Stephens Hillside Farms (Type II) Variance Request Narrative per LCMC Chapter 18.260 (Revised 5/3/23)

Overview

The developer Hillside Development, LLC and the home builder New Tradition Homes are requesting variance approval to reduce the front setbacks on some of the lots located in the Preliminarily Approved Stephens Hillside Farms Subdivision (Type II Post Decision Review (2021-039-PDR/VAR/TRE) April 27, 2022).

Site development construction work is currently ongoing and the final plat review approval process has begun.

The requested variance is to reduce the minimum front setback on some of the lots as indicated in LCMC Table 18.130- Lot Coverage and Dimension (See below).

It is requested that the minimum front setback to the porches and living area walls at the house on the specified lots be reduced from a minimum of 20 feet to be a minimum of 10 feet. The minimum garage wall setback is not requested to change from the currently identified 20-foot minimum front setback dimension on any of the lots.

Table 18.130.080 – Lot Coverage and Dimensions

District	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Front Yard Setback (feet)[1, 2]	Minimum Side Yard Setback (feet)[2]	Minimum Street Side Yard Setback (feet)[2]	Minimum Rear Yard (feet)[2, 3]
LDR-7.5	60	90	20	7.5	10	20

Affected Lots

The home builder (New Tradition Homes) has analyzed the lots and broken them into groups, according to the impact of the slopes upon the lots. The results are as follow:

Lot Group	Impact of Slope	Variance Requested?
1	Mild – while there are significant slopes on the south side of this lot, the orientation of the home will not be majorly affected by these slopes.	No
2	Moderate – while there are significant slopes and a retaining wall on the north and east sides of the lot, the configuration of the homesite on the lot does not necessitate a setback variance.	No

3	Moderate – while there are significant slopes and a retaining wall on the north side of the lot, the configuration of the homesite on the lot does not necessitate a setback variance.	No
4-10	Major – there is a slope along the north side of these lots that has already been partially mitigated by a retaining wall installed on lots 3-8; yet the sloped area still accounts for 32% to 37% of each lot's area.	Yes
11	Not applicable – this lot will not be owned by applicant	No
12-15	Major – a slope along the north side of these lots accounts for 24% to 28% of each lot's area.	Yes
16-22	Major – a slope along the north side of these lots accounts for 22% to 31% of each lot's area.	Yes
23	Not applicable – this lot will not be owned by applicant	No
24	Minimal – this lot has a small amount of slope, compared to most of the lots	No
25-31	Moderate – a slope along the south side of these lots accounts for 16% to 20% of each lot's area.	Yes
32-37	Major - a slope along the south side of these lots accounts for 30% to 31% of each lot's area.	Yes
38-42	Major - a slope along the south side of these lots accounts for 30% to 35% of each lot's area.	Yes
43-49	Moderate – a slope along the north side of these lots accounts for 16% to 18% of each lot's area.	Yes
50-52	Moderate – a slope along the north side of these lots accounts for 23% to 24% of each lot's area.	Yes
53-54	Moderate – a slope along the north side of these lots accounts for 23% to 24% of each lot's area. In addition, a turn-around easement for Emergency Services further restricts the building area	Yes
55	Major – a slope along the south side of this lot accounts for 72% of the lot's area.	Yes
56-60	Major - a slope along the south side of these lots accounts for 45% to 47% of each lot's area.	Yes
56-80	Major - a slope along the south side of these lots accounts for 45% to 52% of each lot's area.	Yes
81	Not applicable – while a moderate slope accounts for the majority of the lot, a model home is already being built with the code-required setbacks. The builder chose a house with a small footprint since a variance hadn't yet been granted.	No
82	Major – a significant slope covers nearly 100% of the lot. However, the configuration of the homesite on the lot does not necessitate a setback variance.	No
83	Major – a significant slope covers over 50% of the lot. However, the configuration of the homesite on the lot does not necessitate a setback variance.	No

84	Moderate – a moderate slope covers nearly 100% of the lot. However, the configuration of the homesite on the lot does not necessitate a setback variance.	No
85	Mild – most of the slopes on the lot have been improved by a retaining wall, so a setback variance is not necessary.	No

Summary: A setback variance is not considered necessary by the applicant on 11 of the 85 lots. A setback variance is considered necessary by the applicant on 74 of the 85 lots, for the reasons shown below in the approval criteria section.

