- (f) Only under the following conditions may freestanding walls, fences and hedges be permitted along public or private streets or sidewalks:
- (i) The maximum height of any wall, fence, or hedge shall be six feet so long as the fence height does not interfere with safe line of sight as determined by the city engineer.
- (ii) Barbed wire, razor wire, electric and other dangerous fences are prohibited.

(g) Open Storage. Open storage is prohibited. Trash and recycling containers located outside of a building shall be screened by a six-foot solid (100 percent opaque) fence or a combination of fence and vegetation.

As **a condition of approval**, prior to engineering approval, the applicant shall provide a final landscape plan by a registered landscape architect meeting the requirements of LCMC 18.140.040(3).

LCMC 14.140.040 (4), requires that parking shall be provided either on the same lot as the dwelling, or in shared parking areas located primarily to the rear of or beneath the units. Parking is encouraged to be located behind the dwelling unit with access from an alley. Pedestrian access from the alley to the dwelling shall be provided for each lot.

As **a condition of approval**, the applicant shall provide parking on the same lot as the dwelling unit or in a shared parking area.

LCMC 18.140.040(5) sets requirements for garages for MDR developments. The garage must be set back a minimum of 20 feet from the property line. No more than 40 percent of the total wall area of a housing complex facing a public right-of-way shall be dedicated to garage door space, and Twenty-five percent of the garage wall area facing a public right-of-way shall contain windows or doors placed to create the impression of habitable residential space. In each building of single-family attached units no more than 50 percent of the garages may extend beyond the front plane of the primary facade of the dwelling unit.

While no buildings are proposed with this application, as **a condition of approval**, the applicant shall demonstrate that the garage requirements of LCMC 18.140.040(5) are met prior to issuance of a building permit for each lot.

Access to MDR-16 development projects shall be from collector or arterial streets; however, individual dwelling units within an MDR-16 development project shall not have direct access to an arterial or a collector street per LCMC 18.140.040(6).

The proposed project takes access from NE 339th Street, E 8th Street and E Spruce Avenue.

An on-site pedestrian circulation system that links public and private streets and the primary entrance(s) of all the structure(s) on the site is required by LCMC 18.140.040(7). Sidewalks or pedestrian ways must connect the required pedestrian system to existing pedestrian systems on adjoining developments if adequate safety and security can be maintained. Convenient delineated pedestrian access to transit stops shall be provided.

The project is proposing sidewalks on both sides of all streets, connecting all structures to the surrounding sidewalk network in the Heritage Country Estates Subdivision. Staff finds that LCMC 18.140.040(7) the pedestrian access requirements are met.

LCMC 18.140.050 Requirements for Single-Family Attached Housing

In addition to the requirements of LCMC 18.140.040, a single-family attached proposal shall meet the requirements of this section. Where a conflict exists between general and specific standards the director shall apply the more specific standard.

- (1) Land divisions shall be reviewed according to Chapter 18.205 or 18.210 LCMC and Chapter 58.17 RCW. Building permits for attached developments may only be approved where fully consistent with the approved land division.
- (2) Notations on the plat and/or covenants running with the land, approved by the city attorney, shall guarantee that required side setbacks shall be kept perpetually free of obstructions.
- (3) Single-family attached housing shall not be permitted in buildings of greater than six units.
- (4) No portion of a unit may occupy space above or below any other unit, except underground shared parking.
- (5) Landscaping. Single-family attached development projects may satisfy the minimum landscaping requirement by:
- (a) Providing 200 square feet of enclosed private outdoor living area per bedroom for each individual dwelling unit, to be located in the rear or side yard of each individual lot; or
- (b) Providing 200 square feet of common indoor or outdoor recreation area per bedroom for each individual dwelling unit.

As **a condition of approval**, the applicant shall demonstrate that the requirements of LCMC 18.140.050 are met prior to issuance of a building permit for each lot.

LCMC 18.140.060 Requirements for Multifamily Housing:

The applicant is not proposing a multi-family development; therefore staff has determined that this criterion is met.

LCMC 18.140.070 Requirements of Single-Family Detached Housing:

In addition to the requirements of LCMC 18.140.040, a single-family detached proposal, other than a single-family, detached, manufactured home subdivision regulated under LCMC 18.140.080, shall meet the requirements of this section. Where a conflict exists between general and specific standards the director shall apply the more specific standard.

- (1) Garages facing a public street shall be set back a minimum of 18 feet from the front property line. The front plane of the garage door cannot extend beyond the front plane of the primary facade. Garages facing an alley shall be set back a minimum of three feet from the rear property line. Garage doors shall have a minimum of 50 percent of their area decorated with glazing, relief panels, or similar ornamentation.
- (2) Porches, balconies or similar entry appendages may project into the front yard setback up to five feet. Porches shall be designed as functional spaces with a minimum depth of five feet.
- (a) Rooflines shall be a minimum of 6:12 for pitched roofs. Lower pitched roofs or parapet rooflines shall provide additional architectural detailing including but not limited to: cornice, cap, relief panels, bay windows, shade projections, rain protection, eaves, dormers, ledges or overhangs as approved by the planning director.

- (b) Rain protection shall be located at the primary entrance which is effectively designed to provide a minimum of 25 square feet of rain protection. This protection may utilize a single or combination of techniques such as awning, eave, alcove, airlock, recessed entry or porte-cochere.
- (c) Finished surfaces on building elevations shall emphasize use of architectural-grade natural building products such as wood, masonry, metal, glass, stucco, fiber cement, cultured stone or other stone materials. Use of plywood, vinyl, plastic composites, fiberglass or similar are prohibited unless otherwise permitted by the director.
- (d) A diverse use of color is encouraged to display individuality within the community. Finished surfaces suitable for painting shall incorporate a color palette of at least two colors, consisting of a base color and an accent (trim color). Repetitive or predictable alternate color schemes are discouraged. While no buildings are proposed with this application,

As **a condition of approval**, the applicant shall demonstrate that design requirements for single-family detached Housing per LCMC 18.140.070 are met prior to issuance of a building permit for each lot.

LCMC 18.147 Parks and Open Spaces

The proposed project is proposing more than 35 dwelling units and therefore meets the applicability criteria of LCMC <u>18.147.020</u>, and is required to provide parks and open space. The project is required to provide one or more family parks at a ratio of one-quarter acre per 35 dwelling units. Based on the proposed 81 lots the project is required to provide 0.58 acres, or 25,265 sf, of park and open space. The applicants proposed park space of 25,633 square feet exceeds the requirement of 25,265 square feet.

The parks must meet City and ADA regulations and be designed by a landscape architect licensed in Washington. It is highly desirable the park be one contiguous space, however, a the park need not be a single contiguous area if the applicant demonstrates that a noncontiguous park arrangement meets requirements of this section and the goals of the parks plan and better meets the needs of the residents, or the development topography does not make it feasible to provide a contiguous space for the required park. Each park element must be at least 0.25 acres.

All parks shall be fronted by a public road for at least 40 percent of their perimeter. If it is not feasible or practical to meet this standard because of location and/or physical site constraints, 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. This pedestrian pathway connection shall be made from the public street to the park.

The undeveloped play space shall be covered with live vegetation which shall be irrigated by a permanent, below-ground, automatic irrigation system. The parks shall be designed to facilitate community policing through crime prevention through environmental design (CPTED) guidelines. Lighting as necessary shall be used to illuminate the park for citizen and police patrols to see into the park at night from a public street.

The provided park facilities and amenities should consider the range of ages of the target residents for the development. While the choice of park facilities and amenities is determined by the developer, each family park shall, at a minimum, contain the following amenities:

- (A) Paved pedestrian circulation path or sidewalk;
- (B) Two sitting benches, a minimum of four feet long each, for each 0.25 acre of park area or part thereof;
- (C) One trash receptacle for each 0.25 acre of park area or part thereof;
- (D) Bike rack(s) to accommodate a minimum of six bicycles for each 0.25 acre of park area or part thereof;
- (E) One play structure intended primarily for use by children ages two to 12;
- (F) One picnic table for each 0.25 acre of park area or part thereof.

