



210 E 4th Street
 La Center, Washington 98629
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PRE-APPLICATION CONFERENCE

Timmen Landing Site Plan and Subdivision (2023-030-PAC)

Meeting conducted on Wednesday, August 30, 2023 – 2:00 P.M.

PROJECT INFORMATION

Site Address	32021 and 32111 NW 4th Court and 32208 and 32324 NW Pollock Road, Ridgefield, WA 98642. Parcel nos.: 209282000, 209283000, 209284000, 209286000, and 209290000.
Legal Description	#11 #12, #15, #19 and #20 SEC 3 T4N R1EWM & Lot 1 SP 1-801
Applicant	Gabe Duus, 1 Structure 212 Northeast 83rd Street, Vancouver, WA 98665 gabe@1structure.com 360-609-1264
Applicant's Representative	Contact: Scott Taylor, SGA Engineering 2005 Broadway Street, Vancouver, WA 98683 staylor@sgaengineering.com 360-993-0911
Property Owner(s)	Steven and Lesley Headley (parcels 209282000 and 209290000) Tom and Daniel Broadwater (parcels 209284000 and 209286000) Dorothy Brenot (parcel 209283000)
Proposal	<p>The applicant proposes to develop 104 multifamily units in 12 apartment buildings and 32 single-family attached units. The proposal includes a community center, pool, open spaces, and a trail. Site access would be from Northwest La Center Road and Northwest 4th Court. The development of multifamily units with accessory improvements will require preliminary and final site plan review approval, whereas the single-family attached units will require preliminary and final plat review approval.</p> <p>Critical areas mapped on the project site include: (1) geologic hazards – landslides, erosion, and seismic hazards; (2) wetlands; and (3) Category II Critical Aquifer Recharge Areas. The applicant will need to obtain a critical areas permit for development in geologic hazards and wetlands and their buffers, if they exist onsite.</p> <p>The northern and eastern extents of the site are located in the City's Urban Conservancy shoreline environment designation and development in this area will need to comply with the City's adopted shoreline master program (SMP) and require approval of a shoreline</p>

	<p>substantial development permit and a shoreline conditional use permit. Critical areas in shoreline require review under the SMP.</p> <p>The site is located in a high-risk area for encountering archaeological resources and an archaeological predetermination is required.</p>
Date of Issue	September 8, 2023

SUMMARY

The applicant proposes a 104-unit multifamily development in 12 apartment buildings and 36 single-family attached units on simple-fee lots. The proposal includes a community center, a pool, open spaces, and a trail. The apartments would be a mix of 6-, 8-, and 10-unit buildings. The development would be accessed from Northwest La Center Road and Northwest 4th Court and stormwater detention and treatment would be provided onsite. A Type II Site Plan Review application would be required to permit multifamily development and associated site improvements in compliance with LCMC 18.215 (Site Plan Review) and a Type III Subdivision review application would be required to permit the single-family attached development and associated site improvements in compliance with LCMC 18.210 (Subdivisions). The site is zoned Mixed-Use (MX) with a comprehensive plan designation of Commercial/Mixed Use (C/MX). Residential-only developments in the MX zone shall meet the requirements of LCMC 18.140 (Medium Density Residential [MDR-16]) in accordance with LCMC 18.165.040(3).

Clark County maps critical areas on the site including wetlands along the far southeastern and northern extents of the property. Wetlands at the far southeastern portion of the property would be contained in a proposed open space area, but it is uncertain how far buffers from these wetlands extend, if the wetlands exist. Wetlands at the property’s northern extent would also be contained in an open space and a possible stormwater detention/treatment area. Other critical areas on the site include mapped riparian habitat (250-foot buffer from the East Fork of the Lewis River) and geologic hazards in the form of landslide, erosion, and seismic hazards. The standard riparian habitat buffer width is 250 feet, but LCMC 18.300.090(2)(h)(iv) says that riparian buffers do not extend beyond substantial improvements such as roads; in this case, the riparian buffer does not extend beyond Pollock Road east and north of the site. The geologic hazards appear to encompass much of the northern and central extents of the site. Development in critical areas (but outside of shoreline jurisdiction) would require a Type II critical areas permit in compliance with LCMC 18.300. However, areas within 200 feet of the East Fork of the Lewis River and including any associated wetlands and geologic hazards would be subject to the critical area provisions of the City’s SMP (2021).

Development is proposed within shoreline jurisdiction, which would appear to be limited to stormwater infrastructure and/or open space/park areas. Above-ground utilities parallel to the shoreline (pond) and water-related/enjoyment (trails, accessory buildings) are a permitted use in the Urban Conservancy environment designation requiring a shoreline substantial development permit (SSDP). Underground utilities perpendicular to the shoreline (outfall) and non-water-oriented recreational uses (parks with play structures) are a conditional use and require a shoreline conditional use permit (SCUP). City staff have final approval authority for SSDPs, and the City’s hearing examiner makes a final recommendation on SCUPs with final approval by the Washington Department of Ecology (DOE) in a Type III process.

Review under the State Environmental Policy Act (SEPA) would also be required, and the City would need to issue a determination. The applicant would be required to file a SEPA checklist, and the City would conduct a SEPA threshold determination and issue a determination of significance or non-significance.

The site is located in a high-risk area for encountering archaeological resources and an archaeological predetermination would be required and a follow-up archaeological survey may also be required depending on the findings of the predetermination.

The City's parking code, LCMC Chapter 18.280, requires 2 parking spaces for each unit of a multifamily and single-family attached development plus 1 parking space for every 5 units for guest parking. The required parking is 299 spaces for all residences on the site. The applicant's proposal does not specify how many parking spaces are proposed for the townhomes. For the apartments, staff counted 194 spaces whereas 229 spaces would be required. The applicant will need to increase the amount of parking onsite or consider up to a twenty percent variance under the provisions of LCMC 18.260. A 15 percent or greater deviation from the minimum amount of required parking will require submittal of a parking analysis from a traffic engineer. A bicycle parking incentive can also be applied to reduce the required amount of parking no less than five percent as further discussed below.

Finally, the applicant indicates they will adjust existing lot boundaries to preserve the existing home on the northeast extent of the site and configure lot boundaries around proposed development. Boundary line adjustments are reviewed under a Type I administrative process.

PRELIMINARY REVIEW

Development Standards

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

Applicable Criteria: The application will be reviewed for compliance with the La Center Municipal Code (LCMC): Chapter 3.35 Impact Fees; Chapter 8.60 Sign Regulations; Title 12 Streets, Sidewalks & Public Ways; Title 13 Public Utilities; Chapter 18.30 Procedures; Chapter 18.140 Medium Density Residential District; Chapter 18.147 Parks and Open Spaces; Chapter 18.165 Mixed Use; Chapter 18.200 Subdivision General Provisions; Chapter 18.210 Subdivisions; Chapter 18.215 Site Plan Review; Chapter 18.220 Boundary Line Adjustments; Chapter 18.225 Legal Lot Determinations; Chapter 18.230 Monumentation, Survey and Drafting Standards; Chapter 18.240 Mitigation of Adverse Impact; Chapter 18.245 Supplementary Development Standards; Chapter 18.260 Variances; Chapter 18.280 Off-Street Parking Requirements; Chapter 18.282 Outdoor Lighting; Chapter 18.300 Critical Areas; Chapter 18.310 Environmental Policy; Chapter 18.320 Stormwater and Erosion Control; Chapter 18.330 Shorelines; Chapter 18.340 Native Plant List; Chapter 18.350 Tree Protection; and Chapter 18.360 Archaeological Resource Protection.

Public Works and Engineering Analysis

Chapter 3.35 Impact Fees

The City charges impact Fees (per ERU) for commercial and residential developments. Impact fees may be deferred to the time of occupancy for residential units.

- **Park Impact Fee**
 - \$2,842.00 - Single Family Residence
 - 2,042 Multi-family Residence
- **Traffic Impact Fee**
 - \$7,561.00 - Single & Multi-Family Residence
- **Sewer Development Charge (South of Bridge)**
 - \$5,841.00 - Single & Multi-Family Residence
- **Sewer Latecomer Fee (Basin D)**
 - \$972.21 - Single & Multi-Family Residence
- **School Impact Fee**
 - \$3,501.00 - Single-Family Residence *as set by the La Center School District
 - \$3,104.00 - Multi-Family Residence *as set by the La Center School District

Chapter 12.10 -- Public and Private Road Standards

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

- La Center Road is classified as a Major Arterial per the CFP. The Major Arterial Section is being revised to include two 12-foot wide travel lanes each direction (48-foot total), and a separated 12-foot wide shared use path on each side of the road with a planter separating the path from the travel lanes. Staff have discussed that a 4-lane section may not be required north of Timmen Road. The City will work with the applicant and their traffic Engineer on a modified section north of Timmen Road.. Interior streets serving more than 4 lots, need to be public streets using the Neighborhood Access, ST-14 or Local Access, St-15 for full street improvements. These interior street improvements, shall include street lights and street trees, and other features, per LCMC 12.10.190.

