



Final Staff Report and Notice of Decision

North Fork Properties Boundary Line Adjustment and Urban Holding: Type II

(2021-008-BLA) May 13, 2021

PROPOSAL:	The applicant is requesting approval for a boundary line adjustment and Urban Holding-10 (UH-10) overlay removal. The site is located in La Center, Washington on three parcels.
LOCATION:	No site address. Parcels 258913000, 258968000, and 258909000.
APPLICABLE STANDARDS:	La Center Municipal Code (LCMC) Chapter 18.30, Procedures LCMC Chapter 18.130, Low Density Residential District (LDR-7.5) LCMC Chapter 18.220, Boundary Line Adjustments (BLAs) LCMC Chapter 18.225, Legal Lot Determinations LCMC Chapter 18.300, Critical Areas LCMC Chapter 18.310, State Environmental Policy Act (SEPA) LCMC Chapter 18.320, Stormwater and Erosion Control
SEPA:	This project is not categorically exempt per LCMC 18.310.235 and must address the requirements outlined in WAC 197-11-800.
DETERMINATION:	Approval with conditions

I. CONTACT LIST

APPLICANT

Randy Cole
RJR Enterprises, LLC
1935 Samco Road Suite 102
Rapid City, SD 57702
605.342.9607
randalcp@msn.com

OWNERS

Randy Cole
RJR Enterprises, LLC
1935 Samco Road Suite 102
Rapid City, SD 57702
605.342.9607
randalcp@msn.com

APPLICANT'S REPRESENTATIVE

Seth Halling
AKS Engineering & Forestry
9600 NE 126th Avenue Suite 2520
Vancouver, WA 98662
360.882.0419
seth@aks-eng.com

LA CENTER STAFF

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Vancouver, WA 98660
360.823.6138
ethan.spoo@wsp.com

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Vancouver, WA 98660
503.417.1367
scott.bucklin@wsp.com

II. OVERVIEW

The applicant is preparing the properties for later construction of an 1,840 square foot (SF) single-family home on parcel 258913000 and a duplex of matching size on parcel 258968000. The parcels are in the Low-Density Residential (LDR-7.5) zone and urban holding-10 (UH-10) overlay district. In order to construct the homes, the applicant is requesting to consolidate parcels 258968000 and 258909000 and adjust the remaining interior property line 10' to the west under the City's boundary line adjustment process, and remove the UH-10 overlay designation. A legal lot determination and State Environmental Policy Act (SEPA) determination also accompanies this request.

The three parcels are currently undeveloped and their sizes range from approximately 2,500 to 10,000 SF. Parcel 258913000 is 0.23 acres (9,964 SF), 258968000 is 0.1 acres (6,530 SF), and 258909000 is 0.06 acres (2,528 SF). Figure 1 shows the site location.

Figure 1 – Site Location

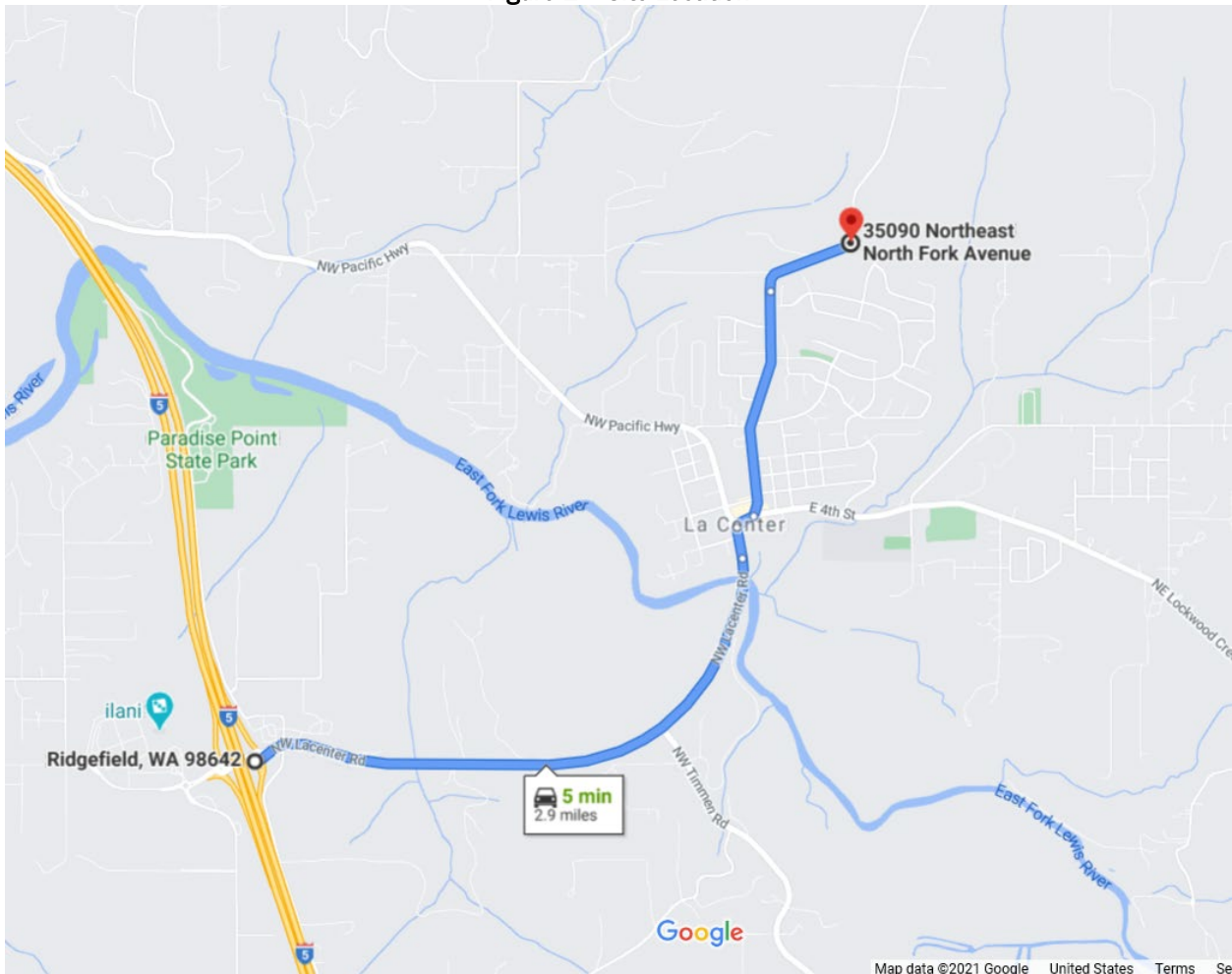


Figure 2 - Subject Site: Parcels 258913000



Figure 3 - Subject Site: Parcel 258968000



Figure 3 - Subject Site: Parcel 258909000



LAND USE REVIEW

Applicable regulations

The relevant La Center regulations include:

- *La Center Municipal Code (LCMC) Chapter 18.30, Procedures*
- *LCMC Chapter 18.130, Low Density Residential District (LDR-7.5)*
- *LCMC Chapter 18.220, Boundary Line Adjustments (BLAs)*
- *LCMC Chapter 18.225, Legal Lot Determinations*
- *LCMC Chapter 18.310, State Environmental Policy Act (SEPA)*
- *LCMC Chapter 18.320, Stormwater and Erosion Control*

Public Notice

Fourteen (14) day public notice is required for a Type II process. The City issued a combined notice of application and likely SEPA determination of nonsignificance on March 18, 2021 to properties within 150 feet of the subject properties. No comments were received during the public comment period.

Proposal

The applicant is requesting approval for a boundary line adjustment and to remove the site's UH-10 designation. The applicant is requesting these approvals to construct a single-family home and duplex on the properties at a later date.

Key Issues

The relevant issues to consider include:

1. Standards and requirements for submittals and documentation.

2. Do the subject parcels meet the minimum approval criteria related to the following subjects:
 - Zoning
 - Urban Holding-10 removals
 - Boundary line adjustments
 - Legal lot determinations
 - State Environmental Policy Act
 - Stormwater and erosion control

ENGINEERING REVIEW

LCMC 12.10.060 Public Roads

The applicant is required to submit engineering plans, as shown in the Engineering Standards list.

Engineering Standards section 2.15 requires sight distance be maintained at all driveways, building, or garage entrances. Due to the proximity of the lots' horizontal curve on North Fork Avenue, the applicant will need to provide drawings that verify the horizontal and vertical sight distance is maintained from the drive approach access per section 2.15(D) and table 2.5 for the minimum corner sight distance.

LCMC 18.190.060 Removal of UH-10 Overlay

The director may remove the UH-10 overlay district, based on certification from the public works director or city engineer that identified capital facilities deficiencies have been satisfactorily resolved.

(1) Removal of the Overlay. Such amendments shall occur under Type II review proceedings. The city shall not require a public hearing for such an amendment, because the public review process will have already occurred as a result of development review or an amendment to the capital facilities plan.

(2) The UH-10 overlay may be removed if provision of adequate capital facilities is required as a condition of phased development approval.

Finding

13.10.110 LCMC Public Utilities

Response: Separate independent side sewers shall be provided for every building. In order to provide sewer laterals, a public sewer main was extended from NE 24th Circle to the site with 4-inch diameter public sewer laterals extended to each lot. The public sewer main construction was inspected by the City, and the sewer main and laterals were accepted, thus the Urban Holding can be lifted.

LCMC 18.320 LCMC Stormwater and Erosion Control

Response: The applicant must construct driveways made of impervious surface to provide access to the proposed residential structures. Since the future buildings will be over 2,000 SF, the City's stormwater ordinance will need to be followed for quantity control and possibly water quality treatment.

Per LCMC 18.320, the creation of more than 2,000 SF of impervious area must comply with the stormwater regulations in the Puget Sound Stormwater Manual adopted by the City. The driveway exceeds the area required to treat stormwater per the City ordinance.

Per LCMC 18.320.120(1), all ground-disturbing activities in excess of 500 square feet must follow the requirements of the “City of La Center Erosion Control Guidelines”. The applicant will need to follow the City ordinance and submit a plan showing how construction stormwater will be managed.

Land Use Review

LCMC Chapter 18.30.030(3)(b) Application types and classification

(3) Procedure Types. There are four types of land use review procedures. This chapter or the chapter that authorizes an application generally identifies the type of procedure that applies to the application. If the appropriate procedure is not clearly defined, the director shall decide which of the four procedures will apply, based on the following considerations:

(b) A Type II process generally involves a mix of discretionary and nondiscretionary standards that require the exercise of limited discretion about nontechnical issues and about which there may be a limited public interest. It may be subject to SEPA review.

Finding

BLAs are typically subject to a Type I process and UH-10 removals are typically subject to a Type II. Because the two applications are being reviewed concurrently, the City has consolidated the review into one, Type II process.

LCMC Chapter 18.30.090 Type II procedure

(1) Notice of Application. Within 14 calendar days after the date an application subject to Type II review is accepted as technically complete, the city clerk shall mail a written notice of the application as provided in LCMC 18.30.120.

(2) Comments. The city clerk shall mail to the applicant a copy of comments timely received in response to the notice together with a statement that the applicant may respond to the comments within 14 calendar days from the date the comments are mailed.

(3) Decision.

(a) Within 56 calendar days after the date an application subject to a Type II process is accepted as technically complete, the review authority shall issue a decision that approves, approves with conditions, or denies the application; provided, an applicant may agree in writing to extend that time and may provide additional information within that time at the request of the city.

(b) The decision shall include a brief summary of 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.

(4) Notice of Decision. Within seven calendar days after issuing a decision, the city clerk shall mail notice of the decision as provided in LCMC 18.30.120.

Finding

As noted above, the City is considering the urban holding removal and boundary line adjustment under a consolidated Type II process in conformance with LCMC 18.190 and 18.30.030. The application was deemed complete on March 16, 2021 with the applicant’s submission of an updated land use plan as

requested by City staff. The notice of application was distributed on March 18 2021, within the 14-day time period allowed by code. No public comments were received except for the Department of Ecology comments and conditions of approval for the SEPA, which are included in this staff report as conditions of approval. The City issued this decision within 56 review days following the March 16 completeness. The application was temporarily placed on hold on April 30, 2021 and the clock was restarted on May 5, 2021 to obtain more information about the legal lot determination.

LCMC Chapter 18.30.050 Review for Technically Complete Status

Finding

The City found the application technically complete on March 16, 2021. The application was temporarily placed on hold on April 30, 2021 to obtain additional information. The applicant sent the additional materials necessary to complete the review on May 5, 2021.

LCMC Chapter 18.220.010 Boundary Line Adjustment

(1) A boundary line adjustment (BLA) is a division made for the purpose of adjusting boundary lines which does not create any additional lot, tract, parcel, site or division nor create any lot, tract, parcel, site or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site. Boundary line adjustments may not be concurrently reviewed with another land division if the proposed adjustment might affect the perimeter of the other land division.

(2) Boundary line adjustments recorded through the county assessor's office do not ensure such adjustments meet current zoning requirements. BLA applications approved through the La Center planning department ensure compliance with current zoning requirements, and are reviewed and approved through a Type I process, pursuant to LCMC 18.30.080.

