

Type II Site Plan and Environmental Review Staff Report and Decision

Project Name: Union Park Apartments

Case Number: PSR2016-00004; SEP2016-00007

Location: 12419 NE 119th Street. The parcel number is 200087-000 and is located within the NE ¼ of Section 34, T3N, R2E of the Willamette Meridian.

Request: The application requests site plan approval for the construction of a 120-unit apartment complex on 4.87acres in the R-30 zone.

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Decision
Approved subject to Conditions of Approval
Land Use Review Manager's Initials:  **Date issued: June 1, 2016**



County Review Staff

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Comp Plan Designation: UH (Urban High Density Residential)

Parcel Number(s): 200087-000

Applicable Laws

Clark County Code: Title 15 (Fire Prevention), Chapter 40.200 (General Provisions), Section 40.220.020 (Residential & Office Residential District), Chapter 40.310 (Signs), Chapter 40.320 (Landscaping), Chapter 40.330 (Crime Prevention & Safety), Chapter 40.340 (Parking & Loading), Chapter 40.350 (Transportation & Circulation), Section 40.350.020 (Transportation Concurrency), Chapter 40.360 (Solid Waste and Recycling), Chapter 40.370 (Sewer & Water), Chapter 40.386 (Storm Water & Erosion Control), Chapters 40.500 and 40.510 (Procedures), Section 40.520.010 (Legal Lot Determination), Section 40.520.040 (Site Plan Review), Section 40.520.060 (Post Decision Reviews), Chapter 40.570 (SEPA), Section 40.570.080 (SEPA Archaeological), Chapter 40.610 (Impact Fees), Title 24 (Public Health), and the Clark County Comprehensive Plan.

Neighborhood Association and Contact

Greater Brush Prairie Neighborhood Association
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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.

A pre-application conference on this matter was held on December 10, 2015. The pre-application was determined contingently vested as of November 16, 2015, the date the fully complete pre-application was submitted. Applications do not contingently vest for concurrency or stormwater requirements.

The fully complete application was submitted on February 12, 2016, and determined to be fully complete on March 15, 2016. Given these facts, the application is vested on November 16, 2015 **for land use regulations only.**

There are no disputes regarding vesting.

Time Limits

The application was determined to be fully complete on February 12, 2016. Therefore, the code requirement for issuing a decision within 78 days lapses on June 1, 2016. The state requirement for issuing a decision within 120 calendar days lapses on July 13, 2016.

Public Notice

Notice of application and likely SEPA Determination of Non-Significance (DNS) was mailed to the applicant, the Greater Brush Prairie Neighborhood Association and property owners within 300 feet of the site on April 1, 2016.

Public Comments

No public comment letters were received for this application.

Project Overview

The subject site is addressed as 12419 NE 119th Street. It is located east of Rock Creek Commons apartments and north of Marbella Townhomes Subdivision, which is currently under construction. The site is approximately 4.87 acres in size and is zoned R-30 for high density residential development. Parcels to the west, south and east are also zoned R-30. Property located to the north, across NE 119th Street is zoned AG-20.

There are no critical areas identified on the subject parcel. The proposed development will be served by Fire District #6, the Battle Ground School District, Clark Regional Wastewater and Clark Public Utilities Districts.

The applicant proposes the removal of an existing residence and associated out-buildings, and the construction of a 120-unit apartment complex comprised of 6 separate buildings and one (1) clubhouse. This proposal will require site plan review, SEPA review, and civil plan approval.

Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	UH	R-30	Underdeveloped, single family residential
North	AG	AG-20	Single family residential development
East	UH	R-30	Underdeveloped, single family residential
South	UH	R-30	High density, single family development
West	UH	R-30	Multifamily residential development

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 will 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, or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements and, therefore, are not discussed below.

Land Use

Finding 1 – Uses

According to Table 40.220.020-1, multifamily dwellings are permitted outright in the R-30 zone, subject to Special Uses Standards contained in CCC 40.260.150.

Finding 2 – Lot Requirements

Table 40.220.020-2 prescribes lot requirements for multifamily developments in the R-30 zone. Minimum density is established of 18 units per acre with maximum density of 30 units per acre. For this development, that equates to a density range between 88 and 146 units. The development proposes 120 units, which meets this criterion.

