



305 NW Pacific Highway,
 La Center, Washington 98629
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**PRE-APPLICATION CONFERENCE
 Manning Subdivision (2022-008-PAC)**

Meeting conducted on Tuesday, March 08, 2022 at 2:00 p.m.

PROJECT INFORMATION

Site Address	1819 NE 339 th Street (Parcel No. 209048000)
Legal Description	#16, #53 & #76 SEC 2 T4N R1E
Applicant	Mike Anders Lennar Northwest, Inc. (360) 258-7882 Mike.Anders@lennar.com 11807 NE 99 th St. Ste 1170, Vancouver, WA 98682
Applicant's Representative	Dave Weston AKS Engineering & Forestry (360) 882-0419 davew@aks-eng.com 9600 NE 126 th Ave. Ste. 2520, Vancouver, WA 98682
Property Owner	Kenneth & Debra Manning 1819 NE 339 th St., La Center, WA 98629
Proposal	Subdivide 12.09 acres into 39 single-family residential lots in the LDR 7.5 zone
Date of Issue	March 18, 2022

SUMMARY

The applicant is proposing a 39-lot subdivision on the approximate 12.09-acre site. The site contains one structure and a few trees. The remaining land is undeveloped, but was historically used for agricultural purposes (crop cultivation). The site is zoned LDR-7.5 and the comprehensive plan designation for the site is Urban Residential (UR). The property is located on the south edge of NE 339th St. on the eastern side of the City of La Center. and is surrounded by parcels similarly zoned LDR-7.5 (Low density residential) to the east and south, UP (Public Facilities) to the west, and R-5 (Rural 5) to the north across NE 339th Street in Clark County's jurisdiction. The parcels to the east and abutting the eastern half of the site's south boundary are developed with single-family residences. The parcel abutting the western half of the site's south boundary is undeveloped. The parcel abutting the site's west property line is developed as La Center High School and associated baseball fields. The parcel to the north, across NE 339th Street, is developed as rural residential. Breeze Creek is within a mile to the northwest of the development. Mount Zion Cemetery, Holley Park and La Center Elementary school are located within one mile along NE Highland Ave. and E. 4th St. to the west, both of which turn into NE 339th heading east.

Lot sizes would generally range from 8,000 square feet to 10,195 square feet. One tract, labeled Tract A, is designated as a stormwater facility. Access to the property would be from two public street entrances from NE 339th St. E. 8th Street would be extended into the site from the east and East Spruce Avenue from the south. The development will construct frontage improvements to NE 339th Street and would build six public internal local access streets (E 7th Street, E 8th Street, E 9th Street, E A Avenue, E B Avenue, and NE Spruce Avenue).

Clark County shows an area of potential seismic hazard. Approximately 6.78 acres out of the 12.09-acre parcel is mapped as a “Class D” for ground-shaking amplification. A “seismic hazard area” is defined by LCMC 18.300.030 as an area that is “subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement, soil liquefaction, debris flows, lahars, or tsunamis”. A critical areas report (CAR) and type II critical areas permit will be necessary per LCMC 18.300.040 and would be subject to the design standards as laid out in LCMC 18.300.090(4)(c). No other critical areas were found in an initial GIS survey.

PRELIMINARY REVIEW

Development Standards

Subsequent application(s) shall address the following development standards. Failure of the City to cite specific requirements of the La Center Municipal Code (LCMC) in this report does not relieve the applicant of the responsibility to meet all applicable criteria. If the proposal changes from what was presented in the pre-application conference, it may trigger other review standards and processes than what is identified in this report.

Applicable Criteria: The application will be reviewed for compliance with the La Center Municipal Code (LCMC): 3.35 Impact Fees; Chapter 8.60 Sign Regulations; Title 12, Streets, Sidewalks & Public Ways; Title 13, Public Utilities; Title 18, Development Code Chapters: 18.30 Procedures; 18.130 Low Density Residential District; 18.147 Parks and Open Spaces; 18.210 Subdivisions; 18.225 Legal Lot Determinations; 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; 18.340 Native Plant List; 18.350 Tree Protection; 18.360 Archaeological Resource Protection.

