TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & RECOMMENDATION

Form DS1402

RECOMMENDATION
Deny Application

Team Leader's Initials: _____ Date Issued: August 30, 2006

Public Hearing Date: September 14, 2006

County Review Staff:

Applicable Laws:

Clark County Code Sections: 15.12 (Fire Code); 40.220.010 (Single-family Residential Districts, R1-6); 40.350.020 (Transportation Concurrency); 40.350.030 (Street and Road Standards); 40.370.010 (Sewer); 40.370.020 (Water Supply); 40.380 (Stormwater and Erosion Control); 40.500.010 (Procedures); 40.510.030 (Type III Process); 40.520.010 (Legal Lot Determination); 40.540.040 (Subdivisions); 40.570 (SEPA); 40.610 & 40.620 (Impact Fees); RCW 58.17 (State Platting Laws) and the Clark County Comprehensive Plan.

Neighborhood Association/Contact:

Truman Neighborhood Association
George and Cheryl Forkner, Interim Presidents
4113 NE 45 Avenue
Vancouver, WA 98661
(360) 696-3872

Time Limits:

The application was determined to be fully complete on July 11, 2006 *[See Exhibit 9]*. Therefore, the County Code requirement for issuing a decision within 92 days lapses on October 11, 2006. The State requirement for issuing a decision within 120 calendar days, lapses on November 8, 2006.

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the

same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on January 5, 2006. The pre-application conference application was not sufficiently complete to qualify for Contingent Vesting. The application was determined Fully Complete on July 11, 2006, and thereby, vested on the Fully Complete submittal date of June 27, 2006.

Public Notice:

Notice of application and public hearing was mailed to the applicant, the Truman Neighborhood Association, and property owners within 300 feet of the site on July 25, 2006. One sign was posted on the subject property and two within the vicinity on August 30, 2006. Notice of the likely SEPA Determination and public hearing was published in the "Columbian" Newspaper on July 25, 2006.

Public Comments:

In response to the notice, no public comments were received.

Project Overview

The subject property is located on the north side of NE 48th Street, directly north of its intersection with NE 50th Avenue. Two existing residences, a shed, and a garage are currently located on the property. All structures will be removed prior to construction of the subdivision.

The applicant is proposing to divide approximately 4.0 acres into twenty-four (24) single-family residential lots. Parcels range in size from 5,058 square feet to 8,949 square feet.

The revised preliminary plan *[Exhibit 15]* calls for NE 49th Street to be extended eastward from NE 52nd Avenue; thereby providing a through connection to an existing subdivision west of the subject property. Lots 7 through 14 will be served by a private cul-de-sac (NE 50th Circle). All other lots will have direct access to public streets.

The site is located within the Vancouver School District, Fire District #5, and Park District #7.

The comprehensive plan designation, zoning and uses of both the subject and surrounding properties are noted in the following table:

Compass	Comp Plan	Zoning	Current Land Use
Site	Urban Low Density Residential	R1-6	Single Family Residential
North	Urban Low Density Residential	R1-6	Single Family Residential
Northwest	Urban Low Density Residential	R1-6	Single Family Residential
East	Urban Low Density Residential	R1-6	Single Family Residential

South	Urban Low Density Residential	R1-10	Single Family Residential
Southwest	Urban Low Density Residential	R1-10	Single Family Residential

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

1. Earth
2. Air
3. Water
4. Plants
5. Animals
6. Energy and Natural Resources
7. Environmental Health
8. Land and Shoreline Use
9. Housing
10. Aesthetics
11. Light and Glare
12. Recreation
13. Historic and Cultural Preservation
14. Transportation
15. Public Services
16. Utilities

Staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts could be mitigated through application of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:
Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposal not discussed below comply with the applicable code requirements.

LAND USE:

Finding 1– Lot Standards
The proposed subdivision is located within an R1-6 zoning district. Per Table 40.220.010-2, this zone requires an average minimum lot area of 6,000 square feet and an average maximum area of 8,500 square feet. This zoning district also specifies each lot shall have an average width of 50 feet and an average depth of 90 feet.

The applicant is proposing NE 50th Circle as a 30' foot private road with an additional 5' sidewalk easement along both sides of this road. On those lots with frontage on this roadway (Lots 7 through 14), the applicant has identified two square footages for each parcel; one which includes that area within the private road and one which does not. According to CCC 40.100.070, "lot area" means the computed area contained within the lots lines; said area to be exclusive of street or alley rights-of-way. In turn, by definition, "road" or "street" means all roads, streets, highways, freeways, easements, and public rights-of-way used for or designed for vehicular access or use, *including private roads*

[emphasis added]. While that land situated within the sidewalk easement is included in lot area computations, by definition, the area within the private road shall not be included in these calculations. Therefore, a condition will be imposed requiring that the lot area noted on the final plat for Lots 7 through 14 exclude land within NE 50th Circle. *(See Condition D-1)* Similarly, dimensions of lot lines shown for these parcels shall not include land located within said private road. A condition to this effect will also be imposed upon the proposal. *(See Condition D-2)*

Average lot area of the development, as noted on the revised preliminary plan *[Exhibit 15]* will be 6,125 square feet. It should be noted that there are variations between the square footage noted on the plan and staff's calculations of said lot areas, in part due to the issue identified above. For this reason, a condition will be imposed to ensure the final subdivision design complies with lot area requirements of the R1-6 zone. *(See Condition D-3)* Further review of this revised plan also shows that all proposed lots meet the prescribed width and depth requirements of the R1-6 zone.