(3) Application submittal requirements for BLAs include:

(a) A completed application form;

(b) The appropriate fee;

(c) Sales history since 1969 for each parcel to include:

(i) Copies of all deeds or real estate contracts showing previous owners or division of the original parcel;

(ii) Prior segregation requests;

(iii) Prior recorded surveys; and

(iv) Other information demonstrating compliance with the approval criteria of subsection (4) of this section;

(d) A site plan showing current conditions, including:

(i) The applicant's and contact person's name, mailing address and phone number;

(ii) Owner's name and address;

(iii) Layout and dimensions of parcels drawn to scale (minimum eight and one-half by 11 inches);

(iv) North arrow (oriented to the top, left or right of page), scale and date;

(v) Area of existing sites in acres or square feet;

(vi) Location of all existing buildings/structures, septic tanks and drainfields, wells and on-site utilities, and their distance in feet from all property lines;

(vii) Public and private roads and their dimensions and location; and

(viii) Private road and utility easements and their dimensions and location;

(e) A site plan, drawn to scale, showing proposed conditions, including:

i) Layout and dimensions of adjusted parcels drawn to scale (minimum eight and one-half by 11 inches);

(ii) North arrow (oriented to the top, left or right of page), scale and date;

(iii) Area of adjusted sites in acres or square feet;

- (iv) Location of all existing buildings/structures, septic tanks and drainfields, wells and on-site utilities, and their distance in feet from all property lines;
- (v) Public and private roads and their dimensions and location; and
- (vi) Private road and utility easements and their dimensions and location.

Finding

The applicant submitted an application to the city and it was deemed complete on March 16, 2021.

(4) Approval Criteria.

- (a) No additional lots could be created that do not meet current zoning of the property.*
- (b) Lots must meet current size requirements including minimum width and depth requirements.*
- (c) Lots must be buildable.*

Finding

The minimum size in the LDR-7.5 zone is 7,500 SF (10,000 for duplexes), with a maximum of 11,000 SF (more when abutting urban growth boundary), and all lots are required to be a minimum of 60 feet wide by 90 feet in depth. The western lot boundary of Parcel 258913000, as proposed by the applicant, will be less than 90 feet. While the lot depth at the western boundary will be under 90 feet, LCMC 18.40.010 defines *lot depth* as “the horizontal distance between the midpoint of the front lot line and opposite lot line, usually the rear lot line.” Using this definition, the applicant is proposing to consolidate the three tax lots into two lots with the following sizes and dimensions:

Parcel Number	Proposed Lot Size	Proposed Lot Width	Proposed Lot Depth
258913000 (Lot 1)	9,021 SF	92.12’	97.64’
258968000 and 258909000 (Lot 2)	10,000 SF	70.25’	142.53’

Based on these findings, Parcel 258913000 (Lot 1) will be 9,021 SF with a width of 92 feet and a depth of 97 feet. Parcels 258968000 and 258909000 (Lot 2), once consolidated, will be 10,000 SF with a width of 70 feet and a depth of 142 feet. The adjusted lots will be consistent with the minimum area, width and depth requirements in the zone, and the proposal will not create additional lots.

The LDR-7.5 zone requires 20-foot front, 20-foot rear, and 7.5-foot side setbacks. The applicant submitted a plan showing the eventual location of the structures on the two lots, but isn’t proposing to place structures on the lot at this time. Therefore, a condition of approval will require the applicant to demonstrate that setbacks are met prior to building permit approval.

A new public sanitary sewer main accessing the site from NE 24th Circle was approved by the City of La Center. Vehicles will access the lots using NE North Fork Avenue, which is a public road within the city limits.

As a condition of approval, the applicant must demonstrate that setback requirements are met prior to building permit approval.

As a **condition of approval**, the applicant shall record the boundary line adjustment with Clark County and provide the recorded copy to the City of La Center. Failure to record the boundary line adjustment shall render this decision void.

LCMC Chapter 18.225 Legal lot determinations

LCMC Chapter 18.225.010(3) Determination Process

(3) Determination Process. Lot of record status may be formally determined through the following ways:

(a) Lot Determinations as Part of a Building Permit or Other Development Request. Building or other development applications for new principal structures on parcels which are not part of a platted land division shall be reviewed by the city for compliance with the criteria standards of this section, according to the timelines and procedure of the building permit or other applicable review involved. Lot determination fees pursuant to the La Center fee schedule shall be assessed, unless the parcel was recognized through a previous lot determination or other review in which such recognition was made. Lot determination fees will be assessed for placement or replacement of primary structures. A separate written approval will not be issued unless requested by the applicant.

Finding

Because the lots are not within an approved subdivision and the applicant is proposing future development at the site, as part of a the BLA and urban holding overlay removal process, the applicant must demonstrate the lots are legal under the consolidated Type II review process.

LCMC Chapter 18.225.010(4) Application and Submittal Requirements

(4) Application and Submittal Requirements. The following shall be submitted with all applications for lot determination, or applications for other development review in which a lot determination is involved. Applicants are encouraged to submit material as necessary to demonstrate compliance with this section:

- (a) Prior city/county short plat, subdivision, lot determination or other written approvals, if any, in which the parcel was formally created or determined to be a lot of record;*
- (b) Sales or transfer deed history dating back to 1969;*
- (c) Prior segregation request, if any;*
- (d) Prior recorded survey, if any;*
- (e) At the discretion of the applicant, any other information demonstrating compliance with criteria of this section.*

Finding

The applicant has submitted a complete application, including Clark County's determination from 2017 in which the County found there to be two legal lots of record within the boundary of the three parcels. Parcel 258913000 was found to be a legal lot of record and parcels 258968000 and 258909000 were found to be one legal lot of record.

LCMC Chapter 18.225.010(5) Approval Criteria

(5) Approval Criteria.

(a) Basic Criteria. Parcels which meet both of the following basic criteria are lots of record:

(i) Zoning. The parcel meets minimum zoning requirements, including lot size, dimensions and frontage width, in effect currently or at the time the parcel was created; and

Finding

According to the plans provided by the applicant, the parcels on the east side of the site, as they exist today, are 2,528 SF (258909000) and 6,530 SF (258968000). The existing parcel on the west is 9,964 SF (258913000). Although the minimum lot size for the LDR-7.5 zone is 7,500 square feet, the applicant is requesting a BLA and lot consolidation for the two eastern parcels. After completing the BLA and lot consolidation process, the remaining parcels will be 9,021 SF (258913000 – Lot 1) and 10,000 SF (258968000 – Lot 2). The remaining parcels will meet the minimum lot size and dimension requirements of the LDR-7.5 zone as documented in this staff report. Setbacks will be verified prior to building permit approval.

(ii) Platting.

(C) Prior Determination. Parcels which have been recognized through a previous lot determination review, or other city planning approval in which lot recognition is made, are lots of record. Such parcels shall remain lots of record until changed by action of the owner;

Finding

The applicant submitted Clark County's lot determination from June 6, 2017 to support the legal lot determination process. The determination concluded parcel 258913000 is legal, and that by consolidating parcels 258968000 and 258909000, they become one legal lot of record. Given the County has recorded the lots as legal, subject to a lot consolidation, this requirement will be met when the applicant records their boundary line adjustment and returns a recorded copy to the City.

LCMC 18.300 Chapter Critical Areas

The parcels are located within areas mapped as geologic hazards and a category I critical aquifer recharge area. The applicant initially submitted an application for a critical areas permit for geologically hazardous areas and critical aquifer recharge areas. The applicant provided a geotechnical report that concludes that no geologically hazardous areas (erosion, landslide, or seismic hazards) exist on site. Therefore, critical areas permit review for geologically hazardous areas is unnecessary. Prior to site disturbance and building permit approval, the applicant must demonstrate how they are complying with the recommendations contained in the geotechnical site investigation report by Columbia West Engineering, Inc.

The applicant did not submit a level 1 hydrogeological report as required by 18.300.090(1) for development within a category 1 critical aquifer recharge area and has requested that this critical areas review occur prior to building permit approval.

As a condition of approval, the applicant shall comply with all requirements contained in the geotechnical site investigation by Columbia West Engineering, Inc. dated January 20, 2021 prior to ground disturbance or building permit approval.

As a **condition of approval**, the applicant shall submit all required materials and receive a critical areas permit for development within a critical aquifer recharge area, category 1 as required by 18.300.090 prior to building permit approval.

LCMC 18.310 Chapter Environmental Policy

Response: The applicant submitted a SEPA Checklist with the application. The City reviewed the checklist and relevant materials, and the Responsible Official issued a likely Determination of Non-Significance (DNS) Threshold Determination on March 18, 2021 and issued a final determination on May 13, 2021. The City published notice of the optional DNS in The Columbian, the La Center newspaper of record, and the Ecology SEPA Register. SEPA conditions of approval and/or mitigation measures are incorporated in Section IV of this staff report.

As a condition of approval, the applicant shall comply with all requirements of Ecology’s letter dated April 1, 2021.

IV. CONCLUSION

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. Therefore, the subject application is recommended to be **APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS.**

1. The applicant shall record the boundary line adjustment with Clark County and provide the recorded copy to the City of La Center. Failure to record the boundary line adjustment shall render this decision void.
2. The applicant shall provide separate independent side sewers to every building proposed onsite.
3. The applicant shall provide drawings to verify the horizontal and vertical sight distance is maintained from the drive approach access.
4. The applicant shall submit a plan showing how construction stormwater will be managed onsite prior to building permit approval.
5. The applicant shall demonstrate that setback requirements are met prior to building permit approval.
6. The applicant shall comply with all requirements contained in the geotechnical site investigation by Columbia West Engineering, Inc. dated January 20, 2021 prior to ground disturbance or building permit approval.
7. The applicant shall submit all required materials and receive a critical areas permit for development within a critical aquifer recharge area, category 1 as required by 18.300.090 prior to building permit approval.
8. The applicant shall implement the applicable requirements from Washington State Department of Ecology’s SEPA comments sent April 1, 2021.

V. APPEALS

A final decision regarding a Type II application may be appealed by the applicant, applicant's representative, or by any person, agency, or firm with an interest in the matter within 14 calendar days of this decision date or by May 27, 2021. Appeals shall contain all information specified in *LCMC 18.30.130*. The public record for this file is available at the City's Public Works Building, 305 NW Pacific Highway, La Center, Washington between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Please contact Sarah Dollar at 360-263-7665 for further information.

Signed:



Ethan Spoo, Consulting Planner, WSP USA, Inc.



Tony Cooper, City of La Center Engineer

Exhibits

See Exhibits List – Attached

Exhibits

- A.1 Master Land Use Application
- A.2 Clark County Legal Lot Determination
- A.3 Land Use Plans
- A.4 State Environmental Policy Act Checklist
 - Notice of Application
 - Department of Ecology Comments
 - No Public comments received

Exhibit A.1

Master Land Use Application

City of La Center, Planning Services
305 NW Pacific Highway
La Center, WA 98629
www.ci.lacenter.wa.us
Ph. 360.263.7665 Fax: 360.263.7666
www.ci.lacenter.wa.us



Property Information

Site Address N/A

Legal Description NE 1/4, S34, T5N, R1E

Assessor's Serial Number 258913-000, 258968-000, & 258909-000

Lot Size (square feet) 24,904 sf

Zoning/Comprehensive Plan Designation LDR-7.5 / UL

Existing Use of Site Vacant

Contact Information


APPLICANT:

Contact Name Randy Cole

Company RJR Enterprises, LLC.

Phone 605-342-9607 Email randalcp@msn.com

Complete Address 1935 Samco Road, STE. 102, Rapid City, SD 57702

Signature 
(Original Signature Required)


APPLICANT'S REPRESENTATIVE:

Contact Name Seth Halling

Company AKS Engineering & Forestry

Phone 360-882-0419 Email sethh@aks-eng.com

Complete Address 9600 NE 126th Avenue, STE. 2520, Vancouver, WA 98682

Signature 
(Original Signature Required)

PROPERTY OWNER:

Contact Name Randy Cole

Company RJR Enterprises, LLC.

Phone 605-342-9607 Email randalcp@msn.com

Complete Address 1935 Samco Road, STE. 102, Rapid City, SD 57702

Signature 
(Original Signature Required)

Development Proposal

Project Name North Fork Urban Holding

Type(s) of Application Boundary Line Adjustment, Urban Holding Removal, Critical Areas Permit, Legal Lot Det., SEPA

Previous Project Name and File Number(s), if known RJR Enterprises Boundary Line Adjustment (2020-020-PAC)

Pre-Application Conference Date and File Number 9/22/2020 (2020-020-PAC)

Description of Proposal The Applicant proposes to consolidate Parcel Number 258909-000 and 258968-000 into one parcel and then boundary line adjust the consolidated parcel with the project's third parcel (258913-000), resulting in two lots. This project proposes to remove the Urban Holding (UH-10) from the site since sanitary sewer has been constructed to the site. Sanitary sewer has been extended to the site and the lots will connect to the public water main in NE North Fork Avenue. Upon approval of this application, the Applicant plans to submit building permit applications to construct a duplex on each of the site's lots, for a total of two duplexes including four dwelling units.

Office Use Only

File # _____

Planner _____

Received By _____

Fees: \$ _____

Date Received: _____

Date Paid: _____

- Procedure: Type I
 Type II
 Type III
 Type IV

Receipt # _____

Notes _____

Boundary Line Adjustment



City of La Center, Planning services
305 NW Pacific Highway
La Center, WA 98629
www.ci.lacenter.wa.us
Ph. 360.263.7665 Fax: 360.263.7666

A boundary Line adjustment (BLA) is a division made for the purpose of adjusting boundary lines which does not create any additional lot, tract, parcel, site or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building a building site. Boundary line adjustments may not be concurrently reviewed with another land division if the proposed adjustment might affect the perimeter of the other land division.