Public Works and Engineering Analysis

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-foot wide paved road. General roadway and right-of-way standards shall apply providing half street improvements per LCMC 12.10.090.

East “A” Avenue is classified as a Minor Arterial. 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-foot wide paved road from curb to curb with sidewalk on both sides of the street. “A” 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-foot road width from curb to curb with ADA accessible sidewalks.

The maximum street grade is 15%.

The streets within the development shall be either a Neighborhood or Local Street Standard per the Engineering Standards depending on the ADT,

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.

Comments

Streets and Circulation

The access to NE 339th Street shall be justified by a traffic report. The CFP and Engineering Standards require a minimum spacing of 275-Feet between streets for connections to a Major Collector. The distance between the new connection of E. Spruce Avenue and E. Tanoak Avenue appears to be approximately 280-feet. The spacing of these two streets appears to barely meet the street spacing. The applicant will need to verify that the minimum street spacing is accurate, and that the traffic report can verify that the line of site is adequate for this access.

A Traffic Engineer, licensed in Washington State, will need to assess the impacts to Lockwood Creek Road resulting trips from the development.

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 constructed with adequate capacity for future flows 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 on East Spruce Avenue, built as part of Heritage Country Estates Subdivision. A public sewer main is shown on the preliminary plans for Manning's Subdivision that traverses through the development lots. The City prefers to access the public sewer within public right of way. However, if this is not feasible, and the sewer main needs to be installed on private property to operate using gravity flow, a sewer easement dedicated to the City may be acceptable. A minimum of a 15-foot wide public easement will need to be provided on private property with vehicle access to the easement. This vehicular access needs to have a gravel road and no fencing to restrict access.

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 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. 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.

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.

Street Lighting

Street light design and installation is reviewed and approved by the City of La Center. Street lighting on local streets shall be Acorn full cutoff single fixture on a black decorative fiberglass pole and the frontage improvements will need to have Cobra Head LED light per the Engineering Standards. The applicant shall submit a Photometric analysis along with the street-light design to verify compliance with the Engineering Standards.

Potable Water

Water system connections are regulated by Clark Public Utility (CPU) and a permit and plan approval will be required for City plan approval.

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

Coordinate with Clark Cowlitz Fire & Rescue regarding hydrant spacing and related fire flow and fire protections issues.

Approval of the plat will need to be completed prior to issuing building permits.

Land Use Analysis

Chapter 8.60 Sign Requirements

If proposed, signs must comply with this chapter including the general requirements (8.60) and requirements for signs in residential zones (8.60.060). Signs in residential zones are limited to one illuminated sign at the entrance to the subdivision of 32 square feet.

Chapter 18.30.100 Type III procedure

Preliminary plats are subject to a Type III review process. Critical areas permits for the seismic hazard require a Type II review. Development agreements require a Type IV review process. The type II critical areas permit and type III preliminary plat would be reviewed under a consolidated review process. The development agreement, if requested, would be reviewed separately and in advance of the consolidated type III review.

Details regarding the type III review process from 18.30.100 are below.

(1) Hearing. An application subject to a Type III process will be considered at a public hearing before a city hearings examiner. The city clerk shall schedule a public hearing for an application within 78 calendar days after the date the City found the application was technically complete.

(2) Notice of Hearing. At least 14 calendar days before the date of the hearing, the city clerk shall mail public notice of the hearing as provided in LCMC [18.30.120](#). At least 10 days before the date of the hearing, the city clerk shall cause notice of the hearing to be published and posted as provided in LCMC [18.30.120](#).

(3) Staff Report. At least seven calendar days before the date of the hearing, the director shall issue a written staff report regarding the application(s). The staff report shall set out the relevant facts and

applicable standards for the application and a summary of how the application complies with those standards based on the facts and evidence, including any conditions of approval. The city clerk shall mail a copy of the staff report to the hearings examiner, the applicant, and the applicant's representative(s) and other parties who request it. Copies of the staff report also shall be available at City Hall seven days prior to the hearing and at the public hearing.