Additional dimensional standards are prescribed as follows:

R-30 Zone Lot Requirements, Setbacks, Lot Coverage and Building Height Standards					
Minimum Lot Area	Min – Max Residential Density			Minimum Lot Width	Maximum Lot Depth
4,000sf	18 – 30 (du/acre)			40 feet	80 feet
Minimum Setbacks (feet)				Maximum Lot Coverage	Maximum Building Height
Front	Side		Rear		
	Street	Interior			
10 ¹	10	10	20	50%	50 feet ²

Sheet C1.10 portrays improvements that meet development standards as required. However, there were no architectural plans provided; therefore, prior to final site plan approval, architectural elevation plans for each building type shall be provided for review and approval. Proposed buildings shall not exceed the maximum 50-foot building height limitation put forth in Table 40.220.020-3. [See Condition A-1.a]

Finding 3 – Landscaping

Section 40.220.020(C)(8) requires that a minimum of twenty percent (20%) of the site be landscaped to an L1 standard. For this development, minimum twenty percent (20%) landscaping would equate to 37,692sf. According to Sheet C1.10, the development proposes 48,396.03sf of on-site landscaping, which meets this numerical standard.

The subject site is bound to the south, east and west by R-30 zoning; and, to the north by AG-20 zoning. And, according to Table 40.320.010-1 CCC which establishes landscape buffering standards based on the zoning of the proposed development and the zoning of lands abutting the development site, the following buffers shall be provided:

	Buffer Type	Buffer Width
Southerly boundary (R-30)	L1	5 feet
Westerly boundary (R-30)	L1	5 feet
Northerly boundary (AG-20)	L2	5 feet
Easterly boundary (R-30)	L1	5 feet

According to Section 40.320.010(B), L1 screening shall consist principally of groundcover plants, trees and shrubs; L2 screening shall provide a continuous three (3) foot screen that is ninety-five percent (95%) opaque year-round, with one (1) tree every thirty (30) lineal feet. The applicant has provided a landscape plan, sheets L1.0 and L1.1. The plan portrays **buffers** with plantings that meet requirements as noted in the above table.

Parking areas that contain at least seven (7) spaces shall contain landscape islands equally distributed at a ratio of one (1) island for every seven (7) parking spaces. For this development, thirty-three (33) landscape islands are required. The landscape islands shall contain at least twenty-five (25) square feet, shall be at least four (4) feet wide, and contain at least one (1) tree.

¹ The minimum front setback to the garage door is 18 feet.

² The maximum building height for a detached garage is 18 feet.

The plans indicate landscape islands (or, the equivalent) that contain a minimum of 45sf but all islands do not include the required tree. The trees shall reach a mature height of thirty (30) feet or more, cast moderate to dense shade in the summer, live at least sixty (60) years, require little maintenance (such as by being insect-, disease- and drought-resistant and not producing fruit), and be suited for use in the proposed location (such as by being tolerant of pollution and direct and reflected heat). Therefore, prior to final site plan approval, the landscape plans shall be revised to indicate one (1) tree in each landscape island, pursuant to Section 40.320.010(E). [See Condition A-2.a]

Finding 4 – Parking

In accordance with Table 40.340.010-4(3), multifamily dwellings containing more than four (4) units are required to provide one and one-half (1 1/2) on-site parking spaces per unit. This development proposes 120 units, requiring 180 spaces. Up to thirty percent (30%) of required parking spaces, and all excess parking spaces may be compact, with a minimum stall depth of fifteen (15) feet and stall width of seven and one-half (7.5) feet. For this development, fifty-four (54) of the required 180 spaces may be compact. Sheet C1.10 of the plan set indicates 232 parking spaces, which are comprised of thirteen (13) ADA compliant spaces and twenty-four (24) compact spaces, which meets numerical standards contained in Tables 40.340.010-4 & 40.340.010-5.

Section 40.340.010(A)(10) requires that wheel stops or curbs shall be provided at least four (4) inches high and located three (3) feet back from the front of each perimeter parking space. The wheel stop/curb functions to prevent vehicles from extending over property lines or sidewalks, and to protect required landscaping from damage. The applicant's site plan does not portray the wheel stops; however, as noted on the plans and discussed in the narrative, "Wheel stops will be used a minimum of 3 feet from the face of curb to meet this section." Therefore, prior to final site plan approval, the plan shall be revised to portray either the required wheel stops, or the curb shall be pulled back three (3) feet. If the curb is pulled back, landscaping located within the three (3) overhang area cannot be included in the calculation for on-site landscaping. [See Condition A-1.b]

Pursuant to Section 40.340.010(A)(11), required parking and loading spaces and associated access and maneuvering drives shall be maintained in good repair at all times. [See Condition G-5]