Boundary line adjustments recorded through the county assessor’s office do not ensure such adjustments meet current zoning requirements. BLA applications approved through the La Center Planning Department ensure compliance with current zoning requirements, and are reviewed and approved through the TYPE 1 process, pursuant to LCMC 18.30.080. The planning director shall review the boundary line adjustments through a TYPE 1 procedure. Prior to approval, the city engineer shall find whether the adjustment will interfere with the extension of any planned right-of-way, public utility easement or capital facility identified by the CFP

Adjustment Analysis Information:

Lot Information	Lot Area		Lot Width		Lot Depth	
Code Required Minimum	7,500	sq. ft.	60	ft.	90	ft.
Existing Lot 1 258913-000	13,240	sq. ft.	100	ft.	131	ft.
Proposed Lot1	11,697	sq. ft.	90	ft.	129	ft.
Existing Lot 2 258968-000	6,529	sq. ft.	62	ft.	104	ft.
Proposed Lot 2	13,207	sq. ft.	72	ft.	178	ft.
Existing Lot 3 258909-000	5,135	sq. ft.	62	ft.	80	ft.
Proposed Lot 3	N/A	sq. ft.	N/A	ft.	N/A	ft.

Application Submittal Checklist

Application Requirements for all Reviews:


- **Master Application Form:** Provide Completed Master Land Use Application form with original signature(s)
- **Checklist:** Provide Completed Submittal Checklist
- **Written Narrative:** A detailed description of the proposed lot line adjustment and the reason for an adjustment
- **Adjustment Analysis Information**
- **The Appropriate Fee: \$425 + \$75/Lot**
- **Sales History Since 1969:**
 - Including:**
 - Copies of all deeds or real estate contracts showing previous owners or division of original parcels.
 - Prior segregation requests.
 - Prior recorded surveys.
 - Other information demonstrating compliance with the approval criteria.
- **A site plan showing current condition.**
 - Including:**
 - The applicants and contact person's name, mailing address and phone number.
 - Owners name and address
 - Layout and dimensions of parcels drawn to scale
 - North arrow (oriented to the top, left or right of page), scale and date.
 - Area of existing sites in acres or square feet.
 - Locations of all existing buildings/structures, septic tanks and drain fields, wells and on-site utilities, and their distance in feet from all property lines.
 - Public and private roads and their dimensions and location
 - Private road and utility easements and their dimensions and location.
- **Approval criteria**
 - No additional lots could be created that do not meet current zoning of the property
 - Lots must meet current size requirements including minimum width and depth requirements
 - Lots must be buildable [Ord. 2006-17, 2006.]

Boundary Line Adjustment Affidavit

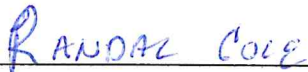
By affixing my signature hereto, I certify under penalty of perjury that the information furnished herein is true and correct to the best of my knowledge. I have owner(s) permission to submit this application. I agree to hold harmless the city of La Center as to any claim (including costs, expenses and attorney's fees incurred in the investigation of such claim) which may be made by any person, including myself, and filed against the city of La Center, but only where such claim arises out of the reliance of the city, including its officers and employees, upon the accuracy of the information provided to the city as a part of this application.



Applicant's signature



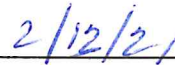
Date



Print Applicants Name



Property Owners Signature



Date



Print Property Owners Name

Exhibit A.2

Legal Lot Determination

Project Name: K MUONIO LEGAL LOT DETERMINATION

Case Number: MZR2017-00038

Location: NE North Fork Avenue

Legal Description: Tax lot 47 (258910-000), tax lot 50 (258913-000) and tax lot 106 (258968-000) located in the NE quarter of Section 34; Township 5 North, Range 1 East of the Willamette Meridian.

Request: The applicant is requesting that Clark County recognize tax lot 47 (0.9 acres), tax lot 50 (0.7 acres), and tax lot 106 (0.12 acres) as three separate legal lots of record located in the R1-6 zoning district with a UH-10 zoning overlay.

Applicant: Jolma Design, LLC
PO Box 1281
Battle Ground, WA 98604
(360) 703-1577
bjolma@jolmadesign.com

Contact Person: (same as applicant)

Property Owner: Brian Scheuble
37504 NW 29th Avenue
La Center, WA 98629
(360) 609-3220

Planning Tech: Shana Lazzarini **Phone Extension:** 4933

Email: Shana.Lazzarini@clark.wa.gov

Staff initials: SLL **Date Mailed:** June 6, 2017

Revised 03/16/2016



Community Development
1300 Franklin Street, Vancouver, Washington
Phone: (360) 397-2375 Fax: (360) 397-2011
www.clark.wa.gov/development



For an alternate format,
contact the Clark County
ADA Compliance Office.
Phone: (360)397-2322
Relay: 711 or (800) 833-6384
E-mail: ADA@clark.wa.gov

Analysis

A complete analysis was conducted to determine if the parcels identified above were created in compliance with all applicable platting and zoning laws in effect at the time of their creation. The following issues, because of their significance, are discussed in detail:

1. A legal lot of record is a lot which was in compliance with both the platting, if applicable, and zoning laws in existence when the parcel was originally created or segregated or which is otherwise determined to be consistent with the criteria of CCC 40.520.010(E). Owners of such lots shall be eligible to apply for building permit or other County development review, pursuant to County code.
2. The parent parcel consisting of tax lot 46, tax lot 47, tax lot 50, and tax lot 106 was created by Warranty Deed (G72301) dated May 24, 1950. At time of creation, there were no zoning or platting regulations in effect; therefor Clark County would recognize the combined lot as a separate legal lot of record as shown in Exhibit "A".
3. Per Real Gift Deed (G72302), dated March 11, 1951, tax lot 47 was created as a 0.9 acre lot. At time of creation, there were no zoning or platting regulations in effect; therefore, Clark County recognizes tax lot 47 as a separate legal lot of record as shown in Exhibit "B".
4. Per Warranty Deed (G104936), dated June 17, 1952, tax lot 50 was created as a 0.7 acre lot. At time of creation, there were no zoning or platting regulations in effect; therefore, Clark County recognizes tax lot 50 as a separate legal lot of record as shown in Exhibit "C".
5. The creation of tax lot 50 left tax lots 46 and 106 as a combined 0.65 acre lot. At time of creation, there were no zoning or platting regulations in effect; therefore, Clark County would recognize tax lot 46 and tax lot 106 as a combined legal lot of record as shown in Exhibit "D".
6. Per Legal Description for Conveyance, dated August 30, 1985, tax lot 106 was created. At time of creation, zoning was RE, minimum 5 acre lot size in area, and since the lot was created after July 1, 1976, the creation would have had to comply with Clark County Short Plat regulations; therefore, Clark County **CANNOT** approve tax lot 106 as a separate legal lot of record as shown in Exhibit "E".

DECISION

Based upon the above review, Clark County recognizes tax lot 47 (0.9 acres) and tax lot 50 (0.7 acres) as two separate legal lots of record; however Clark County **denies** tax lot 106 (0.12 acres) as a separate legal lot of record.

REMIDEAL MEASURES

If tax lot 106 and tax lot 46 are combined back to their original configuration, Clark County will recognize the combined lots as one separate legal lot of record.

If the lots are not combined, tax lot 106 and tax lot 46 will have to be combined with a neighboring legal lot.

CONDITIONS OF APPROVAL OF TWO LEGAL LOTS

1. Nothing in this decision shall be construed to permit violation of regulations for any other requirements not mentioned in this report.
2. This determination does not grant or deny any specific use for this given property.
3. This determination is based upon the Zoning Code in effect when this request was submitted to Clark County and does not cover matters of record or survey not received.
4. **This determination does not cover the issuance of a building permit, or development site plan review which is subject to further review.**
5. Please provide a copy of this report when applying for building permits or other development review.
6. The subject parcels were reviewed for compliance with lot of record criteria based on the zoning and platting regulations in effect at the time of its creation.

Appeal Procedures

Note: The Permit Services Manager reserves the right to provide additional comment and findings of fact regarding this decision, if appealed. An appeal of any aspect of this decision, and any required mitigation measures, may be appealed to the County Hearing Examiner by any interested party. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Permit Services Manager within the designated comment period.

The appeal shall be filed with the Community Development Department, Permit Services Division, within fourteen (14) calendar days after the date the notice of final land use decision is mailed to parties of record. This decision was mailed on June 6, 2017. Therefore; any appeal must be received in this office by June 20, 2017 by 3:00 PM.

APPEAL FILING DEADLINE
Date: June 20, 2017

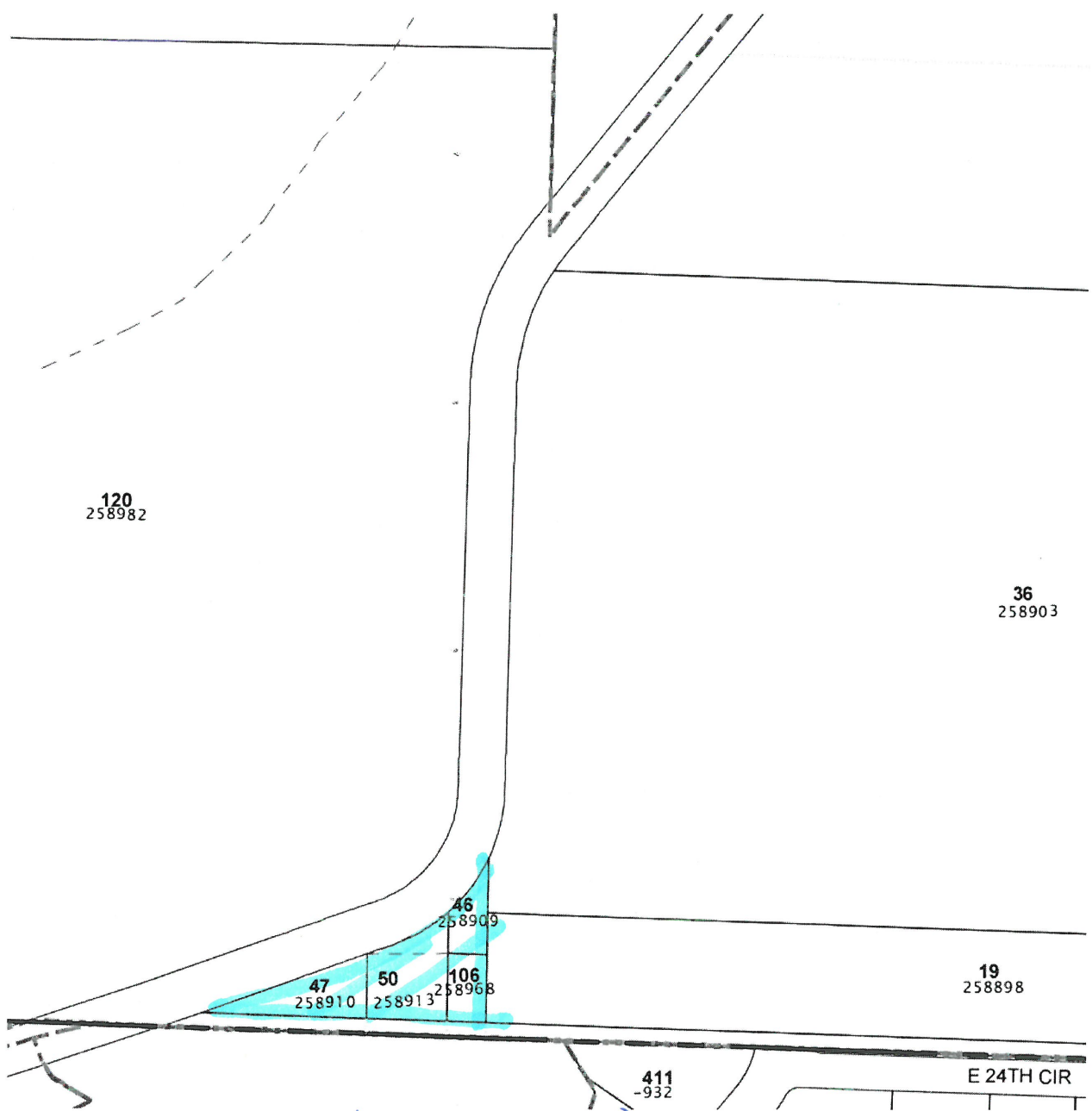
Any appeal of final land use decisions shall be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.020(E)(1) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one (1) party as the contact representative for all contact with the responsible official. All contact with the responsible official regarding the petition, including notice, shall be with this contact representative;
3. The specific aspect(s) of the decision being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied on to prove the error; and