Parks required pursuant to this chapter shall be completed prior to the issuance of the occupancy permit of the twenty-fifth dwelling unit within an approved development. All park improvements required pursuant to this chapter shall be either dedicated to the city or have public access easements established prior to or concurrent with final development approval.

The project proposes three park elements, a park with a playground designed for ages 5 to 12 at the northeast corner of the development, a trail and a open space at the southwest corner of the development. Of these elements, only the trail is over 0.25 acres.

As a condition of approval each park element must be at least 0.25 acres, or the individual park elements must be connected by a paved pedestrian circulation path or sidewalk. Parks required pursuant to this chapter shall be completed prior to the issuance of the occupancy permit of the twenty-fifth dwelling unit within an approved development. All park improvements required pursuant to this chapter shall be either dedicated to the city or have public access easements established prior to or concurrent with final development approval.

As **a condition of approval**, a parks plan developed by a licensed landscape architect that provides the park amenities required by LCMC 18.147.030(1)(b)(viii), and including irrigation, and lighting should be provided prior to Engineering approval.

As **a condition of approval**, the park amenities shall be completed prior to the issuance of the occupancy permit of the twenty-fifth dwelling unit within an approved development.

As a condition of approval, all park improvements required pursuant to this chapter shall have public access easements established prior to or concurrent with final development approval. The applicant shall retain ownership and maintenance responsibility for the parks.

LCMC 18.210 Subdivisions:

LCMC 18.210.010 Pre-application Review:

As noted above, the applicant completed the pre-application conference process on February 12, 2025.

Staff has determined that the pre-application review process has been met.

LCMC 18.210.020 Review Process for a Subdivision:

The preliminary application packet was submitted in August 5, 2025 and on September 17, 2025 the application was determined Technically Complete. The application is going through the Type III subdivision process.

LCMC 18.210.030 Preliminary Plat Application Contents:

The subdivision application shall include the requisite fee, a completed application review form provided for that purpose by the city, and the following information:

- (1) The information listed in LCMC <u>18.210.010(2)</u>, provided an environmental checklist or EIS is required for a technically complete application unless categorically exempt.
- (2) Written authorization to file the application signed by the owner of the property that is the subject of the application, if the applicant is not the same as the owner as listed by the Clark County assessor.
- (3) Proof of ownership document, such as copies of deeds and/or a policy or satisfactory commitment for title insurance.
- (4) A legal description of the property proposed to be divided.
- (5) If a subdivision contains large lots or tracts which at some future time are likely to be re-subdivided, the application shall include a master plan of all land under common ownership in order to provide for extension and opening of streets at intervals which will permit a subsequent division of each divisible parcel into lots of smaller size.
- (6) A copy of the pre-application conference summary, if the application was subject to pre-application review, and all information required to address issues, comments and concerns in the summary.
- (7) A written description of how the proposed preliminary plat does or can comply with each applicable approval criterion for the preliminary plat, and basic facts and other substantial evidence that support the description.
- (8) The names and addresses of owners of land within a radius of 300 feet of the site. Owner names and addresses shall be printed on mailing labels.
 - (a) The applicant shall submit a statement by the assessor's office or a title company certifying that the list is complete and accurate, based on the records of the Clark County assessor within 30 days of when the list is submitted.

- (b) If the applicant owns property adjoining or across a right-of-way or easement from the property that is the subject of the application, then notice shall be mailed to owners of property within a 300-foot radius, as provided above, of the edge of the property owned by the applicant adjoining or across a right-of-way or easement from the property that is the subject of the application.
- (9) Applications necessarily associated with the preliminary plat, such as applications for exceptions, adjustments or variances to dimensional requirements of the base or overlay zones or for modifications to the road standards in Chapter 12.10 LCMC that are required to approve the preliminary plat application as proposed.
- (10) A wetlands delineation and assessment if required by Chapter <u>18.300</u> LCMC, and an application for a wetland permit and associated preliminary plan if required by Chapter <u>18.300</u> LCMC to approve the preliminary plat application as proposed.
- (11) An appropriate geotechnical study if:
 - (a) The site contains substantial fill, or the applicant proposes to place substantial fill on the site; or
 - (b) The site contains land identified by the U.S. Soil Conservation Service, Clark County or the state of Washington as having slopes in excess of 25 percent or as being subject to instability, unless the applicant will not develop or otherwise significantly affect such lands or shows that the site does not contain unstable soils or steep slopes.
- (12) Preliminary grading, erosion control and drainage plans, which may be a single plan, consistent with applicable provisions of Chapter 18.320 LCMC.
- (13) Evidence that potable water will be provided to each lot from a public water system, and that each lot will be connected to public sewer.
- (14) A plan showing proposed phasing if the applicant proposes to develop the subdivision in phases.
- (15) An archaeological predetermination if the area proposed for development contains lands classified as having moderate or higher probability of containing archaeological resources as determined by the city.

On September 17, 2025 the application was deemed Technically Complete, therefore staff has determined that the applicable criteria is met.

LCMC 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, Environnemental 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.
 - (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.

As part of the application process and review, the applicant is required to submit a complete application packet to be deemed Technically Complete. The application requirements are outlined in LCMC 18.210.030, the application submittal checklist and the pre-application conference report. The application was deemed Technically Complete, therefore the criteria for LCMC 18.210.030 is met.

LCMC 18.210.040(3) Flag Lots

Flag lots are discouraged. When allowed, flag lots shall comply with the following standards:

- (a) The flag "pole" shall be at least 20 feet wide instead of the frontage regulations of the zone.
- (b) The flag "pole" shall be improved with an all-weather surface with an unobstructed vertical clearance of at least 13 feet, six inches. The improved surface shall be at least 20 feet wide and shall be marked and signed as a fire lane.
- (c) The pole portion of the flag lot shall not be counted toward the minimum lot size.
- (d) If the length of the pole is more than 150 feet, an approved turn-around in conformance with the current adopted edition of the International Fire Code shall be provided at the end of the driveway, and structures on the lot shall incorporate a fire-hazard warning, including a hardwired, back-up smoke detector, and a sprinkler system.

The development is proposing lots 26 & 27 as flag lots. The proposal includes a 20-foot-wide access easement. The pole portion of the lots is not calculated towards the minimum lot size and the pole is not more than 150 ft.

As a condition of approval, all flag lots shall comply with LCMC 18.210.040(3).

LCMC 18.210.050 Expiration and extension of preliminary plat approval.

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 approved per LCMC 18.210.050(2) and (3).

LCMC 18.225 Legal Lot Determinations

According to LCMC 18.225.010(2), the legal lot determination standards apply to all subdivision applications.

This legal Lot Determination is based on a review of the deed history and land use records for the subject parcels, submitted with documentation dating back to 1956. The following timeline summarizes the relevant events and transactions affecting the parcels:

- Pre-Zoning Status (1960–1969): The parcels existed prior to the adoption of zoning regulations
 in Washington State, which came into effect in 1969. As such, the parcels are considered legal
 lots of record and are not subject to zoning or platting requirements that were enacted after
 their creation.
- Ownership Transfer (1985): A Transfer of Deed was recorded in 1985, transferring ownership of
 the parcels to the current owners. The lot did not change in size or configuration. This transfer
 did not affect the legal status or configuration of the lots.
- Determination: Staff has determined that the project parcels is one (1) legal lot 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.

As **a condition of approval**, the applicant shall comply with all provisions regarding monumentation outlined in Chapter 18.230 prior to final plat approval.

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.

LCMC 18.240.020 Determination of Direct Impacts

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

LCMC 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.

