

Type III Land Division and Environmental Review Staff Report and Recommendation

Project Name: Adam's Glen Subdivision

Case Number: PLD2016-00014; SEP2016-00031; HAB2016-00043

Location: Parcel number 104165-000 is located southeast of NE Ward Road at NE 88th Street and is located within the SE ¼ of Section 01, T2N, R2E of the Willamette Meridian.

Request: The applicant requests approval to subdivide a 14.99 acre site into eighty-eight (88) lots for single family development in the R1-6 zone.

Applicant: Hayward Uskoski & Associates, Inc.
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Recommendation

Approved subject to Conditions of Approval

Land Use Review Manager's initials:  Date issued: December 7, 2016

Public Hearing date: Thursday, December 22, 2016

Revised 2/5/15



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Concurrency Engineer	David Jardin	4354	david.jardin@clark.wa.gov

Comp Plan Designation: UL

Parcel Number(s): 104165-000

Applicable Laws

Clark County Code: Title 15 (Fire Prevention), Chapter 40.200 (General Provisions), Section 40.220.010 (Single-Family Residential District), Chapter 40.320 (Landscaping), Chapter 40.350 (Transportation & Circulation), Section 40.350.020 (Transportation Concurrency), Chapter 40.370 (Sewer & Water), Chapter 40.386 (Storm Water & Erosion Control), Chapter 40.440 (Habitat Conservation), Chapters 40.500 and 40.510 (Procedures), Section 40.520.010 (Legal Lot Determination), Chapter 40.540 (Boundary Line Adjustments & Land Divisions), Section 40.550.020 (Variances), Chapter 40.570 (SEPA), Section 40.570.080 (SEPA Archaeological), Chapter 40.610 (Impact Fees), Title 24 (Public Health), CW 58.17, and the Clark County Comprehensive Plan.

Neighborhood Association and Contact

Heritage Neighborhood Association
 Christie BrownSilva, contact
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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. Contingent vesting does not apply to stormwater or concurrency standards.

A pre-application conference on this matter was held on February 18, 2016. The pre-application was determined contingently vested as of January 26, 2016, the date the fully complete pre-application was submitted.

The fully complete application was submitted on June 16, 2016, and determined to be fully complete on July 28, 2016. Given these facts, the application is vested on January 26, 2016. Vesting does not apply to stormwater or concurrency standards.

There are no disputes regarding vesting.

Time Limits

The application was determined to be fully complete on July 28, 2016. The applicant requested a project 'hold' on October 7, 2016, extending the code requirement for issuing a decision within 92 days by 68 days, expiring on January 4, 2017. The state requirement for issuing a decision within 120 calendar days, lapses on February 1, 2017.

Public Notice

Notice of application and public hearing was mailed to the applicant, the Heritage Neighborhood Association and property owners within 300 feet of the site on August 11, 2016. One sign was posted on the subject property on September 12, 2016. The sign was updated on December 5, 2016, with the revised hearing date. (See Exhibit 35)

Public Comments

None received.

Project Overview

The applicant is proposing to subdivide approximately 14.99 acres into eighty-eight lots for single-family development. Access to the development will be provided through a network of neighborhood streets within the Shadow Ridge Phase 2 subdivision.

The subject site is located southeast of NE Ward Road and south of NE 88th Street, and is bound on the east by an unnamed county roadway. Zoning along the central portion of the west boundary of the site is C-3 and undeveloped. All of the remaining surrounding area is zoned for single family residential development.

There are no critical lands identified on the subject site. Fire District 5, the Hockinson School District, Vancouver Sewer and Water Districts provide public services in the area.

Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	UL	R1-6	Prime developable ground
North	UL	R1-6	Single family residential and vacant lots
East	UL	R1-6	Prime developable ground

South	UL	R1-6	Single family residential development
West	CC / UL	C-3 / R1-6	Single family residential and vacant lots

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 | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 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 by the requirements 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 – Uses

According to Table 40.220.010-1, single-family detached residential dwellings are permitted outright in the R1-6 zone.

Finding 2 – Density & Lot Requirements

Table 40.220.010-2 prescribes lot requirements for the R1-6 zone. Average lot size minimums and maximums are established between 6,000sf and 8,500sf. This application proposes an overall average lot size of 5,770sf, which does not meet average minimum lot area standards. Therefore, prior to final plat approval, the plat shall be revised so that the average minimum lot area for this development is 6,000sf. [See Conditions A-1.a & D-1.a]

Average¹ minimum lot width and depth standards are established at 50 and 90 feet respectively. The development meets lot width standards as proposed. Section 40.100.070 defines “Lot Depth” as the horizontal distance between the midpoint of the front and opposite, usually the rear lot line. Based on that definition, lots 1, 2, 3, 4 do not meet mathematical

¹ Average for each individual lot.

requirements for “Average Lot Depth.” This application has applied for a Type II administrative variance from this standard. (See Finding 4)

Finding 3 – Development Standards

Table 40.220.010-3 prescribes setbacks, lot coverage and building height standards for the R1-6 zone, that are depicted in the table below:

Table 40.220.010-3. Setbacks, Lot Coverage and Building Height						
Zoning District	Minimum Setbacks				Maximum Lot Coverage	Maximum Building Height (feet)
	Front (feet) ²	Side		Rear (feet)		
		Street (feet)	Interior (feet)			
R1-6	10 ³	10	5	10	50%	35

Any future construction on the newly created lots shall meet setbacks standards prescribed for the R1-6 zone. [See Condition E-1]

Finding 4 – Request for Variance

Applications for Type II Variance approval are considered for developments requesting a Variance up to 10% of the numerical standard, on multiple lots.

The applicant submitted a request for Type II Administrative Variance to the required minimum lot depth for Lots 1 through 4. The subject site is zoned R1-6, which prescribes a minimum lot depth of 90-feet. The plans portray a minimum lot depth for Lots 1 through 4 ranging from 84 to 89 feet, which represents a deviation from the standard of less than 10%. The applicant’s request for variance is (according to their narrative) necessitated by the construction and alignment of NE 83rd Street, which provides access to the site.

In order for the request to be granted the responsible official must find that:

- a. Granting the variance(s) will not substantially detract from the livability or appearance of a residential area or from the desired character of a nonresidential area, or the variance(s) will substantially enhance the livability or appearance of a residential area or the desired character of a nonresidential area, such as by preserving or protecting significant natural, scenic, historic, cultural, open space or energy resources; and

The applicant states that that the granting of this request for variance will not negatively impact the livability and appearance of the residential area. And, will allow the extension of NE 83rd Street without creating an offset in the roadway’s alignment. The narrative indicates that the reduced lot depth will result in lots of similar depth to existing lots in the adjacent development to the south.