The applicant proposes interior streets to serve the Multi-family lots, and a drive aisle with parking stalls to serve the apartment complex. The width of the drive aisle will be regulated by CCF&R. In addition, for the interior streets that have 90-degree turns, they will need to allow for emergency vehicles and busses to maneuver the turn. The applicant will need to show that fire trucks or busses can maneuver these turns without impacting the oncoming traffic. It is likely that no parking signs will result at these turns.

The applicant proposes a cul-de-sac at the east end of the development. CCF&R requires at least a 96-foot diameter paved Cul-de sac. The applicant will need to obtain approval from CCF&R for the Cul-de-sac. The applicant will need to show that fire trucks or busses can maneuver these 90 degree turns without impacting the oncoming traffic. It is likely that no parking signs will result at these turns.

Streets and Circulation

The applicant proposes to connect to La Center Road with a right-in/right-out intersection. The Engineering Standards require that intersecting streets be kept as near to 90-degrees as possible, and not less than 75 degrees. Intersections must be spaced a minimum of 600-feet on major arterials. Mitigation improvements may be necessary at the intersection to provide a safe entrance and exit for vehicles entering and exiting the site. Additionally provisions for traffic entering the development from the west and exiting towards the east in the direction of the I-5 junction will need to be provided.

The traffic study shall include traffic impacts, including level of service to all adjacent streets and intersections to the development; including but not limited to:

1. Aspen Avenue and 4th Street
2. La Center Road and Timmen Road.
3. La Center Road and Paradise Park Road.

The report shall include average daily traffic and peak hour traffic for intersections and streets as noted above. LCMC 18.215.050(n).

Chapter 13.10 -- Sewer System Rules and Regulations

Connection to public sewer is required. LCMC 13.10. All work is to be performed by a duly licensed contractor in the City of La Center. LCMC 13.10.230. Work will be performed using an open trench method unless otherwise approved per LCMC 13.10.200.

The applicant has not shown the location of the sewer connection proposed for this development. There is a sewer system in La Center Road. However, east of the proposed access on La Center Road, there an actuator valve connected to the 8-inch force main. This is intended to surcharge sewer west along the force main to force the sewage past the high point at the bridge.

The actuator valve is in the process of being replaced, but when it is installed, it will surcharge sewage west of this actuator valve to an existing sewer manhole at station 59+52 per the City of La Center Sewer Project. This drawing is attached. This manhole is approximately 500 feet east of Timmen Road. The applicant should connect into an existing 8-inch pipe stub that is at the intersection of Timmen Road and La Center to and extend it to the site. As an option, the applicant may be able to connect to the manhole and pipe stub at station 59+52.

Per the Engineering Standards, the applicant shall provide calculations with a report that shows the future upstream influent. The sewer pipe shall be stubbed to the end of the site, to all for future connection.

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

Chapter 18.320 (Stormwater and Erosion Control)

Section 18.320.120 (1) LCMC states that ground-disturbing activities of more than 500 S.F. are subject to the requirements of *City of La Center Erosion Control Guidelines*. Section 18.320.120 (2)(a) LCMC states that the creation of more than 2,000 S.F. of impervious surface is subject to stormwater regulation.

The applicant proposes to create new impervious interior streets in the subdivision. Per LCMC 18.320.210, treatment best management practices (BMP) shall be sized to treat the water quality design storm, defined as the six-month, 24-hour storm runoff volume.

The applicant to install a detention pond the southeast corner of the site. The applicant will need to show how water quality and detention requirements per the LCMC will be met. The applicant will need to provide measures for the outfall of the storm facility to prevent scouring or erosion control.

The applicant will demonstrate how stormwater treatment will be accomplished to meet the 1992 Puget Sound Manual and the City ordinance. In addition, water quantity will need to be managed to meet the engineering standard. The treatment will need to meet the City of La Center and 1992 Puget Sound Manual and the City of La Center standards, which requires compliance with the Water Pollution Control Act and the Water Resources Act.

Per LCMC 18.320.220, if infiltration is used for disposal of stormwater, the project must infiltrate the 100-year storm where local soil types and ground water conditions are suitable. Per the Puget Sound Manual, an emergency overflow above the 100-year storm event needs to be shown. If infiltration of stormwater is not feasible for quality treatment and quantity disposal, stormwater runoff must be detained meeting the requirements of Chapter 18.320 LCMC and then discharged into the existing low point on the site. Clark County Soil Groups or USDA may be used to determine the hydrology of the site. Isopluvial maps shall be used to determine the design storm frequency (attached). Per the City Ordinance, a forested condition must be used for the pre-developed surface condition. The HEC-1 flood hydrograph package or HEC HMS may be used for hydrologic computation of site quantity control.

The collection system shall be designed by the rational method using HEC-12 1984 edition standards for gutter and storm pipe capacity. As an alternate, WSDOT Hydraulics Manual can be used for inlet capacity design. The 100-year rainfall intensity must be used for pipe capacity design using the rational method. Attached is the city rainfall intensity chart.

Per LCMC 14.10.140, a preliminary stormwater plan and preliminary stormwater report shall be submitted for review as part of the land use application. The stormwater report must also address stormwater how energy dissipation will be accomplished so that the downstream property is not impacted by stormwater.

Downspouts connections from the houses must connect directly into the site stormwater system. Laterals from the storm main in the street must be shown to serve each lot. A Technical Information Report (TIR) is required along with the development plans for approval of the stormwater system.

Maintenance of Stormwater Facility

Stormwater facilities must be located in a separate tract and owned and maintained by the property owner or home owner's association. An operations manual must be submitted for City review approval for the maintenance of the facility in all cases.

Grading

A grading and erosion control permit is required as part of the subdivision plans. As part of the grading plans, finished floor elevations need to be shown for the lots in addition to grading quantities. The plan shall show retaining walls necessary to grade the lots.

The City Erosion Control Standards require that any activity disturbance over 500 S.F. must comply with the city standards. As part of these standards a construction stormwater permit is required from the Department of Ecology and an SWPPP will be necessary as part of the plan submittal to the City. Soil disturbance is discouraged between November and May.

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

Chapter 15.05.050 Building and development application fees

The building fees and list of Impact fees can be found in the City municipal code. The City follows the most up to date valuation table as set by the International Code Council (ICC) to determine valuation of buildings based on square footage, occupancy type, and construction type.

Building Fee Schedule

- <https://www.codepublishing.com/WA/LaCenter/#!/LaCenter15/LaCenter1505.html#15.05.050>

Current Valuation Table

- https://www.iccsafe.org/wp-content/uploads/1676567050_BVD-BSJ-FEB23_SJH.pdf

Chapter 15.05 Building Code and Specialty Codes

If the property contains any existing structures (residences, buildings, structures, etc.) a demolition permit is required. The following criteria is required for submittal. Demolition permits can be applied for through our permitting website and are over-the-counter permits.

Materials required for submittal:

- Residential Building Permit Application
- Site Plan
- Asbestos Survey Report (SW Clean Air)
- Septic Tank Decommission Report (Clark County Public Health), if applicable
- Well (Water) Decommission Report, if applicable
- Fuel Tank Decommission Report, if applicable

Apply online: <https://lcenterwa.portal.iworq.net/portalhome/lcenterwa>

Fee: \$100.00

Land Use

Chapter 8.60 Sign Requirements

If proposed, signs must comply with this chapter including the general requirements (8.60) and requirements for signs in residential zones (8.60.060). If proposed, signs must comply with this chapter including the general requirements (8.60) and requirements for signs in residential zones (8.60.060). One illuminated freestanding sign is permitted at the project entrance provided it is no larger than 32 square feet and no taller than five feet above average grade. Free standing signs must meet the dimensional and configuration requirements of the allowed sign types (monument, single pedestal, dual pedestal, single pylon, dual pylon).