Finding 5 – Recreation Space

In accordance with Special Uses Standards (Section 40.260.150), multifamily developments shall provide both private residential outdoor areas and shared outdoor recreation areas for the residents. Each ground-level residential living unit shall have an outdoor private area (patio, terrace porch, yard) containing at least forty-eight (48) square feet and a width of at least four (4) feet. A balcony used for an entrance or exit shall be considered an open space only if it is for the exclusive use of the dwelling unit in question and it contains at least forty-eight (48) square feet and a width of at least four (4) feet. Private outdoor areas for multifamily residential units shall be screened from view from other residential units, abutting land uses, and public or private streets. Although there were no architectural elevations provided with this application, the narrative states that "Each ground level unit is provided 50sf to 75sf of patio area and is 8 ft-8 inch to 13 ft wide. All units are 5 ft-8 inches deep. Each unit above ground level will have similar sized balconies." Staff is unable to reconcile the dimensions provided in the narrative

with the plans in order to verify that private open space requirements have been met. Therefore, prior to final site plan approval, the applicant shall provide architectural elevations with dimensions that portray the proposed balconies. [See Condition A-1.c]

Shared recreation space shall be provided in residential development for the shared or common use of all residents in the following amounts: Studio size up to and including two-bedroom units, two hundred (200) square feet per unit; and, three (3) or more bedroom units, three hundred (300) square feet per unit. This application proposes 108 one (1) and two (2) bedroom units and twelve (12) three bedroom units. Thus, 25,200sf of shared is required. The plans provided indicated shared recreation space as follows:

Club House:	2,808	sf
Playground:	715	sf
BBQ & Patio:	326	sf
Basketball Half Court:	1,500	sf
Splash Pad:	354	sf
Open Area:	25,184	sf
Total:	30,887	sf

According to Sheet C1.10 of the applicant's plan set, shared open space is centrally located and readily observable from residential units, and meets spatial requirements for shared recreation space; therefore, standards for open space put forth in Section 40.260.150(C) are met with this application.

Finding 6 – Safe Pedestrian Routes

Pursuant to 40.220.020(C)(10) safe pedestrian routes, including sidewalks and other planning features shall be provided for students who only walk to and from school.

The subject development is located within the district of Battle Ground Public Schools, and specifically within the boundaries of Glenwood Heights Elementary, and Laurin Middle School and Prairie High School. According to available GIS information, Prairie High School is located within one (1) mile of the subject site.

The applicant provided a letter from the Director of Operation Services at Battle Ground Public Schools. The letter indicates that all students will be bused from the proposed development, with a consolidated bus stop provided at 12419 NE 119th; therefore, no 'safe-walking' conditions are warranted.

Finding 7 – Solid Waste & Recycling

Pursuant to 40.360.020(C), this application is required to provide a minimum storage area of fifty (50) square feet, plus an additional five (5) square feet per unit for each unit above ten (10); and, ten (10) square feet plus four (4) square feet per 1,000 square feet per gross floor area. Therefore, based on site data portrayed on Sheet C1.10 of the plan set, this application is required to provide 623sf for solid waste and recycling. Sheet C1.10, indicates four (4) storage areas totaling 850sf, which meets this criterion.

Design standards for solid waste storage areas are put forth in Section 40.360.030(B), which prescribes screening to at least an F2 standard, a gate that shall allow access to users and haulers that is capable of being secured in a closed and open position. The Clark County Stormwater Manual (2015) Book 3, page 47, requires that containers and trash compactors be covered, bermed or diked, and paved and impervious in order to prevent rainfall and runoff from coming into contact with the waste materials. The Stormwater Manual also requires that the secondary containment to a drain into a dead-end sump for the collection of leaks and small spills be sloped in order to direct drainage from the cover's downspouts away from the solid waste storage area.

Staff was unable to determine if this criterion is being met with this proposal. Therefore, prior to final site plan approval, a plan detail shall be provided, indicating compliance with design standards contained within CCC 40.360.030(B). [See Condition A-1.e]

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 8 – Pre-Determination

The applicant has 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-1.d]

Conclusion (Archaeology)

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

Transportation

Finding 9 – NE 124th Avenue

NE 124th Avenue is classified as an Urban Collector roadway, C-2. This roadway requires a 60-foot right-of-way and a 38-foot wide roadway with curb, gutter, and a 5-foot wide detached sidewalk. The applicant is responsible for dedication of a 30-foot half-width right-of-way and construction of a 19-foot half-width roadway with curb/gutter and a 5-foot wide detached sidewalk according to Standard Drawing #6. [See Condition A-3.a]