The applicant is proposing to place sidewalks along NE 48th Street, NE 49th Street, and NE 50th Avenue in easements adjacent to the dedicated road right-of-way. The easement is included as part of each individual lot having frontage on these streets. The lot lines, as depicted on the revised preliminary plat, terminate at the edge of said easements. A condition will, therefore, be imposed that the final plat shall show lot lines extended to the edge of the road right-of-way. *(See Condition D-4)*

<u>Finding 2 – Setbacks/Lot Coverage</u>
The applicable setbacks for each lot within a R1-6 zone development are as follows:

Front:	20 feet
Side (street):	10 feet
Side (interior):	5 feet
Rear:	5 feet

As previously noted, the revised plan calls for sidewalks along NE 48th Street, NE 49th Street, and NE 50th Avenue to be placed in easements adjacent to the dedicated road right-of-way. In addition, sidewalks abutting the private road identified as NE 50th Circle are also located within an easement. Setbacks along these road frontages shall be measured from the back edge of said easements. A plat note to this effect will be required. *(See Condition D-11-a)*

Due to the presence of the cul-de-sac for NE 50th Circle, Lots 7, 8 and 10 have a slightly unusual configuration. To avoid any potential confusion at time of building permit application, building envelopes (with distances to all property lines noted) for these three (3) lots shall be shown on the final plat. *(See Condition D-5)*

The maximum lot coverage by buildings constructed on individual lots is fifty percent (50%). In addition, maximum building height in the R1-6 zone is 35 feet. A plat note to this effect will be required on the final plat. *(See Condition D-11-b)*

<u>Finding 3 – Existing Structures</u>

It is the applicant's intention to remove all existing structures from the premises prior to construction of the subdivision. A condition will be imposed to ensure these buildings are removed, with the necessary permits, prior to final construction. *(See Condition A-1)*

In response to the SEPA notice, a letter from Southwest Clean Air Agency (SWCAA) was received on July 25, 2006 *[Exhibit 14]*. This written correspondence states that asbestos inspection and abatement regulations apply to the demolition of existing structures on the site. It cites the applicable requirements and procedures to follow if an inspection reveals the presence of asbestos. As a result, a condition will be place upon the project requiring requiring comply with all applicable asbestos inspection and control regulation in accordance with procedures of the Southwest Clean Air Agency. *(See Condition A-2)*

The letter from SWCAA also notes that "construction activities have the potential to generate dust nuisances related to the movement of equipment and material handling operations" and indicates that creating such nuisances is prohibited by that agency's regulations. It further states that "all parties involved the project are required to minimize particulate fall-out and/or fugitive dust" and identifies common preventative measures. Prior to construction, an erosion and dust control plan is required by County Code *(See Condition A-8)* County inspection staff will monitor erosion and control measures during construction activities.

<u>Finding 4 – Mobile/Manufactured Homes</u>
The applicant has not specifically indicated that manufactured homes may be placed on individual lots resulting from this proposed subdivision. As a result, pursuant to CCC 40.260.130(A)(2), manufactured homes are prohibited on any lot in this plat. *(See Condition D-11-c)*

<u>Finding 5 – Fence Encroachments</u>
A boundary survey for the site shows an apparent fence encroachment along the north line. The fence intrudes as much as 23 feet onto the development site. Based on information submitted with the application packet, it is unclear whether ownership of the strip north of the fence-line is under dispute. This situation needs to be resolved prior to filing of the final plat. *(See Condition D-6)*

<u>Finding 6 – State Platting Standards (RCW 58.17)</u>
RCW 58.17.110 requires, among other things for subdivision approval, a finding that safe walking conditions exist for students who walk to school. The applicant has provided an email from Vancouver School District *[Exhibit 18]* which indicates that students attending Fort Vancouver High School and Gaiser Middle School will be bussed to school but "the new development is in the walking are [sic] for Truman Elementary." At the writing of this staff report, however, the applicant has not submitted necessary documentation demonstrating that there will be safe walking conditions for elementary school students living within this development. The applicant will need to address this issue before it can be determined this requirement has been satisfied.

Conclusion (Land Use): Based on available information, staff is unable to determine that the proposed subdivision meets land use requirements of both RCW 58.17 and the

Clark County Code. Should the applicant, however, demonstrate that documentation demonstrating that there will be safe walking conditions for elementary school students living within this development, the application can be conditioned to meet land use provisions of the ordinance.

CRITICAL AREAS:

Finding 1 – Contamination
The Washington Department of Ecology (DOE) has submitted a letter, dated August 8, 2006 *[Exhibit 13]*, stating that if contamination of soil or groundwater is discovered on site it must be reported to Ecology's Southwest Regional Office. An advisory condition will be imposed requiring the developers to be alert for contamination during construction, and to notify DOE if contamination is discovered. *(See Condition B-4)*

The DOE letter also notes that any discharge of sediment-laden runoff or other pollutants to water of the state is a violation of state statute. It identifies several preventative measures to be taken to ensure such discharge does not occur during the course of construction. As previously noted, an erosion and dust control plan is required by County Code. *(See Condition A-8).* County inspection staff will monitor erosion and control measures during construction activities.

Conclusion (Critical Areas): Staff finds that the proposed preliminary plan, subject to conditions identified above, meets critical area requirements of the Clark County Code.

TRANSPORTATION:

Finding 1 – Pedestrian/Bicycle Circulation
Pedestrian circulation facilities in compliance with the Americans with Disabilities Act are required in accordance with the provisions of Section CCC 40.350.010. The revised development plans indicate that improvements along the frontage and proposed internal streets include sidewalks. Bike lanes are not required along urban local residential roads. Staff finds that based on the revised plan, pedestrian circulation complies with Section CCC 40.350.010.