² Front setbacks shall be measured from the edge of any street right-of-way, street tract, street easement, or driveway easement that provides access to the lot, including any separate pedestrian easement that may exist between a street and the front setback line.

³ Front setbacks for garage fronts in these zones shall be a minimum of eighteen (18) feet. Sides and rear of garages that have no driveway access may use the ten (10) foot living space setback.

Staff finds, that adjacent development to the south provides a lot depth for each adjacent lot in excess of 100-feet, with an average lot size 6,026sf. The plat for Shadow Ridge requires a minimum five (5) yard rear setback even though homes along the border of the plat are set back approximately 20-feet.

The proposed Lots 1 through 4 include a minimum lot depth of 84 feet, and an average lot size of 4,437; with minimum rear yard setbacks prescribed for the R1-6 zone of ten (10) feet. Although the lots are significantly smaller, the minimum 10 foot rear yard setback is larger than the required setback for surrounding properties and will provide separation between the proposed and existing homes. Therefore staff finds that the reduction in lot depth will not substantially detract from the livability or appearance of the residential area.

- a. If variances to more than one (1) regulation are being requested, the cumulative effect of the variances shall be consistent with the purpose of the zone in which the site is situated; and

This development is not requesting a variance to more than one regulation. This criterion does not apply.

- b. Adverse impacts resulting from the variance(s) are mitigated to the extent practical; and

The applicant states that there are no adverse impacts anticipated to result from the request and that minor effects of the reduction of lot depth for the four (4) proposed lots is mitigated to the extent practicable by maintaining the existing alignment of NE 83rd Street. Based on the aforementioned findings regarding rear-yard setbacks, staff finds there are no adverse impacts that would result from the reduction in lot depth for lots 1 through 4.

- c. The variance(s) does not substantially impair or impede the availability or safety of access that would otherwise exist for vehicles or for pedestrians, or alternative access is provided.

The applicant contends that this request for variance will not substantially impair or impede the availability or safety of the access that would otherwise exist for vehicles or pedestrians. Furthermore, the narrative indicates that approval of the variance will increase the safety of the access to the site for vehicles and pedestrians by not offsetting the alignment of the NE 83rd Street extension.

Staff finds that, lot size notwithstanding, the continuation of NE 83rd Street without change to the existing alignment provides the safest transition to the new development for pedestrians and vehicles. And, based on all aforementioned findings, staff recommends approval of the request for variance to lot depth as proposed.

Finding 5 – Mobile Homes

As per Table 40.220.010-1, mobile homes are permitted in the R1-6 district, subject to review and approval (R/A) as set forth in Section 40.520.020, and subject to special uses standards contained in 40.260.130(D). However, the applicant has not requested or demonstrated that mobile homes should be allowed in the proposed plat; therefore, a note shall be placed on the face of the final plat prohibiting placement of mobile homes. [See Condition D-8.a]

Finding 6 – Landscaping

Table 40.320.010-1 identifies landscape buffering standards based on the zoning of the proposed development based on the zoning of lands abutting the development site. The subject site is bound primarily with sites zoned similarly for single family development. Projects that are zoned for single family development which abut properties zoned for single family development are not required to provide any buffers along the exterior boundary of the site. However, a portion of the westerly boundary abuts commercial land, zoned C-3 which requires an L3, 10-foot buffer.

The applicant has provided a landscape plan which portrays a five (5) –foot L1 buffer which includes a six (6) –foot sight obscuring fence along the portion of the development that abuts the commercially zoned land. A six (6) foot high wall or fence that complies with the F2 standard (Figure 40.320.010-7) with or without a berm may be substituted for shrubs, but the trees and groundcover plants are still required. The proposed plan does not meet buffer standards portrayed in Table 40.320.010-1. Therefore, prior to final construction approval, the applicant shall submit for review and approval a new landscape plan that portrays the required 10-foot, L3 buffer. [See Condition A-8.a]

Finding 7 – Pedestrian Facilities

According to state platting laws (RCW 58.17.110) appropriate provisions shall be made to assure safe walking conditions for students who only walk to and from school.

The subject development is located within the Hockinson School District, and specifically within the boundaries of Hockinson Heights Elementary, and Hockinson Middle and High Schools. According to available GIS information, there are no Hockinson schools located within one (1) mile of the subject site.

The applicant provided a letter from the Superintendent of the Hockinson School District. The letter indicates that all students will be bused from the proposed development. Safe and efficient locations for bus stops within the new development will be determined in the future, and as a roadways proposed will provide sidewalks, staff finds that no 'safe-walking' conditions are warranted.

Finding 8 – Phasing

Pursuant to 40.540.040(D)(4), any development proposing a phasing plan shall show that the phasing plan includes all land within the preliminary plat; each phase is an independent planning unit with safe and convenient circulation and with facilities and utilities coordinated with requirements established for the entire subdivision; and, that all road improvement requirements are assured. And, according to Section 40.220.020(5)(b), all projects, including multifamily and detached single-family structures the density of the project for each individual phase and at total project buildout shall meet the minimum density.

The applicant's narrative and the preliminary plat indicate a project in three (3) phases, but do not clearly identify which lots and associated improvements will be completed with each phase. Therefore, the applicant shall submit a phasing plan that addresses density and associated infrastructure improvements. [See Condition A-1.b]

Finding 9 – County/State Platting Standards

With conditions of approval, staff finds the proposed subdivision will make appropriate provisions for the public health, safety and general welfare of the community. Connection to public water and sewer facilities, as well as treatment of any future stormwater runoff will be provided to protect groundwater supply and integrity. Impact fees will also be required to ensure that the development will contribute a proportionate share toward the costs of school, park and transportation facilities, maintenance and services.

Conclusion (Land Use)

Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets land use requirements of the Clark County Code.

Archaeology

Finding 10 – DAHP Concurrence

The applicant submitted an archaeological pre-determination to the Washington State Department of Archaeology and Historic Preservation (DAHP) prior to submittal of the application.

The DAHP concurs with the recommendation of the pre-determination that no additional studies are necessary; however, a note on the final construction plans will require that if resources are discovered during ground disturbance, work shall stop and DAHP and the county will be contacted. [See Condition A-2.a]

Conclusion (Archaeology)

Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets land use requirements of the Clark County Code.