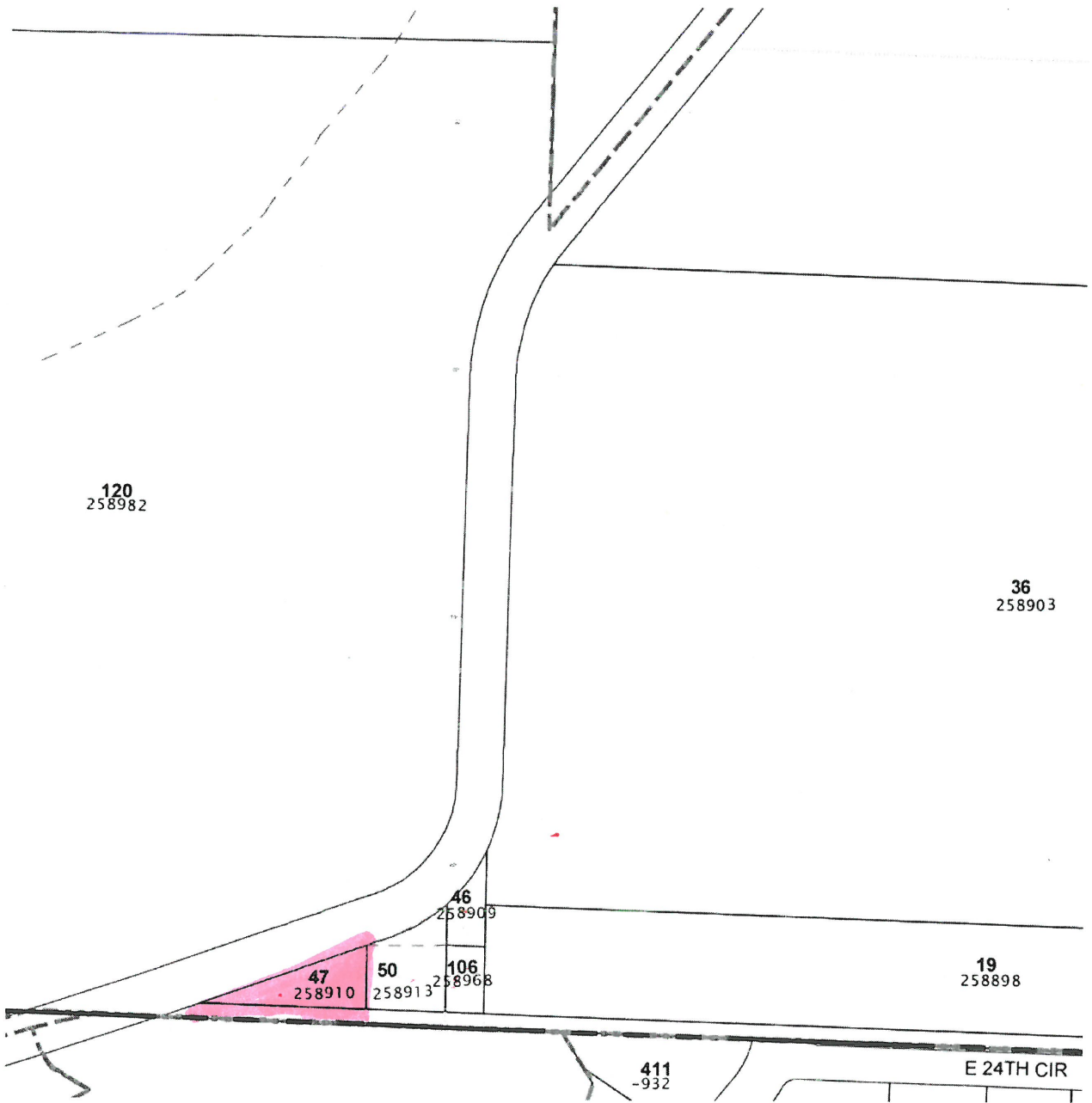
A fee of \$1727 must accompany the appeal. Submit the appeal request and fee to the Development Services Application Counter, office hours are Monday thru Friday between 8:00 a.m. and 3:00 p.m., and Wednesday by appointment only, at the address below:

Appeal to the Clark County Hearings Examiner
 Community Development Department, Permit Services Division
 1300 Franklin Street / PO Box 9810
 Vancouver, WA 98666-9810
 Phone: (360) 397-2375; Fax: (360) 397-6043

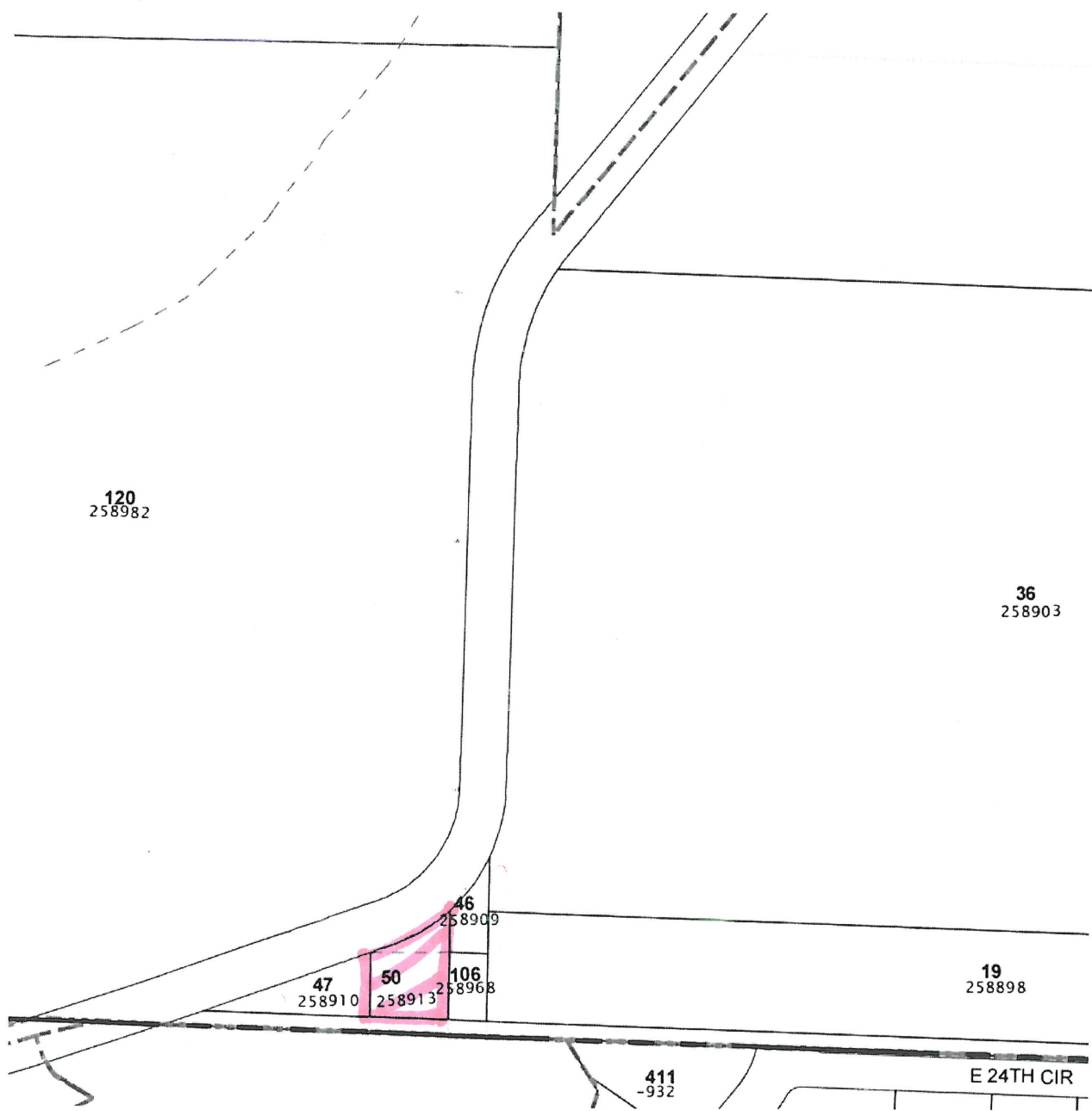
- | | | |
|--------------|-------------|-------------------------------------|
| Attachments: | Exhibit "A" | Parent Parcel Configuration |
| | Exhibit "B" | Tax lot 47 Configuration |
| | Exhibit "C" | Tax lot 50 Configuration |
| | Exhibit "D" | Tax lot 46 and tax lot 106 combined |
| | Exhibit "E" | Denied Configuration |



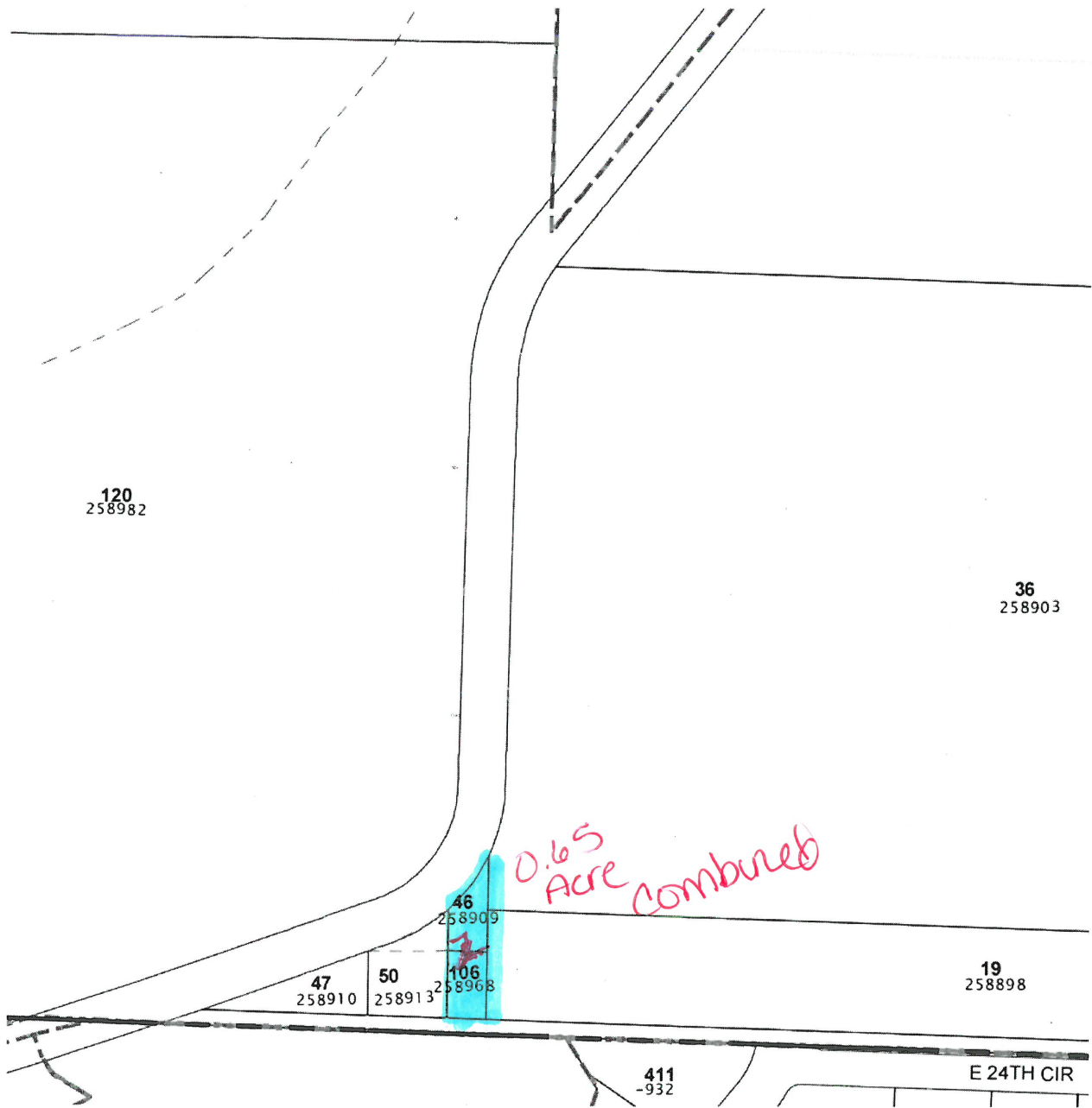
Warranty Deed (672301) May 24, 1958



Gift Deed (672302) March 11, 1956

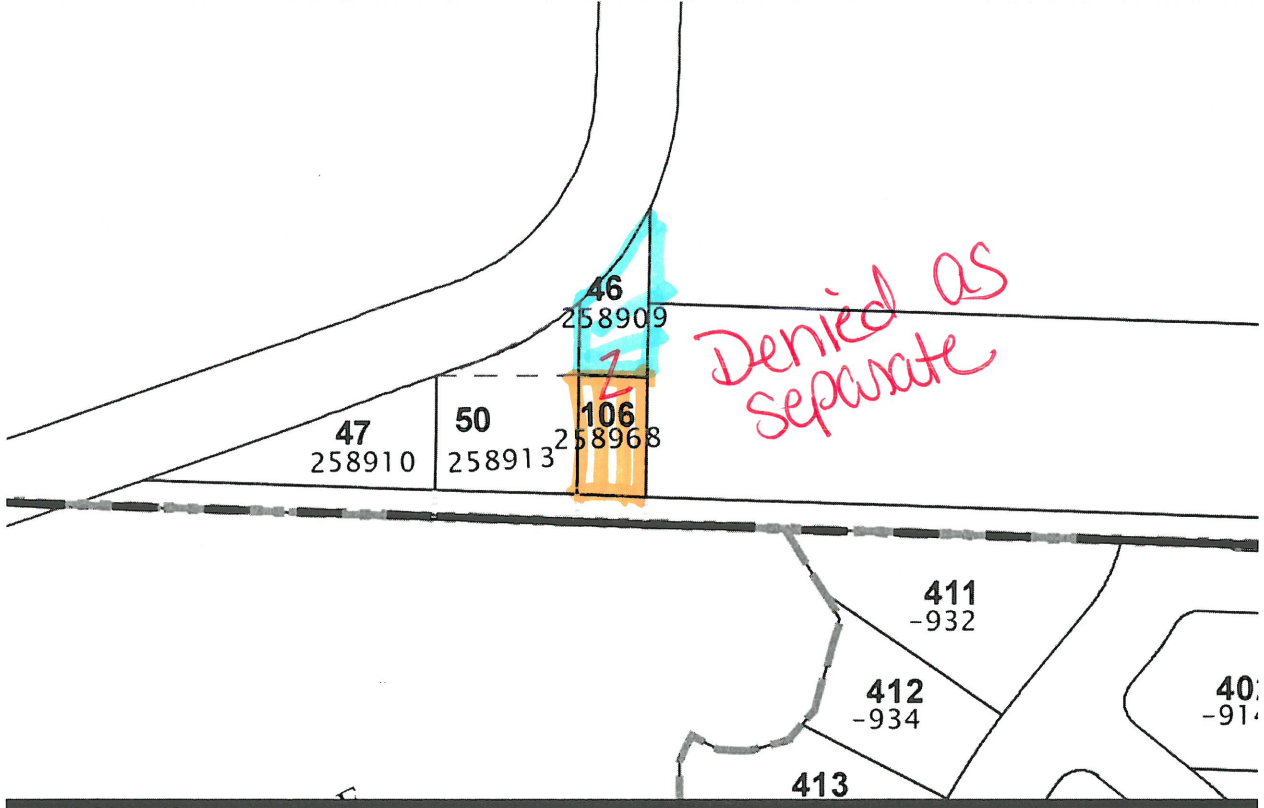


Warranty Deed (G104936) 6/17/52



warranty deed (G104936) 6/17/52 left
tax lot 46 + tax lot 106 as a combined
0.65 acre ~~lot~~ remainder lot