Finding 2 – Circulation Plan
In compliance with Section CCC 40.350.030(B) (2), the purpose of the circulation plan is to provide adequate access to the proposed development and to ensure cross-circulation in a manner which allows subsequent developments to meet the cross-circulation standards. The project proposes to construct local residential access roads throughout the site to serve the development. NE 49th Street will be constructed to connect with the existing NE 49th Street terminus to the west and will, therefore, provide an east-west connection within the area. The project will create a north-south connection from NE 48th Street to the north property line. The future extension of NE 50th Avenue will create a connection between NE 48th Street and NE 51st Street.

The project complies with the circulation plan requirements, Section CCC 40.350.030(B)(2).

Finding 3 – Frontage Improvements

NE 48th Street (abutting the site to the south) and a portion of NE 52nd Avenue (abutting the site to the east) are classified as urban local residential access roads. The minimum right-of-way (ROW) dedications and improvements for these roads in accordance with CCC Table 40.350.030-4 and the Standard Details Manual, Drawing 14 include:

a. A minimum half-width ROW of 23 feet;
b. A minimum half-width roadway of 14 feet, with partial-width of no less than 20 feet;
c. Curb/gutter, minimum with sidewalk of 5 feet

The proposed plan complies with the ROW dedications and improvements in accordance with CCC 40.350 requirements.

Finding 4 – Roads

NE 49th Street and NE 50th Avenue are classified as Urban Local Residential Roads. The minimum right-of-way dedications and improvements for these roads in accordance with CCC Table 40.350.030-4 and the Standard Details Manual, Drawing 14 include:

a. A minimum ROW of 46 feet
b. A minimum roadway of 28 feet
c. Curb/gutter, minimum with sidewalk of 5 feet

The proposed plan complies with the ROW dedications and improvements for NE 49th Street and NE 50th Avenue in accordance with CCC requirements.

NE 50th Circle is proposed to be constructed as a private street. The proposed improvements include: easement width of 40 feet, a paved width of 29 feet, curb/gutter and 5-foot wide attached sidewalks. The proposed onsite cul-de-sac radius on the preliminary plat is 40 feet.

The proposed plan complies with the easement width and improvements in accordance with CCC requirements.

Finding 5 – Sight Distance

Driveways and intersections shall have unobstructed sight distance triangles in accordance with the provisions of Section CCC 40.350.030(B)(8). The corner sight distances shall remain unobstructed after completion of the project. The final engineering plans shall show sight distance triangles for the proposed intersections. Landscaping, utility poles, and structures will not be allowed where required sight distance is impeded. (*See Condition A-3-a)*

Conclusion (Transportation): Staff concludes that the proposed preliminary plan, subject to the condition identified above, meets the transportation requirements of the Clark County Code.

COUNTY TRANSPORTATION CONCURRENCY:

Finding 1 – Trip Generation

County concurrency staff has reviewed the proposed Matthew's Crest Subdivision consisting of 24 single family home units with two existing single family homes. The

applicant's traffic study has estimated the net weekday AM peak-hour trip generation at 16 new trips, while the net PM peak-hour trip generation is estimated at 22 new trips using nationally accepted data published by the Institute of Transportation Engineers. The site is located at 5100 NE 48th Street.

Finding 2 – Site Access

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F, and is referred to as the level-of-service (LOS). A driver who experiences an LOS A condition would expect little delay. A driver who experiences an LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences an LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on potential congestion and safety problems that may occur in the vicinity of the site. All of the site access intersections analyzed in the applicant's traffic study will have an estimated LOS B or better during the peak traffic hours at future build-out of the proposed development.

Finding 3 – Concurrency

The applicant submitted a traffic study for this proposal in accordance with CCC 40.350.020(B). The proposed development is required to meet standards established in CCC 41.350.020(G) for corridors and intersections of regional significance within 1 mile of the proposed development. The County's Traffix™ model includes many of the intersections of regional significance in the area and the County's model, along with the applicant's traffic study, was used to evaluate concurrency compliance. The modeling results and applicant's traffic study indicate that the operating levels comply with travel speed and delay standards.

The County incurs costs to analyze the proposed development's impacts; therefore, the applicant shall reimburse the County for costs incurred in running the concurrency model. *(See Condition A-4)*

SAFETY

Where applicable, a traffic study shall address the following safety issues:

- traffic signal warrant analysis,
- turn lane warrant analysis,
- accident analysis, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6). The code states that "nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily

agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Finding 4 – Traffic Signal Warrants

The applicant's traffic study analyzed traffic signal warrants and found that signal warrants are not met at the intersection of NE 54th Avenue and NE 40th Street. The other two intersections analyzed in the applicant's traffic study were not analyzed for traffic signal warrants. Presumably, the applicant's traffic study only analyzed the intersection of NE 54th Avenue and NE 40th Street because it had the worst LOS of the three intersections at LOS C versus LOS B for the other two. County staff reviewed the other two intersections for signal warrants and found that they do not meet signal warrants. Therefore, mitigation to install a traffic signal is not required.

Finding 5 – Turn Lane Warrants

Turn lane warrants are evaluated at unsignalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway.

The applicant's traffic study analyzed the need for turn lanes at the regionally significant uncontrolled intersections in the county and near the site and found that turn lane warrants are not met. County staff concurs with these findings.

