



## Staff Report & Recommendations

### Sunrise Terrace Subdivision: Type III

### Preliminary Plat and SEPA DNS

(2014-006-SUB) October 5, 2015

|                             |  |
|-----------------------------|--|
| <b>PROPOSAL:</b>            | Preliminary subdivision of 34.4 acres into 120 residential lots for detached homes. All lots exceed 7,500 square feet in area, except Lots 35 through 38, and Lot 114. Net density of the phased project is 4.6 lots per acre. The project will be built-out in several Phases. No parks or trails are proposed. An archeological investigation concluded there are no cultural resources within the project site. Critical area analysis by a qualified expert confirmed there are no regulated Critical Areas on site. |
| <b>LOCATION:</b>            | 1908 NE Lockwood Creek Road, La Center, WA; SW of the intersection of NE Lockwood Creek Road and NE 339 <sup>th</sup> St.<br>Assessor No. 209047-000, 209062-000, 986027-188 and 986027-189; NE ¼ of Section 2, T4N, R1E, WM.  |
| <b>HEARING:</b>             | The La Center Hearing Examiner will conduct a public hearing beginning at <b>3:30 PM on October 12, 2015</b> at La Center City Hall, 214 East 4 <sup>th</sup> Street, La Center, Washington.   |
| <b>APPLICABLE STANDARDS</b> | La Center Municipal Code 18.30, Procedures; 18.130, Low Density Residential; 18.210, Subdivision; 18.245, Supplemental Development Standards; 18.310, Environmental Policy; 18.320, Stormwater; 18.330, 18.350, Tree Protection; and 18.360, Archaeological Protection.  |
| <b>RECOMMENDATION:</b>      | <b>APPROVAL</b> , subject to conditions  |

## I. CONTACT LIST

### APPLICANT

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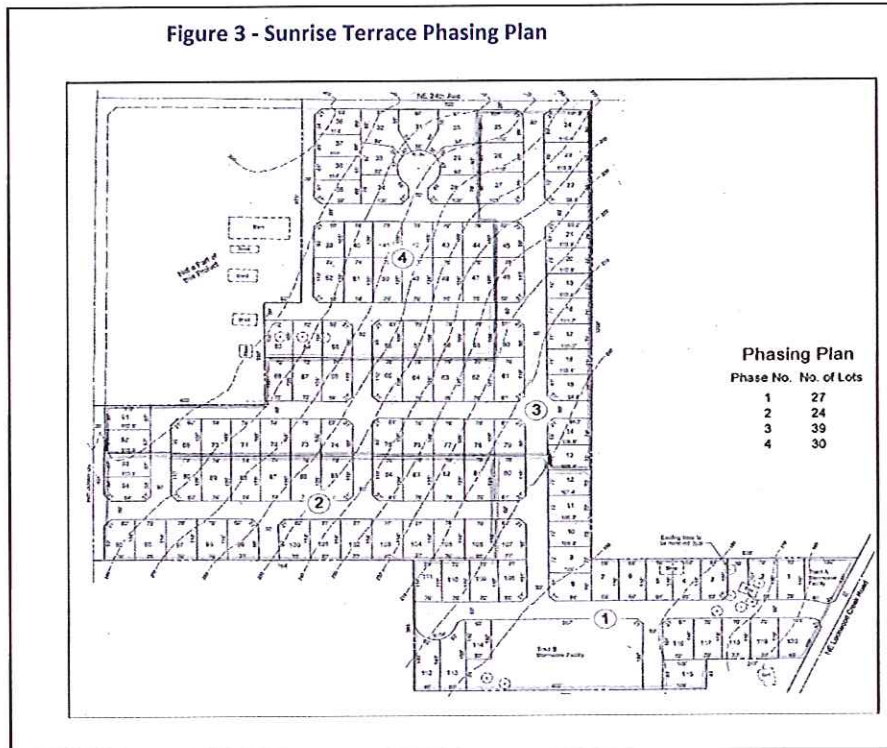
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Figure 3 - Sunrise Terrace Phasing Plan



### III. REVIEW

#### III. A Jurisdiction

The subject properties are within La Center City limits and are zoned LDR-7.5, 7,500 sq. ft. lots. The City of La Center provides sanitary sewer service and public streets. Clark Public Utilities provides potable water service. The project is within the La Center School District and the Clark County Fire and rescue service area.