Chapter 18.30 Procedures

The project would require the following applications: preliminary and final plat approval, preliminary and final site plan review, legal lot determination, critical areas permit, shoreline substantial development and conditional use permit, a BLA, as well as potential for a variance and tree cutting permit. Preliminary plats are subject to a Type III review process. Site plan review, critical areas permits, tree cutting permits, and the variance are subject to Type II review process. The legal lot determination and BLA is subject to a Type I review. All applications (except the BLA) would be grouped under one review process as permitted under LCMC 18.30.030 and reviewed under the highest order review process. The BLA would follow a Type I review process and must be reviewed under a separate application from the preliminary plat and occur before or be reviewed concurrently with the preliminary plat application. The Type III process would include the following timelines:

- **Completeness Review:** following submittal of the application, the City will review the application to determine if it contains all required information. Projects which undergo pre-application conference reviews are subject to a 14-day completeness review.
- **Notice period:** Once deemed complete, the City has 14 days to issue a notice of application with a combined notice of State Environmental Policy Act (SEPA) review. The notice period runs for an additional 14 days after issued.
- **Type III review period:** Once deemed complete, the City has 78 days to schedule a hearing. The hearing examiner issues a decision on subdivision applications within 14 days following the hearing.
- **Appeal:** After issuance of a decision, there is a 14-day appeal period.
- **The Shoreline Conditional Use Permit** would be subject to a 30-day review and approval period by the Washington Department of Ecology (Ecology) after local review and recommendation by the hearing examiner.

All application types would be packaged together and with a review and decision by the City's hearing examiner in a public hearing.

Chapter 18.140 (Medium Density Residential)

The site is zoned Mixed-Use (MX). The MX code requires that residential-only developments comply with the requirements of the MDR-16 zone. Multifamily dwellings are permitted uses in the MDR-16 and MX districts.

18.140.030 Density and Dimensional Requirements

Density for multifamily and single-family attached developments is limited to 8-14 units per net acre. The applicant's narrative states that the proposed net density is 13.71 units per net developable acre (only deducting protected critical areas from gross area). A Net acre is defined in LCMC 18.40 as gross area

minus area for public rights-of-way, private streets, utility easements, public parks, and undeveloped critical areas and buffers. At the time of formal application, the applicant should provide density calculations in conformance with the definition of “net density” in LCMC 18.40 excluding public right-of-way, private streets, and public utility easements public parks, and undeveloped critical areas and required buffers, if any.

Please note an ongoing code update to the MDR-16 code would increase the maximum net density of multifamily to 16 units per net acre. Additionally, critical areas density transfer provisions are included in the draft code, where it would allow multifamily developments to have a maximum density of 18 units per net acre and single-family attached developments to have a maximum density of 16 units per net acre. . Therefore, if the code updates are approved, the multifamily and single-family attached products will have to be calculated separately to demonstrate they comply with the separate, proposed maximum density requirements. A decision on this code update is expected to be made by the City Council by late September.

Minimum lot width and depth for multifamily and single-family attached is 20 and 60 feet respectively. The minimum lot area is 1,400 square feet. It appears all the single-family attached lots are meeting these requirements. Lot 8 is a flag lot and it appears it will have a shared access with Lot 7. The “flag pole” portion must be excluded when calculating minimum lot area in accordance with LCMC 18.210.040(3), which is further discussed below. It appears Lot 8 meets this requirement. The multifamily portion of the development would be sited on one entire lot and exceeds the minimum lot width, depth, and area requirements. The overall multifamily portion of the project also exceeds the minimum project area requirement of 2.5 acres.

Setbacks are required as shown in Table 1, which varies with product type in the MDR-16 zone. Maximum building lot coverage shall not exceed 85 percent surface area for multifamily and 60 percent for single-family attached.

See Table 1 for lot dimensional and setback standards.

Standard	Multifamily (Apartments)	Single-family Attached
Net Density	8-14	8-14
Minimum Project Area	2.5 acres	2.5 acres
Minimum Lot Width	20 feet	20 feet
Minimum Lot Depth	60 feet	60 feet
Minimum Area	1,400 square feet	1,400 square feet
Maximum Area	N/A	N/A
Maximum Lot Coverage	85%	60%
Maximum Height	45 feet	35 feet
Setbacks		
Minimum Front Setback	10 feet	10 feet
Minimum Garage Setback from the Property Line	5 feet	20 feet
Minimum Garage Setback from Alley	3 feet	3 feet

Minimum Side Setback	0 feet attached, 10 feet abutting single-family	0 feet attached/4 feet nonattached
Minimum Street Side Setback	0 feet	10 feet
Minimum Rear Setback	20 feet	10 feet

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

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

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

LCMC 18.140.030(4) requires MDR-16 projects with five gross acres or more to not include more than 75 percent of one housing type. For example, a housing type can be multifamily, single-family attached, or single-family detached. The applicant is proposing the 104 apartment (multifamily) units and 32 townhome (single-family attached), which make-up 76.5 percent and 23.5 percent of the project, which is slightly inconsistent with the product mixing requirement. However, the City is in the process of updating the MDR-16 code to make this requirement only applicable to MDR-16 projects that are 15 acres or more. If this code amendment is approved, this project could then have a single product type. However, the MX code has product mixing requirements, as well, as discussed later in these notes.

Please see sections 18.140.040, 18.140.060, and 18.140.070 which contain design standards and requirements for single-family detached and single-family attached housing. Notable requirements include:

- Must be a unifying design theme across units.
- Avoid repetitive building massing and facades.
- Avoid monotonous rooflines.
- Landscaping:
 - A minimum of 15 percent of the site area must be landscaped with permanent underground irrigation. Setbacks must also be landscaped and maintained.
 - If required by the director of Public Works, street trees are required on all street frontages at a minimum of two feet from the curb and at no greater than 30 feet spacing.
 - Outdoor trash and recycling containers must be screened by a six-foot solid fence, if proposed.
 - Landscaping must also meet the requirements of 18.245.060 (see below).
- Required parking shall be provided on the same lot as the building or in shared parking areas located primarily to the rear of or beneath the units. LCMC 18.280 (Off-Street Parking) says that 2 off-street parking spaces are required per unit for *single-family attached and multifamily* dwellings as well as 1 guest parking space for every 5 units. The required parking is 299 spaces for all residences on the site. The applicant’s proposal does not specify how many parking spaces are proposed for the townhomes. For the apartments, staff counted 194 spaces whereas 229 spaces would be required. Off-street guest parking shall be provided on plans for the preliminary subdivision application.
- Garages must be setback a minimum of 20 feet. No more than 40 percent of the wall facing a public right-of-way may be a garage door and 25 percent of the garage wall must be windows or doors.
- Parking lots or driveways to individual dwelling units shall connect directly to a local access street that has direct access to an arterial or collector street.

- *Single-family attached* housing shall not be permitted in clusters greater than six units. The proposed MDR-16 code amendment would eliminate this standard.
- *Single-family attached* housing may satisfy the minimum landscaping requirement by:
 - Providing 200 square feet of enclosed private outdoor living space per bedroom for each individual dwelling unit to be located in the rear or side yard of each individual lot; or
 - Providing 200 square feet of common indoor or outdoor recreation area per bedroom for each dwelling unit.
- *Multifamily* shall not be permitted in clusters greater than 10 dwelling units. The applicant is proposing 12 apartment buildings, each with 6, 8, or 10 units. Please note that the City is currently updating the MDR-16 code to eliminate this provision. The City Council is likely to make a decision on this matter in late September, therefore becoming effective late October.
- *Multifamily* developments containing 12 or more dwelling units shall provide outdoor recreation areas as follows:
 - Each ground-level dwelling unit shall have an outdoor private area containing at least 48 square feet and a width of at least four feet. A balcony used for an entrance or exit shall be considered an open space only if it's for the exclusive use of a dwelling unit and contains at least 48 square feet and is at least four feet wide.
 - Private outdoor areas for multifamily residential units shall be screened from view from other residential units, abutting land uses, and public or private streets to the extent practicable.
 - Shared recreation areas for multifamily residential uses shall satisfy the family park requirements in LCMC 18.140.040(2) when containing 35 or more units.
- Pedestrian access must be provided from the front door of the units to the public sidewalk. Public sidewalks are required and must be constructed according to the City's road standards.

Chapter 18.147 Parks and Open Spaces

LCMC 18.147 requires multifamily residential development in the MX zone of 35 or more dwelling units to provide publicly accessible park space at a ratio of 0.25 acres per 35 dwelling units in excess of the first 35 units. Based on the 136 units proposed, the applicant is required to provide 0.72 acres of park space. The minimum contiguous park size is 0.25 acres. The land use application shall include a preliminary park site plan and landscape plan showing the location of elements. The property owner or homeowner's association is responsible for park maintenance. The park must be publicly dedicated or publicly accessible and cannot be for the exclusive use of residents of the development.

The City of La Center Park, Recreation, and Open Space Comprehensive Plan (Parks Plan) proposes a need for a neighborhood park (N-6) in the project area (Figure 4, Parks Plan) or in proximity to Pollock Road. According to Table 6a of the Parks Plan, the minimum size of a neighborhood park is 3 acres with a minimum usable area of 2.5 acres. The site should have at least 200 feet of frontage on a public street on at least two sides. If a natural area is provided on one side, frontage is necessary on only one side. Access should be provided via local or collector street with sidewalks. The park should provide the listed required amenities and other amenities to consider as listed in the table. The Parks Plan (Figure 11) also indicates a proposed on-roadway trail along Northwest La Center Road, directly adjacent to the site. Staff recognizes that the entirety of this neighborhood park is not the responsibility of this single development.