Finding 6 – Historical Accident Situation

The applicant's traffic study analyzed the accident history at intersections in the vicinity of the site. The historical accident rate at these locations does not exceed thresholds that would warrant additional analysis.

Conclusion (County Concurrency): Based upon the development site characteristics, the proposed transportation plan, the requirements of the County's transportation concurrency ordinance, and the findings above, staff concludes that the proposed preliminary transportation plan meets the requirements of the county transportation concurrency ordinance CCC 40.350.020.

CITY OF VANCOUVER TRANSPORTATION CONCURRENCY:

Finding 1 – Inter-local Agreement

As part of the inter-local government agreement signed with the County on July 21, 1998, City of Vancouver Concurrency staff has reviewed the proposed 22 single family lot residential development. The applicant is required to meet the standards established in the inter-local agreement, VMC 119.5, and VMC 11.90 for corridors and intersections of regional significance.

Finding 2 – Trip Generation

The applicant's traffic study dated May 10, 2006, prepared by Jeff Wise, PE from Hopper Dennis Jellison, estimated the weekday net new PM peak hour trip generation at 22 trips, net new weekday AM peak hour trip generation at 16 trips, and a weekday ADT trip generation at 211.

The submitted traffic study indicates that less than 10 PM peak trips are sent to the City's Concurrency Corridors and intersections. Therefore, no additional analysis or mitigation is needed.

Finding 3 – Modeling and Traffic Study Review Reimbursement
The City incurs a modeling expense for evaluating the impact of the proposed development on its transportation corridors. Fees are based on trip distribution identified in the traffic study, and are calculated utilizing a $30.00/PM peak trip entering the corridor. Based on this formula, the Fourth Plain Boulevard Corridor Concurrency Model fee is $120.00. In addition, the fee for traffic study review by the City is $200.00.

The applicant shall reimburse the City for these costs. Payment shall be made to the City at 1313 Main Street, City of Vancouver Development Review Services using CON2006-00117. Said reimbursement shall occur within 60 days of issuance of the final decision. *(See Condition A-5).* In addition, evidence of this payment shall be submitted to the County prior to final plat. *(See Condition D-7)*

Conclusion (City Concurrency): Based on a review of the submitted traffic study, the applicant meets the City of Vancouver concurrency requirements.

STORMWATER:

Finding 1 – Approval Criteria
The Stormwater and Erosion Control Ordinance (CCC 40.380), applies to development activities that result in 2,000 square feet or more of new impervious area within the urban area; the platting of single-family residential subdivisions in an urban area; and all land disturbing activities, except those exempted in Section CCC 40.380.030(A).

The project will create more than 2,000 square feet of new impervious surface, involves platting of single-family residential subdivision, and it is a land disturbing activity not exempted in Section CCC 40.380.030(A). Therefore, this development shall comply with the Stormwater and Erosion Control Ordinance, CCC 40.380.

The erosion control ordinance is intended to minimize the potential for erosion and a plan is required for all projects meeting the applicability criteria listed in CCC 40.380.050. This project is subject to the erosion control ordinance.

Finding 2 – Existing Site Conditions
The property is approximately 4 acres in size with slopes of 0-5% over 31% of the parcel, slopes of 5-10% over 34% of the parcel, slopes of 10-15% over 31% of the parcel, and slopes of 15-25% over 4% of the parcel. The site drains to two separate drainage basins, in which, the majority of the site slopes to the closed depression located in the northeast portion of the site. The project site currently has two existing single family homes, associated outbuildings, trees, and grassy open fields covering the remainder of the site. The existing structures will be removed at the time of development.

The runoff curve numbers were determined based on the soil types and existing land use for the hydrologic analysis. The preliminary stormwater report indicates that the

undeveloped conditions consist of impervious areas (roofs/pavements/sidewalks) with a runoff curve number (CN) of 98 and pervious areas (lawns/landscaping) with a CN of 78.

Finding 3 – Developed Site Conditions

The report indicates that the developed site will contain approximately 1.45 acres of impervious area and 2.97 acres of pervious area. The site will be filled and graded to match existing street grades adjacent to the property. As a result, the development of lots 21-24 and the extension of NE 49th Street will include filling the closed depression.

The runoff curve numbers were determined based on the soil types and developed land use for the hydrologic analysis. The preliminary stormwater report indicates that the developed conditions consist of impervious areas (roofs/pavements/sidewalks) with a runoff curve number (CN) of 98 and pervious areas (lawns/landscaping) with a CN of 80.

Finding 4 – Stormwater Proposal

The project proposes to provide stormwater facilities to intercept, treat, and infiltrate stormwater to ensure that runoff does not have adverse affects in the area. The project contains two drainage basins, and is located within a closed depression. The stormwater management facilities are proposed to be constructed within a separate tract located in the northeast portion of the site, an easement located in the southwest corner of the property, and the public right-of-way. The infiltration facilities located in the right-of-way are proposed to serve as a regional system for the closed depression. Stormwater conveyance facilities can be located in the public right-of-way. However, per section CCC 40.380.040(D), stormwater disposal facilities are to be located in a separate tract. Therefore, the proposed overflow system shall be relocated out of the public right-of-way or utilize solid walled pipe.

The preliminary stormwater design report indicates that the water quality facilities are designed to treat 70% of runoff from pollution-generating surfaces due to the 2-year, 24-hour storms. The north basin (Basin 1S), proposes to achieve the required stormwater quality control by utilizing a StormFilter™ (Contech Stormwater Solutions, Inc.) structure containing filter-cartridges. The water quality facilities for the south basin were not included in the application. NE 48th Street frontage improvements will add pollution-generating surface to the south basin (Basin 2S). Therefore, additional water quality facilities are required to meet the requirements of CCC 40.380.040(B).