- Critical Areas
- Trees
- Archaeological Resources and Historic Structures

- Sewer
- Water
- Stormwater
- Streets, sidewalks, and traffic
- Police, fire, and schools
- Street lighting
- Impact fees

Staff determined that Mitigation of Direct impacts have been addressed as part of the application review process and this criteria will be met.

LCMC 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.

LCMC 18.245.020 Height Fences and Hedges

(1) Fences up to six feet in height may be installed alongside yards, street-side yards, or rear lot lines, provided they do not extend into the front yard area. The front yard area is defined as the distance between the front property line and the nearest point of the primary building, as specified by the applicable zoning district. Fences located within the front yard shall not exceed four feet (48 inches) in height. Fence height is measured from the finished grade at the base of the fence to the highest point of the fence structure.

(2) Sight Distance.

All fencing must comply with the sight distance requirements established in the La Center Engineering Standards for Construction.

(3) Security Fencing.

Security fencing may be permitted within commercial or industrial zones, provided it consists of no more than four strands of barbed wire mounted on top of a six-foot-high fence.

(4) Temporary Fences.

Vacant lots and properties under construction may be enclosed with a non-sight-obscuring fence up to six feet in height.

(5) Prohibited Materials.

Fiberglass or plastic sheeting, barbed wire, razor ribbon, and similar temporary or hazardous materials are prohibited as fencing materials.

(6) Modifications.

Modifications to the standards in this chapter may be approved pursuant to LCMC 18.30.080. To grant a modification, the Planning Director must determine, based on substantial evidence, that public safety would be significantly impaired unless the height restriction is exceeded or relaxed.

LCMC 18.245.040 Lighting

The applicant is proposing street lighting with the project but has not submitted a preliminary lighting plan. LCMC 18.282 (Outdoor Lighting) also applies to the development as discussed and conditioned later in this staff report.

As **a condition of approval**, the applicant shall provide a photometric plan prior to final engineering plan approval showing how 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.

Police, fire, and schools shall be addressed 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.

As **a condition of approval,** the applicant is required to coordinate with the fire marshal's office to meet all fire code requirements prior to final engineering.

LCMC 18.245.060 Landscaping

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

		Zoning of the abutting site						
	LDR		MDR-16, HDR ¹		C-1, C-3, DMX		JP, UP/OS	
Zoning of the site	Separated by a street	Not sepa- rated by a street	Separated by a street	Not sepa- rated by a street	Separated by a street	Not sepa- rated by a street	Separated by a street	Not separated by a street
LDR	None	None	L2 5 feet	L3 5 feet	L3 10 feet	L4 10 feet	L4 10 feet	L5 20 feet
MDR-16, HDR¹	L1 5 feet	L1 5 feet	L1 5 feet	L1 5 feet	L2 5 feet	L3 5 feet	L3 10 feet	L4 10 feet

The site is currently zoned LDR-7.5 and the applicant is requesting to change the zoning to MDR-16 with a separate applicant and Type IV process. Properties directly abutting the site to the east & south are zoned LDR-7.5. The property to the west is zoned UP (Urban Public) and to the north of the site is Clark County.

L1 – General Landscaping.

- (i) The L1 standard is for open areas. It is intended to be used where distance is the principal means of separating uses or development, and landscaping enhances the area between them. The L1 standard consists principally of groundcover plants; trees and high and low shrubs also are required.
- (ii) There are two ways to provide trees and shrubs to comply with an L1 standard. Shrubs and trees may be grouped. Groundcover plants, grass lawn or approved flowers must fully cover the landscaped area not in shrubs and trees.
 - (A) Where the area to be landscaped is less than 10 feet deep, one tree shall be provided per 30 linear feet of landscaped area.

(B) Where the area is 10 feet deep or greater, one tree shall be provided per 800 square feet and either two high shrubs or three low shrubs shall be provided per 400 square feet of landscaped area.

L4 - High Wall

(i) The L4 standard is used where extensive screening of visual and noise impacts is needed to protect abutting sensitive uses and/or there is little space for separation between uses.

(ii) The L4 standard requires a six-foot-high wall that complies with the F2 standard. When adjacent to another property, the wall shall abut the property line. When adjacent to a street or road right-of-way, the wall shall be on the interior side of the landscaped area. One tree is required per 30 lineal feet of wall or as appropriate to provide a tree canopy over the landscaped area. In addition, four high shrubs are required per 30 lineal feet of wall. Groundcover plants must fully cover the remainder of the landscaped area.

LCMC 18.245.060(6) requires that landscaping and screening shall be located on the perimeter of a lot or parcel. Required landscaping and screening shall not be located on a public right-of-way or private street easement unless authorized.

As a **condition of approval**, landscaping and screening shall be located on the perimeter of a lot or parcel. Required landscaping and screening shall not be located on a public right-of-way or private street easement unless authorized.

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.

As **a condition of approval**, ground-level exterior equipment shall 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 landscape standard, is visible.

LCMC 18.245.060(10) requires all landscaping shall 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.

As **a condition of approval**, landscaping shall 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.

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

As **a condition of approval**, the applicant's final landscape plan must contain plant material, size and quality information.

As a **condition of approval**, LCMC 18.245.060(18) contains irrigation requirements. All required landscape areas including within the planter strip along public roadways 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 demonstrating that the fences comply with LCMC 18.245.020.

As **a condition of approval**, the applicant shall provide a photometric plan prior to final engineering plan approval showing how 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.

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. Installation after occupancy requires City notification and approval.

As a condition of approval, all required landscape areas including within the planter strip along public roadways must meet the City's irrigation requirements in LCMC 18.245.060(18). The applicant shall provide irrigation plans prior to final engineering approval.

LCMC 18.280.040 Off-Street Parking and Loading Requirements

Each single-family attached dwelling unit shall be provided with at least two (2) off-street parking spaces, plus one additional guest space for every five (5) units per LCMC Table 18.280.040. Guest parking spaces are to be evenly dispersed throughout the development with no more than four spaces being located in any one specific area per LCMC 18.280.060.

The narrative states that each dwelling units will provide at least two driveway parking spaces and two (2) garage parking spaces for a total of four (4) parking spaces per dwelling unit, exceeding the minimum parking requirements.

As a **condition of approval**, the applicant shall demonstrate that each dwelling unit has at least two (2) off-street parking spaces per LCMC Table 18.280.010 prior to building permit approval.

Critical Areas Review

LCMC 18.300 Critical Areas:

Mapped critical areas on the site include Category II critical aquifer recharge areas (CARAs), fish and wildlife habitat conservation areas (FWHCAs) (Oregon white oak [Quercus garryana] priority habitat), and a geologically hazardous area (seismic hazard area for ground shaking amplification).

CARAs: The site is within a Type II CARA, which is a mapped critical area; however, LCMC 18.300.090(1) only protects Category I CARAs. Therefore, no regulated CARAs exist on the project site. FWHCAs: The site contains an individual Oregon white oak priority habitat that is to be protected and preserved.

Geologically Hazardous Areas: Seismic Hazard—The Washington State Department of Natural Resources (DNR) Geologic Information Portal maps the site with both Site Class "C - D" and "D" soils for ground shaking amplification as mapped by the National Earthquake Hazards Reduction Program (NEHRP). The submitted geotechnical report confirms occurrence of a Site Class "D" seismic hazard on site and includes seismic design recommendations.

LCMC 18.300.090(2) Fish and Wildlife Habitat Conservation Areas:

Identified sensitive fish and wildlife habitat conservation areas shall be preserved or adverse impacts mitigated. Fish and wildlife habitat conservation areas that must be considered for classification and designation include:

Priority Habitat Species (PHS) Areas. Areas with which state-listed monitor or candidate species or federally listed candidate species have a primary association, as specified in Washington Department of fish and Wildlife Policies 4802 and 4803, and which if altered may reduce the likelihood that the species will maintain and reproduce over the long term.