#### III. B Applicable regulations

The relevant La Center regulations include:

- Low Density Residential, LDR-7.5, LCMC 18.130
- Critical Areas, LCMC 18.300
- Subdivisions, LCMC 18.600
- Environmental Policy (SEPA), LCMC 18.310
- Stormwater and Erosion Control, LCMC 18.320, and
- La Center Engineering Standards.

### III.C Public Notice

The Battle Ground Reflector published legal notice of the land use application, SEPA DNS, and public hearing on September 23, 2015. The Department of Ecology entered the SEPA Checklist and DNS in the Ecology SEPA Register on September 23, 2015. (Ecology SEPA # 201504864.) The SEPA comment period closes on October 7, 2015. The City has not received any public comments as of this writing.

### III.D Proposal

The applicant proposes to subdivide 34.4 acres into 120 residential lots for detached single-family homes. All lots exceed 7,500 square feet in area, except Lots 35 through 38, and Lot 114. Net density of the phased project is 4.6 lots per acre. The project will develop in four (4) phases; Phase 1 will take access from NE Lockwood Creek Road. There are no Critical Areas or archaeological resource on the site. No recreational facilities are proposed.

### III.E Land Use Analysis

#### **LCMC 18.210 Subdivisions**

A preliminary plat is subject to pre-application review. LCMC 18.210.010. Technically complete review of a plat application is subject to a Type I process. After a preliminary subdivision application is deemed to be technically complete the review of the application for a preliminary plat approval is subject to a Type III process. LCMC 18.210.020.

#### Response

The City conducted a pre-application for Sunrise Terrace on January 8, 2015. PAC-2014-003. The City found the application Technically Complete on August 25, 2015. The La Center Hearing Examiner will consider the application for preliminary plat approval on October 12, 2015 at a Center City Hall beginning at 3:30 PM.

#### **18.210.040 Approval criteria for a preliminary plat.**

- (1) *The review authority shall approve a preliminary plat if he or she finds:*
- (a) *The applicant has sustained the burden of proving that the application complies with the following regulations of the La Center Municipal Code to the extent relevant:*
    - (i) Chapter [12.05](#) LCMC, Sidewalks, and Chapter [12.10](#) LCMC, Public and Private Road Standards;
    - (ii) Chapter [18.300](#) LCMC, Critical Areas;
    - (iii) Chapter [18.310](#) LCMC, Environmental Policy;
    - (iv) Chapter [18.320](#) LCMC, Stormwater and Erosion Control;
    - (v) Chapter [15.05](#) LCMC, Building Code and Specialty Codes;
    - (vi) Chapter [15.35](#) LCMC, School Impact Fees; and
    - (vii) LCMC Title [18](#), Development Code.

#### Response

The staff report evaluates compliance with the applicable Municipal Code regulations below.

- (b) *That the application can comply with those regulations by complying with certain conditions of approval, and those conditions are adopted; or that necessary adjustments, exceptions, modifications or variations have been approved or are required to be approved before the final plat is approved;*
- (c) *The subdivision makes appropriate provision for parks, trails, potable water supplies and disposal of sanitary wastes; and*
- (d) *The subdivision complies with Chapter [58.17](#) RCW.*

Response

Clark Public Utilities provides potable water service to La Center. The Developer will construct a new 10" water line, connecting at the end of the existing 8" water in the easterly cul-de-sac of E. 24th Circle, extending easterly and connecting to the north end of the existing 8" water line in NE 14th Avenue. Any existing wells located on the site will be properly decommissioned. The City of La Center provides sanitary sewer service. The City Engineer has provided several recommendations and conditions to ensure that the sanitary service is consistent with City policies and standards. The builders shall pay system development fees and park, traffic and school impact fees in effect at the time of building permit application. The City development standards do not require dedication or install of parks and trails and the Applicant has elected to forgo public recreational amenities. For these reasons staff suggests the subdivision makes appropriate provision for parks, trails, potable water supplies and disposal of sanitary wastes recommends

*(2) If phases are proposed, then the subdivision also complies with the following:*

- (a) The preliminary plat identifies the boundaries of each phase and sequence of phases;*
- (b) Each phase includes open space and other required public and/or private infrastructure at least in proportion to the number of lots in the phase;*
- (c) The sequence and timing of phases maintains compliance with applicable standards throughout the development of the subdivision; and*
- (d) The applicant completes or assures completion of public improvements consistent with LCMC [18.210.090](#).*

Response

Sunrise Terrace is divided into four phase. (See Figure 3 of this report.) Phase 1 will accommodate the stormwater facilities (Tract A and Tract B) for the entire development. Parks are not required and the Applicant has elected to not provide parks or trails in any phase.