(5) Decision. Within 14 calendar days after the date the record closes regarding a given application(s), the hearings examiner shall submit to the city clerk a written decision regarding that application(s). The decision shall set out the relevant facts and applicable standards for the application(s) and a summary of how the application(s) complies with those standards based on the facts and evidence, including any conditions of approval.

(6) Notice of Decision. Within seven calendar days of the date of the decision, the city clerk shall mail a notice of decision as provided in LCMC [18.30.120](#).

(7) Appeal and Post-Decision Review. A final decision regarding an application subject to Type III process can be appealed pursuant to LCMC [18.30.130](#) and can be amended by post-decision changes pursuant to LCMC [18.30.150](#). [Ord. 2006-17 § 1, 2006.]

Chapter 18.60 (Development Agreements)

The applicant has indicated an interest in entering into a development agreement with the City. The purpose of these development agreements is to specify in advance some or all of the terms and conditions under which development will occur, including zoning and types of uses, development standards, size and density, timing and phasing, the provision of and payment for urban services, needed infrastructure components, annexation and any other matter the city deems to be necessary or appropriate under the circumstances of a particular property or development proposal (LCMC 18.60.010). Once executed in accordance with LCMC 18.60, a development agreement and the development standards it contains shall govern during the term of the agreement, or for all or that part of the build-out period specified in the agreement and may not be subject to any subsequent amendments to the city's development code, standards or regulations nor any zoning ordinance or development standard or regulation adopted after the effective date of the agreement (LCMC 18.60.020).

LCMC 18.60 states that the city shall only approve a development agreement under this chapter by ordinance or resolution after a public hearing before the city council. The City's recently amended development agreement code requires that the applicant provide a public benefit to offset requested code modifications. The applicant inquired about entering into a development agreement with the City to adjust the building lot and impervious surface coverage (35 percent and 50 percent, respectively) or "some other development standard." Additional discussion during the pre-application meeting focused on providing an alternative landscaping buffer along the site's western edge. Additional discussion is required prior to entering into a development agreement. Before the City can discuss the development agreement and public benefits, more information is required about what specific development standards you are proposing to modify and offsetting public benefits proposed.

Development agreements are reviewed under a Type IV process with review and approval by the City Council. If a development agreement is proposed, it would likely need to be processed in advance of the subdivision approval since it could affect the design of the subdivision. If only a few standards are

proposed to be varied, the applicant should consider the variance process in LCMC 18.260 provided the variance criteria can be met.

Chapter 18.130 (Low Density Residential)

The site is zoned LDR-7.5, low density residential, with a minimum lot size of 7,500 feet. Single-family detached residential dwelling units are a permitted use within the zoning district. The development must meet a minimum of four units per net acre. Net acre is defined as gross area minus area for public rights-of-way, private streets, utility easements, public parks, and undeveloped critical areas and buffers. Density can be transferred from undeveloped critical areas and buffers under the provisions 18.300.130 and reduce lot sizes for up to 10 percent of the lots on the site to 6,000 square feet. Individual parcels may not be smaller than 6,000 S.F. or larger than 11,000 S.F. LCMC 18.130.180.

The applicant’s proposed conceptual plan shows 39 lots generally ranging in size from 8,000 square feet to 10,195 square feet. Typical lot dimensions are 75-85 feet wide and 90-120 feet deep. Proposed access to lots would be from an internal public street system. Minimum density for the subject site is 34 lots, based on the net area of the site. This application proposes 39 lots, meeting minimum density requirements. The applicant has not indicated that they are using the density transfer provisions in the critical areas ordinance to reduce lots below 7,500 square feet.

Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Front Yard Setback (feet) ^{1, 2}	Minimum Side Yard Setback (feet) ²	Minimum Street Side Yard Setback (feet) ²	Minimum Rear Yard (feet) ^{2, 3}
60	90	20	7.5	10	20

¹If there are dwellings on both adjoining lots with front yard setbacks less than the required depth for the district, the minimum front setback for the lot is the average of the front setbacks of the adjoining dwellings. If there is a dwelling on only one adjoining lot with a front yard setback less than the required depth for the district, the minimum front setback for the lot in question is the average of the adjoining front yard setback and 15 feet.

²Cornices, eaves, belt courses, sills, canopies, or other similar architectural features (not including bay windows or vertical projections) may extend or project into a required yard not more than 30 inches. Chimneys may not project into a required yard more than 24 inches. A deck not more than 30 inches in height (measured from the lowest grade in the setback to the deck surface) and not covered by a roof or canopy may extend up to 10 feet into a front yard setback, seven and one-half feet into a street side yard setback and is permitted in a side or rear yard regardless of the setback requirements.

³A detached accessory structure, other than a garage or carport, may be situated in a rear and/or side yard provided it is at least six feet from the primary structure on a lot or parcel and it is set back from interior side and rear lot lines by at least five feet and from street side lot lines by at least 10 feet. A garage or carport may be situated in a rear and/or side yard provided it is at least 20 feet from the front and street side lot lines

Maximum building lot coverage shall not exceed 35 percent. Maximum impervious surface area shall not exceed 50 percent. The proposed plat should calculate building lot coverage per lot and total amount of impervious surface area to be created. Please additional notes above regarding entering into a development agreement if maximum building and impervious surface coverage is proposed to be exceeded.

The applicant has asked for confirmation that covered patios and home eaves are not included in the calculation of maximum building lot coverage since they do not meet the definition of a building because they are not for “the housing or enclosure of person”. LCMC 18.40.010 defines lot coverage “as the percentage of the total lot area covered by structures, including decks and all other projections except eaves”. By this definition, the maximum building coverage *would* include covered patios *but not* home eaves.

Chapter 18.147 Parks and Open Spaces

LCMC 18.147 requires single-family residential development of 40 or more dwelling units to provide publicly accessible park space at a ratio of 0.25 acres per 40 dwelling units in excess of the first 40 units. Based on the 39 units proposed, the applicant is not required to provide any park space within the development.

The applicant asked whether there is a way to obtain park impact fee credits or reimbursement for a park (whether under or over 40 units are provided) Park impact fees can only be credited back if the applicant constructs a park that is listed on the City's capital facilities plan; there are no parks identified on the City's capital facilities plan in the vicinity of the property. The applicant also asked whether there is a mechanism to pay a fee in-lieu of constructing a park; no such mechanism exists.

If a park is proposed, it must meet the design requirements in LCMC 18.147.030 including having a minimum contiguous area of 0.25 acres; being fronted on a public road for 40 percent of its perimeter or with public access from a pedestrian pathway; and containing minimum amenities including a play structure, path, benches, trash receptacles, bike racks, and picnic tables. There are additional design standards not called out here in LCMC 18.147.030.

Chapter 18.210 Subdivisions

Review Process for Subdivisions (LCMC 18.210.020)

Subdivision applications are processed as a Type III land use review requiring a public hearing before the La Center Hearing Examiner as detailed under LCMC 18.30 above.

Submittal Requirements (LCMC 18.210.030): A completed application form and the following materials will be required, prior to a determination of technical completeness:

1. The information listed in LCMC 18.210.010(2), provided an environmental checklist 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 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. See applicable criteria section above and the subdivision review criteria below.
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 associated with the preliminary plat, such as 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 wetland delineation and assessment is required by Chapter 18.300 LCMC and an application for a critical area permit, if wetlands are present and will be impacted. Any wetlands on site must be classified using the 2014 Ecology wetland rating system. A wetland mitigation report is required, if wetlands will be impacted.
 11. A geotechnical study is required if the site will contain substantial fill or there are steep or unstable slopes or seismic hazards on the site.
 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 phasing plan, if proposed.
 15. An archaeological predetermination
 16. Additional information:
 - a. A traffic study (please consult with the City Engineer regarding intersections to be studied.)
 - b. A signed *Agreement to Pay Outside Professional Review Expenses Related to Land Use Application*. (Provided during the meeting.)