Finding 10 – NE 119th Street

NE 119th Street is classified as an Urban Minor Arterial roadway, M-2cb. This roadway requires a 72-foot right-of-way and a 48-foot wide roadway with curb, gutter, and a 5-foot wide detached sidewalk. The applicant is responsible for dedication of a 36-foot half-width right-of-

way and construction of a 24-foot half-width roadway with curb/gutter and a 5-foot wide detached sidewalk according to Standard Drawing #4. [See Condition A-3.b]

Finding 11 – NE 116th Way

NE 116th Way is classified as an Urban Local Access Roadway. This roadway requires a 46-foot right-of-way with a 28-foot wide road with curb, gutter, and a 5-foot attached or detached sidewalk. The developer to the south is building the full 28-foot wide roadway through the action of a private agreement. Based on that agreement, the subject development shall ensure a full 46-foot right-of-way is dedicated prior to the final plat for the subdivision to the south. [See Condition A-3.c]

Finding 12 – 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. Vegetation, utility poles, and miscellaneous structures will not be allowed to impede required sight distance requirements at all proposed intersections and driveway approaches.

The applicant's engineer shall delineate sight distance triangles on the final construction plans for all public road intersections and both driveways that enter the public roadways. [See Condition A-3.d]

Conclusion (Transportation)

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

Transportation Concurrency

Finding 13 - Trip Generation

County concurrency staff has reviewed the proposed Union Park Apartments. The traffic study submitted indicates that the proposed development will construct a 120 unit apartment complex on 4.87 acres. The applicant's traffic study has estimated the a.m. peak hour trip generation at 62, the p.m. peak-hour trip generation at 82 trips and an average daily trip generation (ADT) of 788 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 at 12419 NE 119th Street in Vancouver.

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

Finding 14 - 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 traffic study indicates that the proposed subdivision will use NE 124th Avenue, an urban collector (C-2). NE 124th Avenue will provide access to the proposed interior private drive isle network at a driveway approximately 300 feet south of NE 119th Street. The proposed driveway is aligned with the existing access location for the Rock Creek Commons Apartment complex. NE 124th Avenue connects to the larger arterial road network at NE 119th Street on the north, and NE 99th Street on the south.

The applicant's study evaluated the level of service and found that the site access intersections analyzed will have an estimated LOS B or better, in the 2018 build-out horizon. The study also shows that the LOS was evaluated during the a.m. and p.m. peak hour traffic conditions in existing and build-out scenarios. County Staff concurs with the traffic study findings.

Finding 15 - 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 miles 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 County has determined that this development can comply with adopted Concurrency Standards for unsignalized intersections.

Concurrency Corridors

Evaluation of the concurrency corridor capacity levels represented in the County Code yielded capacity at acceptable levels.

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 16 - 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 engineer found that with the low right turning traffic volumes, good levels-of-service and no crash history, turn lanes would not be warranted at the site access. Staff concurs with the applicant’s findings.

Finding 17 - Historical Accident Situation

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

The studied intersections are as follows:

- NE 99th Street/NE 117th Avenue (SR 503);
- NE 119th Street/NE 117th Avenue (SR 503);
- NE 99th Street/NE 124th Avenue;
- NE 119th Street/NE 124th Avenue;
- NE 119th Street/NE 132nd Avenue; and,
- NE 114th Street/NE 124th Avenue.

The intersection crash rates, for the study intersections do not exceed thresholds that would warrant additional analysis. Staff concurs with the applicant’s finding.

Finding 18 - Roadside Safety (Clear Zone) Evaluation

The *Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6th Edition*, states that “The clear roadside concept...is applied to improve safety by providing an unencumbered roadside recovery area that is as wide as practical...”. Further, this concept “allows for errant vehicles leaving the roadway for whatever reason and supports a roadside designed to minimize the serious consequences of roadway departures.”

Further, as adopted by Clark County Code (CCC) 40.350.030(C)(1)(b), the *Washington State Department of Transportation (WSDOT) Design Manual, Chapter 1600* states that “A clear roadside border area is a primary consideration when analyzing potential roadside and median features. The intent is to provide as much clear, traversable area for a vehicle to recover as practicable given the function of the roadway and the potential tradeoffs. The Design Clear Zone is used to evaluate the adequacy of the existing clear area and proposed modifications of the roadside. When considering the placement of new objects along the roadside or median, evaluate the potential for impacts and try to select locations with the least likelihood of an impact by an errant vehicle.”