There is an area along the west side of the project between the development and Northwest Pollock Road that is designated generally as "Open Space" with no area provided. The applicant also states in the

provided narrative that an existing gravel drive for one of the homes that is to be demolished with the development is to remain as a trail connection between the project and Northwest Pollock Road. It appears there is more than sufficient area for open space and recreational opportunity, however, the applicant will need to provide more details of where these will be designated along with the required amenities. Please note that the central open space with community center and pool is not required to be publicly accessible, but does not count towards the required park space.

LCMC 18.165 Mixed Use

18.165.040 General Standards

- Within the MX zoning district no single dwelling type shall be more than 50% of the total number of units but can be modified up to 65% if it meets the purpose and intent of LCMC 18.165, complies with the La Center comprehensive plan, and provides a housing type under-represented in La Center.

Please note that Staff are proposing two options for the applicant in order to meet this criterion. Option A is to complete a capacity analysis of the entire MX zone and show how this project will leave sufficient capacity within the undeveloped portions of the MX zone to meet the product mixing requirement across the entire zone. Option B is to meet the 50% or 65% product mixing requirement across the site alone in accordance with LCMC 18.165.040.

18.165.050 Site Design Standards

- Buildings shall be arranged to facilitate plazas, courtyards, and other pedestrian use areas.
- Sites shall be designed to create an identifiable pedestrian character while avoiding the appearance of automobile domination. See standards in 18.165.050(2)(c).
- See building orientation and design standards in 18.165.050(3). Buildings shall be generally oriented to streets and primary entrances must face the street.
- Architectural building character including common design themes and compatibility, yet distinction from neighboring buildings is required. See 18.165.050(4).
 - Buildings must be modulated on streets.
 - Blank walls for more than 15 feet are prohibited - breaks must be provided with windows, entries, other architectural features, or modulation facing public areas (open spaces, streets, or parking lots).
 - Buildings must select from a menu of design elements.
 - Buildings at street intersections must have specialized architectural treatments such as chamfered corners with a building entrance, balconies, turrets, corner accentuating roof line, sculptures, distinctive use of materials, canopies, and bay windows.
 - Building material requirements and earth tone color standards apply.

18.165.070 View Preservation

- View preservation standards apply.
- The applicant must provide a view preservation analysis demonstrating how views of the mountains, river and La Center Bottoms will be preserved. The view preservation analysis must include present and future public rights-of-way with a general alignment toward a view preservation element; view preservation features such as parks, open spaces, trails, and viewpoints; and building orientation.

- Trails must be provided along the north and east portion of the parcels overlooking the La Center Bottoms. Trails must be 10 feet wide and an all-weather surface and include benches and viewpoints with linkages provided to the La Center and regional trail system.

18.165.070 Off-Street Parking and Loading

- Parking lots shall be located at the rear or sides of buildings.
- Parking lots fronting on streets must be screened by trellises, walls, planters, or a 10-foot-wide landscape buffer of trees 25 feet on center and shrubs to form a solid screen 3 feet high.
- Provide landscape islands with dimensions, spacing, and trees as required by LCMC 18.245.060(9).
- Shrubs and groundcover must be provided in the required landscape areas and shall be planted at a density of five per 100 square feet of landscaped area. Up to 50 percent of the shrubs may be deciduous and the ground cover must be selected and planted so as to provide 90 percent coverage within three years of planting.
- 5-foot-wide pedestrian connections are required from the parking lot to the building.

18.165.100 Process

- This code section requires that all sites five acres or larger provide master plan for the MX zoning district.
- Since the applicant is providing a residential-only project, staff are not requiring that a master plan for the entire MX zoning district be provided.
- However, because one of the primary intents for the MX zoning district and the master plan requirement requires that the pedestrian, bicycle, and street circulation system be shown, staff is requiring the applicant show how the project site will connect to surrounding MX properties to ensure that transportation is carried across sites and that this site is not an “island” with no connections to other MX properties.

18.215 Subdivision Provisions

Submittal Requirements (LCMC 18.210.030)

A completed application form and the following materials will be required, prior to a determination of technical completeness:

1. The information listed in LCMC 18.210.010(2), provided an environmental checklist is required for a technically complete application unless categorically exempt.
2. Written authorization to file the application signed by the owner of the property that is the subject of the application, if the applicant is not the same as the owner as listed by the Clark County assessor.
3. Proof of ownership document, such as copies of deeds and/or a policy or satisfactory commitment for title insurance.
4. A legal description of the property proposed to be divided.
5. If a subdivision contains large lots or tracts which at some future time are likely to be re-subdivided, the application shall include a master plan of all land under common ownership in order to provide for extension and opening of streets at intervals which will permit a subsequent division of each divisible parcel into lots of smaller size.
6. A copy of the pre-application conference summary and all information required to address issues, comments, and concerns in the summary.

7. A written description of how the proposed preliminary plat does or can comply with each applicable approval criterion for the preliminary plat, and basic facts and other substantial evidence that support the description. See applicable subdivision review criteria below.
8. The names and addresses of owners of land within a radius of 300 feet of the site. Owner names and addresses shall be printed on mailing labels.
 - a. The applicant shall submit a statement by the assessor's office or a title company certifying that the list is complete and accurate, based on the records of the Clark County assessor within 30 days of when the list is submitted.
 - b. If the applicant owns property adjoining or across a right-of-way or easement from the property that is the subject of the application, then notice shall be mailed to owners of property within a 300-foot radius, as provided above, of the edge of the property owned by the applicant adjoining or across a right-of-way or easement from the property that is the subject of the application.
9. Applications associated with the preliminary plat, such as exceptions, adjustments or variances to dimensional requirements of the base or overlay zones or for modifications to the road standards in Chapter 12.10 LCMC that are required to approve the preliminary plat application as proposed.
10. A boundary line adjustment application is required The BLA shall be completed prior to issuance of a decision on the preliminary subdivision application.
11. A geotechnical study is required, since the site slopes are as steep as 25 percent and may meet the definition of a "landslide hazard areas" in LCMC 18.300.030 and will contain substantial fill.
12. A critical areas report is required since there are mapped wetlands, a wetland delineation is required, and a mitigation plan may be necessary if the wetlands are impacted and cannot be avoided.
13. A tree protection plan is required and to be prepared by a certified arborist or landscape architect in accordance with LCMC 18.350.060(2). The plan shall include an inventory of all trees on-site, their health or hazard condition, and recommendations for treatment of each tree. The plan shall be drawn to scale and include the requirements as listed in LCMC 18.350.060(2)(a through j). A mitigation plan shall be required for trees that are 10-inches in diameter or greater in accordance with LCMC 18.350.050.
14. Preliminary grading, erosion control and drainage plans, which may be a single plan, consistent with applicable provisions of Chapter 18.320 LCMC.
15. Evidence that potable water will be provided to each lot from a public water system, and that each lot will be connected to public sewer.
16. A phasing plan, if proposed.
17. Conceptual elevation plans to indicate compliance with the MDR-16 design requirements (LCMC 18.140.040), specific requirements for single-family attached (LCMC 18.140.050).
18. An archaeological predetermination report in accordance with LCMC 18.360.
19. Additional information:
 - a. A traffic study (please consult with the City Engineer regarding intersections to be studied.)
 - b. A parking analysis if parking is proposed to be reduced more than 15 percent below standard.
 - c. A completed SEPA environmental review checklist.
 - d. A signed *Agreement to Pay Outside Professional Review Expenses Related to Land Use Application*. (Provided during the meeting.)
20. A preliminary stormwater report in conformance with LCMC 18.320.

Vesting: Applications are vested in the current version of the code on the date the City deems the application to be technically complete.

Subdivision Approval criteria (LCMC 18.210.040[1]): The applicant carries the burden of proof to demonstrate that the proposal complies with the following City regulations and standards:

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

Flag Lots (LCMC 18.210.040[3]):

Lot 8 is a flag lot and flag lots are discouraged (although not prohibited) under LCMC 18.210.040. The applicant should explore other lot arrangements and demonstrate why flag lots are necessary and why a different lotting pattern is not possible. If the City allows the flag lots, the flag “pole” must meet the following requirements:

- Shall be 20 feet wide;
- Must be improved with an all-weather surface and have an unobstructed vertical clearance of 13.5 feet and an improved width of 20 feet;
- The pole portion cannot count toward the total lot size;
- If more than 150 feet long, an International Fire Code-approved turn-around is required;
- Where flag lots are not provided but access easements across abutting properties to public or private rights-of-way are provided, the standards of LCMC 12.10.220 shall apply.