Vesting: Applications are vested on the date the City deems the application to be technically complete.

Subdivision Approval criteria (LCMC 18.210.040): The applicant carries the burden of proof to demonstrate that the proposal complies with the following City regulations and standards:

- Chapter 12.05 LCMC, Sidewalks;
- Chapter 12.10 LCMC, Public and Private Road Standards;
- Chapter 15.05 LCMC, Building Code and Specialty Codes;
- Chapter 15.35 LCMC, Impact Fees;
- Chapter 18.245 LCMC, Supplemental Development Standards;
- Chapter 18.300 LCMC, Critical Areas;
- Chapter 18.310 LCMC, Environmental Policy;
- Chapter 18.320 LCMC, Stormwater and Erosion Control;
- The subdivision must make appropriate provision for parks, trails, potable water supplies and disposal of sanitary wastes; and
- The subdivision complies with Chapter 58.17 RCW.

Subdivision General Issues:

1. To approve the preliminary plat, the Hearing Examiner must make an affirmative finding that "appropriate provision for potable water supplies and for the disposal of sanitary wastes".
2. All existing wells and septic systems must be properly decommissioned prior to final plat.

3. The City may refuse bonds in lieu of improvements at the time of final platting if such bonding has not been previously discussed and documented.
4. Flag lots are discouraged.
5. The preliminary plat shall expire five years from the date of the Final Order. RCW 17.58.140(3)(a).
6. Phasing is permitted. All phases must be identified on the preliminary plat and be consistent with the lot number sequencing.

18.225 Legal Lot Determinations

Staff will complete a legal lot determination concurrent with the review of the subdivision application. application. Please provide information required by this Chapter (see LCMC 18.225.010[4]).

18.240 Mitigation of Adverse Impacts

The applicant will need to respond to this code section in their narrative as part of the consolidated type III land use application documenting impact and mitigation s for public facilities.

18.245 Supplementary Development Standards

The applicant did not include specific information regarding the fencing, hedging, solid waste, lighting, noise, and landscaping requirements regulated by Chapter 18.245. The consolidated type III application must address these specific issues. Because the proposed subdivision is adjacent to a school (UP – public facilities) and that facility would be separated from the subdivision by a street as per the applicant’s design, the landscaping must meet the standards of “L4 – 10 feet” landscaping. 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. The L4 standard requires a six-foot-high wall that complies with the F2 standard (6-foot high, sight obscuring fence or wall). When adjacent to another property, the wall or fence 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.

The applicant has indicated concerns that the requirements may be in excess as detached homes and schools are compatible uses. LCMC 18.245.060(4) indicates that the City can require a different amount of landscaping as part of development review, and that any changes proposed by the applicant may be considered as a part of this review. Additionally, 18.245.060(3) indicates that existing development may fulfill landscaping and screening requirements if it provides an equivalent level of screening. Given that there is a row of trees on the school property bordering the subject property, these trees may be able to be used in combination with a modified L4 standard to provide the necessary screening such as providing a six-foot fence or wall and supplementing with new trees where screening is insufficient.

Following the pre-application meeting, the applicant asked whether the required buffer could be contained within residential lots. LCMC 18.245.060 requires that the required landscaping and screening be located on the perimeter of the lot or parcel so locating the buffer within the rear yards of single-family lots is acceptable. The City would likely require that covenants be recorded for these properties requiring that the buffer be maintained by the property owners in perpetuity and that the buffer not be removed and changed. Please note that when the UP and LDR-7.5 zones are not separated by a street, the required buffer is an L5, 20-foot wide buffer rather than an L4, 10-foot wide buffer. The L5 buffer requires a 6-foot high berm or berm plus shrubs equal to six feet high that comply with the L2 standard (continuous screen three feet high) and one tree every 30 lineal feet and ground cover.