Habitat

Finding 11 – Habitat Determination

A Habitat Determination (HAB2016-00043) was completed for the subject site. Environmental Services Staff determined that there were no wetlands exist on site; and, that no habitat conservation areas or priority species areas exist on site.

Conclusion (Habitat)

Environmental Services concludes that the proposed preliminary plan, meets habitat requirements of the Clark County Code.

Transportation

Finding 12 – Pedestrian/Bicycle Circulation

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act (ADA) are required in accordance with the provisions of CCC 40.350.010(B). Bike lanes are not required for the roadways within and adjacent to this development.

The proposed plan indicates that 5-foot sidewalks will be constructed along all roadways within the development. The proposed pedestrian circulation complies with the provisions of CCC 40.350.010. [See Condition A-3.a]

Finding 13 – Circulation Plan

The proposed development is bordered by developable residential parcels to the north and east, developable commercial property to the west and the Shadow Ridge Subdivision to the south. NE 83rd Court stubs to the development from the southwest. The applicant has provided a revised cross-circulation plan and narrative [Exhibit 13] that shows the Adam's Glen Subdivision layout will be a series of public loop roads with public street connection to NE 83rd Court. Half-street improvements and stub streets have also been provided to allow future development to meet circulation standards. The project appears to meet all perimeters and block length requirements to comply with the circulation plan standards.

Finding 14 – Roads

All roadways within the development will be classified as an Urban Local Residential Access, which includes a minimum 28 feet paved roadway width consisting of two, 8-foot parking lanes and a 12-foot travel lane. The applicant is proposing to construct curb extensions in the flex zone of the street, while still only maintaining a 12-foot travel lane width at these locations. Per CCC 40.350.030(B)(3)(b)(2)(b)(i), curb extensions shall not extend more than 7 feet into the parking lane. Furthermore, no road shall have less than 20-foot wide unobstructed travel path where the curb extensions are installed. The applicant will be required to construct the curb extension section to meet these requirements. [See Condition A-3.b]

Finding 15 - Maximum Dwelling Units Served by Access Roads

Per CCC 40.350.030(4)(b)(4)(a), no road may serve more than 100 lots or dwelling units unless that road is connected by a second vehicle access road to the same "feeder" road at a different location, or to another "feeder" road that functions at a level equal to at least an urban local residential access road or a rural local access road. The applicant is proposing 88 new lots. The development's sole access point is through the Shadow Ridge Subdivision via NE 83rd Court and NE 164th Avenue. These roadways currently serve 8 lots of the Shadow Ridge Subdivision prior to the intersection of NE 164th Avenue and NE 82nd Street, at which point there are two vehicle access roads. A total of 96 lots will be served by one access road; therefore, the applicant is meeting the requirements of the code.

The applicant has submitted a revised plan [Exhibit 29] that shows that NE 167th Avenue will extend beyond the development's north property line to connect with NE 88th Street. This off-site portion of roadway will be constructed within the 60-foot county right-of-way and would provide a second full access for the development. As noted above, a second full access is not a requirement by the county. Additionally, this proposal has implications from a transportation

concurrency standpoint, refer to Finding 20 for additional discussion on this topic and relevant condition.

Finding 16 – Sight Distance

The approval criteria for sight distances are found in CCC 40.350.030(B)(8). This section establishes minimum sight distances at intersections and driveways. Additional building setbacks may be required for corner lots in order to maintain adequate sight distance. The final engineering plans shall show sight distance triangles at all intersections. Landscaping, trees, utility poles, and miscellaneous structures will not be allowed to impede required sight distance requirements at all proposed driveway approaches and intersections. The final engineering plans and final plat shall show sight distance triangles at all intersections. [See Conditions A-3.c & D-2]

Finding 17 – Transportation Phasing

The applicant indicates that the subdivision will be completed in three phases. The applicant is responsible for providing all necessary transportation improvements required for each individual phase. The required transportation improvements for each proposed phase will be reviewed during final engineering review. [See Condition A-3.d]

Conclusion (Transportation)

Staff concludes that the proposed preliminary transportation plan, subject to the conditions identified above, is feasible. Therefore, the requirements of the preliminary plan review criteria are satisfied.

Transportation Concurrency

Finding 18 - Trip Generation

County concurrency staff has reviewed the proposed Adams Glen Subdivision. The applicant is proposing to divide 14.99 acres into 88 single family residential lots. The applicant's traffic study has estimated the a.m. peak-hour trip generation at 66, p.m. peak-hour trip generation at 88 trips and an average daily trip generation (ADT) of 837 trips. The trip generation was estimated using the nationally accepted data published by the *Institute of Transportation Engineers Ninth Addition*. The proposed development site is located on parcel numbered 104165-000 in Vancouver.

The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1).

Finding 19 - 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 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 the potential congestion and safety problems that may occur in the vicinity of the site.

The applicant's plan shows the extension of NE 83rd Street, a local access road, east from the Shadow Ridge Subdivision. The plan shows the construction of an interior public road network to serve as individual lot access for the proposed subdivision. The applicant's plan also shows the construction of frontage improvements along NE 167th Avenue within an existing 60-foot wide county right-of-way. The NE 167th Avenue frontage improvements will terminate at the north property line of the development.

The applicant's traffic study indicates that vehicle trips from the proposed development will use NE 83rd Street as ingress and egress to and from NE 78th Street and/or NE 162nd Avenue. NE 83rd Street connects to an interior roadway network in the Shadow Ridge Phases I & II to access the larger public road network at NE 78th Street, to the south, or NE 162nd Avenue to the west.

NE 81st Street at NE 162nd Avenue (SR 500)

NE 81st Street is classified as an urban local access road. Because of this roadway classification, it is not regulated by the Concurrency mobility standards, but rather, safety.

The applicant's study evaluated the level of service and found that the eastbound and westbound stop controlled approaches at the intersection of NE 81st Street/NE 162nd Avenue (SR 500) will operate at a level-of-service "B" and "F" respectively. The applicant's study also evaluated the crash history at this intersection to determine if there were crash frequency and crash trends that would suggest countermeasures were warranted. The study crash evaluation concluded that between January 1, 2010 and August 31, 2015, the crash rate for the NE 81st Street/NE 162nd Avenue intersection was 0.02 per million entering vehicles.