Section 18.260.010 Pre-application review

The Pre-Application meeting is waived because of the earlier discussions and meeting held at the city on October 25, 2022.

Section 18.260.020 Review process

This variance request is for over the 10 percent numerical value and is understood to be a Type II process.

Section 18.260.030 Application content

Refer to the Table of Contents for a summary of all submitted information. The following is a summary narrative for the requested variance approval.

Section 18.260.040 Approval criteria

(1) Unusual circumstances or conditions, such as size, shape or topography of a site, or the location of an existing legal development apply to the property and/or the intended use that do not generally apply to other properties in the vicinity or zone. An unusual circumstance could also include another obligation under a different municipal code section or a state or federal requirement;

The property has existing major topography slopes across the site in a north/south direction, as well as major environmental challenges along the entire south side of the property. The preliminarily-approved plat oriented the majority of the lots to face east/west, so that each lot could have as level of a building area as possible. However, the entire lot layout was subsequently changed at the request or requirement of Emergency Services personnel, to provide more level street access at as many homes as possible. The result of this obligation and resulting change was that the vast majority of the lots on the

final layout are majorly impacted by the site topography. The major slopes on these lots create a significant challenge to provide housing of the configurations that buyers in the market desire, such as single-level homes with front porches and covered patios/decks and some amount of usable yard space. The variance request to allow for minimum 10-foot setbacks to the front porches will provide flexibility to accommodate the sloping topography of this property. The minimum 20-foot setback to all garage walls will be maintained to comply with the current minimum front setback requirement.

(2) The unusual circumstance cannot be a result of actions taken by the applicant;

The unusual circumstances were not the result of actions taken by the applicant(s). The unusual circumstances were a result of a request or requirement of Emergency Services personnel.

(3) The variance request is necessary for the preservation of a substantial property right of the applicant which is possessed by the owners of other properties in the vicinity or zone;

The requested variance will allow flexibility of house designs similar to other communities in the city and around the County. The encumbrance of the slopes upon the lots diminishes the usable area, whereas the variance would grant that the most usable flat portions of the property could be used.

(4) The variance request is the least necessary to relieve the unusual circumstances or conditions identified in subsection (1) of this section;

The request is the least amount necessary to relieve the existing site conditions on the property. The variance is only being requested on the lots with major slopes, and the requested variance is much less than the amount of property that the slopes affect.

(5) Any impacts resulting from the variance are mitigated to the extent practical; and

By allowing the approval of reducing the minimum front setback to be 10 feet to the front porches and other architectural elements will provide a number of benefits to mitigate the requested setback reduction as follows. Also, refer to example front elevation renderings of some proposed house designs.

- Allowing front porches and other architectural elements to be located in front of garage doors will provide for increased architectural design variety
- Allow for a diversity of house designs, including desired single level living units
- Enhance the streetscapes by reducing the prevalence of garage doors along the streets

(6) The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity and zone in which the property is situated.

The requested variance will not be materially detrimental to the public welfare or injurious to the property or other improvements in the vicinity and zone near the property. Without this variance being granted, the footprint available on the homesites would be restricted to a smaller area and a greater percentage of the footprint would be upon the sloped area of the lots. As a result, more of the homes built on the property would be of a repetitive architectural type through minimized articulation and be more restrictive by not providing enough single-level housing; compared to if this variance were granted. The public would be better served with a greater diversity of architectural styles and a greater variety of choice in housing types, particularly access to more single-level home plans.

Exhibits

Exhibit “A” shows the neighborhood lot layout in approved Preliminary Plat configuration. The highlighted areas of steep slopes demonstrate that a minority of lots had a major impact by steep slopes in the building pad area or backyard.

Exhibit “B” shows the neighborhood lot layout after streets and lots were reconfigured to meet Emergency Services personnel request/requirement. The highlighted areas of steep slopes demonstrate the vast majority of lots have a major impact in the building pad area or backyard.

Exhibit “C” shows example house plans plotted for best use and resulting setbacks. Exhibit “C” also shows the lots that don’t require any setback variance.