Please note that the definition of a flag lot per LCMC 18.40 means a lot the developable portion of which is separated from the public right-of-way to which the lot has direct access by a narrow strip of land often used as a driveway. Creation of a flag lot is subject to additional standards in LCMC Chapter 18.210.

Subdivision General Issues:

1. To approve the preliminary plat, the Hearing Examiner must make an affirmative finding that “appropriate provision for potable water supplies and for the disposal of sanitary wastes, sidewalks and pathways provide safe routes for pedestrians and to schools, adequate protections and mitigations for critical areas, roadways are design for safe and efficient vehicle access, stormwater and erosion control is adequately addressed, and building and development codes are being met”.
2. All existing wells and septic systems must be properly decommissioned prior to final plat.
3. The City may refuse bonds in lieu of improvements at the time of final platting if such bonding has not been previously discussed and documented.
4. The preliminary plat shall expire five years from the date of the Final Order. RCW 17.58.140(3)(a).

5. Phasing is permitted. All phases must be identified on the preliminary plat and be consistent with the lot number sequencing.

18.215 Site Plan Review

The proposed project will require a Type II Preliminary Site Plan review followed by a Type I Final Site Plan Review. The Type II Preliminary Site Plan Review application can be grouped and reviewed with the critical areas permit, boundary line adjustment, variance, and shoreline permits. See 18.215.040(1)(b).

Please see submittal requirements pertaining to the consolidated land use application under 18.30.050 above and 18.250.050.

Development subject to site plan review are subject to the criteria in 18.215.060 including:

- The proposed plan shall meet all applicable provisions of this title and other appropriate provisions of the La Center Municipal Code; the following are enumerated to indicate the various requirements under which a plan must be found consistent. Failure to meet any one of these, and other requirements not necessarily specified here, shall be grounds for denial of site plan approval.
- The proposed use is permitted within the district in which it is located.
- The proposal meets the lot, yard, building, height, and other dimensional requirements of the district within which it is located.
- The proposal meets the screening, buffering, and landscape strip requirements, as set forth in LCMC 18.245.060.
- Minimum parking and loading space requirements are met, as required by Chapter 18.280 LCMC.
- All applicable conditions and criteria contained in other titles of the La Center Municipal Code are met.
- Improvement requirements are provided in accordance with the applicable sections of the La Center development code.
- All conditions of any applicable previous approvals (i.e., CUP) have been met.
- Development subject to site plan review has provided underground public and private utility lines including but not limited to those for electricity and communication.
- Public water, sewer and stormwater lines have been installed in conformance with the standards of the city code. Public water, sewer and stormwater lines within or along the frontage of a development have been extended to the extreme property lines of that development unless it can be demonstrated to the city engineer that such extensions are impractical, infeasible or inappropriate.
- Proposed phasing plans do not exceed six years and all required public infrastructure is installed in the first phase of the development.

18.220 Boundary Line Adjustment

It appears an existing home is to remain on its own separate lot in the northeast portion of the site and the provided site plan says this is to be an “adjusted parcel”, which may indicate a boundary line adjustment. Boundary line adjustments are reviewed under a Type I process. There is no maximum lot size in the MX zone for single-family detached uses that are reviewed under the MDR-16 zoning standards (see Table 18.140.030). The BLA must be completed prior to issuance of a decision on the preliminary subdivision and site plan review applications. LCMC 18.220.010(3) includes the following submittal requirements:

1. A completed application form.
2. Appropriate Fee
3. Sales history since 1969 for each parcel to include required copies of additional information as listed in LCMC 18.220.010(3)(c).
4. A site plan showing current conditions, including items as listed in LCMC 18.220.010(3)(d).
5. A site plan showing proposed conditions, including items as listed in LCMC 18.220.010(3)(e).

The applicant shall demonstrate compliance with the following approval criteria pursuant LCMC 18.220.010(4):

1. No additional lots are crated that do not meet current zoning of the property.
2. Lots must meet current size requirements including minimum width and depth requirements.
3. Lots must be buildable.

An alternative option to the BLA application is to include the existing home and its accessory structures within the proposed subdivision on its own lot. This may help simplify the review process for City staff, the applicant, and the homeowner.

18.225 Legal Lot Determinations

Staff will complete a legal lot determination concurrent with the review of the consolidated land use application. Please provide information required by this Chapter (see LCMC 18.225.010[4]) including any prior city/county short plat, subdivision, or legal lot determinations; a sales or transfer deed history dating back to 1969; prior segregation request, if any; prior recorded survey, if any; and any other information regarding the legality of the lot.

18.240 Mitigation of Adverse Impacts

The applicant will need to respond to this code section in their narrative as part of the type III preliminary plat application, type II site plan review, critical area, tree permit, and variance applications, and type I legal lot determination and BLA.

18.245 Supplementary Development Standards

18.245.020 Height of fences and hedges

If fences are proposed, they must meet the requirements of this section including that:

- They are not more than 6 feet in height in the side yard, street side yard, or rear lot lines and cannot extend into the front yard. Site distance requirements must be met.
- Prohibited materials include fiberglass or plastic sheeting, barbed wire, razor ribbon or other similar temporary material.

18.245.030 Solid Waste

Refuse containers must be screened from off-site by sight obscuring fencing and/or evergreen landscaping and the area kept clean of all litter.

18.245.040 Lighting

Lighting must meet the requirements of 18.282 Outdoor Lighting (i.e., be dark sky compliant) and must not cause more than one foot-candle measured at any property line.

18.245.060 Landscaping

No landscape buffering is required between MX zoned properties. Landscaping along the La Center Road project frontage must provide an L1 or L2, 5-foot-wide screen. Where single-family uses abut the site (east, south, and west) it must be landscaped to an L1, 5-foot standard. All landscaped areas must meet the landscape standards of 18.245 including:

- The L1 standard, when less than 10 feet deep, must provide one tree per 30 linear feet of landscaped area. Groundcover plants or shrubs must fully cover the remainder of the landscape area. The L1 buffer can be contained within the private properties behind fence lines.
- The City has the ability to approve the use of existing vegetation on-site to satisfy landscaping requirements. The existing trees and other vegetation along the boundaries of the site might be able to substitute for the L1 screening requirements in conjunction with meeting the City's tree preservation requirements in LCMC 18.350.
- Parking and loading areas shall be landscaped as follows in accordance with 18.245.060(9):
 - A minimum five-foot-wide landscape screen to at least an L2 standard or a minimum 10-foot-wide landscaped screen to at least an L1 standards shall be provided where vehicle parking adjoins a public road right-of-way or a property that is not part of the subject development.
 - Parking areas that contain at least 12 spaces shall provide a minimum of one landscape island per 12 parking spaces. Landscape islands shall be equally distributed throughout the parking area and be located on each side of the driveway aisles and at the ends of rows of parking. A landscape island shall contain at least 100 square feet, be at least five feet wide, and prevent vehicles from damaging trees. Adjoining rows of parking shall contain landscape islands on each side of the row of parking that are 100 square feet each and together total 200 square feet.
 - At least one tree shall be planted in each landscape island. Trees in landscape islands should reach a mature height of 30 feet, cast moderate to dense shade in the summer, live at least 60 years, require little maintenance, and be suited for use in the proposed location.
 - Shrubs and groundcover must be provided in required landscape islands. Shrubs are to be planted at five per 100 square feet of landscaped area. Up to 50 percent of the shrubs may be deciduous. Groundcover must be selected and planted to provide 90 percent coverage within three years of planting.
 - Bioinfiltration and raingardens with plantings recommended by a landscape architect may be substituted for the trees, shrubs, and groundcover requirements of this section.
- All landscaped areas must meet the landscape standards of 18.245 including:
 - Landscaped stormwater areas may satisfy landscaping area requirements.
 - Rooftop and ground-level exterior equipment shall be screened to an F2 or L3 standard.
 - Landscaping must meet size requirements in 18.245.060(11-14).
 - Permanent built-in irrigation is required or a statement from a landscape architect is required to have a temporary irrigation system during establishment. Alternatively, no irrigation system is required if plantings will survive by rainwater as certified by a landscape architect and plants must be monitored for replacement of plants that don't survive.

Chapter 18.260 Variances

As explained further in Chapter 18.280, multifamily and single-family attached requires 2 spaces per unit plus 1 space per every 5 units for guest parking. The applicant is proposing 196 parking spaces, whereas 299 parking spaces are required. Based on the above, a variance is required to reduce the required number of parking spaces from 299 to no less than 20% required or 239 parking spaces. One of the unusual circumstances recognized by code is another obligation under a municipal code section; the reduction should be accompanied by a parking analysis consistent with the ITE parking manual demonstrating that the reduced number of spaces will still be adequate to serve the use.