Staff reviewed the crash history at the intersection NE 81st Street/NE 162nd Avenue (SR 500). The crash history at this intersection shows that there was only one (1) reported collision at this location between January 1, 2010 and August 31, 2015. This crash was the result of a vehicle not yielding to the uncontrolled through traffic on NE 162nd Avenue (SR 500). It appears that this crash was due to an inattentive driver. This type of crash cannot be mitigated by improving the intersection of NE 81st Street/NE 162nd Avenue (SR 500).

Staff believes that the increase in traffic would not 'materially aggravate' or cause a significant safety hazard with regard to the type of crash documented at the intersection of NE 81st Street/NE 162nd Avenue (SR 500).

The applicant's study did not recommend any safety mitigations as a part of this development. Staff concurs with the applicant's finding.

It should be noted that because the westbound approach has been identified to operate as a level-of-service "F", vehicles on the stop controlled approach could experience long delay times waiting to enter onto NE 162nd Avenue (SR 500).

NE 165th Avenue at NE 78th Street

NE 165th Avenue is classified as an urban local access road. Because of this roadway classification, it is not regulated by the Concurrency mobility standards, but rather, safety.

The applicant's study evaluated the level of service and found that the northbound and southbound stop controlled approaches, at the intersection of NE 165th Avenue/NE 164th Place/NE 78th Street, will operate at a level-of-service "B" and "A" respectively. The applicant's study also evaluated the crash history at this intersection to determine if there were crash frequency and crash trends that would suggest countermeasures were warranted. The study crash evaluation revealed that between January 1, 2010 and August 31, 2015, there were no reported crashes at this location.

The applicant's study did not recommend any safety mitigations as a part of this development. Staff concurs with the applicant's finding.

Finding 20- Clark County Concurrency

The proposed development is required to meet the standards established in CCC 41.350.020(G) for corridors and intersections of regional significance within 2 mile of the proposed development. Typically, the County's transportation model is used to determine what urban area developments are currently being reviewed, approved, or are under construction and in the vicinity of the proposed development. The traffic these developments generate is referred to as "*in-process traffic*" and will ultimately contribute to the same roadway facilities as the proposed development. This "*in-process traffic*" is used to evaluate and anticipate area growth and its impact on intersection and roadway operating levels with and without the proposed development, helping to determine if roadway mitigation necessary to reduce transportation impacts.

Signalized Intersections

The County's model evaluated the operating levels, travel speeds and delay times for the regionally significant signalized intersections. This analysis showed that individual movements during peak hour traffic conditions had approach delays that did not exceed the maximum 240 seconds, or 2 cycles, of delay in the build-out year.

Therefore, County Staff has determined that this development will comply with adopted Concurrency standards for signalized intersections.

Unsignalized Intersections

County Staff has evaluated the operating levels and standard delays represented in the County's model. The County's model yielded operating levels and standard delay times with a LOS better than the minimum allowable LOS E for unsignalized intersections.

The applicant has submitted a traffic study that reports anticipated levels-of-service on individual intersection approaches. Two of these approaches were reported to have a level-of-service "E" on stop controlled approaches in the 2019 evaluation year with the proposed development. These intersection approaches were the westbound approach of NE Ward Road/NE 88th Street and the northbound approach of NE 99th Street/NE 152nd Avenue.

The applicant's traffic study has analyzed the impacts of the proposed development on the intersection approaches, listed above, to determine if mitigation requirements would be

warranted per CCC 40.350.020 (G)(1)(c).

The applicant's analysis compared the anticipated impacts against the criteria in the code section listed above and found that for NE Ward Road/NE 88th Street, the proposed development did not send any trips to the failing westbound approach. The evaluation of NE 99th Street/NE 152nd Avenue showed that only two (2) of the three (3) criterion were met. Staff concurs with the applicant's findings with regard to CCC 40.350.020 (G)(1)(c).

The County has determined that this development can comply with adopted Concurrency Standards for unsignalized intersections as reviewed.

Additional Information Submittal – NE 88th Street

On September 1, 2016, Staff requested that the applicant consider construction of an emergency only access from NE 88th Street, through an existing 60-foot wide unimproved County right-of-way to the north property line of the proposed development. The applicant's consultant responded to Staff's request by submitting revised plans, narrative and additional traffic analysis. The revised documents showed the proposed connection of NE 167th Avenue to NE 88th Street. This connection was proposed as an offsite secondary access to the subdivision.

The applicant submitted a memorandum from H.Lee & Associates, PLLC dated September 9, 2016 that evaluated transportation impacts based on a proposed roadway connection from the proposed Adam's Glen Subdivision to NE 88th Street.

The submitted traffic analysis memorandum reported anticipated levels-of-service on the individual intersection approaches for the newly impacted regionally significant intersection of NE 88th Street/NE Ward Road. The westbound stop-controlled approach was reported to have a level-of-service "F" in the 2019 evaluation year with the proposed development.

The applicant's traffic memorandum analyzed the impacts of the proposed development on the intersection approach, listed above, to determine if mitigation requirements would be warranted per CCC 40.350.020 (G)(1)(c).

The applicant's analysis compared the anticipated impacts against the criteria in the code section listed above and found that for NE Ward Road/NE 88th Street only two (2) of the three (3) criterion were met. Because the applicant's analysis showed that the traffic impacts did not meet all of the thresholds identified in CCC 40.350.020 (G)(1)(c), the traffic engineer concluded that no mitigation would be required.

Revised Document Submittal – County Review

Concurrency staff has reviewed the applicant's additional transportation analyses for the connection of NE 167th Avenue to NE 88th Street. Staff found that the proposed construction of a roadway connection to NE 88th Street would degrade, and materially aggravate, the operational characteristics of the NE 88th Street/NE Ward Road intersection. Because the applicant has failed to propose mitigation to off-set the impacts of the development, Staff has recommended that the County Engineer deny/decline the proposed NE 167th Avenue roadway connection to NE 88th Street. The County Engineer concurs with Staff's recommendation. (See Exhibit 15)

The development without the NE 167th Avenue roadway connection at NE 88th Street could still be approvable with the NE 83rd Court access into the Shadow Ridge Subdivision to the south and west. Therefore, if the applicant chooses to construct NE 167th Avenue off-site, north of the development, NE 167th Avenue shall be restricted to emergency vehicle access only. [See Condition A-4.a]

Concurrency Corridors

Evaluation of the concurrency corridor operating levels yielded volume to capacity (v/c) ratios that are compliant.

Summary

The County has determined that this development can comply with adopted Concurrency Standards for corridors, signalized and unsignalized intersections under County jurisdiction.