END OF NARRATIVE

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The property has existing major topography slopes across the site in a north/south direction, as well as major environmental challenges along the entire south side of the property. ~~and best practices required a design approach to terrace the streets and lots to provide steps or benches down the topography slopes. This approach provided that the majority of streets are relatively level with steeper sloping side streets.~~ The preliminarily-approved plat oriented the majority of the lots to face east/west, so that each lot could have as level of a building area as possible. However, the entire lot layout was subsequently

changed at the request or requirement of Emergency Services personnel, to provide more level street access at as many homes as possible. The result of this obligation and resulting change was that the vast majority of the lots on the final layout are majorly impacted by the site topography. ~~For all the best design practices to terrace the streets and lots, the sloping rear yards provide~~ The major slopes on these lots create a significant challenge to ~~allow for appropriately sized houses~~ provide housing of the configurations that buyers in the market desire, such as single-level homes with front porches and covered patios/decks ~~covers~~ and some amount of usable yard space. The variance request to allow for minimum 10-foot setbacks to the front porches will provide flexibility to accommodate the sloping topography of this property. The minimum 20-foot setback to all garage walls will be maintained to comply with the current minimum front setback requirement.

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END OF NARRATIVE

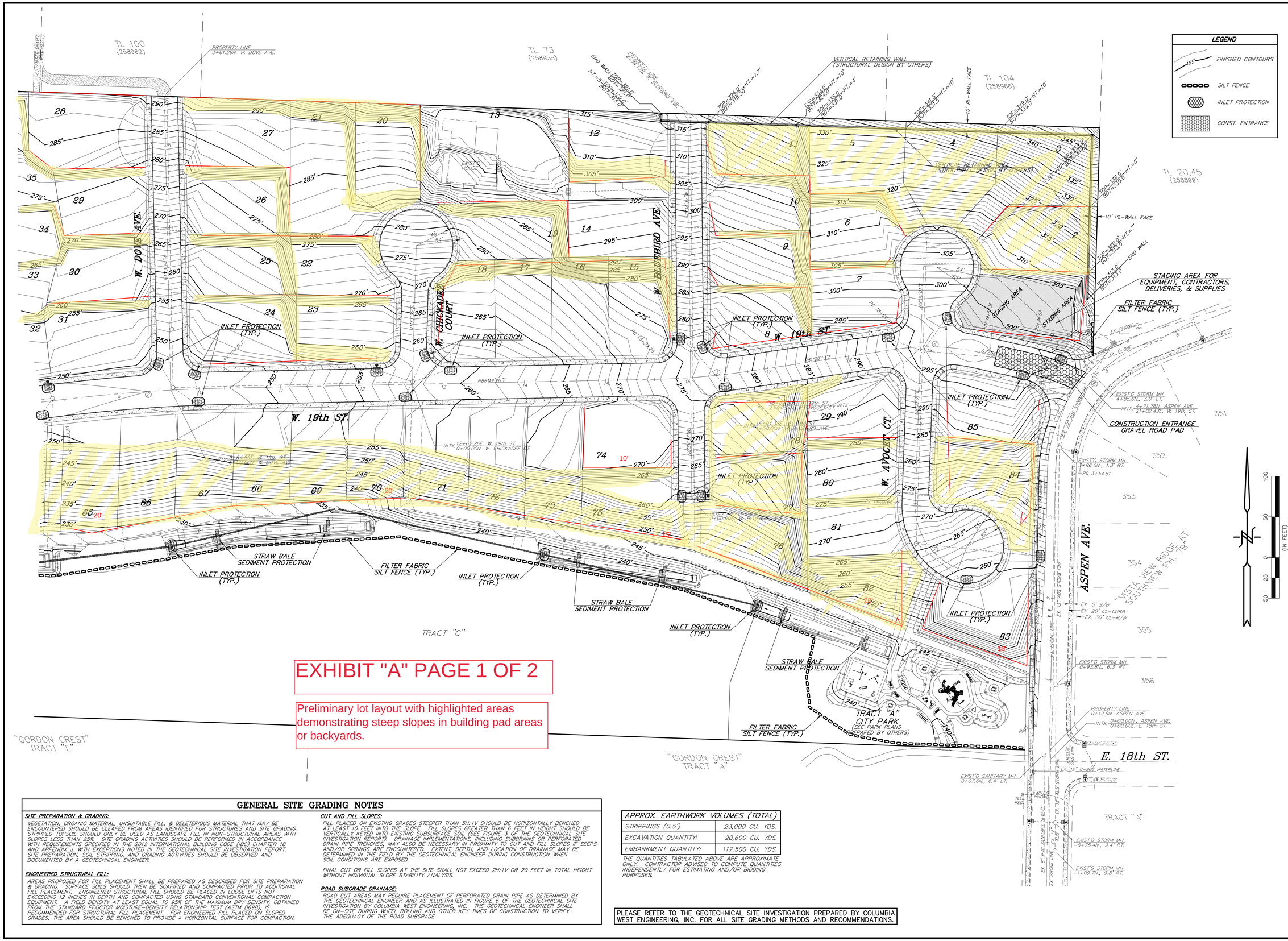

EXHIBIT "A" PAGE 1 OF 2

Preliminary lot layout with highlighted areas demonstrating steep slopes in building pad areas or backyards.

GENERAL SITE GRADING NOTES