“For managed access state highways within an urban area, it might not be practicable to provide the Design Clear Zone distances shown in Exhibit 1600-2. Roadways within an urban area generally have curbs and sidewalks and might have objects such as trees, poles, benches, trash cans, landscaping and transit shelters along the roadside.”

The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. [See Condition A-4.b]

Finding 19 - Vehicle Turning Movements

The applicant’s narrative does not indicate the types of vehicles that may serve the proposed development. Curb return radii will need to comply with County requirements.

It shall be noted that, the curb return radii listed in the Clark County Code 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. The plans will also need to show that all applicable design vehicles have the ability to enter and exit the development without swinging into opposing or adjacent travel lanes. [See Condition A-4.c]

Finding 20 - Sight Distance

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

Conclusion (Concurrency)

In summary, Concurrency Staff recommends approval of the development application with the following conditions.

Stormwater

Finding 21 - Stormwater Applicability

The provisions of Clark County Code Chapter 40.386 shall apply to all new development, redevelopment, and drainage projects consistent with the 2015 Clark County Stormwater Manual. The project adds more than 5,000 square feet or more of new impervious surface and therefore the applicant shall comply with Minimum Requirements 1 through 9 per CCC 40.386. [See Condition A-5.a]

Finding 22 – Stormwater Proposal

The applicant's engineer has provided a stormwater report, dated February 5th 2016, prepared by Jackola Engineering & Architecture. The report states that water quality will be handled by bioretention areas on site and quantity control shall be all infiltrated on site. The infiltration rate through the existing soils was measured at about 100 inches per hour by the geotechnical engineer and the geotechnical engineer has stated the groundwater is about 20 feet down from the surface of the site. [See Conditions C-1.a & C-1.b]

Stormwater facilities will be privately owned and maintained.

Conclusion (Stormwater)

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

Fire Protection

Finding 23 – Building Construction

Building construction or alterations 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-2.a]

Finding 24 – Fire Flow

Fire flow in the amount of (1500) gallons per minute supplied for 120 minutes duration is required for this application. Prior to obtaining building permits, submit proof from the water purveyor indicating that the required fire flow is available at the site. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to the commencement of combustible building construction. A fire flow letter from Clark Public Utility dated 01/12/2016 states that fire flow available from fire hydrants in the area will meet or exceed 1500 GPM At 20PSI. [See Conditions A-9.a, B-1.d, & C-3]

Finding 25 – Fire Hydrants

Four (4) fire hydrants are required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no portion of the building exterior is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads. [See Conditions A-9.b & C-3.b]

Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. [See Conditions A-9.c & C-3.c]

The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact fire district # 3 at 892-2311 to arrange for location approval.

Finding 26 – Fire Sprinklers

An automatic fire sprinkler is required at the time of construction for buildings subject to this application. Such systems require separate reviews, permits and approvals issued by the fire marshal's office. [See Condition E-2.b]

Buildings provided with automatic fire sprinkler systems shall be provided with a minimum of two fire hydrants. One fire hydrant shall be within 100 feet of approved fire department connections to the sprinkler systems. [See Condition E-2.c]

Fire Department connection for the fire sprinkler system shall be located remote from the building a minimum distance equal to the height of the building. [See Condition E-2.e]

Finding 27 – Fire Alarms

An approved fire alarm system is required at the time of construction for buildings subject to this application. Such systems require separate reviews, permits and approvals issued by the fire marshal's office. [See Condition E-2.d]

Finding 28 – 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-9.d & G-7]

Approved fire apparatus turnarounds are required for this project. The indicated provisions for turning around fire apparatus are adequate.

Provide and maintain a six-foot clear space completely around every fire hydrant. [See Conditions A-9.e & G-6]

Fire Department access roads less than 24ft. in width shall be posted "NO PARKING". [See Conditions C-3.e & G-8]

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

Finding 29 – Service Availability

The site will be served by the Clark Regional Wastewater District for sewer and Clark Public Utilities for potable water. A letter from each of the purveyors confirms that services are available to the site.

Finding 30 – Sewer Service

The applicant is required to connect to the existing 8-inch PVC sanitary mainline located in NE 124th Avenue. Therefore, prior to construction of the development, the applicant shall procure all required approvals and permits and pay all related fees to Clark Regional Wastewater District pursuant to utility review number 826871. [See Condition B-4.a]

Finding 31 – 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 Clark Public Utilities RUR #2016-001. Prior to construction of the development, the applicant shall procure all required approvals and permits and pay all related fees to Clark Public Utilities pursuant RUR #2016-001. [See Condition B-4.b]

Finding 32 – Public Health Department Evaluation

According to available GIS information, the subject site contains both a septic tank and well which are required to be abandoned or decommissioned. 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 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 and will confirm that all existing wells and/or septic systems have been abandoned, inspected and approved by Public Health staff, if applicable. [See Conditions A-10 & B-1.b]

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.