SAFETY:

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

- traffic signal warrant analysis,
- turn lane warrant analysis,
- crash history analysis,
- roadside safety (clear zone) evaluation,
- vehicle turning movements, 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 21 - Historical Accident Situation

The applicant’s traffic study analyzed the crash history as obtained from Clark County for the period January 1, 2010 through August 31, 2015.

The intersection crash rates, for the study intersections do not exceed thresholds that would warrant additional analysis with the exception of the NE 119th Street/NE 152nd Avenue a signalized intersection. The applicant’s evaluation of this intersection suggests that the crash rate at this intersection is biased because of a low daily entering volume.

County staff reviewed the accident history to determine if there is mitigation that could lessen the accident potential and whether the proposed development should be required to mitigate the potential for future accidents.

Staff also reviewed the accident history at the intersection NE 152nd Avenue/NE 119th Street. The accident history at this intersection shows that the most common accidents in this intersection

were collisions with other vehicles failing to yield to through traffic. Other types of accidents included failing to obey signalized traffic controls and rear end collisions.

It appears that these accidents were due to inattentive drivers. These types of accidents cannot be mitigated by improving the intersection of NE 152nd Avenue/NE 119th Street. Staff's review of the crashes at this location was due to inattentive drivers not yielding the right of way to through traffic while attempting to turn left on green, running red lights and stopping suddenly in the through lane because of a distraction.

Based on the nature of the accidents shown in the crash history, Staff believes that the increase in traffic volume shown in the applicant's study would not 'materially aggravate' or cause a significant safety hazard.

The studied intersections are as follows:

- NE Ward Road/NE 172nd Avenue
- NE Ward Road/NE 162nd Avenue (SR 500)
- NE 162nd Avenue/NE Fourth Plain Blvd
- NE 119th Street/NE 172nd Avenue
- NE Ward Road/NE 88th Street
- NE 119th Street/NE 152nd Avenue
- NE Ward Road/NE 162nd Avenue (North Leg)
- NE Padden Parkway/NE 152nd Avenue
- NE Padden Parkway/NE 137th Avenue
- NE 78th Street/NE 162nd Avenue
- NE 99th Street/NE 152nd Avenue
- NE 99th Street/NE 172nd Avenue
- NE 81st Street/NE 162nd Avenue (SR 500)
- NE 78th Street/NE 165th Avenue/NE 164th Place

The applicant's study did not recommend any safety mitigations as a part of this development. Staff concurs with the applicant's finding.

Finding 22 - Vehicle Turning Movements

It shall be noted that, the curb return radii listed above are minimum criteria and are intended for normal conditions, per CCC 40.350.030 (C)(3). CCC 40.350.030 (C)(3) also states, "The responsible official may require higher standards for unusual site conditions."

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. These design vehicles include but are not limited to waste collection vehicles and school busses. The plans will also need to show that all applicable design vehicles have the ability to maneuver within the development without swinging into opposing or adjacent travel lanes, which may result in no on-street parking areas near intersections. [See Condition A-4.c]

Finding 23 - Sight Distance

Sight distance issues are addressed by other Development Engineering Staff; therefore, this issue will not be addressed here.

Conclusion (Concurrency)

Development Engineering concludes that the proposed preliminary plan, subject to conditions identified herein, meets transportation concurrency requirements of the Clark County Code.

StormwaterFinding 24 - Stormwater Applicability

The provisions of Clark County Code Chapter 40.386 shall apply to all new development, redevelopment, land disturbing activities, and drainage projects consistent with the Clark County Stormwater Manual. The project adds more than 5,000 square feet of new hard surface; therefore, the applicant shall comply with Minimum Requirements #1 through #9 per Section 1.4, Book 1 of the Clark County Stormwater Manual 2015. [See Condition A-6.a]

No new development shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots.

Finding 25 – Stormwater Proposal

The 15-acre site is currently vacant. The existing vegetation is primarily pasture grass with some trees that are being removed. The general topography slopes from north to south with gradients from 0% to 5%. On-site soil is classified as Lauren gravelly loam (LgB) and has a hydrologic soil group classification of “B”. Per the applicant’s engineer, the stormwater currently infiltrates on-site with no existing stormwater systems and stormwater from adjacent sites is not expected to impact the site.

The applicant provided a Preliminary Stormwater Technical Information Report (TIR) prepared by Hayward Uskoski and Associates, Inc., dated June 14, 2016 with an updated stormwater plan and calculations submitted September 9, 2016 [Exhibits 9 & 10]. Proposed site improvements include public streets and sidewalks and 88 residential lots for a total of approximately 8.5 acres of new hard surface. The project proposes to meet water quality and flow control requirements with the use of pervious pavement, bioretention facilities, and infiltration trenches. The bioretention areas will be located in the flex zones of the public right-of-way and in publicly owned tracts, the pervious pavement will be used for the public sidewalks, and joint infiltration trenches will be constructed to manage roof runoff from the home sites. [Plat Note D-8.g & Condition E-4]

Columbia West Engineering, Inc. performed infiltration testing on October 9, 2015. The tested infiltration rate of the native soil was recorded as 200 inches per hour to greater than 250 inches per hour at depths of 4 to 5 feet below the existing ground surface. A factor of safety of 4 was applied to this rate to size the bioretention and infiltration facilities for a design rate of 62.5 inches per hour based on the 250 inches per hour rate. The applicant’s engineer has provided MGS Flood calculations that show the proposed facilities are able to infiltrate 100% of the 50-year storm event total volume. [See Condition C-1.a]

Groundwater was not encountered in subsurface explorations to the maximum depth explored of 15 feet. Furthermore, Columbia West performed groundwater monitoring between November 2015 and May 2016 at the site. Two piezometers were installed at a depth of 25 and 30 feet below the existing ground surface. The highest groundwater depth was measure at 10.9 feet below the existing ground surface, which equates to a groundwater elevation of 243.1 feet.

The TIR indicates that bioretention facilities in the street will consist of a 4-foot deep rock section below the 1.5-foot deep soil mix section. A 3-foot separation is required between the bottom of the bioretention facilities and the seasonal high groundwater level and a 5-foot separation is required if the rock section below the soil mix extends beyond the bottom footprint of the bioretention facility. The TIR states that adequate separation exists between the stormwater facilities and the seasonal high ground water for the site. While the prospect of these bioretention facilities meeting the required 3-foot or 5-foot separation is dependent on the final grading of the site, the applicant will be required to demonstrate that all bioretention facilities can achieve the groundwater separation during construction. [See Condition C-1.b]

Finding 26 – Stormwater Phasing

The applicant indicates that the subdivision will be completed in three phases. Each individual proposed phase shall be designed with sufficient stormwater management facilities in compliance with CCC 40.386. The required stormwater improvements for each proposed phase will be reviewed during final engineering review. [See Condition A-6.b]

Conclusion (Stormwater)

Staff concludes that the proposed preliminary stormwater plan, subject to the conditions above, is feasible. Therefore, the requirements of the preliminary plan review criteria are satisfied.