DENIED



Clark County
Geographic Information System

Exhibit A.3

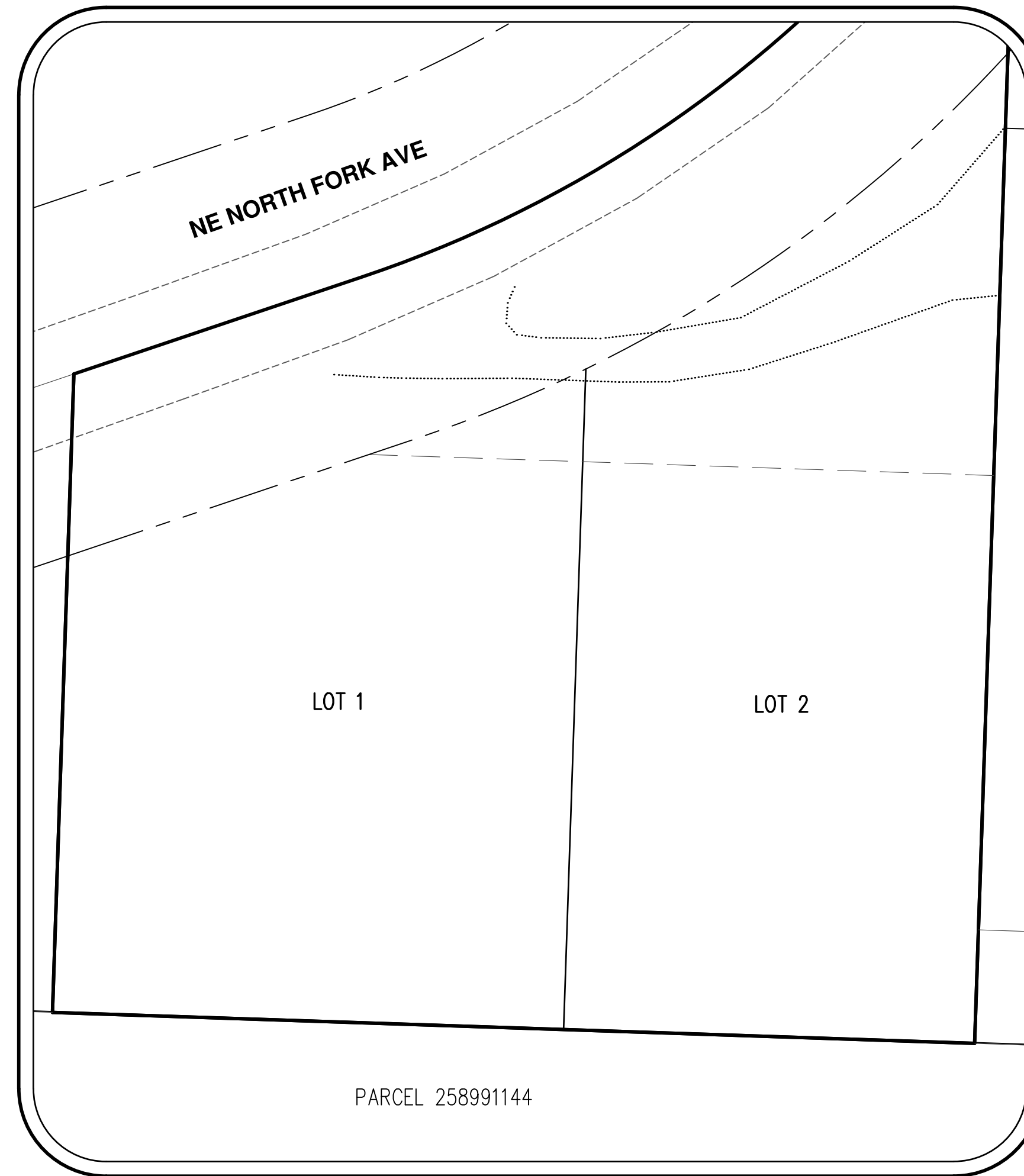
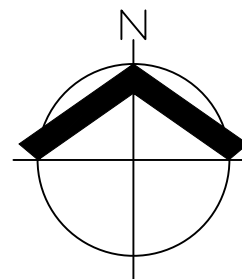
NORTH FORK URBAN HOLDING

URBAN HOLDING REMOVAL AND BOUNDARY LINE ADJUSTMENT PLANS



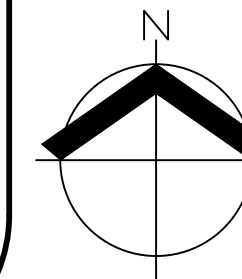
VICINITY MAP

N.T.S.



SITE MAP

N.T.S.



APPLICANT/OWNER

RJR ENTERPRISES, LLC
 CONTACT: RANDY COLE
 1935 SAMCO RD SUITE 102
 RAPID CITY, SD 57702
 PH: 360-607-4777
 E-MAIL: RANDALCP@MSN.COM

CONTACT

AKS ENGINEERING & FORESTRY, LLC.
 CONTACT: SETH HALLING, P.E.
 9600 NE 126TH AVENUE, SUITE 2520
 VANCOUVER, WA 98682
 PH: 360-882-0419
 FAX: 360-882-0426
 E-MAIL: SETHH@AKS-ENG.COM

PROPERTY DESCRIPTION

LOCATED IN THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 5 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CLARK COUNTY, WASHINGTON. PARCEL SERIAL NO. 258968-000, 258913-000, AND 258909-000.

EXISTING LAND USE

VACANT; URBAN HOLDING UH-10; ZONED LDR-7.5

PROJECT PURPOSE

REMOVE URBAN HOLDING ON PARCEL SERIAL NO. 258968-000, 258913-000, AND 258909-000 AND BOUNDARY LINE ADJUSTMENT.

SITE AREA

0.57 AC (24,904 S.F.)

LEGEND

EXISTING		PROPOSED		EXISTING		PROPOSED	
DECIDUOUS TREE							
CONIFEROUS TREE							
FIRE HYDRANT							
WATER BLOWOFF							
WATER METER							
WATER VALVE							
DOUBLE CHECK VALVE							
AIR RELEASE VALVE							
SANITARY SEWER CLEAN OUT							
SANITARY SEWER MANHOLE							
SIGN							
STREET LIGHT							
MAILBOX							

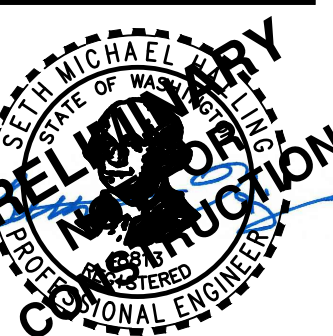
EXISTING

PROPOSED

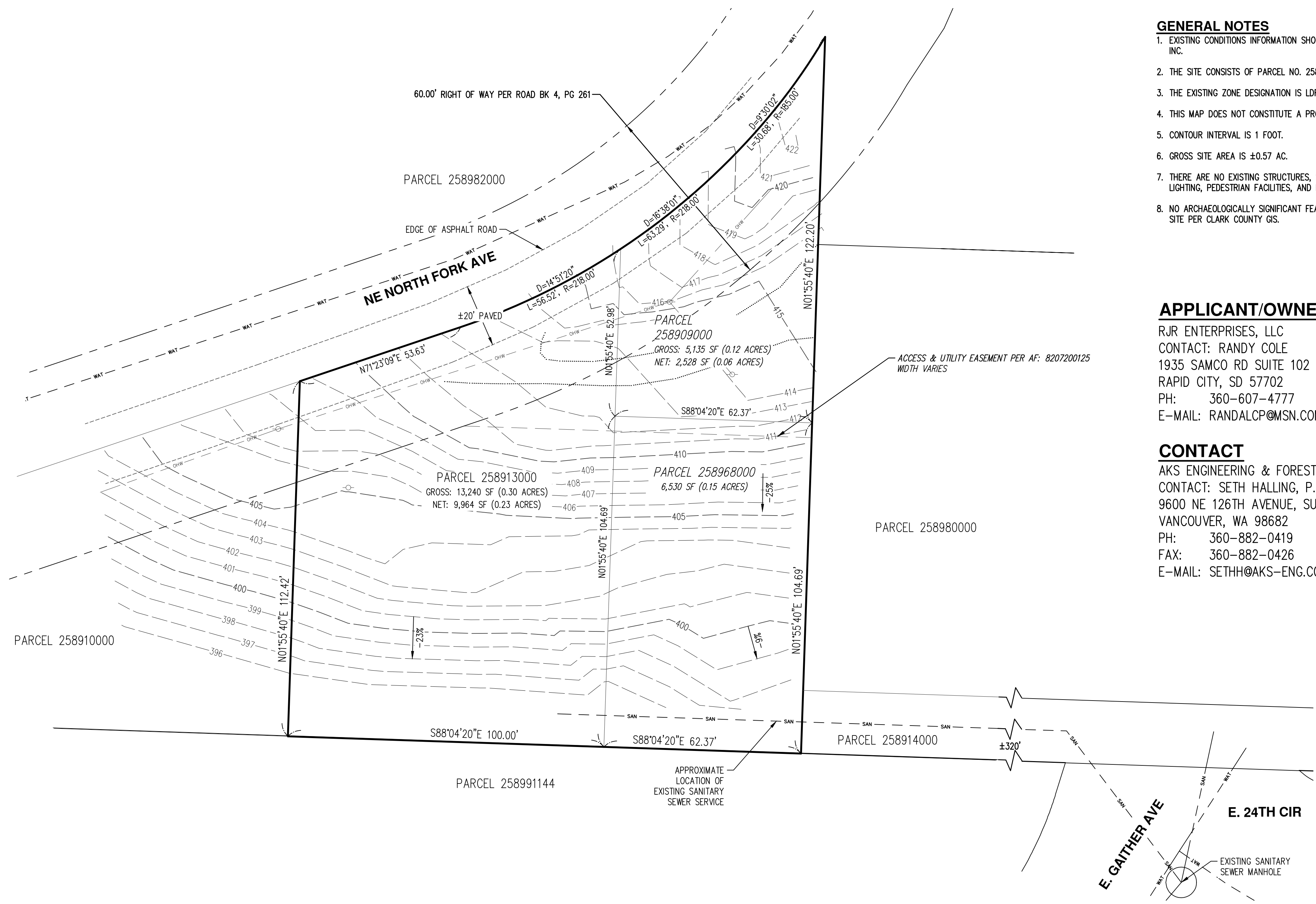
RIGHT-OF-WAY LINE		
BOUNDARY LINE		
PROPERTY LINE		
CENTERLINE		
DITCH		
CURB		
EDGE OF PAVEMENT		
EASEMENT		
FENCE LINE		
GRAVEL EDGE		
POWER LINE		
OVERHEAD WIRE		
COMMUNICATIONS LINE		
FIBER OPTIC LINE		
GAS LINE		
STORM DRAIN LINE		
SANITARY SEWER LINE		
WATER LINE		

SHEET INDEX

- P1.0 COVER SHEET
- P2.0 EXISTING CONDITIONS PLAN
- P3.0 PRELIMINARY BOUNDARY LINE ADJUSTMENT PLAN
- P4.0 CONCEPTUAL LAYOUT PLAN



JOB NUMBER:	8283
DATE:	2/2/2021
DESIGNED BY:	JRS
DRAWN BY:	JRS
CHECKED BY:	SMH



GENERAL NOTES

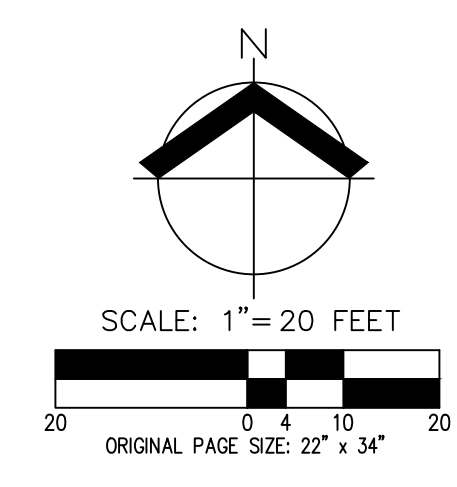
- EXISTING CONDITIONS INFORMATION SHOWN WAS PROVIDED BY NORTHERN LAND SURVEYING, INC.
- THE SITE CONSISTS OF PARCEL NO. 258968-000, 258909-000, AND 258913-000.
- THE EXISTING ZONE DESIGNATION IS LDR-7.5.
- THIS MAP DOES NOT CONSTITUTE A PROPERTY BOUNDARY SURVEY.
- CONTOUR INTERVAL IS 1 FOOT.
- GROSS SITE AREA IS ±0.57 AC.
- THERE ARE NO EXISTING STRUCTURES, SEPTIC TANKS AND DRAIN FIELDS, WELLS, EXTERIOR LIGHTING, PEDESTRIAN FACILITIES, AND BICYCLE FACILITIES ON THE SITE.
- NO ARCHAEOLOGICALLY SIGNIFICANT FEATURES, CRITICAL AREAS, AND BUFFERS EXIST ON THE SITE PER CLARK COUNTY GIS.