Findings: According to the Washington Department of Fish and Wildlife (WDFW) Priority Habitats and Species (PHS) on the web mapping platform and the submitted Critical Areas Report & Oak Conservation Plan (AshEco Solutions, July 2025), the central western edge of the site contains an individual Oregon white oak (see Figures A and B) that is 34 inches diameter at breast height (dbh). The submitted critical areas report verified the occurrence of the Oregon white oak and that it qualifies as a PHS as designated by WDFW. The priority Oregon white oak occurs at the rear of Lots 7 and 8 of the preliminary plat. The applicant is proposing protection and preservation measures for the Oregon white oak and its dripline as further discussed below.

Figure A: Oregon white oak looking south (left) and looking north (right)



Figure B: Location of Oregon white oak on project site

(ix) Buffers.

LCMC Table 18.300.090(2)(a) - Priority Habitat and Species Buffers

Resource Type	Critical Zone	Protected Buffer
Local Habitat	Delineated	Use BAS for species.
Nonriparian Priority Habitat and Species	Delineated	300 feet or threshold based upon consultation with WDFW or through the City's peer review process. ¹
Subject to the ESA	Delineated	Use BAS for species up to 1,300-foot threshold distance.

For example, the city may allow a reduced buffer around a single Oregon white oak tree as a result of consultation with the regulatory agency or as a result of the city peer review process if the important functions and values of the resource will not be significantly diminished as a result of the buffer reduction.

Findings: As provided in the Critical Areas Report & Oak Conservation Plan (AshEco Solutions, July 2025), a priority Oregon white oak was identified on the project site as shown above and adjacent to Lots 7 and 8. The Oregon white oak is 34 inches dbh and has been site verified and assessed to meet WDFW's definition of an Oregon white oak habitat. The Critical Areas Report & Oak Conservation Plan (AshEco Solutions, July 2025) prescribes a buffer width that extends to the dripline of the oak canopy as protected habitat in accordance with LCMC Table 18.300.090(2)(a). The project has designed the project footprint and improvements outside and around the dripline of the tree, which will be limited by the installation of a retaining wall around the outside of the dripline (see Figure X). The individual oak tree will be retained to allow for no net loss of oak habitat or functions on site.

The Critical Areas Report & Oak Conservation Plan (AshEco Solutions, July 2025) assesses impact from site development, which none were determined, and provides mitigation measures to minimize any impacts, including standard best management practices (BMPs) for Oregon white oak tree protection. These BMPs include the following:

- Protective Barrier-Prior to development, land clearing or retaining wall installation; tree
 protection fencing is to be installed along the outer limits of the oak tree dripline and it is to
 remain in place until project completion
- Root Protection—Cleanly sever any small roots of the oak tree if encountered during construction
 of the retaining wall outside the dripline of the canopy to minimize damage to the tree
- Avoid Dripline—No fill or impervious surfaces are to encroach into the dripline (or critical root mass) of the oak tree
- Retain Native Vegetation—Retain any other native vegetation surrounding the oak tree within the dripline

Under LCMC 18.300.090(2)(j), the mitigation efforts need to ensure that development activity does not yield a net loss of the area or function of the critical area, which was confirmed by the critical areas report and by the City's environmental review consultant, WSP USA Inc. The submitted critical areas report also includes provisions for a monitoring program in accordance with LCMC 18.300.090(2)(i). As a condition of approval, the applicant shall implement the mitigation measures for the priority habitat area, including installation of the protective barrier, root protection measures, dripline avoidance, and retention of native

vegetation as outlined in the Critical Areas Report & Buffer Mitigation Plan (AshEco Solutions, July 2025) prior to final engineering approval.

Oregon white oaks are sensitive to overwatering, especially during the summer drought months. Water around the oak tree shall be managed as it has historically been watered. As a condition of approval, no irrigation or additional watering sources shall be installed within or near the dripline of the tree that would result in excess watering of the Oregon white oak.

Any excavation of any kind, including fence posts, or landscaping plantings are prohibited within the dripline of the Oregon white oak without prior approval of a critical areas permit. Any activities without careful implementation and critical areas permitting may compromise the Oregon white oak. As a condition of approval, excavation of any kind, including fence posts, or any landscape plantings are prohibited. Any activities, improvements, or excavations to occur within the dripline of the Oregon white oak shall be approved by a critical areas permit prior to commencement.

Other Critical Area Requirements

Findings: Pursuant to LCMC 18.300.090(2)(g)(ii), the edge of the buffer area shall be clearly staked, flagged, and fenced prior to and through construction completion. The buffer boundary markers shall be clearly visible, durable, and permanently affixed to the ground. As a condition of approval, the applicant shall stake, flag, and fence the Oregon white oak dripline (buffer), as shown in the Critical Areas Report & Buffer Mitigation Plan (AshEco Solutions, July 2025) prior to any site improvements and prior to and through the duration of site construction.

LCMC 18.300.090(2)(n) requires (i) marking the outer extent of the habitat buffer throughout the duration of construction. This has been conditioned above. (ii) Permanent marking of the outer extent of the buffer using logs, a tree, hedgerow, wood, or wood-like fencing, or other permanent physical marking approved by the direction shall be placed and also including signs that shall be posted at an interval of one per lot or every 100 feet, whichever is less, and perpetually maintained at locations along the outer perimeter of the habitat buffer approved by the director and worded as follows: "Habitat Buffer - Please Retain in a Natural State." As a condition of approval, the applicant shall permanently mark the outer extent of the buffer as shown in the Critical Areas Report & Buffer Mitigation Plan (AshEco Solutions, July 2025) in accordance with LCMC 18.300.090(2)(n)(ii) prior to final plat approval. (iii) The habitat buffer shall be placed into a conservation covenant and be recorded in a form approved by the City attorney as adequate to incorporate the other restrictions of this section and give notice to obtain a permit prior to engaging in regulated activities within the habitat buffer. As a condition of approval, the applicant shall place the habitat buffer as shown in the Critical Areas Report & Buffer Mitigation Plan (AshEco Solutions, July 2025) in a conservation covenant and record this covenant in a form approved by the City attorney and reference this recording on the face of the final plat for final plat approval. **FWHCAs Conditions of Approval**

As **a condition of approval**, the applicant shall implement the mitigation measures for the priority habitat area, including installing the protective barrier, root protection, avoidance of the dripline, and retainment of native vegetation as outlined in the Critical Areas Report & Buffer Mitigation Plan (AshEco Solutions, July 2025) prior to final engineering approval.

As **a condition of approval**, no irrigation or additional watering sources shall be installed within or near the dripline of the tree that would result in excess watering of the Oregon white oak.

As **a condition of approval**, excavation of any kind, including fence posts, or any landscape plantings are prohibited. Prior to commencement of any activities, improvements, or excavations to occur within the dripline of the Oregon white oak shall be approved by a critical areas permit.

As **a condition of approv**al, the applicant shall stake, flag, and fence the Oregon white oak dripline (buffer) as shown in the Critical Areas Report & Buffer Mitigation Plan (AshEco Solutions, July 2025) prior to any site improvements and prior to and through the duration of site construction.

As a condition of approval, the applicant shall permanently mark the outer extent of the buffer as shown in the Critical Areas Report and Buffer Mitigation Plan (AchEco Solutions, July 2025) in accordance with LCMC 18.300.090(2)(n)(ii) prior to final plat approval.

As a condition of approval, the applicant shall place the habitat buffer as shown in the Critical Areas Report & Buffer Mitigation Plan (AshEco Solutions, July 2025) in a conservation covenant and record this covenant in a form approved by the City attorney and reference this recording on the face of the final plat for final plat approval.