The City is interested in providing an appropriate level of screening for this context. A modified L4 or L5 buffer would likely be more appropriate here with a width of 10 feet wide in rear yards of homes or a densely planted 5-foot wide screen. The City would use its authority under LCMC 18.245.060(4) to work with the applicant to provide an appropriate buffer to fit this situation.

18.260 Variances

No variances have been requested. If any variances are requested, please fully address the variance approval criteria in LCMC 18.260.

Chapter 18.280 Off-Street Parking and Loading Requirements

Each dwelling unit shall be provided with two off-street parking spaces per Table 18.280.010 plus one space for guests. This may be accommodated with a note on the plat requiring each lot to provide three off-street parking spaces. Parking spaces within garages, carports and driveways serve to meet this requirement. The front plane of the garage must be setback a minimum of 18 feet from the interior edge of the sidewalk.

Please be aware that the City is updating its off-street parking code. While likely in the early stages of development, that code would likely contain the same parking requirements for single-family detached residences (2 spaces per unit plus 1 for guests) as the existing code.

18.300 Critical Areas

Clark County Maps Online identifies one critical area onsite: the northern portion of the site is mapped as Site Class D for ground shaking amplification, which is a type of geological hazards. The intention of the critical areas overlay is to achieve “no net loss” of important resources, or to protect from natural disasters. This strategy can include an assortment of mitigation measures, such as buffers, and restoration or other preservation measures. A geotechnical report has yet to be conducted. Therefore, it is unclear to what degree of concern the seismic area would be for this proposed development. If the area was determined to be geologically hazardous, the applicant should address this hazard in the geotechnical report and any necessary mitigations. The City would require application and review of a type II critical areas permit in conjunction with the subdivision application for the seismic hazard.

An initial GIS site survey revealed that the parcel is in a Category II aquifer, and these resources are subject to 18.300.090(1). Clark County maps the entire 12.09 acres of the proposed subdivision in a category II aquifer. However, LCMC is vague when it comes to measures to protect category II aquifers. 18.300.090(1)(b) and 18.300.090(1)(c) outline requirements for any aquifer recharge area, but no code specifies actions that only apply to category II aquifer recharge areas. A Level 1 or Level 2 Hydrogeological Report will not be required for this development.

No wetlands, floodplain zones, fish and wildlife habitat conservation areas, category I aquifer recharge areas, or other geologically hazardous areas are mapped for the site.

18.310 Environmental Policy

The project exceeds the exemption thresholds in LCMC 18.310.090 and WAC 197-11-800. The project application must include a completed SEPA checklist and appropriate processing fees.

The City will run the SEPA comment and land use comment period concurrently and will not make a decision on the land use application until after the close of the SEPA comment period. Mitigations stemming from the SEPA review will be included in the Type III Subdivision staff report.

18.340 Native Plant List: Any mitigation required for critical areas impacts shall use native plants in accordance with LCMC 18.340 and landscaped areas are encouraged not to use nuisance or prohibited plants.

18.350 Tree Protection: If any tree greater than 5" DHA is proposed to be removed, a tree cutting permit is required and trees larger than 10 inches in diameter must be mitigated. A tree protection plan will also be required in accordance with LCMC 18.350.060. Mitigation may consist of replanting on or off-site or payment in lieu of planting. LCMC 18.350.050. A tree cutting permit is a type II process with review and approval occurring concurrently with the type III consolidated preliminary plat and critical areas permit.

18.360 Archeological Resource Protection: Clark County Maps Online identifies portions of the site as having a moderate to high risk of encountering archaeological resources. Any high impact development (greater than 12-inches below the ground and more than 10,000 square feet) proposed in moderate, moderate-high, or high risk areas requires filing an archaeological predetermination report as per Table 18.360.020-1. Predetermination reports must contain the information in 18.360.080(4). Based on the findings of the predetermination report, further archaeological work or a full archaeological survey may be required.