Fire Protection

Finding 27 – 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-5.a]

Finding 28 – Fire Flow

Fire flow in the amount of 1000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this application. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. Required fire flow is based upon a single family home with up to 3,600 sq. ft. of habitable area. City of Vancouver utility Review letter states that existing fire flow in the area is estimated at 1500 GPM @ 20 PSI. [See Conditions A-10.a & E-5.b]

Finding 29 – Residential Development

One and two family homes over 3,600 square feet (including attached garages) will have additional fire protection requirements. Contact the Clark County Fire Marshal's Office for additional information. [See Condition E-5.b]

Finding 30 – Fire Hydrants

Fire hydrants are required for this application. 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. [See Condition A-10.b]

Unless waived by the fire district chief, fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact City of Vancouver Fire Department at (360) 487-7260 to arrange for location approval. [See Conditions A-10.c & C-3.a]

Finding 31 – Fire Apparatus Access

Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access. Provide fire apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, with an all-weather driving surface and capable of supporting the imposed loads of fire apparatus. [See Conditions A-10.d & C-3.b]

Finding 32 – Fire Apparatus Turnarounds

Approved fire apparatus turnarounds are required for this project. The indicated provisions for turning around fire apparatus are not adequate. Provide a cul-de-sac turnaround constructed in accordance with the Clark County Road Standards at the west end of NE 87th St. [See Conditions A-10.e & C-3.c]

Parking is prohibited on access roads that are less than twenty-four (24) feet wide. Roads that are less than twenty-four (24) feet wide shall be posted "NO PARKING-FIRE LANE". [See Condition C-3.d]

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.

Sewer and Water Service

Finding 33 – Service Availability

The site will be served by the City of Vancouver sewer and water districts. A letter from the City of Vancouver confirms that services are available to the site.

Finding 34 – Sewer Service

There is an existing eight (8) -inch diameter public sewer in NE 83rd Street, west of 164th Avenue with a clean-out on the east end. Sewer service requires extending an eight (8) -inch sewer from the existing clean-out through and across the subject parcel to the front of each proposed lot. Therefore, prior to provisional acceptance of the development, the applicant shall procure all required approvals and permits and pay all related fees to the City of Vancouver's Community Development Department pursuant to PIR-50326. [See Condition B-1.e]

Finding 35 – Water Service

The applicant is required to connect to public water services. General requirements are put forth in the utility review letter provided by the City of Vancouver in PIR-50326. All water lines, services and hydrants constructed shall conform to the most current "City of Vancouver General Requirements and Details" for Water Systems design and construction. Prior to provisional acceptance of the development, the applicant shall procure all required approvals and permits and pay all related fees to the City of Vancouver's Community Development Department pursuant to PIR-50326. [See Condition B1.e]

Finding 36 – Public Health Department Evaluation

A copy of a *Development Review Application* was included in the submittal package. Submittal of a *Public Health Evaluation Letter* is required as part of the Final Construction Plan Review application. If the evaluation letter specifies that an acceptable *Public Health 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 such as at Final Construction Plan Review, Final Plat Review or prior to occupancy. The evaluation letter will serve as confirmation that Public Health staff 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 *Public Health Final Approval Letter* will confirm that all existing wells and/or septic systems have been abandoned, inspected and approved by Public Health staff, if applicable. [See Condition A-9]

Conclusion (Sewer and Water)

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

Impact Fees

Finding 37 – Applicability & Assessment

The additional residential lots created by this plat will produce impacts on schools, parks, and traffic, and are subject to School (SIF), Park (PIF), and Traffic Impact Fees (TIF) in accordance with CCC 40.610.

- ✓ Evergreen sub-area with a TIF of \$3,611.72 per dwelling
- ✓ Hockinson School District, with a SIF of \$5,906.00 per dwelling
- ✓ Park District #5, with a PIF of \$1,799.00 per dwelling (\$1,359.00 for park acquisition / \$440 for park development)

TIF is payable prior to issuance of building permits. If the building permit application is made more than three years following the date of preliminary land division plan approval, the impact fees shall be recalculated according to the then-current rate. [See Conditions D-5.c & E-2]

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 Clark County Code.

The likely SEPA determination of Non-Significance (DNS) in the Notice of Development Review Application issued on August 11, 2016 is hereby final.

SEPA Appeal Process

An appeal of this SEPA determination and any required mitigations, must be filed with the Department of Community Development within fourteen (14) calendar days from the date this notice.

The hearing examiner shall hear appeals in a public hearing. Notice of the appeal hearing shall be mailed to parties of record, but shall not be posted or published.

A **procedural SEPA appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance).

A **substantive SEPA appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing Clark 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.

A **procedural or substantive appeal** must be filed within fourteen (14) calendar days of this determination, together with the appeal fee. Such appeals will be considered at a scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and should contain the following information:

- 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 40.510.020(H) or 40.510.030(H)
 - The reasons why the SEPA determination is in error
- The appeal fee

Refer to the *Appeals* handout for more information and fees.

The decision of the Hearing Examiner is final unless:

- A motion for reconsideration is filed within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 2.51.160; or,
- An appeal is filed with Clark County Superior Court.

Staff Contact Person: Amy Wooten, (360) 397-2375, ext. 5683

Responsible Official: Marty Snell, Community Development Director

Recommendation

Based upon the proposed plan known as Exhibit 29, and the findings and conclusions stated above, staff recommends the Hearing Examiner **APPROVES** this request, subject to the understanding that the application is required to adhere to all applicable codes and laws, and is subject to the following conditions of approval.

Conditions of Approval

Note: The Conditions of Approval below include those identified above and those contained within Attachments A, B, and C. The letters or numbers may have changed from those in the attachments.