LCMC 18.300.090(4) Geologically Hazardous Areas

- 4. (b) Exempt, Prohibited, and Permitted Activities in Geologically Hazardous Areas
 - (i) Alterations. In the limited instances when development in geologically hazardous areas is permitted, it shall meet all applicable provisions of this section as determined by the review authority prior to issuance of a critical areas permit. Alterations of geologically hazardous areas or associated buffers may occur only for activities that:
- (A) Will not increase the threat of the geologic hazard to adjacent properties beyond predevelopment conditions;
- (B) Will not impact other critical areas adversely;
- (C) Are designed so that the hazard to the project is eliminated or mitigated to a level equal to or less than predevelopment conditions; and
- (D) Are recommend by a qualified professional in a signed and stamped geotechnical report.

Findings: The applicant's geotechnical report (Columbia West Engineering, Inc., January 2025) addresses LCMC 18.300.090(4), including alterations to geologically hazardous areas and design standards for seismic hazards (f). The report indicates that the site is suitable for the project if the project follows the development recommendations, which include design elements, such as shallow foundation support and seismic design criteria.

(e) Design Standards – Seismic Hazard Areas. Development proposed in seismic hazard areas shall conform to the applicable provisions of the International Building Code concerning structural standards and safeguards to reduce risks from seismic activity.

Findings: As indicated by the DNR Geologic Survey, the site has Site Class "C - D" and "D" soils for ground shaking amplification by NEHRP. The geotechnical report (Columbia West Engineering, Inc., January 2025) confirms Site Class "D" seismic hazard occurs and provides recommended seismic design criteria. As a condition of approval, the applicant shall follow all seismic design recommendations of the geotechnical

report (Columbia West Engineering, Inc., January 2025). As a condition of approval, the applicant shall comply with LCMC Title 15, Buildings and Construction, and the International Building Code for constructing structures in the seismic hazard area.

Geologically Hazardous Areas Conditions of Approval

As a condition of approval, the applicant shall follow all seismic design recommendations of the geotechnical report (Columbia West Engineering, Inc., January 2025).

As a condition of approval, the applicant shall comply with LCMC Title 15, Buildings and Construction, and the International Building Code for constructing structures in the seismic hazard area.

SEPA

The Applicant provided 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. The City published notice of the likely MDNS in Ecology SEPA Register. This staff report serves as a final SEPA determination for File# 2025-040-PLD upon issuance at least 14days prior the public hearing as required by WAC 197-11-310 and was issued December 2, 2025. Mitigation measures are contained in the Conclusions & Recommendations section of the staff report.

LCMC 18.340 Native Plant List

Findings: All property owners throughout the city are required to avoid the use of plants from the nuisance plan list and shall not landscape with any plants on the prohibited plant list. The applicant's preliminary landscape plan (Exhibit 1) does not include any nuisance or prohibited species.

As a condition of approval for the maintenance of trees will be placed on the face of the plat.

The following is the Staff's findings to the tree cutting approval criteria as outlined in LCMC 18.350.080.

(1) Removal of the trees will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing wetlands.

As a condition of approval, the applicant the applicant is required to submit approved erosion control plans, grading plans, stormwater facilities, and improvement plans to reduce negative impacts to erosion, soil stability, and flow of surface waters. Any trees proposed for removal shall be identified on the tree protection 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 at the dripline of the tree that is determined to be preserved, so it is not inadvertently removed, and grading does not occur within its root zones.

(2) Removal of the trees are not for the sole purpose of providing or enhancing views.

Staff finds that the applicant's intent is to not remove trees for the sole purpose of providing or enhancing views as the applicant's intent is discussed in the next criterion.

(3) The trees are proposed for removal for landscaping purposes or in order to construct development approved or allowed pursuant to La Center Municipal Code or other applicable development regulations. The city planner may require the building footprint of the development to be staked to allow for accurate verification of the permit application.

As **a condition of approval**, the city planner may require the building footprint of the development to be staked to allow for accurate verification of the permit application.

(4) Removal of the trees will not have a significant negative impact on the character, aesthetics, or property values of the neighborhood. The City may grant an exception to this criterion when alternatives to the tree removal have been considered, and no reasonable alternative exist to allow the property to be used as permitted in the zone. In making this determination, the city may consider alternative site plans or placement of structures or alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with other provisions of the La Center Municipal Code.

Staff finds that the removal of the trees will not have a significant negative impact on the character, aesthetics, or property values of the neighborhood. The tree removal has been considered, and no reasonable alternative exists to allow the property to be used as permitted in the zone.

(5) The city shall require the applicant to mitigate for the removal of each tree pursuant to LCMC 18.350.050. Such mitigation requirements shall be a condition of approval of the permit.

As a condition of approval, the applicant must meet the mitigation requirements according to LCMC 18.350.050.

Staff has determined, according to the approval criteria and the submitted materials, a recommendation for approval for the tree cutting permit with conditions as listed in the staff report.

As a condition of approval, all 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).

As a **condition of approval,** each tree 10-inches dbh or greater proposed to be removed shall be mitigated by one two-inch deciduous or a six-foot tall conifer tree consistent with LCMC 18.350.050.

LCMC 18.360 Archeological Resource Protection

According to the Clark County Maps Online archaeological predictive model, the subject site is in areas containing High and Moderate High risk of encountering archaeological resources. Per 18.360.030(12), an archeological 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-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 archeological predetermination is required for the proposed project.

An archeological predetermination report was completed by Archaeological Services LLC and included in the submittal package (Exhibit 1).

A SEPA mitigation measure requires the applicant to avoid work within the boundary of the archaeological site. The applicant has noted that they will not be working within the boundary. As a condition of approval, if the applicant proposes to work within the boundary of the archaeological site, a DAHP permit will be required per the Department of Archaeology & Historic Preservation.

Based off the information included in the submitted archeological predetermination, if avoidance of the archaeological boundary is not feasible, an archaeological survey is recommended.

As a condition of approval, a note shall be placed on the face of the plat noting, if any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archeology and Historic Preservation in Olympia and the City of La Center shall be notified. Failure to comply with these state requirements may constitute a class C Felony subject to imprisonment and/or fines.

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;

Chapter 12.10 - Public and Private Road Standards

LCMC: 3.35 Impact Fees;

Per LCMC 3.35, impact fees will be collected for traffic, sewer, park and school impacts. These fees will be imposed at the time when building permits are issued.

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.

NE 339th Street is classified as a Major Collector per the Capital Facilities Plan. The Rural Major Collector per the Engineering Standards consists of a 40-feet wide paved road. General roadway and right-of-way standards shall apply providing half street improvements per LCMC 12.10.090.

Willow Avenue is classified as a Minor Collector. The CFP also shows that this street is to be connected to Lockwood Creek Road for connectivity to NE 339th Street. The Minor Collector Standard consists of a 36-feet wide paved road from curb to curb with sidewalk on both sides of the street. Willow Avenue will need to be built as Rural Minor Collector standard per the updated CFP.

Interior Streets need to be designed per the Local Access standard street, which consists of a 32-feet road width from curb to curb with ADA accessible sidewalks.

The maximum street grade is 15%.

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.

Streets & Circulation

Based on 85 new houses in Manning Meadows, the subdivision will generate approximately 802 new trips per day. A trip is a one directional vehicle movement. 60 new trips will occur during the AM peak hour and 80 new trips will occur during the PM peak hour, ITE <u>Trip Generation Manual</u>, 11th edition.

Access to the proposed development includes three street approaches, with the north access (Willow Avenue) connecting to NE 339th Street. An east access (8th Street) will connect to Tanoak Avenue. To the south, Spruce Avenue will provide connectivity all the way to Lockwood Creek Road. The approaches will require stop control. The site's internal streets will include sidewalks and provide connectivity within the site for circulation purposes.