SITE PREPARATION & GRADING:

VEGETATION, ORGANIC MATERIAL, UNSUITABLE FILL, & DELETERIOUS MATERIAL THAT MAY BE ENCOUNTERED SHOULD BE CLEARED FROM AREAS IDENTIFIED FOR STRUCTURES AND SITE GRADING. STRIPPED TOPSOIL SHOULD ONLY BE USED AS LANDSCAPE FILL IN NON-STRUCTURAL AREAS WITH SLOPES LESS THAN 25%. SITE GRADING ACTIVITIES SHOULD BE PERFORMED IN ACCORDANCE WITH REQUIREMENTS SPECIFIED IN THE 2012 INTERNATIONAL BUILDING CODE (IBC) CHAPTER 18 AND APPENDIX J, WITH EXCEPTIONS NOTED IN THE GEOTECHNICAL SITE INVESTIGATION REPORT. SITE PREPARATION, SOIL STRIPPING, AND GRADING ACTIVITIES SHOULD BE OBSERVED AND DOCUMENTED BY A GEOTECHNICAL ENGINEER.

ENGINEERED STRUCTURAL FILL:

AREAS PROPOSED FOR FILL PLACEMENT SHALL BE PREPARED AS DESCRIBED FOR SITE PREPARATION & GRADING. SURFACE SOILS SHOULD THEN BE SCARIFIED AND COMPACTED PRIOR TO ADDITIONAL FILL PLACEMENT. ENGINEERED STRUCTURAL FILL SHOULD BE PLACED IN LOOSE LIFTS NOT EXCEEDING 12 INCHES IN DEPTH AND COMPACTED USING STANDARD CONVENTIONAL COMPACTION EQUIPMENT. A FIELD DENSITY AT LEAST EQUAL TO 95% OF THE MAXIMUM DRY DENSITY, OBTAINED FROM THE STANDARD PROCTOR MOISTURE-DENSITY RELATIONSHIP TEST (ASTM D698), IS RECOMMENDED FOR STRUCTURAL FILL PLACEMENT. FOR ENGINEERED FILL PLACED ON SLOPED GRADES, THE AREA SHOULD BE BENCHED TO PROVIDE A HORIZONTAL SURFACE FOR COMPACTION.

CUT AND FILL SLOPES:

FILL PLACED ON EXISTING GRADES STEEPER THAN 5H:1V SHOULD BE HORIZONTALLY BENCHED AT LEAST 10 FEET INTO THE SLOPE. FILL SLOPES GREATER THAN 6 FEET IN HEIGHT SHOULD BE VERTICALLY KEYED INTO EXISTING SUBSURFACE SOIL (SEE FIGURE 3 OF THE GEOTECHNICAL SITE INVESTIGATION REPORT). DRAINAGE IMPLEMENTATIONS, INCLUDING SUBDRAINS OR PERFORATED DRAIN PIPE TRENCHES, MAY ALSO BE NECESSARY IN PROXIMITY TO CUT AND FILL SLOPES IF SEEPS AND/OR SPRINGS ARE ENCOUNTERED. EXTENT, DEPTH, AND LOCATION OF DRAINAGE MAY BE DETERMINED IN THE FIELD BY THE GEOTECHNICAL ENGINEER DURING CONSTRUCTION WHEN SOIL CONDITIONS ARE EXPOSED.