The report indicates that the stormwater quantity control will be achieved by infiltration within two stormwater infiltration facilities consisting of drywells and associated perforated pipe/ infiltration trench system. The facilities are to be located in a tract located at the southwest corner of the intersection of NE 49th Street and NE 52nd Place, and in the southwest corner of the site. The report indicates that the infiltration system located in the stormwater tract will infiltrate the 10-year storm event for the entire closed depression before overflowing to the proposed regional facility and downstream drywells.

Stormwater Issues

Finding 5 – Closed Depression

The site is within an area of closed depression. The narrative submitted with the preliminary stormwater report indicates that stormwater calculations based on the closed depression analysis are performed in accordance with the Section III-1.5 of the Stormwater Management Manual for the Puget Sound Basin. The report indicates that as part of the required analysis, 8.29 inches of rainfall as an approximation of a 100-year, 7-day storm event is routed through the proposed facility.

However, staff's evaluation of the closed depression concluded that the 7-day, 100-year design storm event does not overflow the existing closed depression. Therefore, using the Case 1 method of analysis, as defined in the Puget Sound manual, no runoff may leave the closed depression for the 100-year, 7-day duration design storm following development of the proposed site. Therefore, the proposed stormwater infiltration system shall be sized to infiltrate the 100-year, 7-day storm event onsite in order to meet the stormwater ordinance.

The applicant has provided an overflow system that connects the proposed infiltration gallery to an existing drywell located south of the intersection of NE 50th Avenue and NE 48th Street. If the downstream system has additional capacity, the overflow will provide an additional factor of safety for the properties located within the onsite closed depression. However, if the existing drywell does not have additional capacity, it could have adverse impacts on the future homes within the closed depression and/or downstream properties. The applicant has not conducted an analysis to determine the capacity of the downstream infiltration system to verify that no adverse impacts will result from the development. Therefore, the existing infiltration system is not a feasible point of overflow discharge.

Finding 6 – Infiltration

According to the Stormwater & Erosion Control Ordinance (CCC 40.380), infiltration is the preferred method for stormwater disposal from the developed site. In accordance with the Stormwater Management Manual for the Puget Sound Basin, infiltration systems shall discharge the 100-year, 7-day duration design storm for the drainage basin tributary to the closed depression.

Natural Resource Conservation Service (NRCS) mapping shows the site to be underlain by Hillsboro loam and sandy loam soil (63% of HIB, 37% of HIC) classified by AASHTO as A-4 soils for the depths of 0 to 36 inches below the ground surface and A-1 soils for the depths of 36 to 62 inches bgs. Hillsboro soils are designated as hydrologic group "B". Stormwater and Erosion Control Ordinance (CCC 40.380), does not list A-4 soils as suitable for infiltration.

The applicant has submitted an infiltration testing report performed by Columbia West Engineering, Inc., dated April 17, 2006. The subsurface exploration, consisting of 1 test pit, was conducted on March 23, 2006. The test pit location is shown in Figure 2 of geotechnical report. Laboratory tests performed included grain distribution analyses and AASHTO Specification M145 soil classification as required per the stormwater ordinance. The infiltration report included results for two infiltration tests with samples taken at different depths in the one test pit. The test data is summarized in the following table:

Exploration	Depth (feet)	Observed Infiltration Rate (inches/hour)	Percent silt/clay	AASHTO Soil Classification
IT-01	8.5	6	12.8	A-2-4(0)
IT-02	11	6.5	5.6	A-3(0)

The preliminary design uses and infiltration rate of 3 inches per hour for the north basin, which is equal to using a safety factor of 2, on an infiltration rate of 6.0 inches per hour. For the south basin an infiltration rate of 3.25 inches per hour was used, which is a safety factor of 2, on an infiltration rate of 6.5 inches per hour. Per section 40.380.040(C)(3)(b), the design infiltration rate shall be limited to one-half the measured infiltration rate. Based on the uncertainty of the hydrologic characteristics of the closed depression and projects with similar soils that have drainage problems, staff recommends that a higher factor of safety be applied to this project.

Finding 7 – Feasibility of infiltration as a method of stormwater disposal

In accordance with the provisions of CCC 40.380.40(C)(3)(a), soils classified as A-1-a, A-1-b, A-2-4, A-2-5, and A-3 as defined in AASHTO Specification M145 are generally suitable for infiltration. However, staff is unable to verify the feasibility of infiltration within this particular site, since the infiltration tests have produced infiltration rates below the minimum allowed by the stormwater ordinance. In accordance with CCC 40.380.040(C)(3), the minimum measured infiltration rate shall be equal to or greater than eight (8) inches per hour. Staff believes that classifying these soils solely based on the silt/clay content cannot be considered as conclusive.

Clark County has experienced numerous infiltration system failures in facilities located within Hillsboro silt loams. This site contains Hillsboro silt loams and a closed depression. Based on the tested infiltration rates onsite and comparable projects, staff finds that the stormwater infiltration system is susceptible to failure. The applicant's geotechnical consultant classified the soils as suitable for disposal of stormwater with an appropriate factor of safety. However, an appropriate factor of safety was not determined by a qualified geo-technical engineer. Therefore, staff is compelled to recommend **denial** of the project for not meeting the minimum requirements of the stormwater ordinance.