Building Safety

Finding 33 – Accessible Routes & General Accessibility

Clear width of an accessible route shall comply with ICC A117.1 Table 403.5. For exterior routes of travel, the minimum clear width shall be 44 inches (1118 mm). (See 2012 IBC WAC 1101.2.2 Clear width of accessible route) The site plan portrays the required accessible route to the public way, all buildings and to the pool.

The Maintenance Building, Clubhouse, Basketball Court and Pool are required to be accessible. Refer to ICC A117.1 Section 1109.1.1., for pool accessibility requirements. The site plan meets this requirement.

Finding 34 – Parking

Where parking is provided, accessible parking spaces shall be provided in compliance with Table 1106.1, except as required by Sections 1106.2 through 1106.4. This application must provide:

- ✓ an accessible parking space for the Clubhouse
- ✓ Van accessible parking
- ✓ an ADA parking sign installed at head of each ADA parking space. And, where the International ADA Symbol within the ADA parking spaces is used it shall be 'white on blue'.

The plans portray details that meet these requirements. [See Condition F-2.b]

Finding 35 – Detectable Warning

A standardized surface feature built in or applied to walking surfaces or other elements to warn visually impaired persons of hazards on a circulation path. Detectable warning (truncated domes) shall be located on curb ramps and at all crossings. [See Condition F-2.a]

Accessible routes crossing any vehicular area shall be marked as crosswalks and have detectable warning. Show Curb Cuts and Detectable Warnings on the plans.

The plans portray details that meet these requirements.

Finding 36 – Occupancy Types

In Group R-2 occupancies containing more than 10 dwelling units or sleeping units, at least 5 percent, but not less than one, of the units shall be a Type A unit. All units on a site shall be considered to determine the total number of units and the required number of Type A units. Type A units shall be dispersed among the various classes of units, as described in Section 1107.6. (See 1107.6.2.1.1 Type A units WAC) Therefore, the applicant shall identify type A and B units on the plans.

Two percent, but not less than one, of each type of parking space provided for occupancies in Groups R-2 and R-3, which are required to have Accessible, Type A or Type B dwelling or sleeping units, shall be accessible. (See 1106.2 Groups R-2 and R-3)

An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. (See 903.2.7 Group R) R-2 occupancies shall be sprinkled.

The plans portray details that meet these requirements.

Finding 37 – Permitting

Obtain Commercial Building permits for all buildings. [See Condition E-3]

For information on submittal requirements see the Clark County website:

<http://www.clark.wa.gov/development/building/documents/comm-design-criteria.pdf>

<http://www.clark.wa.gov/development/building/documents/code-summary.pdf>

<http://www.clark.wa.gov/development/building/documents/commercial-checklist.pdf>

Conclusion (Building Safety)

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

All structures, buildings, and facilities shall be permitted and approved by building safety division. Approval by land use or engineering division does not constitute approval by building safety division.

Impact Fees**Finding 38 - Applicability**

The additional residential units created by this development 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. A total of \$806,619.60 in impact fees will be assessed to this development. Impact fees will be collected prior to the issuance of the building permits; the per-unit cost is as follows:

- ✓ Orchards North sub-area with a TIF of \$3,125.83 per dwelling
- ✓ Battle Ground School District, with a SIF of \$ 2,469.00 per dwelling
- ✓ Park District #6, with a PIF of \$ 1,127.00 per dwelling (\$806.00 for park acquisition / \$321.00 for park development)

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. [See Condition E-1]

Finding 39 – Existing Residence

While the development proposes 120 new residential units, traffic impact fees will receive credit for the one (1) existing dwelling that will be removed from the site. Therefore, a note shall be added to the site plan which states, “Impact fees for building “X” shall be reduced by the applicable TIF rate for one unit at time of building permit application as credit for the existing dwelling.” [See Condition E-1.b]

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 April 1, 2016 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.

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.

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.

SEPA 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 Community Development Director. All contact with the Community Development Director regarding the petition, including notice, shall be with this contact person;
3. A brief statement describing why the SEPA determination is in error.