The applicant studied the intersections in the year 2028, below adjacent to the site as follows:

		Level of Service
•	NE Lockwood Creek Road and Spruce Avenue	B to C
•	NE 339 th Street at Tanoak Avenue	В
•	North site access and NE 339th Street	В
•	East site access and Tanoak Avenue	Α

The city standard for Level of Service (LOS) per the city's Transportation Capital Facilities plan is that a Level of Service A, B and C, intersections act without significant delays. An LOS "F" at an intersection delay is significant and demand has exceeded the capacity. The traffic report indicates that the intersections noted above, adjacent to the site have acceptable LOS. The study intersections included the following;

- A. La Center Rd at Paradise Park Rd
- B. La Center Rd at Timmen Road
- C. E 4th St at La Center Rd
- D. E 4th St at Aspen Avenue
- E. E 4th St at Cedar Avenue
- F. E 4th St at Highland/Ivy St
- G. Lockwood Creed Rd at Spruce Ave
- H. 339th St at Tanoak Avenue
- I. Willow Ave/site access at 339th St
- J. 8th St at Tanoak Avenue

The traffic report found that only two intersections will operate at a level of service "F" in 2028.

• La Center Road at NW Paradise Park Road: the northbound left turn movement will operate at LOS "F". The city's consultant is working on design of a roundabout at this intersection to mitigate this LOS deficiency.

• La Center Road at NW Timmen Road: The northbound left turn movement will operate at LOS "F", A roundabout is proposed as part of the Timmen Landing subarea plan. The city is pursuing construction grants to build the roundabout.

SIGHT DISTANCE

The applicant reviewed the site distance per the city Engineering Standards.

Sight distance at the proposed access (Willow Avenue) on NE 339th Street was reviewed in accordance with the AASHTO standards. The posted speed of 35 MPH on NE 339th Street requires an intersection sight distance of 390 feet in both directions.

The sight distance was determined to be obstructed to less than 300 feet to the west and less than 350 feet to the east due to large fir trees along the property's north frontage.

As a condition of approval: the applicant shall remove or prune the existing fir trees in conjunction with the development so the required intersection sight distance standard will be met.

Access

The applicant proposes extending Spruce Avenue, in Heritage Country Estates, north to provide access to the applicant's site. The existing north end of East Spruce, south of the proposed subdivision, has an offset cul-de-sac. The Public Works/Community Development Director and CCF&R have determined that leaving the cul-de-sac, with a thru-street, may create a traffic conflict and be unsafe for drivers using this road.

The city will require that the existing cul-de-sac be removed, and a new curb and gutter along the existing west side of Spruce Avenue be constructed to be the same width as a Local Access Street.

Driveways along the existing cul-de-sac will need to be removed, and a new concrete approach poured for the two existing homes that abut the cul-de-sac.

The right of way, adjacent to the cul-de-sac, will be retained by the city, but may eventually be deeded to the adjacent property owner. Engineering drawings will need to be submitted to the city as part of Engineering review.

As part of the Transportation Capital Facilities Plan, the applicant it required to construct a collector at minor collector road from NE. 339th Street to the south edge of the site for future connection to Lockwood Creek Road. The applicant is proposing a minor collector road, Willow Avenue, and extending it to the south edge of the property. This road satisfies the CFP requirement for connectivity.

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 30th, no soils shall remain exposed for more than two (2) days.

From May 1st through September 30th, no soils shall remain exposed more than seven (7) days 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, if the structural sections are not used per the standard cross sections, site building construction, grading, retaining wall design, as applicable, and subsurface drainage. LCMC 18.212.050.

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 is proposing to connect the sanitary sewer piping to the existing gravity sewer system in East Spruce Avenue, built as part of Heritage Country Estates Subdivision. The City requires to access the public sewer within public right of way.

The original basin analysis for the gravity in La Center Road assumed an LDR 7.5 density on the north side of Lockwood Creek Road. The applicant will need to analyze pump station#2, directly downstream of the Manning Development to determine if any improvements to this pump station may be required to support Manning Development. The existing reports can be supplied to the applicant.

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 public interior streets, that will be public Per LCMC 18.320.210. Treatment BMPs shall be sized to treat the water quality design storm, defined as the sixmonth, 24-hour storm runoff volume.

The applicant proposes a stormwater pond at the southwest corner of the site. It appears to be just for detention. The applicant will need to show how it will comply for water quality treatment, as stated below.

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. Runoff calculations need to consider undisturbed forest as the pre-developed condition in determining runoff curve numbers or a downstream analysis of the existing conveyance system is required. 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. In some cases, connection of the downspouts to a curb drain may be allowed if a gravity sewer connection is not feasible.

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, they will establish monetary funding or a reserve fund, for maintenance of the stormwater facility, when at least 50% of development of the housing units has occurred or at minimum 2-years after completion and acceptance of the subdivision by the City, whichever is more. An operations manual must be submitted for City review and approval. Adequate bonding is required to guarantee maintenance of the facility for a period of two years following final plat.

Maintenance of Stormwater Facility

The applicant shall be responsible for maintenance of 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.

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.

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 applications (Preliminary Plat, SEPA determination, Critical Areas Permit, and Tree Cutting Permit) should be **APPROVED**, **SUBJECT TO THE FOLLOWING CONDITIONS**.

Planning Conditions

- 1. As **a condition of approval**, the applicant must 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.
- 2. As **a condition of approval**, all removed debris resulting from this project must be disposed of at an approved site. Contact the local jurisdictional health department or Department of Ecology for proper management of these materials.
- 3. As **a condition of approval**, if impacts or decline to trees occur, the applicant will be conditioned to comply with mitigation measures as required by BAS and LCMC 18.300.100 with WDFW coordination. Additionally, staff are conditioning the applicant to impose a

monitoring plan with it's critical areas report to ensure that the proposed site improvements do not cause tree decline overtime.

- As a condition of approval, the applicant shall apply for and receive approval of a sign permit and building permit (if applicable) for a subdivision entrance sign prior to sign construction in accordance with LCMC 8.60.
- 5. As **a condition of approval**, A DAHP Permit must be applied for and granted prior to any ground disturbing activities that could disturb the site.
- 6. As a condition of approval, If there's disturbance of archaeological site, the applicant shall update their site plans to show full avoidance of the site with a safety buffer. The safety buffer shall extend to the first negative archaeological hole excavated out from the site. If any project activities occur within 50 feet of the site, the site buffer zone should also be physically marked on the ground with fencing, flagging, or some other readily visible materials. The marked buffer should remain in place until all project related activities are completed. DAHP also recommends continued consultation with the concerned Tribes' cultural committees and staff regarding cultural resource issues.
- 7. As **a condition of approval**, the zone change to MDR-16 must be completed prior to Engineering approval and the beginning of any construction activities on the site.
- As a condition of approval, the city will require that building height be met at time of building permit issuance.
- 9. As **a condition of approval**, each lot shall not exceed the maximum lot coverage prior to issuance of building permits.
- 10. As **a condition of approval**, all lots abutting the eastern & southern property lines shall be a minimum of 6,750 square feet, and setbacks for these lot shall be no less than 80 percent of the setback requirements of the LDR-7.5 district.
- 11. As **a condition of approval**, no more than 75% of lots shall be used for a single housing type.
- 12. As **a condition of approval**, the applicant shall demonstrate that building design requirements are met prior to issuance of a building permit for each lot
- 13. As **a condition of approval**, prior to engineering approval, the applicant shall provide a final landscape plan by a registered landscape architect meeting the requirements of LCMC 18.140.040(3).