FINAL CUT OR FILL SLOPES AT THE SITE SHALL NOT EXCEED 2H:1V OR 20 FEET IN TOTAL HEIGHT WITHOUT INDIVIDUAL SLOPE STABILITY ANALYSIS.

ROAD SUBGRADE DRAINAGE:

ROAD CUT AREAS MAY REQUIRE PLACEMENT OF PERFORATED DRAIN PIPE AS DETERMINED BY THE GEOTECHNICAL ENGINEER AND AS ILLUSTRATED IN FIGURE 6 OF THE GEOTECHNICAL SITE INVESTIGATION BY COLUMBIA WEST ENGINEERING, INC. THE GEOTECHNICAL ENGINEER SHALL BE ON-SITE DURING WHEEL ROLLING AND OTHER KEY TIMES OF CONSTRUCTION TO VERIFY THE ADEQUACY OF THE ROAD SUBGRADE.

APPROX. EARTHWORK VOLUMES (TOTAL)	
STRIPPINGS (0.5')	23,000 CU. YDS.
EXCAVATION QUANTITY:	90,600 CU. YDS.
EMBANKMENT QUANTITY:	117,500 CU. YDS.

THE QUANTITIES TABULATED ABOVE ARE APPROXIMATE ONLY. CONTRACTOR ADVISED TO COMPUTE QUANTITIES INDEPENDENTLY FOR ESTIMATING AND/OR BIDDING PURPOSES.

PLEASE REFER TO THE GEOTECHNICAL SITE INVESTIGATION PREPARED BY COLUMBIA WEST ENGINEERING, INC. FOR ALL SITE GRADING METHODS AND RECOMMENDATIONS.

THE WOLFE GROUP, L.L.C.
Land Planning, Consulting & Civil Engineering
2401 W. Main Street, Suite 210
Battle Ground, WA 98604
(360) 687-2699

STEPHENS HILLSIDE FARM

A Residential Subdivision in the S.W. 1/4 of Section 34 T.5N., R.1E., W.M. in the City of La Center, Clark County, WA

PLAN:
GRADING &
EROSION CONTROL

JOB #:	17-06
DESIGNED:	JEW
DRAWN:	JEW
APPROVED:	JEW
DATE:	APRIL 2019
SCALE:	HORIZ.: 1"=50' VERT.: N/A
SHEET	16 / 29

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PLEASE REFER TO THE GEOTECHNICAL SITE INVESTIGATION PREPARED BY COLUMBIA WEST ENGINEERING, INC. FOR ALL SITE GRADING METHODS AND RECOMMENDATIONS.

1. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN PLACE AND IN WORKING CONDITION PRIOR TO ANY LAND DISTURBING ACTIVITY CAUSED BY CLEARING OR GRADING. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE APPROVED BY THE CITY PRIOR TO THE COMMENCEMENT OF WORK. THE CONTRACTOR SHALL CALL FOR AN ON-SITE INSPECTION WHEN EROSION AND SEDIMENT CONTROL MEASURES ARE IN PLACE AND PRIOR TO COMMENCEMENT OF WORK.

2. THE EROSION AND SEDIMENT CONTROL MEASURES SHALL BE SITED, DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS IN THE CITY OF LA CENTER ENGINEERING STANDARDS FOR PUBLIC WORKS CONSTRUCTION.

3. THE DEVELOPER IS RESPONSIBLE FOR MAINTAINING EROSION PREVENTION AND SEDIMENT CONTROL MEASURES DURING AND AFTER INSTALLATION OF ALL UTILITY WORK ASSOCIATED WITH UTILITY TRENCHES.

4. PRIOR TO ANY SITE EXCAVATION, ALL STORM DRAINAGE INLETS SHALL BE PROTECTED DOWN SLOPE FROM ANY DISTURBED OR CONSTRUCTION AREAS PER THE STANDARD DETAILS TO PREVENT SEDIMENT FROM ENTERING THE STORM DRAINAGE SYSTEM PRIOR TO PERMANENT STABILIZATION OF THE DISTURBED AREAS. CLEAN THE FILTER FABRIC AS NECESSARY TO MAINTAIN DRAINAGE. REMOVE FILTER AND CLEAN CATCH BASINS FOLLOWING COMPLETION OF SITEWORK.