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

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

Response

Lots 30 (10,948 sq. ft.) and 32 (10,848 sq. ft.) meet the technical definition of a "flag lot", a narrow-throated lot. The "pole" of the flag of each lot is 30 feet, exceeding the 20-foot minimum pole width. The "pole" of each lot is less than 150 feet. The lots are consistent with subsection (3).

**LCMC 18.210.050 Expiration and extension of preliminary plat approval.**

*(1) Approval of a preliminary plat expires five years from the effective date of the decision approving it unless, within that time, an applicant files with the city clerk an application for a final plat for a subdivision or given phases of a subdivision or for an extension.*

Response

A preliminary plat shall expire within five years of the date of preliminary plat approval if the date of preliminary plat approval is on or after January 1, 2015. LCMC 18.210.050(1) and RCW 58.17.140(3)(a).

***Chapter 12.05 LCMC, Sidewalks' Chapter 12.10 LCMC, Public and Private Road Standards; Chapter 18.320 LCMC, Stormwater and Erosion Control; and Chapter 15.05 LCMC, Building Code and Specialty Codes;***

Response

See Section III.F, Public Works and Engineering Analysis, below

***Chapter 18.300 LCMC, Critical Areas***

Department Natural Resources FPARS web site indicates the possibility of a class N seasonal stream traversing the southeast corner and northeast corner of tax lot 98027-189. Clark County GIS indicates a mapped National Wetland Inventory (NWI) and the presence of hydric soils (Odne) on tax lot 986027-189.

The applicant provided a Technical Memorandum authored by Cascadia Ecological Services (Cascadia) dated May 16, 2015. Cascadia conducted wetland assessments and soil sampling in the mapped NWI wetlands and Odne soils. Cascadia concluded that based on field sampling and observations of "upland soils, lack of hydrophytic vegetation, and hydrology indicators, the property does not contain any City of La Center regulated wetlands ..."

Cascadia conducted a field visit in June 2016 and concluded that the possible class N seasonal stream is a man-made irrigation ditch. Cascadia did not find any indicators of wetland hydrology scour marks or defined channel within the flat ditch bottom. Cascadia observed, based on aerial photography, contained in their technical memorandum that the ditch did not exist prior to 2005. Because the ditch meets the definition of an artificial watercourse and does not provide any aquatic habitat Cascadia concluded the irrigation ditch would not be regulated by the Washington Department of Fish and Wildlife nor would it be regulated as a riparian habitat area by the City of La Center.

Because the site does not contain any regulated critical areas, staff concludes that a critical areas permit is not required.

***Chapter 18.310 LCMC, Environmental Policy***

Response

The Applicant submitted a SEPA Checklist. The City reviewed the checklist and relevant materials, including an archaeological pre-determination, and the Responsible Official issued a Determination of Non Significance (DNS) Threshold Determination on September 23, 2015. The City published notice of the DNS in the Battle Ground reflector, a center newspaper of record, and the Ecology SEPA Register. As of this writing, the City has not received any SEPA comments.

***Chapter 15.35 LCMC, School Impact Fees;***

Response

As a **Condition of Approval** the for each dwelling the City shall assess and charge the builder School, Park and Traffic impact fees in effect at the time of building permit application.

**LCMC Title 18, Development Code.**

**LCMC 18.130 (Low Density Residential District)**

This chapter regulates uses within the Low Density Residential (LDR-7.5) zoning district and establishes design and dimensional requirements. Detached single family dwellings are a permitted use in the LDR-7.5 zone. (LCMC 18.130.030.) The maximum building height in all LDR districts shall be 35 feet measured from the lowest finished grade level to the highest point on the roof. Detached garages shall not exceed 18 feet in height. (LCMC 18.130.070.)