- 14. As **a condition of approval**, the applicant shall provide two parking areas located on the same lot as the dwelling unit or in a shared parking area.
- 15. As **a condition of approval,** the applicant shall demonstrate that the garage requirements of LCMC 18.140.040(5) are met prior to issuance of a building permit for each lot.
- 16. As **a condition of approval**, the applicant shall demonstrate that the requirements of LCMC 18.140.050 (Requirements for single-family attached housing) are met prior to issuance of a building permit for each lot.
- 17. As **a condition of approval**, the applicant shall demonstrate that design requirements of LCMC 18.140.070 (Requirements of single-family detached housing) are met prior to issuance of a building permit for each lot.
- 18. As a condition of approval, each park element must be at least 0.25 acres, or the individual park elements must be connected by a paved pedestrian circulation path or sidewalk. Parks required pursuant to this chapter shall be completed prior to the issuance of the occupancy permit of the twenty-fifth dwelling unit within an approved development. All park improvements required pursuant to this chapter shall be either dedicated to the city or have public access easements established prior to or concurrent with final development approval.
- 19. As **a condition of approval**, a parks plan developed by a licensed landscape architect that provides the park amenities required by LCMC 18.147.030(1)(b)(viii), and including irrigation, and lighting should be provided prior to Engineering approval.
- 20. As **a condition of approval**, the park amenities shall be completed prior to the issuance of the occupancy permit of the twenty-fifth dwelling unit within an approved development.
- 21. As **a condition of approval**, all park improvements required pursuant to this chapter shall have public access easements established prior to or concurrent with final development approval. The applicant shall retain ownership and maintenance responsibility for the parks.
- 22. As a condition of approval, all flag lots shall comply with LCMC 18.210.040(3).
- 23. 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 approved per LCMC 18.210.050(2) and (3).

- 24. As **a condition of approval**, the applicant shall comply with all provisions regarding monumentation outlined in Chapter 18.230 prior to final plat approval.
- 25. As **a condition of approval**, the applicant shall provide a photometric plan prior to final engineering plan approval showing how 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.
- 26. As **a condition of approval**, the applicant is required to coordinate with the fire marshal's office to meet all fire code requirements prior to final engineering.
- 27. As a condition of approval, landscaping and screening shall be located on the perimeter of a lot or parcel. Required landscaping and screening shall not be located on a public right-of-way or private street easement unless authorized.
- 28. As a condition of approval, ground-level exterior equipment shall 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 landscape standard, is visible.
- 29. As **a condition of approval**, landscaping shall 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.
- 30. As **a condition of approval**, the applicant's final landscape plan must contain plant material, size and quality information.
- 31. As **a condition of approval**, LCMC 18.245.060(18) contains irrigation requirements. All required landscape areas including within the planter strip along public roadways must meet the City's irrigation requirements and shall be installed prior to final plat.
- 32. As **a condition of approval**, if any fences or hedges are proposed prior to the final plat, the applicant must provide information demonstrating that the fences comply with LCMC 18.245.020.
- 33. 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. Installation after occupancy requires City notification and approval.
- 34. 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. Installation after occupancy requires City notification and approval.
- 35. As **a condition of approval**, all required landscape areas including within the planter strip along public roadways must meet the City's irrigation requirements in LCMC 18.245.060(18). The applicant shall provide irrigation plans prior to final engineering approval.
- 36. As **a condition of approval**, the applicant shall demonstrate that each dwelling unit has at least two (2) off-street parking spaces per LCMC Table 18.280.010 prior to building permit approval.
- 37. As **a condition of approval**, the applicant shall implement the mitigation measures for the priority habitat area, including installing the protective barrier, root protection, avoidance of the dripline, and retainment of native vegetation as outlined in the Critical Areas Report & Buffer Mitigation Plan (AshEco Solutions, July 2025) prior to final engineering approval.
- 38. As **a condition of approval,** no irrigation or additional watering sources shall be installed within or near the dripline of the tree that would result in excess watering of the Oregon white oak.
- 39. As **a condition of approval**, excavation of any kind, including fence posts, or any landscape plantings are prohibited. Prior to commencement of any activities, improvements, or excavations to occur within the dripline of the Oregon white oak shall be approved by a critical areas permit
- 40. As **a condition of approval**, the applicant shall stake, flag, and fence the Oregon white oak dripline (buffer) as shown in the Critical Areas Report & Buffer Mitigation Plan (AshEco Solutions, July 2025) prior to any site improvements and prior to and through the duration of site construction.
- 41. As **a condition of approval**, the applicant shall permanently mark the outer extent of the buffer as shown in the Critical Areas Report and Buffer Mitigation Plan (AchEco Solutions, July 2025) in accordance with LCMC 18.300.090(2)(n)(ii) prior to final plat approval.
- 42. As **a condition of approval**, the applicant shall place the habitat buffer as shown in the Critical Areas Report & Buffer Mitigation Plan (AshEco Solutions, July 2025) in a conservation covenant and record this covenant in a form approved by the City attorney and reference this recording on the face of the final plat for final plat approval.

- 43. As **a condition of approval**, the applicant shall follow all seismic design recommendations of the geotechnical report (Columbia West Engineering, Inc., January 2025).
- 44. As **a condition of approval**, the applicant shall comply with LCMC Title 15, Buildings and Construction, and the International Building Code for constructing structures in the seismic hazard area.
- 45. As **a condition of approval**, for the maintenance of trees will be placed on the face of the plat.
- 46. As a condition of approval, the applicant the applicant is required to submit approved erosion control plans, grading plans, stormwater facilities, and improvement plans to reduce negative impacts to erosion, soil stability, and flow of surface waters. Any trees proposed for removal shall be identified on the tree protection 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 at the dripline of the tree that is determined to be preserved, so it is not inadvertently removed, and grading does not occur within its root zones.
- 47. As **a condition of approval**, the city planner may require the building footprint of the development to be staked to allow for accurate verification of the permit application.
- 48. As **a condition of approval**, the applicant must meet the mitigation requirements according to LCMC 18.350.050.
- 49. As **a condition of approval**, all 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).
- 50. As **a condition of approval**, each tree 10-inches dbh or greater proposed to be removed shall be mitigated by one two-inch deciduous or a six-foot tall conifer tree consistent with LCMC 18.350.050.
- 51. As a **condition of approval**, a note shall be placed on the face of the plat noting, if any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archeology and Historic Preservation in Olympia and the City of La Center shall be notified. Failure to comply with these state requirements may constitute a class C Felony subject to imprisonment and/or fines.
- 52. As **a condition of approval**, A note shall be placed on the final plat noting, the trees shall be watered and maintained in a healthy condition year-round by the HOA.

- 53. A **condition of approval** for the maintenance of trees will be placed on the face of the plat.
- 54. As a condition of approval, the applicant is required to submit approved erosion control plans, grading plans, stormwater facilities, and improvement plans to reduce negative impacts to erosion, soil stability, and flow of surface waters. Any trees proposed for removal shall be identified on the tree protection 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 at the dripline of the tree that is determined to be preserved, so it is not inadvertently removed, and grading does not occur within its root zones.
- 55. As **a condition of approval**, the city planner may require the building footprint of the development to be staked to allow for accurate verification of the permit application.
- 56. As **a condition of approval**, the applicant must meet the tree removal mitigation requirements according to LCMC 18.350.050.
- 57. As **a condition of approval**, all 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).
- 58. As **a condition of approval**, each tree 10-inches dbh or greater proposed to be removed shall be mitigated by one two-inch deciduous or a six-foot tall conifer tree consistent with LCMC 18.350.050.
- 59. As **a condition of approval**, a note shall be placed on the face of the plat noting, if any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archeology and Historic Preservation in Olympia and the City of La Center shall be notified. Failure to comply with these state requirements may constitute a class C Felony subject to imprisonment and/or fines.

Public Works and Engineering Conditions

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.

1. As **a condition of approval** The city will require that the existing cul-de-sac at the north end of Spruce Avenue, be removed, to allow Spruce Avenue to be extended to the development. New curb and gutter along the existing west side of Spruce Avenue be constructed to be the same width as a Local Access Street to allow a thru street.