Conclusion (Stormwater): Based upon the development site characteristics, the proposed stormwater plan, the requirements of the County's stormwater ordinance, and findings above, staff concludes that the proposed preliminary stormwater plan is not feasible. Therefore, the requirements of the preliminary plan review criteria are not satisfied.

FIRE PROTECTION:

Finding 1 – Fire Marshal Review

This application was reviewed by Tom Scott in the Fire Marshal's Office who can be reached at (360) 397-2375 x4095 or 3323. Information can also be faxed to Tom at (360) 759-6063. Where there are difficulties in meeting these conditions, or if additional information is required, please contact Tom immediately.

Finding 2 – Building Construction
Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. *(See Condition E-1)*

Finding 3 – Fire Flow
Fire flow in the amount of 1,000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this application. A utility review from the water purveyor indicates that the required fire flow is currently available at the site. Additions to water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. *(See Condition D-8)*

Finding 4 – Fire Hydrants
Fire hydrants are required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. The applicant shall provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet, and no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads. *(See Condition A-9-a)* The local fire district chief approves the exact locations of fire hydrants. Contact the Vancouver Fire Department at 360-759-4418 to arrange for location approval.

Unless waived by the fire district chief, fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. *(See Condition A-9-b)* In addition, the applicant shall provide and maintain a three-foot clear space around the circumference of every fire hydrant. *(See Condition and A-9-c)*

Finding 5 – Fire Apparatus Access
Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application meet requirements of the Clark County Road Standards. The applicant shall provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface capable of supporting the imposed loads of fire apparatus. *(See Condition A-9-d)*

Finding 6 - Fire Apparatus Turnarounds
Fire apparatus turnarounds are required for this project. The provisions for turning around fire apparatus as indicated comply with the Clark County Road Standards.

Conclusion (Fire Protection): Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the fire protection requirements of the Clark County Code.

UTILITIES:

Finding 1 – Water and Sewer

Lots resulting from the proposed subdivision are required to connect to public water and sewer. The site will be served by the City of Vancouver for both of water and sanitary sewer. The applicant has provided current utility reviews confirming that services are available to the site.

Prior to final plat approval, the applicant shall provide documentation from the City of Vancouver indicating that water and sewer connections have been installed and approved. *(See Condition D-9)*

Finding 2 – Health Department

Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Final Approval Letter" must be submitted, the Evaluation Letter will specify the timing of when the Final Approval Letter must be submitted to the county (e.g., at Final Construction Plan Review, Final Plat Review or prior to occupancy). The Health Department Evaluation Letter serves as confirmation that the Health Department conducted an evaluation of the site to determine if existing wells or septic systems are on the site, and whether any structures on the site have been/are hooked up to water and/or sewer. The Health Department Final Approval Letter will confirm that all existing wells and/or septic systems have been abandoned, inspected and approved by the Health Department. *(See Condition A-10)*

Conclusion (Utilities): Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the water and sewer service requirements of the Clark County Code.

IMPACT FEES:

Except for two (2) lots designated on the final plat as waived, residential lots created by this plat will produce impacts on schools, parks, and traffic, and are subject to School (SIF), Park (PIF), and Traffic (TIF) Impact Fees in accordance with CCC 40.610.

The site is located within:

- Vancouver School District with a SIF of $1,725.00 per dwelling;
- Park District #7 with a PIF of $1,885.00 per dwelling ($1,445.00 for acquisition and $440.00 for development);
- Orchards sub-area with a TIF of $1,439.81 per dwelling.

Impact fees shall be paid prior to issuance of building permits for each new lot *(See Conditions D-11-h and E-2)*. If a building permit application is made more than three years following the date of preliminary plat approval, the impact fees will be recalculated according to the then-current ordinance rate.

SEPA DETERMINATION

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, require the preparation of an Environmental Impact Statement (EIS);

- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be addressed through conditions of approval); or,

- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

The likely SEPA determination of Non-Significance (DNS) in the Notice of Development Review Application issued on July 25, 2006 is hereby final.

SEPA APPEAL PROCESS:

An **appeal** of this SEPA determination and any required mitigation must be filed with the Department of Community Development within fourteen (14) calendar days from the date of this notice. The SEPA appeal fee is **$178**.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;

2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;

3. A brief statement describing why the SEPA determination is in error.

The decision of the Hearing Examiner on any SEPA procedural appeal can not be appealed to the Board of County Commissioners, but must pursue judicial review.

Staff Contact Person: Vicki Kirsher, (360) 397-2375, ext. 4178.
Susan Ellinger, (360) 397-2375, ext. 4272.

Responsible Official: Michael V. Butts

Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: http://www.clark.wa.gov

RECOMMENDATION

Based upon discussion in Land Use Finding 6 and the Stormwater Findings above, the applicant has failed to demonstrate the proposed subdivision will make appropriate provisions for the public health, safety, and general welfare of the community. Therefore, staff recommends the Hearings Examiner **DENY** this request.

The following conditions of approval are provided for information purposes only. It should be noted that if the applicant chooses to address the deficiencies and revise the stormwater plan to conform with minimum requirements of the stormwater ordinance, additional conditions pertinent to the revised plans will be imposed.