APPLICANT/OWNER

RJR ENTERPRISES, LLC
 CONTACT: RANDY COLE
 1935 SAMCO RD SUITE 102
 RAPID CITY, SD 57702
 PH: 360-607-4777
 E-MAIL: RANDALCP@MSN.COM

CONTACT

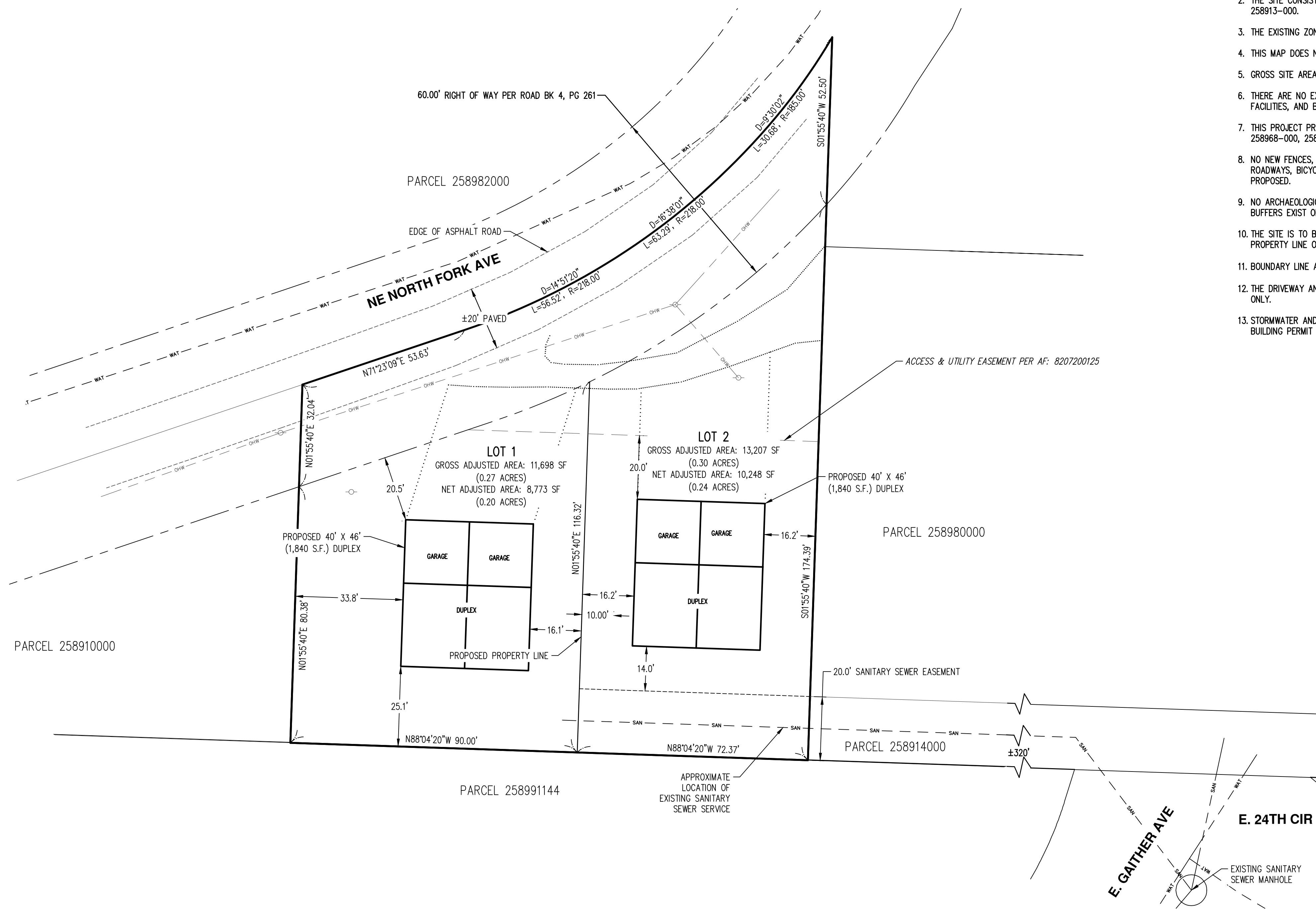
AKS ENGINEERING & FORESTRY, LLC.
 CONTACT: SETH HALLING, P.E.
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 PH: 360-882-0419
 FAX: 360-882-0426
 E-MAIL: SETHH@AKS-ENG.COM



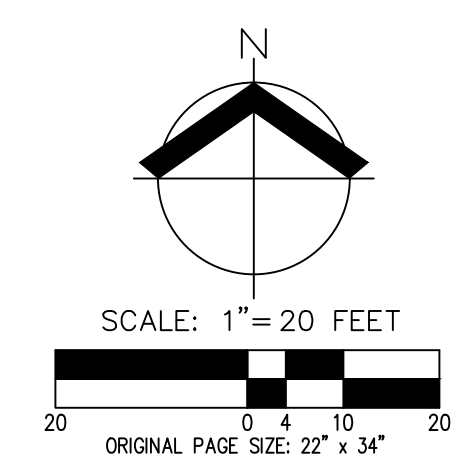
**EXISTING CONDITIONS PLAN
 NORTH FORK URBAN HOLDING
 RJR ENTERPRISES, LLC
 LA CENTER, WA**



JOB NUMBER:	8283
DATE:	2/2/2021
DESIGNED BY:	JRS
DRAWN BY:	JRS
CHECKED BY:	SMH



- GENERAL NOTES**
- EXISTING CONDITIONS INFORMATION SHOWN WAS PROVIDED BY NORTHERN LAND SURVEYING, INC.
 - THE SITE CONSISTS OF PARCEL NO. 258968-000, 258909-000, AND 258913-000.
 - THE EXISTING ZONE DESIGNATION IS LDR-7.5.
 - THIS MAP DOES NOT CONSTITUTE A PROPERTY BOUNDARY SURVEY.
 - GROSS SITE AREA IS ±0.57 AC.
 - THERE ARE NO EXISTING STRUCTURES, EXTERIOR LIGHTING, PEDESTRIAN FACILITIES, AND BICYCLE FACILITIES ON THE SITE.
 - THIS PROJECT PROPOSES TO REMOVE THE URBAN HOLDING ON PARCEL NO. 258968-000, 258909-000, AND 258913-000.
 - NO NEW FENCES, WALLS, LANDSCAPING, EXTERIOR LIGHTING, STREETS, ROADWAYS, BICYCLE FACILITIES, PEDESTRIAN FACILITIES, AND UTILITIES ARE PROPOSED.
 - NO ARCHAEOLOGICALLY SIGNIFICANT FEATURES, CRITICAL AREAS, AND BUFFERS EXIST ON THE SITE PER CLARK COUNTY GIS.
 - THE SITE IS TO BE SERVED BY SANITARY SEWER ALONG THE SOUTH PROPERTY LINE OF LOT 2. A SANITARY SEWER EASEMENT WILL BE PROVIDED.
 - BOUNDARY LINE ADJUSTMENT/FINAL LOT CONFIGURATION WILL BE TWO LOTS.
 - THE DRIVEWAY AND DUPLEX LAYOUT IS SHOWN FOR CONCEPTUAL PURPOSES ONLY.
 - STORMWATER AND EROSION CONTROL WILL BE ADDRESSED DURING THE BUILDING PERMIT PROCESS AND WILL MEET LCMC SECTION 18.320.



**CONCEPTUAL LAYOUT PLAN
 NORTH FORK URBAN HOLDING
 RJR ENTERPRISES, LLC
 LA CENTER, WA**



JOB NUMBER:	8283
DATE:	2/2/2021
DESIGNED BY:	JRS
DRAWN BY:	JRS
CHECKED BY:	SMH

Exhibit A.4

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable:

North Fork Urban Holding

2. Name of applicant:

RJR Enterprises, LLC

3. Address and phone number of applicant and contact person:

**Applicant: RJR Enterprises, LLC.
1935 Samco Road, Suite 102
Rapid City, SD 57702
Randy Cole
randalcp@msn.com
360-607-4777**

**Contact: AKS Engineering & Forestry, LLC.
9600 NE 126th Avenue, Suite 2520
Vancouver, WA 98682
Seth Halling
sethh@aks-eng.com
360-882-0419**

4. Date checklist prepared:

1/26/2021

5. Agency requesting checklist:

La Center

6. Proposed timing or schedule (including phasing, if applicable):

The sanitary sewer line has already been extended to the site. Two duplex buildings (four dwelling units) will be permitted and constructed on the two lots under future building permit applications once the BLA and Urban Holding Removal applications are approved.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Yes, once the BLA and Urban Holding Removal applications are approved, the Applicant will be permitting and constructing two duplex buildings (four dwelling units) on the two lots under future building permit applications.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

- **SEPA Checklist**
- **Geotechnical Report**

- **Hydrogeological Study will be prepared and submitted with future building permit applications.**
- **Stormwater Plan and Report will be prepared and submitted with future building permit applications.**

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No known applications are pending.

10. List any government approvals or permits that will be needed for your proposal, if known.

Boundary Line Adjustment Approval

SEPA Determination

Legal Lot Determination

Removal of Urban Holding overlay designation.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The applicant, The RJR Enterprises, LLC, is proposing a boundary line adjustment (BLA) and removal of the site's Urban Holding Designation, herein referred to as North Fork Urban Holding. The subject site is zoned residential (LDR-7.5) and is approximately 0.57 acres in size. The principal components of this application include:

- **Remove the Urban Holding designation from Parcel #'s 258968000, 258913000, and 258909000.**
- **Boundary line adjustment of Parcel #'s 258968000, 258913000, and 258909000, resulting in two buildable lots.**
- **The two adjusted lots will be served with sanitary sewer via the recently constructed sewer extension between the site and the intersection of E. 24th Circle and E. Gaither Avenue.**
- **Access to the two adjusted lots will be via a shared driveway from NE North Fork Avenue.**

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The site is not currently addressed.

Abbreviated legal: NE 1/4, S34, T5N, R1E

Clark County Parcel ID #: 258913-000, 258968-000, & 258909-000

B. Environmental Elements [\[HELP\]](#)

1. **Earth** [\[help\]](#)

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other SLOPED

b. What is the steepest slope on the site (approximate percent slope)?

25% on the southern portion of the site.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

- **Hesson Gravelly Clay Loam**

Per Clark County GIS, there are soils classified fair and good agricultural soils on site.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

There are no surface indications or history of unstable soils. Please refer to the Geotechnical Report, as prepared by Columbia West Engineering, Inc., dated January 20, 2021 for more information.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

No grading is proposed with the BLA or Urban Holding removal, but site grading will occur to construct the future residential dwellings and on-site utility improvements under separate future building permits. Any imported fill material will be procured from an approved site. Should material need to be hauled off site, it will be taken to an approved location. The estimated amount of grading for the future residential structures is unknown at this time and will be reviewed during the building permit process.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Yes, during construction of the residential structures, erosion mainly in the form of silt transfer and dust blow-off, could occur if adequate erosion control mitigation measures were not implemented. Stormwater and Erosion Control will be permitted through the building permit process, which will meet or exceed the requirements imposed by La Center Municipal Code and the Washington State Department of Ecology (ECY).

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Approximately 40% of the site could be covered with impervious surfaces following project construction of the future residential structures and associated infrastructure. This includes the future residences and driveways.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Stormwater and erosion control, in accordance with La Center Municipal Code, will be reviewed during the building permit process and implemented during construction of the future residential structures. Potential BMP's include minimal disturbance of soils outside of construction area, retention of existing vegetation to the maximum extent possible, installation of sediment fencing on downhill side of construction, soil stockpiles to be covered when not in use and temporary permanent vegetative cover shall be applied as soon as possible.