If applying for variance, the applicant must respond to the variance criteria in LCMC 18.260.040. The variance criteria require that there be an unusual circumstance such as site size or shape and that the circumstance is not a result of actions taken by the applicant. Minor site redesign should be explored prior to applying for a variance. The variance application should address why it is not possible to comply with the required parking amount standards.

LCMC 18.270.040 Temporary sales offices/model homes

Sales offices are subject to type I review. The temporary use shall be within the boundaries of an approved subdivision. It shall not be permanently approved for temporary use and will not be materially detrimental to public health, safety, or welfare, nor injurious to property or improvements in the immediate vicinity. It should meet the setbacks and vision clearance required of Chapter 18 and building and fire codes. The hours of operations should be specified. The use shall cease and convert to a permitted use with a year of approval. The applicant can reapply for the permit if an additional year of the use is necessary. Adequate utilities and parking should be available to serve the temporary use, and the use should not use required off-street parking areas for adjacent or nearby uses. This application is typically completed after final plat approval and recordation and at the time of building permit for the temporary sales office.

The required materials for submittal are:

- Land Use Application
- Authorization from property owner
- A legal description of the site
- Preliminary plan/site plan
- Written description (narrative) of how the application complies with code.

LCMC 18.280 Off-Street Parking and Loading

18.280.010 Off-Street Parking Requirements

Off-street parking requirements apply. Two spaces per dwelling unit plus one guest space for every five dwelling units is required or a total of 299 spaces unless a variance is approved in accordance with LCMC 18.260. Garage and driveway spaces for the townhomes can count toward this total. If a variance is requested and approved, no less than 239 spaces are required..

18.280.030

Deviations from the standards of this chapter require variance review under LCMC Chapter 18.260. When the number of parking spaces is proposed to be reduced more than 15 percent, a parking analysis from a traffic engineering is required that justifies this deviation. Parking lots should be landscaped in accordance with LCMC 18.245.060.

18.280.040

Multifamily and single-family attached developments must provide 2 spaces per unit plus 1 space per every 5 units for guest parking. There are a total of 136 dwelling units proposed with the project, therefore, 272 parking spaces plus 27 guest parking spaces are required for a total of 299 parking spaces. Garage and driveway spaces for the townhomes can count toward this total..

An applicant can be eligible for a parking reduction by using the bicycle parking incentive in accordance with LCMC 18.280.040(4)(c). Bicycle parking meeting the requirements of this section may count for up to five percent of off-street parking requirements. The bicycle parking incentive requires:

- A proposed use may reduce its required vehicular parking by one stall for every three bicycle parking spaces or bicycle locker provided and
- Bicycle parking provided for credit must be made of durable materials and be securely anchored to the ground.

If the bicycle parking incentive is used, the required vehicular parking can be no less than 284 parking spaces.

As stated above, the applicant can apply for a Type II variance to reduce the required parking up to 20 percent. A 20 percent variance after the bicycle parking reduction is applied results in a minimum of 227 spaces required for the development.

18.280.050

Each off-street parking space shall have an area no less than 180 square feet, exclusive of drives and aisles, and width of no less than nine feet. Compact parking spaces are permitted and may account for up to 20 percent of the required number of spaces. Compact stall shall have a minimum area of no less than 120 square feet and a width of no less than 8 feet wide. A compact space shall be clearly identified with a sign and/or painted marking. Compact parking, where feasible, shall be located in one or more contiguous areas and/or adjacent to ingress/egress points within parking facilities. Off-street parking spaces for residential uses serving attached single-family must be at least 20 feet long.

The provided site plans show the parking stalls of the off-street parking area for the multifamily use are 9 feet wide and 180 square feet and meeting the required minimum parking stall dimensions. It appears no compact parking spaces are proposed.

Driveway aisles within off-street parking shall comply with the following widths:

Parking Space Angle	1-Way Aisle (feet)	2-Way Aisle (feet)
0 degrees (parallel)	20	22
30 degrees	20	22
45 degrees	20	22
60 degrees	20	22
75 degrees	20	24
90 degrees	24	24

Upon review of the provided site plans, all parking stalls are generally proposed to be at a 90-degree angle with a 2-way aisle at 24 feet, complying with the drive aisle widths as listed above.

Parking areas along the outer boundaries of a parking area shall be contained by a curb or wheel stop and these can extend as far as two feet into the required stall dimensions or placed to prevent a vehicle from extending into required landscaping or over and adjacent property line or street.

Driveways to off-street parking areas shall be designed and constructed to facility the flow of traffic, to provide maximum safety of traffic access and egress, and to provide maximum safety of pedestrians and vehicular traffic on the site. The number of driveways shall be limited to the minimum that would allow the property to accommodate and service the traffic to be anticipated. Driveways shall provide minimum sight distances required by engineering standards.

18.280.060 Multifamily and townhouse parking lots and circulation

Multifamily and townhouse parking lots and circulation areas have additional requirements including:

- Parking lots shall be located in the rear portions of the property with building construction occurring in the front. Parking lots located between buildings and streets are not permitted, except for townhouse buildings with garages.
- A maximum of 30 percent of the front lot line shall be parking areas placed forward of the front building façade. When garages are provided, no more than 40 percent of the front of each townhouse dwelling unit shall be devoted to garage door space.
- Guest parking spaces are to be evenly dispersed throughout the development with no more than four spaces being located to any one specific area.
- Access to MDR projects must be to arterial and/or collector streets.

LCMC 18.282 Outdoor Lighting

The City adopted new outdoor lighting requirements in 2019 to reduce light pollution and in compliance with dark sky guidelines. The code contains specifications for lighting spectrum and luminance limits. These standards apply to exterior residential lights such as front and rear porch lighting. Please review these requirements before selecting lighting fixtures.

18.300 Critical Areas

Critical areas mapped for the project on the project site by Clark County Maps Online include: (1) wetlands (2) fish and wildlife habitat conservation areas (3) geologically hazardous areas and (4) critical aquifer recharge areas (Category II). Critical areas inside shoreline jurisdiction are regulated by the critical area provisions in Appendix B of the SMP. Critical areas outside shoreline jurisdiction are regulated by LCMC 18.300. However, the critical areas provisions in the SMP and LCMC 18.300 are the same.

LCMC 18.300.090(1) Critical Aquifer Recharge Areas

The site and all of La Center is mapped as a Category II Critical Aquifer Recharge Area. However, La Center's code does not contain any requirements for Category II Critical Aquifer Recharge Areas.

LCMC 18.300.090(2) Fish and Wildlife Habitat Conservation Areas

The eastern edge of the site is within a standard riparian buffer of the East Fork of the Lewis River that extends 250 feet from the ordinary high-water mark. However, LCMC 18.300.090(2)(h)(iv) says that the

buffer does not extend landward beyond a road (Pollock Road in this case). Therefore, this riparian buffer does not extend onto the subject site and is not regulated as a FHWCA.

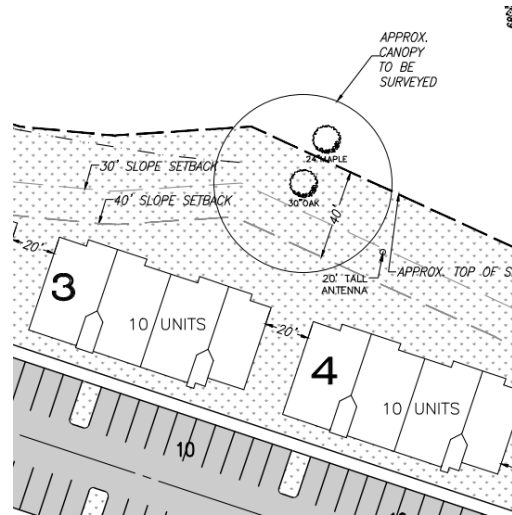
However, mapping by WDFW indicates an occurrence of Oak woodlands on the northern section of the project (see Figure X). The provided site plans and narrative also indicate a 30-inch Oregon white oak (Figure 1), which are a priority habitat and regulated by LCMC 18.300.090(2). Not all Oregon white oaks are considered priority habitat. Please see further WDFW guidance on this topic titled “Management Recommendations for Washington’s Priority Habitats: Oregon White Oak Woodlands” (WDFW, 1998) available on the internet through WDFW.

Any impacts to priority Oregon white oak habitat or its recommended protection area will require a critical areas permit. Oregon white oak habitat needs to be protected in coordination with WDFW guidance and meeting best available science (BAS). Typically, the City has required protection to the dripline of the oaks, but recent WDFW comments has request more protections to extend five to ten meters beyond the dripline. A qualified professional, either a biologist or an arborist, shall assess the habitat and write a critical areas report in accordance with LCMC 18.300.090(2)(d)(iii). A mitigation plan shall be provided in accordance with LCMC 18.300.090(2)(i) and demonstrate no net loss of the area or function of the priority habitat pursuant LCMC 18.300.090(2)(j).