Application Fees

An estimated fee schedule was provided during the meeting. Based upon the information provided to date, we estimate that the land use application fees will include:

- Preliminary subdivision plat (\$3,400 +\$125/lot);
- SEPA (\$170 x 3);
- Critical Area review (\$340 per critical area);

The City requires an applicant pay actual costs of outside professional services including engineering, legal, and planning. Impact fees shall be assessed against each lot at time of building permit. (La Center Resolution No. 13-372). A copy of the agreement was provided at pre-application conference. Please include a signed agreement with the application.

Please note that the City is due to update its land use fees. Timeline for that is uncertain, but the fees listed above could change to the following fees.

- Preliminary subdivision plat (\$3,000 + \$125 per lot);
- SEPA (\$340 + \$170 for noticing);
- Critical Area review (\$340 per critical area);

Impact Fees per Single Family Residence

- Park Impact Fee - \$2,842.00
- School Impact Fee - \$3,501.00
- Traffic Impact Fee - \$7,561.00
- Sewer Development Charge Fee - \$7,800.00

Answers to Questions

The applicant submitted a list of questions some of which were answered in the pre-application conference and in the notes above. Consolidated answers are provided to these questions below.

Land Use/Zoning

1. Code requires a 10-foot L4 buffer along the west boundary, between the development and the school site. The wall requirement seems excessive considering detached single-family homes and schools are compatible uses. Additionally, code requires the wall and plantings to be located across the proposed front yards and driveways of the development. Is there a mechanism in the code to allow a modification to the requirement?
Response: Yes. See discussion above under LCMC 18.245.
2. Please confirm that covered patios and home eaves are not included in the calculation of maximum building lot coverage since they do not meet the definition of a building because they are not for “the housing or enclosure of person”.
Response: Covered patios are included, but eaves are excluded in the calculation of maximum building lot coverage. See discussion above under LCMC 18.130.
3. Please confirm the City review procedure type and the different land use applications required.
Response: Please see discussion above under LCMC 18.30. The consolidated type III review process would include the preliminary plat, critical areas permit and type II tree removal permit. The development agreement would require a separate type IV review.
4. Please discuss the City application, permit, SDC’s, and other agency fees.
Response: See discussion of City fees above.
5. Please discuss any future Development Code and any other changes to regulations and what impact those changes may have on this project.
Response: See discussion under LCMC 18.280 above. The City is updating its parking code, but these changes are not expected to impact the existing requirements for single-family detached homes.
6. At under 40 DU, is there a way to seek and obtain park impact fee credits or reimbursement for a park? Similarly, what about over 40 DU?
Response: There is no mechanism for park impact fee credits or other park reimbursement in this situation since there is no park contained on the City’s capital facilities plan in this location. See further discussion under LCMC 18.147 above.
7. If the development reaches 40 lots is there a mechanism to pay a fee in lieu of constructing a park?
Response: The City does not have a fee in-lieu system for parks. See further discussion under LCMC 18.147 above.
8. At what point of infrastructure improvements may we submit building permit applications? And at what point may the permits be issued? Is bonding an option to submit/receive permits earlier?
Response: Approval of the plat will need to be completed prior to issuing building permits.
9. We are aware that the Development Agreement code Chapter 18.60 was recently adopted, and we would like to discuss the possibility of entering into one with the City. Specifically, what kinds of public benefits might staff/the city like to see in/around Manning Subdivision, if we were to propose increased building coverage, or another allowed development standard modification?
Response: See response to LCMC 18.60 above. More information and discussion is required regarding the specific development standards to be modified in addition to building lot coverage and public benefits proposed.

Streets/Transportation/Circulation

10. Please confirm the street classification of NE 339th Street.

Response: NE 339th Street is classified as a Major Collector per the Capital Facilities Plan.

11. Does the fire department have any comments regarding the layout?

Response: Answered by Clark Cowlitz Fire and Rescue in their review.

12. This application proposes to construct half-width improvements on NE A Avenue. Please confirm what is required from an engineering and fire standpoint.