2. Air [\[help\]](#)

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Construction equipment and vehicles will generate dust and particulate emissions during the construction of the residential structures. Resident, visitor, delivery trucks, mail delivery, solid waste and recycling vehicles will generate particulate emissions in the long term. Other potential emission sources include small power tools including, but not limited to, small gas-powered equipment used for site and landscape maintenance. The quantities of those emission are unknown.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

The Applicant is not aware of any off-site sources of emissions or odors existing that would adversely affect the proposed development.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:
If necessary, water will be utilized for dust control as needed during construction of the residential structures. Emission control measures for vehicles and equipment are regulated under the La Center Municipal Code, Washington State Department of Ecology (ECY) and U.S. Environmental Protection Agency (EPA). It is anticipated that all vehicles and equipment will be in compliance with these regulations.

3. Water [\[help\]](#)

- a. Surface Water: [\[help\]](#)

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

There are no surface body waters on site or in the immediate vicinity of the site.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No, surface water withdrawals or diversions are not required with this proposal.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No, the subject site does not lie within a 100-year floodplain.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No, this application does not involve any discharge of waste materials to surface waters.

b. Ground Water: [\[help\]](#)

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No groundwater will be withdrawn as part of this project for any purpose. No water is proposed to be discharged to groundwater with this application. No impacts to ground water are anticipated with this project.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

This application does not propose discharging any waste in the ground from septic tanks or other sources.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Stormwater quantities are unknown at this time. The future residential construction may trigger stormwater review and BMP's in accordance with La Center Municipal Code will be incorporated at that time.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

Fuels, such as diesel or gasoline, could potentially spill on the site during construction of the residential structures. Without adequate erosion control or stormwater mitigation, waste

materials could possibly enter ground or surface waters. However, the stormwater treatment and erosion control measures that will be reviewed during the building permit process and implemented during construction of the residential structures will minimize the potential for waste materials to be conveyed to ground or surface waters.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No, this application does not alter or otherwise affect drainage patterns in the vicinity of the site.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

This project will meet or exceed the La Center and Washington State Department of Ecology's erosion control standards. Stormwater and erosion control measures will be permitted through the building permit process and stormwater generated by the future impervious surfaces will be collected and discharged in accordance with the La Center Municipal. Any spills will be immediately responded to and appropriate remediation measures will be taken.

4. **Plants** [\[help\]](#)

a. Check the types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

Orchards, vineyards or other permanent crops.

wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

- other types of vegetation **Himalayan Blackberry**

b. What kind and amount of vegetation will be removed or altered?

Existing trees and vegetation in areas to receive construction activities, approximately 8,000 square feet, will be removed. The specific plants to be removed will be determined during the building permit process. Please refer to the preliminary plans for the future locations of the residential structures.

c. List threatened and endangered species known to be on or near the site.

No threatened or endangered species are known to be on or near the site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

No landscaping is proposed with this application. It is likely that the future owners of the future duplexes will landscape their individual lots.

- e. List all noxious weeds and invasive species known to be on or near the site.
- **Himalayan Blackberry**

5. Animals [\[help\]](#)

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site.
No threatened or endangered species are known to be on or near the site. The WDFW PHS Website states that there are one or more records of Brown Bats being in the general area of the site. The Brown Bat is listed as Sensitive by WDFW. No Brown Bats are known to frequent the site.
- c. Is the site part of a migration route? If so, explain.
The site is located within what is commonly referred to as the Pacific Flyway. This Flyway is the general migratory route for various species of ducks, geese, and other migratory waterfowl. Neotropical birds, such as Robins, may also seasonally utilize or be near the site.
- d. Proposed measures to preserve or enhance wildlife, if any:
No specific measures are proposed with this application. It is likely that the future owners of the future duplexes will landscape their individual lots, which may enhance wildlife.
- e. List any invasive animal species known to be on or near the site.
No invasive animal species are known to be on or near the site.

6. Energy and Natural Resources [\[help\]](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Typical residential uses of electricity will be used for the completed project.

- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.

No, it is not anticipated that the project will affect the potential use of solar energy by adjacent properties.

c. What kinds of energy conservation features are included in the plans of this proposal?

List other proposed measures to reduce or control energy impacts, if any:

All construction on site will be designed to comply with the Washington State energy code and the adopted version of the International Building Code as applicable to this project.

7. Environmental Health [\[help\]](#)

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

Heavy equipment and a variety of materials will be utilized to construct the future buildings.

1) Describe any known or possible contamination at the site from present or past uses.

There is no known contamination at the site from present or past uses.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

There are no known existing hazardous chemicals/conditions that might affect the project.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Heavy equipment and a variety of materials will be utilized to construct the future buildings. There will be oil, fuel, etc. used on site during construction of the project. It is likely that the future residents will store small quantities of fuel and oil on site for things like a lawn mower.

4) Describe special emergency services that might be required.

No special emergency services are anticipated with this project. The project area is within the jurisdiction of La Center and currently served by fire, police and EMS providers.

5) Proposed measures to reduce or control environmental health hazards, if any:

Contractors will be expected to comply with applicable local, state, and federal regulations relating to the construction and operation of the project. All construction is anticipated to be inspected according to industry requirements and standards.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Existing traffic noise from NE North Fork Avenue can be heard on the property. However, this noise should not adversely affect the proposed project.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Construction on the site will create short-term construction noise. Construction activities will not occur after 10 p.m. or before 7 a.m. Visitor, resident, mail delivery, deliveries, and sold waste and recycling vehicles will create some noise in the long-term. Other long-term noise sources include small power tools including, but not limited to, small gas-powered equipment used for site and landscape maintenance.

3) Proposed measures to reduce or control noise impacts, if any:

Construction activities will only occur in accordance with La Center Municipal Code Section 8.55.050.

8. Land and Shoreline Use [\[help\]](#)

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The site is currently vacant. The adjacent properties to the north and northeast are being used for agricultural purposes. The adjacent properties to the west, south and east are currently vacant. It is not anticipated that the proposed project will materially adversely affect the current land uses of the adjacent properties. Views and streetscapes will be altered, and the area will become somewhat more “urbanized” as anticipated and directed by the Comprehensive Plan.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The property has not been recently used as working farmlands or working forest lands.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No, the project will not affect or be affected by surrounding working farm or forest land normal business operations.

c. Describe any structures on the site.

There are no structures on site.

d. Will any structures be demolished? If so, what?

N/A

e. What is the current zoning classification of the site?

LDR-7.5 – Low Density Residential

f. What is the current comprehensive plan designation of the site?

UL – Urban Low

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Clark County GIS indicates the possible presence of critical aquifer recharge areas (CARA) and geologically hazardous areas located on the site. According to the Geotechnical Report prepared by Columbia West Engineering, Inc., dated January 20, 2021, there are no landslide hazard areas or steep slopes on site. Please refer to the Geotechnical Report for more information regarding the presence of critical areas on site.

i. Approximately how many people would reside or work in the completed project?

Assuming 2.69 people per residence, approximately 11 people will reside in the completed project.

j. Approximately how many people would the completed project displace?

No people will be displaced by the completed project.

k. Proposed measures to avoid or reduce displacement impacts, if any:

More residential units are proposed than are being removed with this project.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Proposed measures include approval through the La Center Subdivision BLA and Urban Holding removal review process. The proposed BLA meets the minimum lot area, width, and depth requirements of the underlying zone.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

Proposed measures include approval through the La Center BLA and Urban Holding removal review process.

9. Housing [\[help\]](#)

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Four middle-income units (2 duplex buildings) will be provided with the proposed project.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No units will be removed with this project.

c. Proposed measures to reduce or control housing impacts, if any:

More residential units are being proposed than will be removed with the project. Park, school, and traffic impact fees will provide mitigation for impacts of the new development.

10. Aesthetics [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The tallest height of the proposed structures will be less than the maximum allowed 35 feet. It is anticipated that wood, metal, masonry, concrete, and/or stucco will be used for the principal exterior building materials on the future residences. Materials and finishes are preliminary at this time and will be approved through the City's building permit process.

- b. What views in the immediate vicinity would be altered or obstructed?

Views across the site will be altered with the construction of the residential structures, and adjoining properties will be able to see the future residences.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

The project will meet the requirements of the La Center Municipal Code.

11. Light and Glare [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Typical residential lighting will light the area in the nighttime hours.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

The installation of illuminated materials will be done in such a way to minimize dispersion off-site and to not constitute a safety hazard.

- c. What existing off-site sources of light or glare may affect your proposal?

There are no known existing off-site sources of light or glare that will affect the project.

- d. Proposed measures to reduce or control light and glare impacts, if any:

Lights will be installed and shielded to minimize dispersion and control any potential off-site impacts. Intensity of lighting will be kept at a level to assure safety on the site, but will meet all applicable La Center light shielding and glare requirements.

12. Recreation [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Designated or informal recreational opportunities in the immediate vicinity include the following:

- **Heritage Park is located approximately 1,000' to the southwest.**

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No existing recreational uses are being displaced with this application.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

No measures are proposed to control impacts on recreation. Park Impact Fees will be paid with construction of future residential units.

13. *Historic and cultural preservation* [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

No

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Reviewed Clark County GIS to see if site is located within an archaeological buffer or has a mapped historic site. According to GIS, the site has an archaeological probability of moderate, does not include a historic site, and is not in an archaeological site buffer.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

The project will comply with applicable regulations and protocols of DAHP and La Center.

14. *Transportation* [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Proposed and existing access to the project is from NE North Fork Avenue. This application proposes a shared driveway on NE North Fork Avenue to serve the two adjusted lots.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No, there is no public transportation available at the site. C-Van dial-a-ride services as well as a connector bus which stops and Ilani Casino, approximately three miles southwest of the site, are available in La Center.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

The proposed project will provide a minimum of two parking spaces for each dwelling unit, in accordance with La Center Municipal Code Table 18.280.010.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No.

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No, the project will not occur in the vicinity of water, rail, or air transportation.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Based on ITE, Trip Generation, 10th Edition, the two duplex buildings (4 dwelling units) is estimated to generate 38 net new weekday trips, 3 net new a.m. peak hour trips (1 in and 2 out), and 4 net new p.m. peak hour trips (2 in and 2 out).

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No, it is not anticipated that the project will interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area.

h. Proposed measures to reduce or control transportation impacts, if any:

Pay traffic impact fees under the future building permits and comply with La Center road and driveway standards.

15. Public Services [\[help\]](#)

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Yes, future public services will be needed for the four dwellings.

b. Proposed measures to reduce or control direct impacts on public services, if any.

The Applicant will construct on site utilities, pay system development charges, property taxes and other municipally imposed taxes and fees.

16. Utilities [\[help\]](#)

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____

d. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Water – Clark Public Utilities

Sanitary sewer – La Center

Electricity - Clark Public Utilities

Solid waste - Waste Connections


Telephone – Century Link

Sanitary sewer was extended to the site under a separate permit. The sewer line connects the site to the sewer at the intersection of E. Gaither Avenue and E. 24th Circle.

Water services and meters for each lot/duplex will connect to an existing water main in NE North Fork Avenue.

C. Signature [HELP]

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:  _____

Name of signee Seth Halling _____

Position and Agency/Organization Project Manager / AKS _____

Date Submitted: 2/22/2021



**NOTICE OF APPLICATION
AND LIKELY SEPA DETERMINATION OF NON-SIGNIFICANCE
North Fork Properties Boundary Line Adjustment and Urban Holding Overlay Removal/SEPA
(File # 2021-008-BLA/ZON/SEPA)**

Description of proposal: The applicant intends to construct a duplex on parcel 258913000 and a single-family home on parcel 258968000 in the Low-Density Residential (LDR-7.5) zone and Urban Holding (UH-10) overlay district. In order to construct the residential structures, the applicant proposes to consolidate parcels 258968000 and 258909000 to create a parcel of at least 10,000 square feet that can accommodate a duplex and move the property line between parcels 258968000 and 258913000 7.88 feet to the west. The applicant requests the UH-10 overlay designation be removed under the process outlined in LCMC 18.190 by demonstrating that adequate capital facilities are available. If approved, the boundary line adjustment (BLA) would create two lots:

- Lot 1 - 9,021 SF (258913000); and
- Lot 2 - 10,000 SF (258968000).

Likely SEPA DNS: NOTICE IS HEREBY GIVEN that, an application has been submitted as noted below and based on a review of that application, the City of La Center expects to issue a Determination of Non-Significance (DNS) for this proposal pursuant to the "Optional DNS process" allowed by State Law (WAC 197-11-355) and the La Center Municipal Code (LCMC 18.310). A copy of the determination may be requested now and will be mailed when available. Comments received within the deadline, will be considered in the review of the proposal and the State Environmental Policy Act (SEPA) environmental checklist. This may be the only opportunity to comment on the environmental impacts of the proposal and no additional comment period will be provided, unless probable significant environmental impacts are identified during the review process, which would require additional study or special mitigation. The proposal may include mitigation under applicable codes, and the project review process may incorporate or require mitigation measures.