- 2. As a condition of approval The applicant proposes to create new impervious interior streets in the subdivision. Per LCMC 18.320.210, treatment BMPs shall be sized to the 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
- 3. As a condition of approval 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.
- 4. IAs **a condition of approval** f feasible, downspouts connections from the houses must connect directly into the site stormwater system. If connection of downspouts to the storm system is not feasible, then downspouts may be connected to the gutter by curb drains.
- 5. As a condition of approval 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, they will establish monetary funding or a reserve fund, for maintenance of the stormwater facility, when at least 50% of development of the housing units has occurred or at minimum 2-years after completion and acceptance of the subdivision by the City, whichever is more. An operations manual must be submitted for City review and approval. Adequate bonding is required to guarantee maintenance of the facility for a period of two years following final plat.
- 6. As a condition of approval Stormwater facilities must be located in a separate tract.
- 7. As **a condition of approval** At the intersection of NE 339th Avenue and Willow Avenue, the site access, the developer shall remove or trim the existing Fir trees to provide an adequate line of site.
- 8. As a condition of approval 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.
- 9. As **a condition of approval** The HOA shall be empowered to access its members' fees to be reserved and used to reimburse the City for the operation and maintenance of the facilities if enforcement becomes necessary.

- 10. As a condition of approval 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.
- 11. As a condition of approval 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.
- 12. As a condition of approval 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

SEPA (MDNS) MITIGATION CONDITIONS

The applicant provided 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 in conformance with Washington Administrative Code 197-11-355. The City published notice of likely MDNS in Ecology SEPA Register. This staff report serves as a final SEPA determination for file #2025-040-PLD upon issuance at least 14 days prior to the public hearing as required by WAC 197-11-310 and was issued on December 2, 2025. Mitigation measures are contained in the Conclusions & Recommendations section of the staff report.

- 1. Air: The applicant is required to apply best management practices to reduce dust during construction.
- 2. Air: Construction equipment shall not be permitted to idle and is required to be shut off while not in use.
- 3. Water: The applicant must comply with the recommendations of the Preliminary Technical Information Report.
- 4. Environmental Health: Health department approval is required for the removal of a well or septic on the site.
- 5. 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.

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,	Phone: 360-575-6226; email:
Interim Cultural Resources Manager	nreynolds@cowlitz.org
City of La Center, Tracy Coleman,	Phone: 360-263-7665;
Community Development/Public Works	tcoleman@ci.lacenter.wa.us
Director	
Washington DAHP, Dr. Allison Brooks, Ph.	Phone: 360-586-3066; email:
D, Director	Allyson.Brooks@dahp.wa.gov
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CCFR Fire Conditions

- 1. Applicant must comply with all applicable requirements and receive approval through Clark-Cowlitz Fire Rescue.
- 2. All flag lots shall be sprinklered as well as lots 11, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 68, 69, 70, 71, 72, & 73.
- 3. All homes with residential fire sprinklers, shall have a minimum of a 1" water meter.
- 4. Occupancies with limited fire flow or access (such as flag lots, substandard road widths or grades of greater than 10%, private bridges, private roads, etc.) shall be installed with automatic sprinkler system.
- 5. Any gate access points that have electronic gate(s), have a Knox key switch installed instead for emergency access.
- 6. IFC D103.4 Dead end Streets: Any dead-end required access road longer than 150' must be provided with an approved cul-de-sac or turn-around in accordance the International Fire Code design criteria. (96' Diameter Cul-de-sac; 120' Hammerhead with 20' clear width and 28' R corners; or a 60 foot "Y")

- 7. IFC D107 One or Two-Family Residential Developments: Developments of one or two family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- 8. Where two fire apparatus access roads are required, they shall be placed a distance equal to not less than ½ the overall diagonal of the lot or area being served, measured in a straight line.
- 9. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system accordance with the IFC Section 903.3.1.1, 903.3.1.2 or 903.3.1.3; access from two directions shall not be required.
- 10. All sprinkler plans shall be submitted separately and directly to Clark-Cowlitz Fire Rescue.
- 11. Emergency apparatus roads shall be 26' wide in areas adjacent to hydrants. Hydrant layout and positioning shall be done prior to approval of the underground.
- 12. All work subject to field inspection and correction as identified at the time of the on-site inspection; all work shall be compliant with the applicable Standards and Codes; to include the adopted edition of the International Fire Code and the City's Municipal Code.
- 13. Required access roadways and hydrants shall be serviceable and unobstructed prior to combustible construction.
- 14. Until fire hydrants and pavement have been installed, there shall not be any above ground combustible construction.
- 15. IFC 507.5.4 Fire Protection Water Supply: Unobstructed access to fire hydrants shall be maintained at all times. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants
- 16. Required access roadways and hydrants shall be serviceable and unobstructed prior to combustible construction.
- 17. Fire hydrants shall be on along Fire Department access roads, unobstructed and maintained at all times. A 3ft clear space shall be maintained around the circumference of the hydrant; hydrants subject to motor vehicle impact shall have protection per the IFC section 312 & 507.
- 18. Hydrants must be provided on fire access roadways so that average spacing does not exceed 500' (400' for Dead-end roads) and the maximum distance from any point on the street frontage to a hydrant is no more than 250' (200' for Dead-end roads. Additional hydrants may be required for larger buildings. IFC C102 These hydrants shall be installed with a 5" Storz connection adapter

- 19. Water supply during constructions Until fire hydrants and pavement have been installed, there shall not be any above ground vertical combustible construction.
- 20. Permits & review IFC D103.4 Dead-End Streets: Any dead-end required access road longer than 150' must be provided with an approved cul-de-sac or turn-around in accordance with the International Fire Code design criteria. (96' Diameter Cul-de-sac; 120' Hammerhead with 20' clear width and 28' R corners; or a 60 foot "Y") Willow Ave current alternative hammerhead shall meet the criteria of the code. Appendix D 70' long and 20' wide with a 28' radius turn.
- 21. IFC D107 One or Two-Family Residential Developments: Developments of one- or two-family dwellings where the number of dwelling units exceeds 30, shall be provided with two (2) separate approved fire apparatus access roads. Where two fire apparatus access roads are required, they shall be placed a distance equal to not less than ½ the overall diagonal of the lot or area being served, measured in a straight line. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system accordance with the IFC Section 903.3.1.1, 903.3.1.2 or 903.3.1.3; access from two directions shall not be required All sprinkler plans shall be submitted separately and directly to Clark-Cowlitz Fire Rescue.
- 22. Any gate access points that have electronic gate(s), have a Knox key switch installed; if a manual gate(s) will be used, a Knox padlock with a multi-locking device (e.g. Gate Keeper Locks) shall be installed for emergency access.
- 23. IFC 507.5.5: A 3-foot clear space shall be maintained around the circumference of fire hydrants, except as otherwise required or approved.
- 24. Appendix D of the IFC, apparatus access roads shall be a minimum of 20 feet in width (26 feet in width where a fire hydrant is located) and shall be able to access all parts of the structure within 150 feet of the access road; as an alternate method the buildings shall be sprinkler in accordance with the IFC, with an approved NFPA 13D or NFPA 13R sprinkler system.

CPU Conditions

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

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. (18.30.130 LCMC.)

Tracy Coleman

Community Development/Public Works Director

City of La Center

Anthony Cooper, P.E.

City Engineer City of La Center

Angie Merrill

Planner

City of La Center

EXHIBIT LIST

Project Name: Manning Meadows Subdivision

Case Number: 2025-040-PLD

EXHIBIT NUMBER	DATE	SUBMITTED BY	DESCRIPTION
1	8/1/25	Applicant	Application Package
2	9/17/25	COL	TC Determination
3	9/30/25	COL	Notice of Application & SEPA
4	9/30/25	COL	Affidavit of Mailing the Application & SEPA
5	10/13/25	DOE	Comment Letter
6	10/14/25		Comment Letter
7	10/14/25	Meachel Hill	Comment Letter
8	10/15/25	Adriannw Ward	Comment Letter
9	10/27/25	City of La Center	Rezone Notice of PC Hearing
10		City of La Center	Rezone Recommendation PC Not Motioned
11		City of La Center	PC Rezone Hearing Staff Report
12	11/26/25	City of La Center	Rezone Notice of CC Hearing
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Copies of these exhibits can be viewed at:
Department of Community Development
Development Services Division
1300 Franklin Street
Vancouver, WA 98666-9810