Conditions of Approval

A Final Construction/Site Plat Review
Review & Approval Authority: Development Engineering

Prior to construction, a Final Construction/Site Plan shall be submitted for review and approval, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Prior to demolition of structures on the site, the applicant shall obtain demolition permits from the Clark County Building Division. *(See Land Use Finding 3)*

A-2 The applicant shall comply with all applicable asbestos inspection and control regulations in accordance with procedures of the Southwest Washington Clear Air Agency. *(See Land Use Finding 3)*

A-3 **Final Transportation Plan/On-Site -** The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

a. The final engineering plans shall show sight distance triangles for all corner lots. Landscaping, utility poles, and structures will not be allowed where required sight distance is impeded. *(See Transportation Finding 5)*

A-4 **Final Transportation Plan/Off Site (County Concurrency) -** The applicant shall reimburse the County for the cost of concurrency modeling incurred in determining the impact of the proposed development, in an amount not to exceed $1,500. *(See Concurrency Finding 3)*

A-5 **Final Transportation Plan/Off Site (City Concurrency) -** Within 60 days from the issuance of a final decision, the applicant shall reimburse the City for concurrency modeling ($120.00) and for traffic study review ($200.00). Payment shall be made to the City at 1313 Main Street, City of Vancouver Development Review Services using CON2006-00117. *(See City Concurrency Finding 3).*

A-6 **Transportation:**

a. Signing and Striping Plan: The applicant shall submit a signing and striping plan and a reimbursable work order, authorizing County Road Operations to perform any signing and pavement striping required within the County right-of-way. This plan and work order shall be approved by the Department of Public Works prior to final plat or final site plan approval.

b. Traffic Control Plan: Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

A-7 **Final Stormwater Plan -** The applicant shall submit and obtain County approval of a final stormwater plan for on and off-site facilities (as applicable), designed in conformance to CCC 40.380.

A-8 **Erosion Control Plan -** The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.380. *(See Land Use Finding 3 and Critical Area Finding 1*

A-9 **Fire Marshal Requirements:**

a. The applicant shall provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads. Contact the Vancouver Fire Department at 360-759-4418 to arrange for location approval. *(See Fire Protection Finding 4)*

b. Unless waived by the fire district chief, fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. *(See Fire Protection Finding 4)*

c. The applicant shall provide and maintain a three-foot clear space around the circumference of every fire hydrant. *(See Fire Protection Finding 4)*

d. The applicant shall provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface capable of supporting the imposed loads of fire apparatus. *(See Fire Protection Finding 5)*

A-10 Health Department Review - Submittal of a "Health Department Project Evaluation Letter" is required as part of the Final Construction Plan Review or early grading application. If the Evaluation Letter specifies that certain actions are required, the Evaluation Letter will specify the timing of when those activities must be completed (e.g., prior to Final Construction Plan Review, construction, Provisional Acceptance, Final Plat Review, building permit issuance, or occupancy), and approved by the Health Department. *(See Utilities Finding 2)*

A-11 Excavation and Grading - Excavation/grading shall be performed in compliance with Appendix Chapter J of the 2003 International Building Code (IBC); and, drainage facilities shall be provided, in order to ensure that building foundations and footing elevations can comply with CCC 14.04.252.

B Prior to Construction of Development
Review & Approval Authority: Development Inspection

Prior to construction, the following conditions shall be met:

B-1 Pre-Construction Conference - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County

B-2 Erosion Control - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

B-3 Erosion Control - Erosion control facilities shall **not** be removed without County approval.

B-4 Prior to any excavation and construction on the site, the applicant shall notify the contractors to be alert for contamination on the site. If contamination is discovered, it shall be reported to the Washington Department of Ecology. Contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office at (360) 407-6300 for more information. *(See Critical Area Finding 1)*

C Provisional Acceptance of Development
Review & Approval Authority: Development Inspection

Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

C-1 None

D	**Final Plat Review & Recording** **Review & Approval Authority: Development Engineering**

Prior to final plat approval and recording, the following conditions shall be met:

D-1 The square footage of Lots 7 through 14 shown on the final plat shall not be calculated using that area within the private road identified as NE 50th Circle. *(See Land Use Finding 1)*

D-2 Dimensions of lots lines for Lots 7 through 14 shown on the final plat shall not include land located within NE 50th Circle. *(See Land Use Finding 1)*

D-3 Lots resulting from the proposed subdivision shall have an average minimum lot area of 6,000 square feet and an average maximum area of 8,500 square feet as prescribed by the R1-6 zoning district. *(See Land Use Finding 1)*

D-4 The final plat shall show lot lines of parcels adjacent NE 48th Street, NE 49th Street, and NE 50th Avenue extended to the edge of the road right-of-way for these streets. *(See Land Use Finding 1)*

D-5 A building envelope (with distances to all property lines identified) for Lots 7, 8, and 10 shall be shown on the final plat. *(See Land Use Finding 2)*

D-6 Evidence shall be submitted demonstrating resolution regarding ownership of the strip of land between established fence lines and actual property lines along the northern boundary of the site. *(See Land Use Finding 5)*

D-7 The applicant shall submit documentation showing that the City of Vancouver has been reimbursed for the cost of concurrency review. *(See City Concurrency Finding 3)*

D-8 **Fire Marshal Requirements -** Additions to water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. *(See Fire Protection Finding 3)*

D-9 Prior to final plat, the applicant shall provide documentation from the utility purveyors indicating water and sewer connections to the new lots have been installed and approved. *(See Utilities Finding 1)*

D-10 **Developer Covenant -** A "Developer Covenant to Clark County" shall be submitted for recording to include the following:

a. Critical Aquifer Recharge Areas - "The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be

avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."

b. Erosion Control - "Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."

c. Private Roads: "Clark County has no responsibility to improve or maintain the private roads contained within or private roads providing access to the property described in this development. Any private access street shall remain a private street, unless it is upgraded to meet applicable current road standards at the expense of the developer or abutting lot owners to include hard surface paving and is accepted by the county for public ownership and maintenance."