Figure 1: WDFW Mapped Priority Habitat Species Areas



Figure 2: Applicant Plans Indicating a 30-inch Oregon White Oak



The same area highlighted in Figure 1 above with the WDFW mapping is an associated habitat for the little brown bat (*Myotis lucifugus*) and the Yuma myotis (*Myotis yumanensis*) as PHS listed occurrence and afforded protection under LCMC 18.300.090(2)(iv). An assessment of these species occurrence shall be included in a critical areas report with all the requirements in accordance with LCMC 18.300.090(2)(d).

LCMC 18.300.090(4) Geologically Hazardous Areas

The site is mapped as containing landslide, erosion, and seismic hazards. The applicant must provide a geotechnical engineering report from a qualified professional addressing these hazards and proposed mitigation.

Figure 3 shows “areas of potential instability” that generally occur along the same area of steep slopes. These mapped areas are indicators of landslide hazard areas.

Figure 3: Steep Slopes and Landslide Hazard Areas

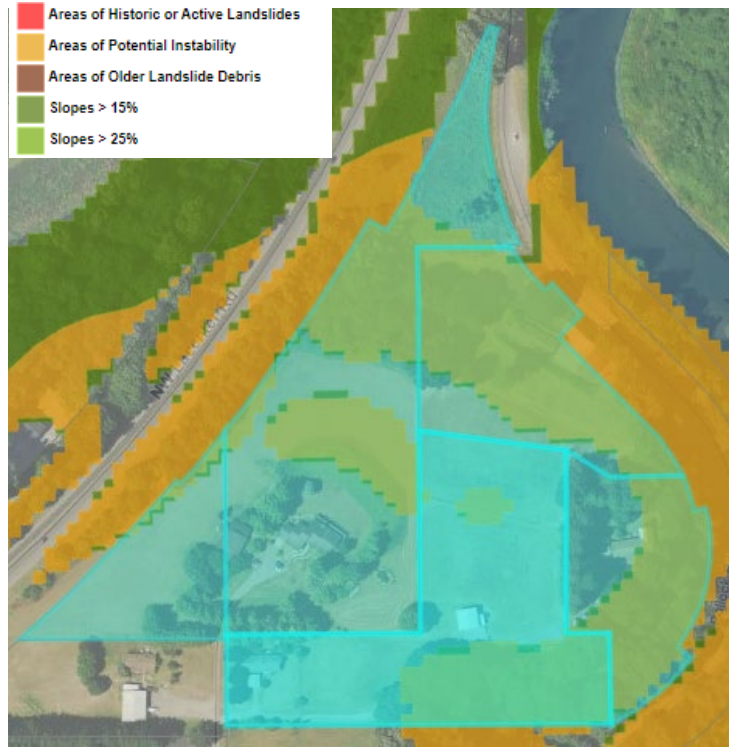


Figure 4 shows areas of severe erosion hazard areas, which also generally occur along the northern, eastern, and southeastern portions of the project site where there is an occurrence of steep slopes. This mapped area is an indicator of an erosion hazard area.

Figure 4: Severe Erosion Hazard Areas (areas in brown)



Development in or near landslide and erosion hazards must meet the requirements of City code including a 50-foot buffer from the edge of the landslide hazard which can be reduced to 25 feet upon the recommendation of the geotechnical engineer. Seasonal clearing restrictions apply in landslide and erosion hazards. Erosion hazard buffers are as recommended by a professional. Erosion control plans are required in erosion hazards.

Figure 5 indicates there a National Earthquake Hazard Reduction Program (NEHRP) Site Class C, C-D, D, D-E, and E soils throughout the site. Therefore, seismic hazard areas likely exist on the site. Additionally, as shown in Figure 6, there are areas of moderate to high liquefaction susceptibility, which are also seismic hazard areas.

Figure 5: NEHRP Site Classes

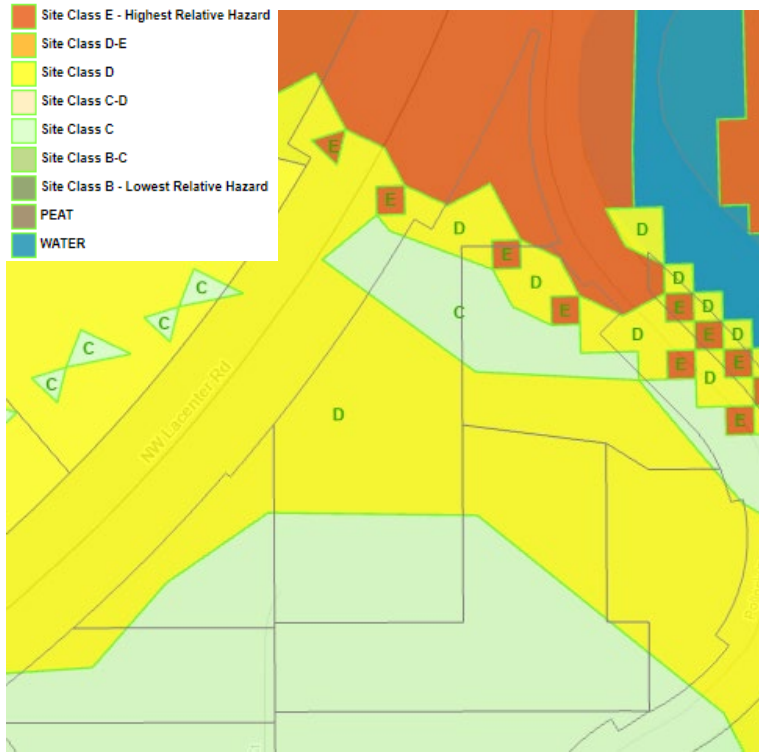
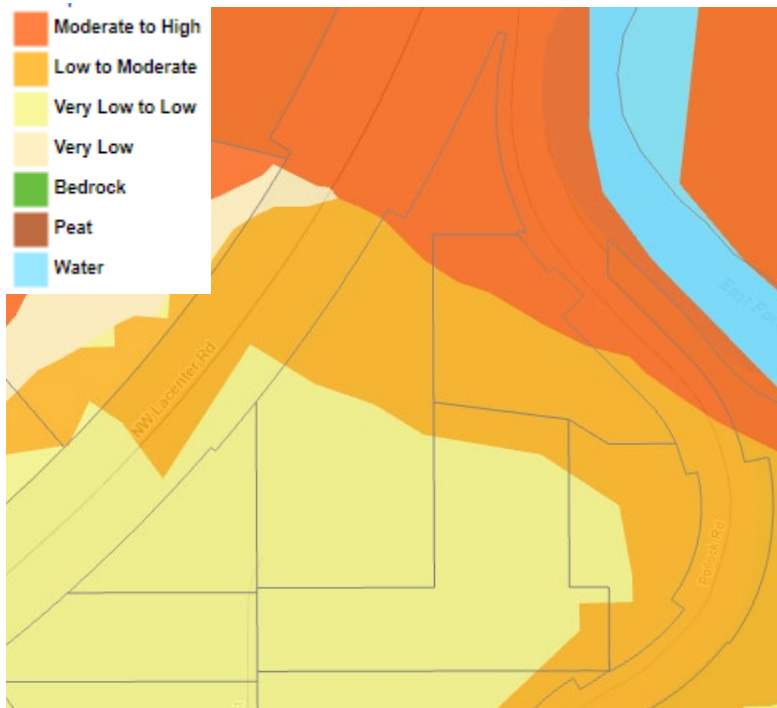


Figure 6: Liquefaction Susceptibility



The applicant must provide a geotechnical engineering report documenting the geologic hazards and proposing mitigations to ensure that the development meets the requirements of LCMC

18.300.090(4)(b)(i) including that:

- It will not increase the threat of geologic hazard to adjacent properties;
- Will not impact other critical areas adversely;
- Is designed so that the hazard is eliminated or mitigated to a level equal to or less than predevelopment conditions, and;
- Are recommended by a qualified professional in a stamped geotechnical engineering report.

The applicant must also comply with the International Building Code for development in seismic hazards.

LCMC 18.300.090(5) Wetlands

According to Clark County MapsOnline, there are mapped “potential wetland” areas along the northern and southeastern boundaries of the project (Figure 9). Since wetland are mapped on the project site, the applicant must complete a wetland delineation in accordance with LCMC 18.300.090(5)(g) or provide a letter from a qualified professional that wetlands do not exist on the site. If wetlands will be impacted, they must be mitigated onsite or offsite through purchase of credits at a wetland bank. Impacts to jurisdictional wetlands must obtain a Section 404 approval from the Army Corps of Engineers and a Section 401 Water Quality Certification from the Washington Department of Ecology.