**Table 18.130.080  
– Density Requirements**

| Zoning District | Minimum Lot Area <sup>1</sup> (sq. ft.) | Minimum Lot Area When Critical Areas Are Present (sq. ft.) <sup>2</sup> | Maximum Lot Area (sq. ft.) <sup>3</sup> | Minimum Net Density per Acre <sup>4</sup> |
|-----------------|---|---|---|---|
| LDR-7.5         | 7,500                                   | 6,000   | 11,000                                  | 4   |

- <sup>1</sup> Duplexes (structures containing two separate dwelling units) require a minimum lot area of 10,000 square feet.
- <sup>2</sup> The city may permit a minimum lot area of 6,000 square feet when critical areas are present and a transfer of density is proposed per LCMC [18.300.130](#). Under no circumstances may lots of less than 6,000 square feet be permitted.
- <sup>3</sup> The maximum lot area of a lot abutting the urban growth area boundary may exceed 11,000 square feet pursuant to this section. A border lot also is subject to different setbacks. The maximum lot area also can be exceeded for multifamily development.
- <sup>4</sup> Densities shall be calculated based on the gross area of the site minus any public rights-of-way.

Maximum building lot coverage shall not exceed 35 percent. Maximum impervious surface area shall not exceed 50 percent. (LCMC 18.130.090(1).)

**Table 18.130.090  
– Lot Coverage and Dimensions (feet)**

| District | Minimum Lot Width | Minimum Lot Depth | Minimum Front Yard Setback <sup>1,2</sup> | Minimum Side Yard Setback <sup>2</sup> | Minimum Street Side Yard Setback <sup>2</sup> | Minimum Rear Yard <sup>2,3</sup> |
|----------|-------------------|-------------------|---|--|---|----------------------------------|
| LDR-7.5  | 60                | 90                | 20  | 7.5                                    | 10  | 20                               |

- <sup>1</sup> If there are dwellings on both adjoining lots with front yard setbacks less than the required depth for the district, the minimum front setback for the lot is the average of the front setbacks of the adjoining dwellings. If there is a dwelling on only one adjoining lot with a front yard setback less than the required depth for the district, the minimum front setback for the lot in question is the average of the adjoining front yard setback and 15 feet.
- <sup>2</sup> Cornices, eaves, belt courses, sills, canopies, or other similar architectural features (not including bay windows or vertical projections) may extend or project into a required yard not more than 30 inches. Chimneys may not project into a required yard more than 24 inches. A deck not more than 30 inches in height (measured from the lowest grade in the setback to the deck surface) and not covered by a roof or canopy may extend up to 10 feet into a front yard setback, seven and one-half feet into a street side yard setback and is permitted in a side or rear yard regardless of the setback requirements.
- <sup>3</sup> A detached accessory structure, other than a garage or carport, may be situated in a rear and/or side yard provided it is at least six feet from the primary structure on a lot or parcel and it is set back from interior side and rear lot lines by at least five feet and from street side lot lines by at least 10 feet. A garage or carport may be situated in a rear and/or side yard provided it is at least 20 feet from the front and street side lot lines, seven and one-half feet from an interior side lot line,



*15 feet from a rear lot line; provided, further, if there is direct vehicular access from a garage or carport to the street abutting the street side lot line, then the garage or carport shall be set back at least 20 feet from that street side lot line.*

New residential developments shall provide street or front yard trees at a minimum of 30-foot intervals near the street frontage of each lot. Prior to final plat approval, the Developer shall provide the Public Works Director with a scaled plan showing the type, location, and planting method of street or front yard trees. LCMC 18.130.100.

A detached curb and planter strip will be allowed under special circumstances, as long as a 6-foot sidewalk width is provided per City Engineering Standards. If the applicant proposes to use a planter strip, all sidewalk paths must meet current ADA regulations. This includes driveway and sidewalk cross slope and longitudinal slope meeting ADA if the driveway is part of the pedestrian path. Since a planter strip with detached sidewalk is not a current city standard, the applicant will need to submit a road modification request describing how the modification meets the "Criteria for Modification of Standards" per the City Engineering standards.

Response:

The proposal, as conditioned, is consistent with the base zone requirements in Chapter 18.130.