D-11 Plat Notes - The following notes shall be placed on the final plat:

a. Setbacks along NE 48th Street, NE 49th Street, NE 50th Avenue and NE 50th Circle shall be measured from the back edge of said easements adjacent to road right-of-ways. *(See Land Use Finding 2)*

b. The maximum lot coverage by buildings constructed on individual lots is fifty percent (50%), and the maximum building height is 35 feet. *(See Land Use Finding 2)*

c. Mobile Homes: “Mobile homes are prohibited on all lots subject to the requirements of CCC 40.260.130.” *(See Land Use Finding 4)*

d. Archaeological: "If any cultural resources are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

e. Sidewalks: "Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages. Sidewalks are attached except along the frontage of (insert street name) which is detached."

f. Utilities: "An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."

g. Driveways: "All residential driveway approaches entering public roads are required to comply with CCC 40.350."

h. Impact Fees: "In accordance with CCC 40.610, the School, Park and Traffic Impact Fees for each dwelling in this subdivision are: $1,725.00 (Vancouver School District), $1,885.00 ($1,445.00 - Acquisition; $440.00 - Development for Park District #7), and $1,439.81 (Orchards TIF subarea) respectively. The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated _____, and expiring on _____. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule."

E Building Permits
Review & Approval Authority: Customer Service

Prior to issuance of a building permit, the following conditions shall be met:

E-1 Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. *(See Fire Protection Finding 2)*

E-2 **Impact Fees -** The applicant shall pay impact fees based on the number of dwelling units in the building, as follows:

a. $1,725.00 per dwelling for School Impact Fees (Vancouver School District);

b. $1,885.00 per dwelling for Park Impact Fees ($1,445.00 – Acquisition, $440.00 – Development for Park District #7);

c. $1,439.81 per dwelling for Traffic Impact Fees (Orchards TIF Sub-area);

If the building permit application is made more than three years following the date of preliminary site plan approval, the impact fees shall be recalculated according to the then-current rate.

F Occupancy Permits
Review & Approval Authority: Building

Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 **None**

G Development Review Timelines
Review & Approval Authority: None - Advisory to Applicant

G-1 **Land Division -** Within 5 years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

Note: Any additional information submitted by the applicant within fourteen (14) calendar days prior to or after issuance of this report, may not be considered due to time constraints. In order for such additional information to be considered, the applicant may be required to request a hearing extension and pay half the original review fee with a maximum fee of $5,000.

HEARING EXAMINER DECISION AND APPEAL PROCESS

This report to the Hearing Examiner is a recommendation from the Development Services Division of Clark County, Washington.

The Examiner may adopt, modify or reject this recommendation. The Examiner will render a decision within 14 calendar days of closing the public hearing. The County will mail a copy of the decision to the applicant and neighborhood association within 7 days of receipt from the Hearing Examiner. All parties of record will receive a notice of the final decision within 7 days of receipt from the Hearing Examiner.

An **appeal** of any aspect of the Hearing Examiner's decision, <u>except</u> the SEPA determination (i.e., procedural issues), may be appealed to the Board of County Commissioners only by a party of record. A party of record includes the applicant and those individuals who signed the sign-in sheet or presented oral testimony at the public hearing, and/or submitted written testimony prior to or at the Public Hearing on this matter.

Appeal Filing Deadline:

The appeal shall be filed with the Board of County Commissioners, Public Service Center, 1300 Franklin Street, Vancouver, Washington, 98668, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record.

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

- Case number designated by the County;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
  - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
  - The specific aspect(s) of the decision being appealed;

- The reasons why each aspect is in error as a matter of fact or law;
- The evidence relied on to prove the error; and,

- The appeal fee of **$266**.

The fee shall be refunded if the appeal is withdrawn in writing by the petitioner at least 15 calendar days before the public meeting to consider the appeal.

The Board of Commissioners shall hear appeals of decisions based upon the written record before the examiners, the examiner's decision, and any written comments received in the office of the Board within the following submittal deadlines measured from the date of the filing of the appeal:

- Fourteen (14) calendar days for the appellant's initial comments;
- Twenty-eight (28) calendar days for all responding comments; and,
- Thirty-five (35) calendar days for appellant reply comments, which are limited to the issues raised in the respondent's comments.

Written comments shall be limited to arguments asserting error in or support of the examiner decision based upon the evidence presented to the examiner.

Unless otherwise determined by the Board for a specific appeal, the Board shall consider appeals once a month, on a reoccurring day of each month. The day of the month on which appeals are considered shall be consistent from month to month as determined by Board.

The Board may either decide the appeal at the designated meeting or continue the matter to a limited hearing for receipt of oral argument. If continued, the Board of Commissioners shall designate the parties or their representatives to present argument, and permissible length thereof, in a manner calculated to afford a fair hearing of the issues specified by the Board of Commissioners. At the conclusion of its public meeting or limited hearing for receipt of oral legal argument, the Board of Commissioners may affirm, reverse, modify or remand an appealed decision.

Attachments:

- Copy of Vicinity Map
- Copy of Proposed Preliminary Plan
- Exhibit List

The fee shall be refunded if the appeal is withdrawn in writing by the petitioner at least 15 calendar days before the public meeting to consider the appeal.

A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810

Phone: (360) 397-2375; Fax: (360) 397-2011

A copy of the Clark County Code is also available on our Web Page at:
Web Page at: http://www.clark.wa.gov