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

The decision of the Hearing Examiner is final unless there is:

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

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

Responsible Official: Marty Snell, Community Development Director

Decision

Based upon the proposed plan known as Exhibit 10, and the findings and conclusions stated above and within the attached reports and decisions, the Land Use Review Manager hereby **APPROVES** this request, 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/Site Plan Review 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 Final Site Plan - The applicant shall submit and obtain county approval of a final site plan in conformance to CCC 40.520.040 and the following conditions of approval:

- a. Architectural elevation plans for each building type shall be provided for review and approval. Proposed buildings shall not exceed the maximum 50-foot building height limitation put forth in Table 40.220.020-3. [See Finding 2]
- b. The plan shall be revised to portray either the required wheel stops, or the curb shall be pulled back three (3) feet. If the curb is pulled back, landscaping located within the three (3) overhang area cannot be included in the calculation for on-site landscaping. [See Finding 4]
- c. The applicant shall provide architectural elevations with dimensions that portray the proposed balconies. [See Finding 5]
- d. 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."
- e. A plan detail shall be provided for the garbage and recycling enclosure, which portrays compliance with design standards contained within CCC 40.360.030(B) and the Stormwater Manual (2015). [See Finding 7]

A-2 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, if applicable.

- a. The landscape plans shall be revised to indicate one (1) tree in each landscape island, pursuant to Section 40.320.010(E). [See 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. NE 124th Avenue - The applicant shall dedicate a 30-foot half-width right-of-way and construct a 19-foot half-width roadway with curb/gutter and sidewalk per Standard Drawing #6. [See Finding 9]
- b. NE 119th Street - The applicant shall dedicate a minimum 36-foot half-width right-of-way and construct a 24-foot half-width roadway with curb/gutter and sidewalk per Standard Drawing #4. [See Finding 10]
- c. NE 116th Way - The applicant shall dedicate right-of-way for a total right-of-way width of 46 feet and the applicant is required to build the half-width roadway according to Standard Drawing #13. [See Finding 11]
- d. The applicant shall show the sight distance triangles on the final construction plans for all public road intersections and driveways. [See Finding 12]

A-4 Final Transportation Plan/Off Site (Concurrency) - 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 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.
- b. The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. [See Finding 18]
- 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. The plans will also need to show that all applicable design vehicles have the ability to enter and exit the development without swinging into opposing travel lanes. [See Finding 19]

A-5 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 and the following conditions of approval:

- a. The final stormwater plan shall be prepared in compliance with stormwater Minimum Requirements 1 through 9. [See Finding 21]

A-6 Excavation and Grading - Excavation / grading shall be performed in compliance with CCC Chapter 14.07.

A-7 Erosion Control Plan - The applicant shall submit and obtain county approval of a final erosion control plan designed in accordance with CCC 40.380 and the following conditions of approval:

A-8 Other Documents Required - The following documents shall be submitted with the Final Construction/Site Plan:

- a. Stormwater Maintenance Covenant - A Developer Covenant to Clark County shall be submitted for recording that specifies the following Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future, as appropriate, occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. An access easement to the private facilities for the purpose of inspection shall be granted to the county. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.0. [See Finding 22]
- b. Private Road Maintenance Covenant - A private road maintenance covenant shall be submitted to the responsible official for approval and recorded with the Clark County Auditor. The covenant shall set out the terms and conditions of responsibility for maintenance, maintenance methods, standards, distribution of expenses, remedies for noncompliance with the terms of the agreement, right of use easements, and other considerations, as required under 40.350.030(C)(4)(g). [See Finding 22]

A-9 Fire Marshal Requirements

- a. Fire flow in the amount of (1500) gallons per minute supplied for 120 minutes duration is required for this application. Prior to obtaining building permits, submit proof from the water purveyor indicating that the required fire flow is available at the site. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to the commencement of combustible building construction. A fire flow letter from Clark Public Utility dated

01/12/2016 states that fire flow available from fire hydrants in the area will meet or exceed 1500 GPM At 20PSI. [See Finding 24]

- b. Fire hydrants are required for this application. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no portion of the building exterior is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads. [See Finding 24]
- c. Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. [See Finding 24]
- 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 28]
- e. Provide and maintain a six-foot clear space completely around every fire hydrant. [See Finding 28]

A-10 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.

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. [See Finding 32]
 - 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. [See Finding 32]
 - 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.