***Chapter 18.245 Supplementary Development Standards***

The applicant did not include specific information regarding the fencing, hedging, solid waste, lighting, noise, and landscaping requirements regulated by Chapter 18.245. As a **Condition of Approval** the application for final plat approval must provide information regarding and proposed fencing, hedging, and landscaping and solid waste, lighting, and noise impacts to the extent as regulated by Chapter 18.245.

***Chapter 18.260 Variances***

No variances have been requested.

***Chapter 18.275 Sign Requirements***

If proposed, monument signs are subject to separate application and shall be consistent with LCMC 18.275.

***Chapter 18.280 Off-Street Parking and Loading Requirements***

Each dwelling unit shall be provided with two off-street parking spaces per Table 18.280.010. This may be accommodated with a note on the plat requiring each lot to provide two off-street parking spaces. Parking spaces within garages, carports and driveways serve to meet this requirement. Garage doors shall be a minimum of 18 feet from the interior edge of the public sidewalk.

**III.F. Public Works and Engineering Analysis**

**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.

A performance bond in the amount not less than 110% of the construction estimate shall be provided prior to issuance of building permits. LCMC 12.10.110.

General roadway and right-of-way standards shall apply and provide for the continuation or appropriate projection of existing Lockwood Creek Road and on adjacent parcels. LCMC 12.10.090.

The applicant shall provide full street improvements on interior streets according to the City of La Center Local Access standard ST-15 and Rural Minor Collector half street improvements per standard ST-13D for NE 339th and NE 24<sup>th</sup> Avenue adjacent to the Sunrise Terrace development.

In addition to the interior street improvements, street lights, street trees and stormwater improvements per LCMC 12.10.190.

For driveways to each lot the applicant will need to comply with maximum driveway width as shown on standard detail ST-4.

All pedestrian path of travel in public right of way including; sidewalks, curb ramps and street pedestrian crossings shall comply with the American Disabilities Act.

Fire hydrants shall be spaced every 500' per IFC or as otherwise approved by the Fire District. The location of all the hydrants must be approved by the Fire District.

The Fire District must approve access to all the lots per the IFC.

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

The final plat shall contain street names and addresses as provided by the City.

Monumentation shall be as directed by the City and shall be inside a cast iron monument case flush with the final street grade and shall be a brass cap, in a 30-inch long pipe as set by the surveyor of record and shown on the final subdivision plat map.

### **Comments**

#### ***Streets and Circulation***

The north end of Avenue "A", on the site, shows an offset Cul-de-Sac serving lots 108, 109, 110, 111, 112, 112 and 114. The applicant will follow city standard detail ST-30 for design of the offset cul-de-sac. If the applicant wants to submit a modification of this design, they will need to submit a design verifying that it will meet the IFC Appendix D, sections D103.1 to D103.5 for turning radius and dead end streets for Fire Department access to all the lots. A 6-foot wide sidewalk, per detail ST-23 including a full height 0.5-foot curb will be required in the partial cul-de-Sac with driveway access to lots per city standard ST-4. The applicant will need to follow city standard detail ST-29 for design of the cul-de-sac at the end of Circle "D" on site.

#### ***Grading***

The applicant shall submit final grading and erosion control permit as part of the subdivision plans showing the proposed contours on the plans.

The City Erosion Control Standards require that any activity disturbance over 500 SF must comply with the City standards. As part of these standards a construction stormwater permit is required from the Department of Ecology and an SWPPP will be necessary as part of the plan submittal to the City. All erosion control measures shall be designed, approved, installed and maintained consistent with Chapter 18.320 LCMC and the applicant's Construction Stormwater Permit. Per the City Erosion Control Manual, from October 1 through April 30<sup>th</sup>, no soils shall remain exposed for more than two (2) days. From May 1<sup>st</sup> through September 30<sup>th</sup>, no soils shall remain exposed more than seven (7) days.

Site development earthwork for site grading and construction of sewer, storm drain, water and street systems shall be limited to the dry weather season between May 1<sup>st</sup> and October 31<sup>st</sup> with planting and seeding erosion control measures completed by October 1<sup>st</sup> to become established before the onset of wet weather.