A	Final Construction Review for Land Division Review and Approval Authority: Development Engineering
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Prior to construction, a Final Construction Plan shall be submitted for review and approval, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Land Use –

- a. The plat shall be revised so that the average minimum lot area for this development is 6,000sf. [See Finding 2]
- b. The applicant shall submit a phasing plan that addresses density and associated infrastructure improvements. [See Finding 8]

A-2 Final Construction Plan - The applicant shall submit and obtain county approval of a final construction plan with the following:

- a. Archaeology A note shall be placed on the face of the final construction plans as follows: "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia shall be notified. Failure to comply with these state requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

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 applicant shall show on the final construction plans that all proposed pedestrian facilities will be constructed to comply with ADA standards. [See Finding 12]
- b. The applicant shall show on the final construction plans that all curb extensions will be constructed to comply with the transportation design criteria for core road and flex zone sections found in CCC 40.350.030(B)(3). No road shall have less than 20-foot

wide unobstructed travel path where the curb extensions are installed. [See Finding 14]

- c. The final engineering plans shall show sight distance triangles at all intersections. [See Finding 16]
- d. The applicant is responsible for providing all necessary transportation improvements required for each individual phase. [See Finding 17]

A-4 Final Transportation Plan/Off Site (Concurrency) – Prior to construction, a Final Construction Plan shall be submitted for review and approval to Development Engineering, consistent with the approved preliminary plan and the following conditions of approval:

- a. The applicant shall submit construction plans for review and approval. These plans shall show NE 167th Avenue at NE 88th Street restricted to emergency vehicle access only.
- b. The applicant shall submit a signing and striping plan for review and approval. This plan shall show signing and striping and all related features for required frontage improvements and any off-site improvements. The applicant shall obtain a work order with Clark County to reimburse the County for required signing and striping.
- c. The applicant shall submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval, unless modified by the County Engineer. These design vehicles include but are not limited to waste collection vehicles and school busses. The plans will also need to show that all applicable design vehicles have the ability to maneuver within the development without swinging into opposing travel lanes, which may result in no on-street parking areas near intersections. [See Finding 22].

A-5 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 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 Public Works for the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

A-6 Final Stormwater Plan - The applicant shall submit and obtain County approval of a final stormwater plan designed in conformance to CCC 40.386 and the following conditions of approval:

- a. The applicant shall submit final construction plans and a final Technical Information Report that addresses Minimum Requirements #1 through #9. [See Finding 24]
- b. Each individual proposed phase shall be designed with sufficient stormwater management facilities in compliance with CCC 40.386. [See Finding 26]

A-7 Erosion Control Plan - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.386.

A-8 Final Landscape Plan - The applicant shall submit and obtain county approval of final landscape plan consistent with the approved preliminary landscape plan and conditions listed below (CCC 40.320). The landscape plan shall include landscaping within the public right-of-ways and on-site.

- a. The applicant shall submit for review and approval a new landscape plan that portrays the required 10-foot, L3 buffer. [See Finding 6]

A-9 Public Health Review - Submittal of a *Public Health 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, such as prior to Final Construction Plan Review, construction, Provisional Acceptance, Final Plat Review, building permit issuance, or occupancy, and approved by Public Health.

A-10 Fire Marshal Requirements

- a. Fire flow in the amount of 1000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this application. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. Required fire flow is based upon a single family home with up to 3,600 sq. ft. of habitable area. City of Vancouver utility Review letter states that existing fire flow in the area is estimated at 1500 GPM @ 20 PSI. [See Finding 28]
- b. Fire hydrants are required for this application. 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 [See Finding 30]
- c. Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact City of Vancouver Fire Department at (9360) 487-7260 to arrange for location and approval. [See Finding 30]
- d. Fire Apparatus Access is required for this application. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access. Provide fire apparatus access roads with an unobstructed width of

not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, with an all-weather driving surface and capable of supporting the imposed loads of fire apparatus. [See Finding 31]

- e. Fire Apparatus Turnarounds are required for this project. The indicated provisions for turning around fire apparatus are not adequate. Provide a cul-de-sac turnaround constructed in accordance with the Clark County Road Standards at the west end of NE 87th St. [See Finding 32]

A-11 Excavation and Grading - Excavation / grading shall be performed in compliance with CCC Chapter 14.07.

B	Prior to Construction of Development Review and Approval Authority: Development Inspection
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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; and,
 - a. Prior to construction, demarcation of existing septic and water well systems, and underground tanks shall be established (if any).
 - b. Prior to site construction, abandonment of septic systems, water wells and underground tanks shall be decommissioned in accordance with the procedures of the Clark County Public Health (if any).
 - c. Prior to site construction, structures slated for demolition shall be demolished in accordance with the procedures of the Southwest Clean Air Agency and the Clark County demolition permit (if any).
 - d. Prior to construction, fire flow in the amount of 1,000 gallons per minute supplied for 60 minutes duration is required for this application. A utility review from the water purveyor indicates that the required fire flow is not 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.
 - e. The applicant shall procure all required approvals and permits and pay all related fee to the City of Vancouver for public water and sewer service pursuant to utility review number PIR-50326. [See Findings 34 & 35]
- 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.

C	Provisional Acceptance of Development Review and Approval Authority: Development Inspection
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Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction / land division plan and the following conditions of approval:

C-1 Stormwater –

- a. In accordance with Section 5.1.2, Book 2 of the Clark County Stormwater Manual 2015, if the tested coefficient of permeability determined at the time of construction is at least 95 percent of the uncorrected coefficient of permeability used to determine the design rate, construction may proceed. If the tested rate does not meet this requirement, the applicant shall submit a plan to Clark County that follows the requirements in Section 1.8.5., Book 1. This plan shall address steps to correct the problem, including additional testing and/or resizing of the facility to ensure that the system will meet the minimum requirements of this manual. [See Finding 25]
- b. During installation of the bioretention facilities, the applicant shall demonstrate that the groundwater table is at least 3 or 5 feet below the designed elevation of the bottom of the proposed bioretention facility, as applicable. The system shall be redesigned if the required separation is not achieved. [See Finding 25]

C-2 Certification of the Installation of Required Landscape - The applicant shall provide verification in accordance with CCC 40.320.030(B) that the required landscaping has been installed in accordance with the approved landscape.