Wetland buffer requirements apply if wetlands exist. Wetland buffers may be averaged or reduced to 75 percent of their standard width meeting the requirements in 18.300.090(5)(j).

If either wetlands or buffers are impacted, a wetland mitigation plan is required in compliance with LCMC 18.280.090(5)(p & q). Impacts must be mitigated at prescribed ratios in Table 18.300.090(5)(l) or offsite at bank.

Figure 7: Mapped Potential Wetlands



Chapter 18.310 Environmental Policy

The project review application must include a SEPA checklist and appropriate processing fees. The City will run the SEPA comment and land use comment period concurrently and will not make a decision on the land use application until after the close of the SEPA comment period.

Chapter 18.330 Shorelines

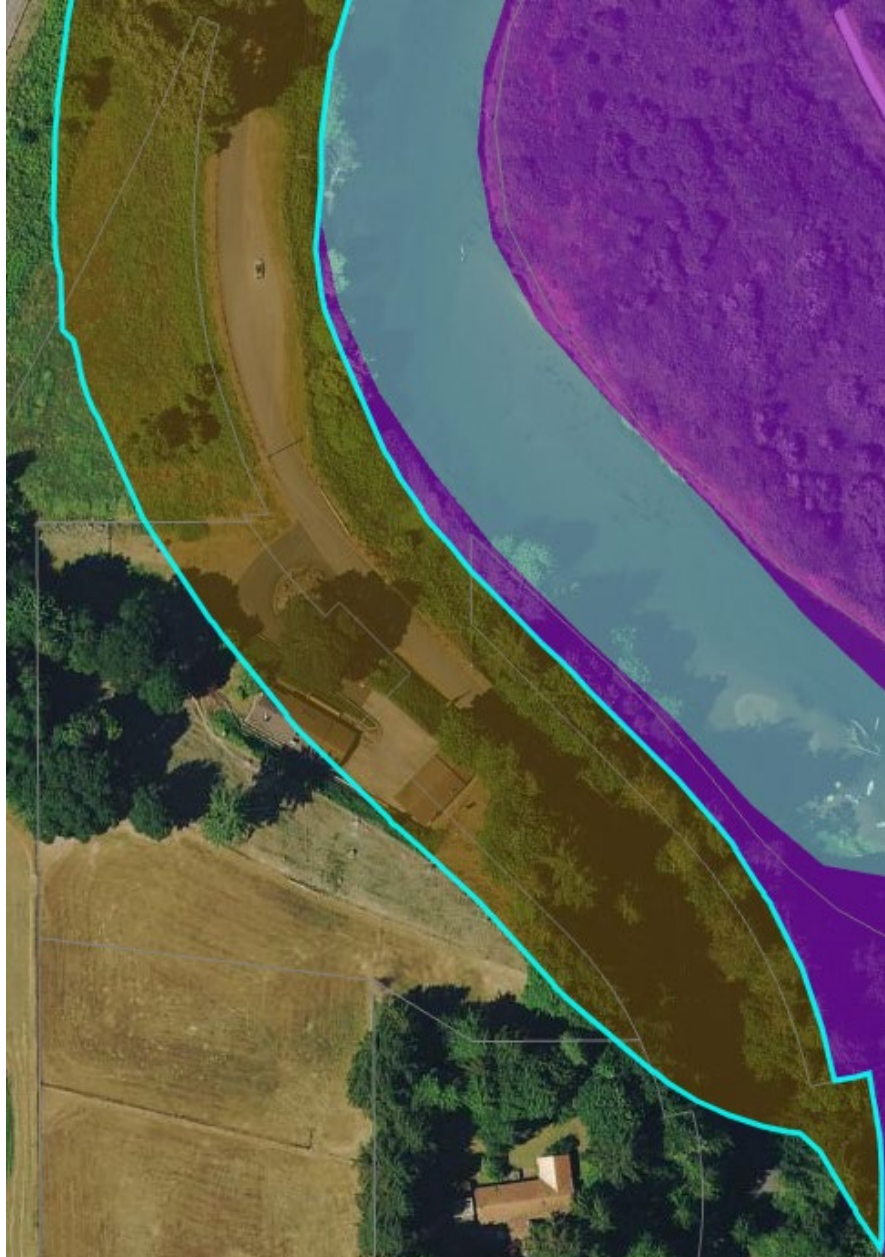
The City’s SMP applies to all lands within 200 feet of ordinary high-water mark of shoreline waterbodies and to associated wetlands of these waters. The East Fork of the Lewis River is a shoreline waterbody. The northern edge of the site is located in the Urban Conservancy designation (Figure 10) meant to “protect and restore ecological functions of open space, floodplains, and other sensitive lands where they exist alongside urban and developed settings. The applicant is possibly proposing to locate stormwater infrastructure (detention, treatment, and outfall) or an open space area in shoreline jurisdiction. Stormwater infrastructure is considered to be a utility use and requires the approval of a shoreline substantial development permit (SSDP) and shoreline conditional use permit (SCUP). In addition, development of stormwater facilities in shoreline jurisdiction must be designed to mimic natural wetlands. An open space area is considered a recreational use and would require an SSDP. A water-related/enjoyment use such as trails or accessory buildings are a permitted use whereas non-water-oriented uses such as golf course or sports fields require an SCUP. The SCUP would require final review and approval by the Washington Department of Ecology (DOE) in a 30-day period following City review.

Key requirements of the City’s SMP include the following:

- Archaeological resources must be protected per Section V.B
- Critical areas within shoreline jurisdiction are subject to review under Appendix B of the SMP and Section V.C. The critical areas provisions are largely the same as outside shoreline jurisdiction.
- Public access to the shoreline must be provided in accordance with Section V.E

- Vegetation in shoreline jurisdiction must be preserved onsite or replaced elsewhere within shoreline jurisdiction onsite per Section V.H.
- Utility uses constructed parallel to the shoreline (detention and treatment) must be setback a minimum of 100 feet from the ordinary high water mark of the river while the outfall (a perpendicular utility) does not require a setback.

Figure 8: Urban Conservancy Shoreline Designation



Chapter 18.350 Tree Protection

If any tree greater than 5" diameter at breast height (DBH) is proposed to be removed, a tree cutting permit and mitigation plan will be required. A tree protection plan will also be required in accordance

with LCMC 18.350.060. The tree protection plan must depict all trees on the site, their health or hazard condition, and recommendations for the treatment of each tree. The tree protection plan must be prepared by an arborist or a landscape architect. The tree protection plan must show planting of new trees to replace the trees to be removed. Please note as discussed in Chapter 18.300 above, the applicant has provided on the site plans and narrative that there is a 30-inch Oregon white oak in the northern part of the development, which is a protected priority habitat. Additional protections measures may need to be necessary to preserve this tree and its roots as determined with a critical areas report. This tree shall be included in the tree protection plan and any disturbances should be minimized to the extent practicable.

Mitigation may consist of replanting on or off-site or payment in lieu of planting. LCMC 18.350.050. For each tree that is greater than 10 inches in diameter, one, two-inch deciduous tree or a six to eight-foot evergreen tree is required to be planted. The City can require that the development design be revised to preserve existing trees.

Chapter 18.360 Archaeological Resource Protection

The site is identified as having a high risk of containing archaeological resources and must file an archaeological predetermination report as per Table 18.360.020-1. Predetermination reports must contain the information in 18.360.080(4). Based on the findings of the predetermination report, further archaeological work or a full archaeological survey may be required.

Application Fees

Based upon the information provided to date, we estimate that the land use application fees will include:

- Preliminary long plat: \$3,0000 + \$125 per lot + cost recovery*
- Boundary line adjustment: \$425 + \$75/lot + cost recovery*
- SEPA: \$510 + cost recovery*
- Critical Area review: \$340 per type of critical area + cost recovery*
- Legal lot determination: \$425 + \$75/lot (> or = to 2 lots) + cost recovery*
- Variances: Type I & II \$180 + cost recovery*, Type III \$240 + cost recovery*
- Site Plan Review Type II: \$1,275 + \$85/1,000 SF of floor area + cost recovery*
- Tree Cutting Permit: \$60 + cost recovery*
- Final long plat: \$920 + \$60 per lot + cost recovery*
- Shoreline SSDP: \$340 + cost recovery*
- Shoreline SCUP: \$850 + cost recovery*

*Cost recovery (requires a reimbursement agreement); actual cost of staff, consultants, and/or hearing examiner plus 10 percent. This fee is applicable as part of a land use action or development review (i.e., traffic study, preliminary/final plat review).

Attachments

- Application Materials

August 30, 2023 – Attendees

Name	Organization Name	Email Address	Phone Number
Bryan Kast	City of La Center	bkast@ci.lacenter.wa.us	360-263-5189

CITY OF LA CENTER, WASHINGTON

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