The applicant shall incorporate all recommendations for site construction as described in the Geotechnical Report by Columbia West Engineering Inc. dated June 26, 2015.

The streets shall be paved in two phases: The first is the base lift that shall be used during construction of the houses and the second lift shall be paved following a majority of the home construction. The minimum final asphalt lift shall be at least 2-inches thick. The requirements of the final lift of asphalt and the appropriate time of placement will be approved by the City Engineer.

The Geotechnical Report did not investigate the structural section necessary for the pavement, but referred to City standard detail sections. As a minimum the structural sections listed in the city standard street sections must be used. In addition the report must recommend the over-excavation section for unstable soil encountered during construction. The Geotechnical Engineer is responsible for determining the over-excavation stabilization section during construction for unstable soil encountered, but a recommended over-excavation section must be provided as part of the report and site plans.

#### **Chapter 13.10 -- Sewer System Rules and Regulations**

Connection to public sewer is required. LCMC 13.10. All work is to be performed by a duly licensed contractor in the City of La Center. LCMC 13.10.230. Work will be performed using an open trench method unless otherwise approved. LCMC 13.10.200. All costs associated with installing the side sewer shall be borne by the applicant. LCMC 13.10.110.

Per the City Engineering Standards, sanitary sewers should be designed to care for future loads that may reasonably be expected from full development upstream, consistent with the La Center Comprehensive Plan, Capital Facilities Plan, LCMC Title 13, and the Sewer Master Plan (General Sewer Plan).

The City Engineer has reviewed the Sewer Basin Capacity Analysis by the applicant's Engineer and found it to be adequate to support connection to the existing 8-inch sewer main in E. 18<sup>th</sup> Street with the following requirements as described in the report:

- Pump station #3 is at capacity and sewage flow to the pump station by Sunrise Development will exceed the capacity of the pumps and will require that new pumps be installed and the control panel be modified to support the new pumps. The pumps will need to be supplied with variable frequency drives (VFDs) to allow smoother start-up of pumps and to prevent water hammer and degradation of the force main. The applicant's engineer will need to provide a detailed analysis for design of the new pumps and alteration of the existing control panel, based on Department of Ecology (DOE) criteria, to support the new pumping system. The applicant's engineer prepared at Sewer Basin Capacity Analysis that supports the replacement of the existing pumps.
- Pump station #2 is near capacity and sewage flow to the pump station by Sunrise Development will require that new pumps be installed and the control panel be modified to support the new pumps. The pumps will need to be supplied with variable frequency drives (VFDs) to allow smoother start-up of pumps and to prevent water hammer and degradation of the force main. The applicant's engineer will need to a detailed analysis for design of the new pumps and alteration of the existing control panel to support the new pumping system. The applicant's engineer will need to a detailed analysis for design of the new pumps and alteration of the existing control panel, based on Department of Ecology (DOE) criteria, to support the new pumping system. Per section C2-1.8.3 from the DOE criteria, all sewage pump stations shall be designed with capability for emergency power in case the primary electrical feed is out of service. A portable generator and "quick disconnect" receptacles will need to be incorporated in the design by the developer's engineer, to comply with Department of Ecology criteria of operations of the pumps.

- The Sewer Basin Capacity Analysis, prepared by HPR for Sunrise Development, recommended the existing 4" force main from pump station #2 to the gravity manhole B7 (per the sewer basin map) on 4<sup>th</sup> Street replaced with a 6" force main to accommodate peak flows from the Sunrise Terrace Development. During peak conditions, the existing 4" force main may not be able to support peak flows when both pumps are activated. According to the DOE manual velocity in a force main should not exceed 8-feet per second. Each pump shall have a minimum flow rating of 177 gallons per minute per the applicant's engineer Sewer Basin Analysis with Sunrise Terrace Development. When both pumps are operating simultaneously, the flow will exceed 350 gallons per minute. Hydraulic calculations were completed by the City Engineer and this peak flow will result in a velocity of well over 8 feet per second in the existing 4-inch force main. The City supports the recommendation by the owner's engineer to replace the existing 4" force main with new 6" force main as part of Sunrise Development. A design shall be submitted by a Licensed Engineer for replacement of the existing 4-inch diameter force main with a new 6-inch diameter force main from pump station #2 to the existing gravity manhole in East 4<sup>th</sup> Street, just east of Cedar Avenue.