5. THE CONTRACTOR SHALL NOT ALLOW SEDIMENT OR DEBRIS TO ENTER NEW OR EXISTING PIPES, CATCH BASINS OR INFILTRATION SYSTEMS.

6. NEWLY CONSTRUCTED OR MODIFIED INLETS AND CATCH BASINS ARE TO BE PROTECTED IMMEDIATELY UPON INSTALLATION.

7. TEMPORARY SEEDING AND MULCHING OF FILL SLOPES AND DIVERSION DIKES SHALL BE COMPLETED WITHIN ONE WEEK AFTER ROUGH GRADING.

8. ALL EXPOSED AND UNWORKED SOILS SHALL BE STABILIZED BY THE APPROPRIATE BEST MANAGEMENT PRACTICES (BMPs). DURING THE PERIOD FROM OCTOBER 1 TO APRIL 30 NO SOIL SHALL BE EXPOSED FOR MORE THAN TWO (2) DAYS. FROM MAY 1 TO SEPTEMBER 30 NO SOIL SHALL BE EXPOSED FOR MORE THAN SEVEN (7) DAYS.

9. MATERIAL STOCKPILES ARE TO BE PROTECTED BY THE FOLLOWING MEANS:
   - -TEMPORARY: COVER PILES WITH TARPS OR PLASTIC SHEETING WEIGHTED WITH CONCRETE BLOCKS, LUMBER OR TIRES.
   - -PERMANENT: COVER PILES WITH TARPS OR PLASTIC, OR RESEED. PERIMETER AREAS AROUND PILES ARE TO BE SURROUNDED WITH EROSION CONTROL FILTER FABRIC FENCES UNTIL SOIL SURFACE IS STABILIZED WITH RESEEDING.

10. THE CONTRACTOR SHALL MAINTAIN ON SITE A WRITTEN DAILY LOG OF EROSION CONTROL BMP MAINTENANCE.

11. IF THE CITY INSPECTOR OR ENGINEER HAS EVIDENCE OF POOR CONSTRUCTION PRACTICES OR IMPROPER EROSION PREVENTION BMPs, CITATIONS AND/OR A STOP WORK ORDER SHALL BE ISSUED UNTIL PROPER MEASURES HAVE BEEN TAKEN AND APPROVED BY THE CITY OF LA CENTER. IF THE BMPs APPLIED TO A SITE ARE INSUFFICIENT TO PREVENT SEDIMENT FROM REACHING WATER BODIES, ADJACENT PROPERTIES, OR PUBLIC RIGHT-OF-WAY, THEN THE CITY SHALL REQUIRE ADDITIONAL BMPs.

12. ALTERNATIVE BMP'S NOT SHOWN IN THESE DETAILS ARE ACCEPTABLE PROVIDED THEY ARE PART OF ECOLOGY'S WESTERN WASHINGTON STORMWATER MANAGEMENT MANUAL AND THE CITY ENGINEER REVIEWS AND APPROVES THE ALTERNATIVE BMP'S AS PART OF THE EROSION CONTROL PLAN PRIOR TO THE START OF CONSTRUCTION.

EROSION CONTROL GENERAL NOTES I — PLAN #

CITY OF LA CENTER APPROVED

Brett Shipp, PE 7/23/19

CITY ENGINEER — DATE

REVISIONS:	DATE:	DRAWN:	DESIGNED:

ER-1A

EXHIBIT "A" PAGE 2 OF 2

Preliminary lot layout with highlighted areas demonstrating steep slopes in building pad areas or backyards.

APPROX. EARTHWORK VOLUMES (TOTAL)	
STRIPPINGS (0.5')	23,000 CU. YDS.
EXCAVATION QUANTITY:	90,600 CU. YDS.
EMBANKMENT QUANTITY:	117,500 CU. YDS.

THE QUANTITIES TABULATED ABOVE ARE APPROXIMATE ONLY. CONTRACTOR ADVISED TO COMPUTE QUANTITIES INDEPENDENTLY FOR ESTIMATING AND/OR BIDDING PURPOSES.