Any person has the right to comment on this application, receive notice of and participate in any hearings, request a copy of the decision once made, and appeal the final SEPA determination of the project. **Written comments submitted by 5:00 PM on April 01, 2021 will be considered in the application and SEPA determination.** Please send comments to the City of La Center, Community Development, 305 NW Pacific Highway, La Center, WA 98629 or by email to Sarah Dollar, Permit Technician, at sdollar@ci.lacenter.wa.us

Application: North Fork Properties Boundary Line Adjustment and Urban Holding Overlay Removal/SEPA (File # 2021-008-BLA/ZON/SEPA)

Application date: March 2, 2021

Technically Complete: March 16, 2021

Proponent/applicant: Randy Cole, RJR Enterprises, LLC, 1935 Samco Road Suite 102 Rapid City, SD 57702

Property owner: Same as applicant

Location of proposal: No site address. Parcels 258913000, 258968000, and 258909000 front North Fork Avenue near the City's northern limits.

Public Hearing: Not applicable. A public hearing is not required for this project.

Existing Environmental Documents relied upon: SEPA requires that a review of the potential environmental impacts be conducted. City staff and interested agencies will review the proposal for compliance with applicable state requirements and city codes. Through this process a determination will be made as noted under the following statement of determination.

The following environmental documents were relied upon in the City's assessment of a likely determination of non-significance: SEPA Environmental Checklist dated, January 26, 2021; Geotechnical Report dated January 20, 2021; Property fact sheet dated March 2, 2021; Legal description and map dated July 1, 2019; Land use plans dated February 2, 2021; and applicant's narrative dated February, 2021.

Statement of Determination: As lead agency under the State Environmental Policy Act (SEPA) rules [Chapter 197-11, Washington Administrative Code] the City of La Center must determine if there are potential significant adverse environmental impacts associated with this proposal. The options include the following:

- Determination of Significance – (DS). The impact cannot be mitigated and therefore require the preparation of an Environmental Impact Statement (EIS).
- Mitigated Determination of Nonsignificance – (MDNS). The impact can be mitigated through conditions of approval, or;
- Determination of Nonsignificance – (DNS). The impacts can be addressed by applying the city codes.

Approval Standards/Applicable Laws: La Center Engineering Standards; La Center Municipal Code Title 12 (Streets, Sidewalks, and Public Ways); Title 18 (Development Code) including 18.030 (Procedures); 18.130 Low Density Residential District; 18.190 (Urban Holding Removal); 18.220 (Boundary Line Adjustment); 18.300 (Critical Areas); 18.310 (Environmental Policy); 18.320 (Stormwater and Erosion Control).

Mitigation Measures: The applicant will be required to comply with all applicable approval standards and laws in addition to the following project-specific mitigation measures:

- Earth: Prior to construction, the applicant shall implement the requirements and recommendations specified in the geotechnical report developed by Columbia West Engineering, Inc. (January 20, 2021).
- Water: Prior to construction, the applicant shall complete a hydrogeological report as required by LCMC 18.300.090(1).
- Land and Shoreline Use:
 - The site is located within a category I critical aquifer recharge area. The applicant shall obtain a City of La Center critical areas permit prior to construction per LCMC 18.300.090(1).
 - Prior to removing the urban holding designation, the applicant is required to demonstrate that adequate public services and utilities are available or can be provided prior to development of the site in accordance with LCMC 18.190.060.
- 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-foot buffer; this number may vary by circumstance) must stop and the following actions taken.
 - Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering;
 - Take reasonable steps to ensure confidentiality of the discovery site; and,
 - 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, Interim Cultural Resources Manager	Phone: 360-575-6226; email: nreynolds@cowlitz.org
City of La Center, Ethan Spoo, Consulting Planner	Phone: 360-263-7665; email: ethan.spoo@wsp.com
Office of the Clark County Medical Examiner (for human remains)	Phone: 564-397-8405; email: medical.examiner@clark.wa.gov
Washington DAHP, Dr. Allison Brooks, Ph.D, Director	Phone: 360-586-3066; email: Allyson.Brooks@dahp.wa.gov

Responsible Official: Greg Thornton, Mayor

Date: 3-18-21 Signature: 

Issued: March 18, 2021



File Name: North Fork Properties Boundary Line Adjustment and Urban Holding Overlay Removal/SEPA (File # 2021-008-BLA/ZON/SEPA)

Date Published: March 18, 2021

Attached is a likely environmental Determination of Non-Significance (DNS) and associated environmental checklist issued pursuant to the State Environmental Policy Act (SEPA) rules (WAC 197-11). The City (lead agency) completed evaluation of the environmental checklist as required by WAC 197-11. You may comment on this likely determination within fourteen (14) days of the issuance of this notice March 18, 2021. The lead agency will not act on this proposal until the close of the **14-day comment period, which ends April 1, 2021.**

Please address any correspondence to: Sarah Dollar, Community Development Technician
ATTN: SEPA COMMENTS – North Fork BLA and Urban Holding
c/o 305 NW Pacific Highway
La Center, WA 98629

DISTRIBUTION:

Federal Agencies: National Marine Fisheries, PRD Division (Mail)
US Army Corps of Engineers, Regulatory Functions (Mail)

Native American Interests: Confederated Tribes of the Grande Ronde (Mail)
Cowlitz Tribe, Longview, WA (Mail)

State Agencies: Dept of Ecology (Email)
Dept of Health, Office of Drinking Water (Email)
Dept of Commerce (Email)
Dept of Fish & Wildlife, Region 5 (Email)
Dept of Natural Resources, SEPA Center (Email)
Dept of Transportation, Environmental Services (Email)
Dept of Transportation, SW Region (Email)
Office of Archaeology & Historic Preservation (Email)
Washington Parks & Recreation Commission (Email)

Local Agencies: City of Ridgefield (Email)
Clark County, Dept of Community Development (Email)
Clark County, Dept of Health (Email)
Clark County, Dept of Parks & Recreation (Mail)
Clark County, Dept of Public Works (Email)
Clark County Sheriff
Clark County Fire and Rescue
Town of Yacolt (Email)
La Center Police Department

School Districts: La Center (WA) School District (Mail)

Special Purpose Agencies: Clark Public Utilities (Email)
Columbia River Economic Development Council (Email)
C-TRAN (Email)

Lower Columbia Fish Recovery Board
Southwest Clean Air Agency
Southwest Washington Regional Transportation Council
Clark Regional Wastewater District

Libraries: Fort Vancouver Regional Library, La Center (Mail)

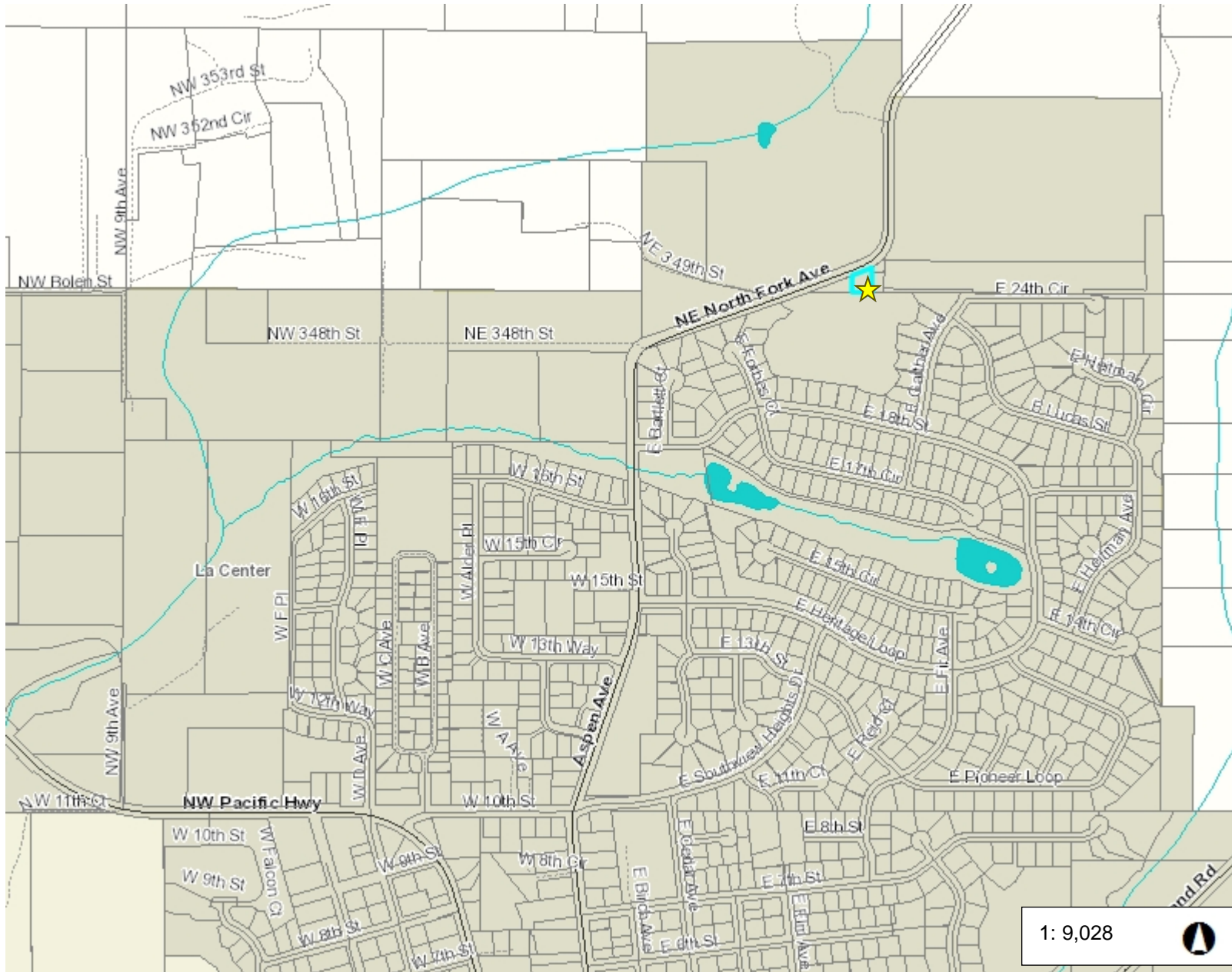
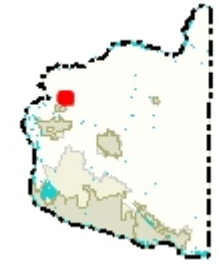
Fire Districts: Clark County Fire & Rescue

Media: The Columbian

Other Interested Parties: Audubon Society, Vancouver (Mail)
Clark County Natural Resources Council (Email)
NW Natural (Mail)
Vancouver Wildlife League (Mail)



North Fork Properties



Legend

- Taxlots
- Cities Boundaries
- Urban Growth Boundaries

Notes:

1: 9,028

1,504.7 0 752.33 1,504.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
Clark County, WA. GIS - <http://gis.clark.wa.gov>

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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

April 1, 2021

Sarah Dollar, Permit Technician
City of La Center
Community Development Department
305 Northwest Pacific Highway
La Center, WA 98629

Dear Sarah Dollar:

Thank you for the opportunity to comment on the optional determination of nonsignificance/notice of application for the North Fork Urban Holding Project (2021-008-BLA/ZON/SEPA) as proposed by RJR Enterprises LLC. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

SOLID WASTE MANAGEMENT: Derek Rockett (360) 407-6287

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 the 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 for proper management of these materials.

**WATER QUALITY/WATERSHED RESOURCES UNIT:
Greg Bengé (360) 690-4787**

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or stormdrains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.

Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

Construction Stormwater General Permit:

The following construction activities require coverage under the Construction Stormwater General Permit:

1. Clearing, grading and/or excavation that results in the disturbance of one or more acres **and** discharges stormwater to surface waters of the State; and

2. Clearing, grading and/or excavation on sites smaller than one acre that are part of a larger common plan of development or sale, if the common plan of development or sale will ultimately disturb one acre or more **and** discharge stormwater to surface waters of the State.
 - a) This includes forest practices (including, but not limited to, class IV conversions) that are part of a construction activity that will result in the disturbance of one or more acres, **and** discharge to surface waters of the State; and
3. Any size construction activity discharging stormwater to waters of the State that Ecology:
 - a) Determines to be a significant contributor of pollutants to waters of the State of Washington.
 - b) Reasonably expects to cause a violation of any water quality standard.

If there are known soil/ground water contaminants present on-site, additional information (including, but not limited to: temporary erosion and sediment control plans; stormwater pollution prevention plan; list of known contaminants with concentrations and depths found; a site map depicting the sample location(s); and additional studies/reports regarding contaminant(s)) will be required to be submitted. For additional information on contaminated construction sites, please contact Carol Serdar at Carol.Serdar@ecy.wa.gov, or by phone at (360) 742-9751.

Additionally, sites that discharge to segments of waterbodies listed as impaired by the State of Washington under Section 303(d) of the Clean Water Act for turbidity, fine sediment, high pH, or phosphorous, or to waterbodies covered by a TMDL may need to meet additional sampling and record keeping requirements. See condition S8 of the Construction Stormwater General Permit for a description of these requirements. To see if your site discharges to a TMDL or 303(d)-listed waterbody, use Ecology's Water Quality Atlas at: <https://fortress.wa.gov/ecy/waterqualityatlas/StartPage.aspx>.

The applicant may apply online or obtain an application from Ecology's website at: [http://www.ecy.wa.gov/programs/wq/stormwater/construction/- Application](http://www.ecy.wa.gov/programs/wq/stormwater/construction/-Application). Construction site operators must apply for a permit at least 60 days prior to discharging stormwater from construction activities and must submit it on or before the date of the first public notice.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(GMP:202101373)

cc: Derek Rockett, SWM
Greg Benge, WQ