Connections shall be made at a manhole at the intersection of East 18<sup>th</sup> Place and Lockwood Creek Road. Connection to the manhole, sewer main open trench installation in Lockwood Creek Road shall be constructed per City Engineering Standards. LCMC 13.10.180. A minimum 8 inch diameter public main pipe will be installed between the proposed development and the point of connection at the City manhole. LCMC 13.10.190. A back water valve is required, if the lots are lower than the street, on each sewer connection from the lots and will be located at the property line within the applicants property. A cleanout is required at the property line. LCMC 13.10.110. *La Center Engineering Standards for Construction* are also applicable.

Video inspection of the existing 8-inch gravity line must be performed verifying its structural integrity and ability to accommodate the developer's preferred option. Should repairs be necessary in the existing 8-inch gravity line, the developer will perform such repairs using generally accepted methods at the developer's sole expense prior to connection or discharge from the development into the existing 8-inch gravity system.

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 square feet are subject to the requirements of *City of La Center Erosion Control Guidelines*. Section 18.320.120 (2)(a) LCMC states that the creation of more than 2,000 square feet of impervious surface is subject to stormwater regulation.

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

A final Technical Information Report (TIR) will need to be submitted by the applicant and must comply with LCMC 18.320.

The LCMC section 18.320.220 states that if surface water leaves the site, stormwater must be detained per LCMC. Runoff calculations need to consider undisturbed forest as the pre-developed condition in determining runoff curve numbers or a downstream analysis of the existing conveyance system is required. The applicant proposes to use "wet ponds" for water quality and quantity treatment before release of stormwater to the existing downstream roadside ditches in Lockwood Creek Road.

The use of a “wet pond” is allowed per the City of La Center standards and 1992 Puget Sound Manual which requires compliance with the Water Pollution Control Act and the Water Resources Act. The “wet pond” shall be constructed to provide at least 3-feet of vertical separation between the wet weather water table and the bottom of the “wet pond” per the 1992 Puget Sound Manual.

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

Downspouts connections from the houses must connect directly into the site stormwater system. Laterals from the storm main in the street must be shown to serve each lot.

#### **Maintenance of Stormwater Facility**

The applicant shall be responsible for maintenance of the stormwater facility until an HOA is established to maintain the facility. When the HOA assumes responsibility of the facility, they will establish monetary funding of a reserve fund, for maintenance of the stormwater facility, when at least 50% of development of the housing units has occurred or at minimum 2-years after completion and acceptance of the subdivision by the City, whichever is more. The applicant and future owners will be responsible for maintaining the stormwater facility. An operations manual must be submitted for City review approval for the maintenance of the facility in all cases. Adequate bonding is required to guarantee maintenance of the facility for a period of two years following final plat. The minimum bond amount shall be 10% of the construction cost of the stormwater facility. Stormwater facilities must be located in a separate tract.

Prior to initiation of any construction or final plat approval, the developer shall demonstrate to the City’s satisfaction that:

1. The developer shall establish a homeowners association (HOA) and Articles of Incorporation, By-laws and CC&Rs of the HOA shall reflect that the HOA’s operation and maintenance costs for stormwater facilities shall be borne by the HOA. The applicant will provide a “Stormwater Covenant” that shall describe the scope of maintenance of the stormwater facility and it shall be recorded and incorporated in the CC&Rs.
2. The HOA shall be empowered to access its members’ fees to be reserved and used to reimburse the City for the operation and maintenance of the facilities, if enforcement becomes necessary.
3. The City shall have the right of a third party enforcement to ensure that the HOA remains intact and collects the fees and the City shall have the right to recapture any fees and costs associated with enforcement actions. Further, the following language is to be placed on the face of the plat: The City shall be granted the right, but not the duty, to access and maintain the stormwater facility consistent with 18.320.230 LCMC.

#### **Street Lighting**

Street light design and installation is reviewed and approved by CPU. LID for street lighting is preferred.

#### **Additional Engineering and Public Works Requirements and Conditions**

1. The plat notes should stipulate amount of impervious/saturation development allowed (Maximum building lot coverage is 35 % and maximum impervious surface area is 50%).
2. Plat conditions for individual lot build out should include provision of adequate foundation drainage, in particular on the high side of the each lot.