Response: See response to Chapter 12.10 *Public and Private Road Standards* above.

13. Fire access appears to allow 15% slope. May we assume that driveways may be accessed with a 15% slope as well?

Response: The driveway can be 15% grade, but the Sidewalk connected to the driveway needs to meet ADA.

14. Please explain the intent of the Table under 2.14.E of the City's Engineering Standards and if this development will require two connections to NE 339th Street. It appears that the Table is missing information.

Response: See response to Chapter 12.10 *Street and Circulation* above. The CFP requires a minimum of 275 feet spacing for Major Collectors (NE 339th), and a maximum block size of 500 feet. See CFP excerpts.

Public Services/Utilities

15. The southern property owner may install a fence along the property line where we are proposing a sewer and storm public easement. Will a potential off-site fence be an issue?

Response: See response to Chapter 13.10 (last paragraph) above.

16. Assuming the perforated pipe buried in drain rock is acceptable as a flow spreader discharge facility, what is the preferred method to mitigate the emergency overflow?

- a. Option A. Propose a hard surface edge on the flow spreader and extend it the full width of the street termination point in the southwest corner. The emergency overflow could then discharge to the street and run downhill to the spreader facility.
- b. Option B. Install a beehive MH as the overflow and pipe it to the flow spreader. Once the southern lot develops, the flow spreader may be removed and routed to a new storm bypass main.

Response:

These questions will need to be reviewed during engineering review. Since the site currently sheet flows to the southwest, the stormwater outfall from the proposed stormwater pond will need have an energy dissipater so that a concentrated flow will not cause erosion.

17. Is the development code for stormwater requirements still following the Puget Sound Stormwater manual?

- a. Therefore, WWHM is not required and HydroCAD may be used to model both the pre and post development runoff rates?
- b. The WQ storm is the 6-month 24-hour storm but it is not well defined. Is it proper to assume this to be 70% of the 2-year storm?

Response: See response to Chapter 18.320 (Stormwater and Erosion Control) (fourth paragraph) above. See section 18.320 of the LCMC. The requirements of the stormwater analysis are described in the LCMC and the 1992 Puget Sound Manual. Generally, the water quality event is described as 64% of a 2-year storm. To make sure it is designed adequately, 70% of a two year storm is acceptable for the WQ event.

18. A wet pond will be designed to meet the WQ requirements such that the post developed runoff volume from the WQ storm defined above will be the permanent pool portion of the pond with detention taking place above this pond elevation. This assumes nutrient water quality is not required. Is this the correct design methodology?

Response: See response to Chapter 18.320 (Stormwater and Erosion Control) (fourth paragraph) above. These design questions will need to be considered during Engineering Review.

19. If we need to, may we receive permission from the High School for a grading easement to support the street along the HS frontage? What is the maximum slope from the back of curb to catch grade on the west side within the proposed right-of-way?

Response: See Chapter 12.10 *Grading* above. According to the city standard cross sections, a 2:1 slope is the maximum grade to match existing property elevation.

20. Fire hydrants will be adequately spaced per code requirements. Is it proper to assume sprinklers will not be required with proper hydrant spacing service?

Response: Answered by Clark Cowlitz Fire and Rescue in their review.

21. GIS shows the site is outside of the City’s sanitary sewer district boundary but lists the site’s Sewer Board District as La Center. Please explain the process to serve the development with public sewer.

Response: See response to Chapter 13.10 (first paragraph) above. The sewer system is part of the City sewer system for connection to the site.

22. What are the wall requirements for the detention pond? Is mechanical water quality treatment allowed, and if so under what conditions?

Response:

Mechanical Treatment is considered experimental treatment per the LCMC. These type of systems have been allowed previously, but they are privately maintained.

23. Are there any requirements associated with the proposed water line blow offs?

Response: Answered by Clark Public Utilities in their review. A Standard end Blow-off assembly per CPU details should be provided on all dead-end mains.

March 8, 2022 Pre-application Conference Attendees

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