LEGEND

- 195' — FINISHED CONTOURS
- SILT FENCE
- INLET PROTECTION
- CONST. ENTRANCE

THE WOLFE GROUP, L.L.C.
Land Planning, Consulting & Civil Engineering
2401 W. Main Street, Suite 210
Battle Ground, WA 98604
(360) 687-2699

STEPHENS HILLSIDE FARM
A Residential Subdivision in the S.W. 1/4 of Section 34 T.5N., R.1E., W.M. in the City of La Center, Clark County, WA

PLAN: GRADING & EROSION CONTROL

JOB #:	17-06
DESIGNED:	JEW
DRAWN:	JEW
APPROVED:	JEW
DATE:	APRIL 2019
SCALE:	HORIZ.:1"=50' VERT.:N/A
SHEET	17 / 29

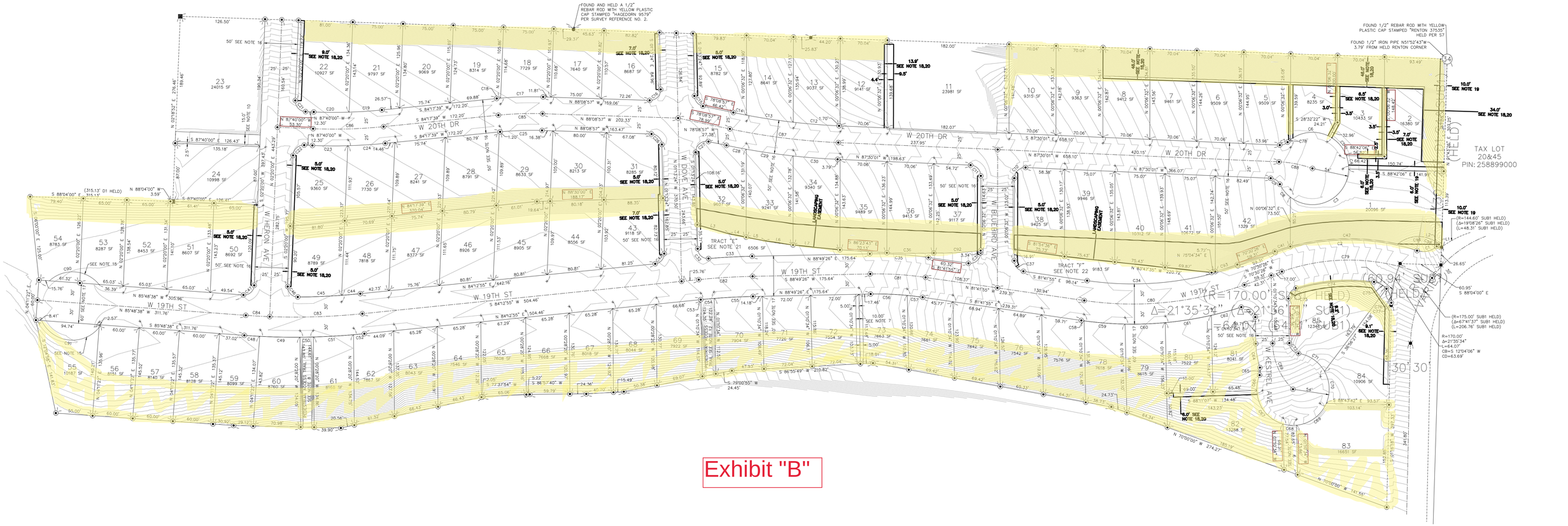

Exhibit "B"

Final lot layout with highlighted areas demonstrating steep slopes in building pad areas or backyards.

EXAMPLE HOUSE PLANS PLOTTED FOR "BEST USE" WITH VARIANCE TO FRONT BUILDING SETBACKS

STEPHENS HILLSIDE FARM

NOTE: THE HOUSE PLANS PLOTTED ARE FOR ILLUSTRATIVE PURPOSES ONLY AND DO NOT REFLECT FINAL HOUSE FOOTPRINTS. THIS EXHIBIT IS NOT INTENDED TO BE BINDING FOR A SPECIFIC PLAN ON A SPECIFIC LOT, BUT TO GIVE AN OVERALL REPRESENTATION OF THE APPROACH TO ALLOW FLEXIBILITY TO FRONT SETBACKS. APPLICANT MUST MEET ALL THEN-CURRENT STANDARDS FOR NEIGHBORHOOD UPON APPLICATION OF EACH BUILDING PERMIT.

Exhibit "C"