3. If retaining walls are to be constructed there needs to be design details in the plat conditions for the builder(s). Any required walls shall be installed and approved before final occupancy approval. Other walls built shall be built to a plat standard detail.
4. An adequate absorption/dissipater design should be included in the plat conditions for storm water that can't flow by gravity to the storm lateral.
5. No lot's development shall create hazards or conditions for any adjacent lot.
6. Stormwater collected from newly created impervious sources or surfaces (roof, slabs, flatworks, etc.) shall be terminated in an approved manner.
7. Provide a plat note and detail for a concrete truck washout area which builders and contractors shall be required to use and maintain until final build out.
8. The Developer shall coordinate with Clark County Fire and Rescue (CCF&R) regarding hydrant spacing and related fire flow and fire protections issues and shall provide the Public Works Director with evidence of said coordination prior to final plat approval.

For these reasons, staff concludes that the proposed project has satisfied, or can satisfy as conditioned, the required burden of proof.

#### **IV. CONCLUSIONS & RECOMMENDATION**

The review authority finds the applicant has sustained the burden of proving the application complies with the applicable provisions of the La Center Municipal Code. The subject application should be **APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The applicant, at time of engineering approval, shall demonstrate compliance with all applicable La Center regulations, goals and policies contained herein including the requirements and condition in Section III.F., Public Works and Engineering Analysis in the Final Staff Report.
2. The design and construction of storm drainage shall be in accordance with the LCMC and applicable city engineering standards for public works.
3. Site development earthwork for site grading and construction of sewer, storm drain, water, and street systems should occur during the dry weather season between May 1<sup>st</sup> and October 31<sup>st</sup> with planting and seeding erosion control measures completed by October 1<sup>st</sup>.
4. Construction shall not proceed without an approved erosion control plan. All erosion control measures shall be designed, approved, installed and maintained consistent with Chapter 18.320 LCMC and City Engineering Standards. Where these standards differ, the more stringent shall apply. All erosion control measures shall be in place prior to removal of vegetation or any construction activity and shall be maintained during all phases of construction.
5. Prior to site disturbance, the applicant shall consult with the City Public Works Director and Public Works Engineer to incorporate the design recommendations in Section 5.0 of the Geotechnical Site Investigation prepared by Columbia West Engineering dated June 26, 2015.
6. As-constructed drawing(s) will be provided in '\*.dwg' electronic format as well as Mylar and paper.

7. Construction plans shall identify staging areas for all equipment, contractors, deliveries, and supplies prior to construction plan approval.
8. Construction plans shall identify and show all utilities with trench and location details.
9. Prior to final plat approval, the developer shall identify the setbacks for all lots on the face of the final plat. To minimize impacts to pedestrian safety and mobility, garage doors shall be setback a minimum of 18 feet from the interior edge of a sidewalk.
10. The application for final plat approval must provide information regarding any proposed fencing, hedging, landscaping or solid waste, lighting, and noise impacts to the extent as regulated by Chapter 18.245.
11. New residential developments shall provide street or front yard trees at a minimum of 30-foot intervals near the street frontage of each lot. Prior to final plat approval, the Developer shall provide the Public Works Director with a scaled plan showing the type, location, and planting method of street or front yard trees. A Street Tree bond shall be provided to the City guaranteeing the performance and maintenance of planted trees for two years.
12. Street lighting shall be installed consistent with the City and Clark Public Utility standards in effect at the time of final plat application.
13. The preliminary plat shall expire within five years of the date of preliminary plat approval if the date of preliminary plat approval is on or after January 1, 2015. LCMC 18.210.050(1) and RCW 58.17.140(3)(a).
14. The City shall assess and charge the home-builder School, Park, Sewer and Traffic impact fees in effect at the time of building permit application for each dwelling.

## V. APPEALS

The applicant, applicant's representative, or any person, agency or firm with an interest in the matter may appeal the Critical area decision. The appellant shall file the appeal together with the requisite fee and information within 14 calendar days of the date of the decision being appealed. (§18.030.130 LCMC.)



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Anthony Cooper, P.E.  
City Engineer  
City of La Center

## Exhibits

See Exhibits List - Attached