C-3 Fire Marshal Requirements –

- a. Unless waived by the fire district chief, fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact City of Vancouver Fire Department at (360) 487-7260 to arrange for location approval. [See Finding 30]
- b. Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access. Provide fire apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, with an all-weather driving surface and capable of supporting the imposed loads of fire apparatus. [See Finding 32]
- c. Approved fire apparatus turnarounds are required for this project. The indicated provisions for turning around fire apparatus are not adequate. Provide a cul-de-sac turnaround constructed in accordance with the Clark County Road Standards at the west end of NE 87th ST. [See Finding 32]

- d. Parking is prohibited on access roads that are less than twenty-four (24) feet wide. Roads that are less than twenty-four (24) feet wide shall be posted "NO PARKING-FIRE LANE". [See Finding 32]

D	Final Plat Review & Recording Review and Approval Authority: Development Engineering
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Prior to final plat approval and recording, the following conditions shall be met:

D-1 Land Use –

- a. The plat shall be revised so that the average minimum lot area for this development is 6,000sf. [See Finding 2]

D-2 The sight distance easements for all intersections shall be shown on the final plat. [See Finding 15]

D-3 Public Health Signature Requirement – Public Health is not required to sign the final plat, unless the use of well or septic systems is proposed.

D-4 Abandonment of On-Site Water Wells and Sewage Systems - The location of abandoned septic tanks and decommissioned wells shall be shown on the face of the final plat.

D-5 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 Safety and put in place prior to construction."
- c. Impact Fees: "In accordance with CCC 40.610, the School, Park and Traffic Impact Fees for each dwelling in this subdivision are: \$ 5,906.00.00 (Hockinson School District), \$1,799.00 (\$1,359.00 - Acquisition; \$440.00 - Development for Park District #5), and \$3,611.72 (Evergreen TIF sub-area) 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."

D-6 Addressing - At the time of final plat, existing residence(s) that will remain may be subject to an address change. Addressing will be determined based on point of access.

D-7 Verification of Landscape Installation - The applicant shall provide verification in accordance with CCC 40.320.030(B) that the required landscape has been installed in accordance with the approved landscape plan.

D-8 Plat Notes - The following notes shall be placed on the final plat:

- a. Mobile Homes: "Mobile homes are not permitted on all lots subject to the requirements of CCC 40.260.130."
- b. Archaeological (all plats): "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department 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."
- c. Sidewalks: "Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages."
- d. 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."
- e. Sight Distance: "All sight distance triangles shall be maintained."
- f. Driveways: "All residential driveway approaches entering public roads are required to comply with CCC 40.350."
- g. Roof and Crawl Space Drains: "Roof and crawl space drains for all lots of the development shall be installed in accordance with the approved As-Built plans, unless a revised plan is approved by the county. These stormwater systems will be owned and maintained by the property owner(s) on whose lot the stormwater system is located."

E	Building Permits Review and Approval Authority: Permit Services
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Prior to issuance of a building permit, the following conditions shall be met:

E-1 Any future construction on the newly created lots shall meet setbacks standards prescribed for the R1-6 zone. [See Finding 3]

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

- a. \$5,906.00 per dwelling for School Impact Fees (Hockinson School Dist.)

- b. \$1,799.00 per dwelling for Park Impact Fees (\$1,359.00 – Acquisition; \$440.00 – Development for Park District #5);
- c. \$3,611.72 per dwelling for Traffic Impact Fees (Evergreen TIF Sub-area)

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

E-3 Excavation and Grading - Excavation/grading shall be performed in compliance with CCC 14.07.

E-4 Engineering Requirements - Roof and crawl space drains for all lots of the development shall be installed in accordance with the approved As-Built plans, unless a revised plan is approved by the county. These stormwater systems will be owned and maintained by the property owner on whose lot the stormwater system is located. [See Finding 25]

E-5 Fire Marshal Requirements –

- a. 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 Finding 27]
- b. One and two family homes over 3,600 square feet (including attached garages) will have additional fire protection requirements. Contact the Clark County Fire Marshal's Office for additional information. [See Condition Finding 29]

F	Occupancy Permits Review and Approval Authority: Building
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Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 Land Use and Critical Areas - Where street trees are required on individual residential lots, the applicant shall provide verification in accordance with CCC 40.320.030(B) that the required landscape has been installed in accordance with the approved landscape plan.

G	Development Review Timelines & Advisory Information Review and Approval Authority: None - Advisory to Applicant
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G-1 Land Division - Within seven (7) years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

G-2 Department of Ecology Permit for Construction Stormwater - A permit from the Department of Ecology (DOE) is required if:

- The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; **AND**
- There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the one acre threshold. This applies even if the applicant is responsible for only a small portion (less than one acre) of the larger project planned over time. **The applicant shall contact DOE for further information.**

G-3 Building and Fire Safety

Building and fire, life, and safety requirements must be addressed through specific approvals and permits. This decision may reference general and specific items related to structures and fire, life, and safety conditions, but they are only for reference in regards to land use conditions. It is the responsibility of the owner, agent, tenant, or applicant to insure that Building Safety and Fire Marshal requirements are in compliance or brought into compliance. Land use decisions do not waive any building or fire code requirements.

G-4 Building Elevation Approvals – Approval of building elevations submitted for preliminary plan review does not ensure compliance with other requirements (such as building setbacks) under other construction codes. Compliance with other construction codes is the responsibility of the applicant at the time of building permit issuance.

**H Post Development Requirements
Review and Approval Authority: As specified below**

H-1 None

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” or “open record” and shall pay the associated fee.

Hearing Examiner Decision and Appeal Process

This report to the Hearing Examiner is a recommendation from the Land Use Review program 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. Clark 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.

Motion for Reconsideration

Any party of record to the proceeding before the Hearing Examiner may file with the responsible official a motion for reconsideration of an examiner's decision within fourteen (14) calendar days of written notice of the decision. 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.

The motion must be accompanied by the applicable fee and identify the specific authority within the Clark County Code or other applicable laws, and/or specific evidence, in support of reconsideration. A motion may be granted for any one of the following causes that materially affects their rights of the moving party:

- Procedural irregularity or error, clarification, or scrivener's error, for which no fee will be charged;
- Newly discovered evidence, which the moving party could not with reasonable diligence have timely discovered and produced for consideration by the examiners;
- The decision is not supported by substantial evidence in the record; or,
- The decision is contrary to law.

Any party of record may file a written response to the motion if filed within fourteen (14) calendar days of filing a motion for reconsideration.

The examiner will issue a decision on the motion for reconsideration within twenty-eight (28) calendar days of filing of a motion for reconsideration.

Appeal Rights

Any party of record to the proceeding before the hearings examiner may appeal any aspect of the Hearing Examiner's decision, except the SEPA determination (i.e., procedural issues), to the Superior Court.

See the *Appeals* handout for more information and fees.

Attachments

- Copy of REVISED Preliminary Plan