- d. Fire flow in the amount of (1500) gallons per minute supplied for 120 minutes duration is required for this application. Prior to obtaining building permits, submit proof from the water purveyor indicating that the required fire flow is available at the site. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to the commencement of combustible building construction. A fire flow letter from Clark Public Utility dated 01/12/2016 states that fire flow available from fire hydrants in the area will meet or exceed 1500 GPM At 20PSI. [See Finding 24]

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 Sewer and Water Service –

- a. The applicant is required to connect to the existing 8-inch PVC sanitary mainline located in NE 124th Avenue. Therefore, prior to construction of the development, the applicant shall procure all required approvals and permits and pay all related fees to Clark Regional Wastewater District pursuant to utility review number 826871. [See Finding 30]
- b. The applicant is required to connect to public water services. General requirements are put forth in the utility review letter provided by the Clark Public Utilities RUR #2016-001. Prior to construction of the development, the applicant shall procure all required approvals and permits and pay all related fees to Clark Public Utilities pursuant RUR #2016-001. [See Finding 31]

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/site plan and the following conditions of approval:

C-1 Stormwater –

- a. In accordance with Book 2, Section 5.1.2, of the Clark County Stormwater Manual, 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 the county that follows the requirements in Book 1, Section 1.8.5. 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 the manual. [See Finding 22]

- b. During installation of the infiltration galleries and bioretention facilities proposed for the buildings, the applicant shall demonstrate that:

The required minimum vertical separation to seasonal high water table for each facility as shown on the final construction plans shall be met. The systems shall be redesigned if the required separation is not achieved. [See Finding 22]

C-2 Verification of the Installation of Required Right-of-Way Landscape – Prior to the issuance of an approval of occupancy for a site plan, the applicant shall provide verification in accordance with CCC 40.320.030(B) that the required right-of-way landscaping has been installed in accordance with the approved landscape plan(s).

C-3 Fire Marshal Requirements –

- a. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to the commencement of combustible building construction. [See Finding 24]
- b. Four (4) fire hydrants are required for this application. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no portion of the building exterior is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads. [See Finding 24]
- c. Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. [See Finding 24]
- d. Provide and maintain a six-foot clear space completely around every fire hydrant. [See Finding 27]
- e. Fire Department access roads less than 24ft. in width shall be posted "NO PARKING". [See Finding 28]

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 Not applicable

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 Impact Fees –

- a. Prior to issuance of a building permit, the applicant shall pay Traffic (TIF), Schools (SIF) and Parks (PIF) Impact fees to Clark County in the amount of \$806,619.60. The per-unit cost is as follows:

- ✓ Orchards North sub-area with a TIF of \$3,125.83 per dwelling
- ✓ Battle Ground School District, with a SIF of \$ 2,469.00 per dwelling
- ✓ Park District #6, with a PIF of \$ 1,127.00 per dwelling (\$806.00 for park acquisition / \$321.00 for park development)

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. [See Finding 38]

- b. While the development proposes 120 new residential units, traffic impact fees will receive credit for the one (1) existing dwelling that will be removed from the site. Therefore, a note shall be added to the site plan which states, "Impact fees for building "X" shall be reduced by the applicable TIF rate for one unit at time of building permit application as credit for the existing dwelling." [See Finding 39]

E-2 Fire Marshal Requirements –

- a. Building construction or alterations 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 22]
- b. An automatic fire sprinkler is required at the time of construction for buildings subject to this application. Such systems require separate reviews, permits and approvals issued by the fire marshal's office. [See Finding 25]
- c. Buildings provided with automatic fire sprinkler systems shall be provided with a minimum of two fire hydrants. One fire hydrant shall be within 100 feet of approved fire department connections to the sprinkler systems. [See Finding 25]
- d. An approved fire alarm system is required at the time of construction for buildings subject to this application. Such systems require separate reviews, permits and approvals issued by the fire marshal's office. [See Finding 26]
- e. Fire Department connection for the fire sprinkler system shall be located remote from the building a minimum distance equal to the height of the building. [See Finding 26]

E-3 Building Permits - Obtain Commercial Building permits for all buildings. [See Finding 37]

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

- a. Landscaping: Prior to the issuance of an approval of occupancy for final site plan, the applicant shall submit a copy of the approved landscape plan(s) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site.

F-2 Building Safety –

- a. A standardized surface feature built in or applied to walking surfaces or other elements to warn visually impaired persons of hazards on a circulation path. Detectable warning (truncated domes) shall be located on curb ramps and at all crossings. [See Finding 35]
- b. Each ADA parking space shall have an ADA parking sign installed at head of each space. And, where the International ADA Symbol within the ADA parking spaces is used it shall be 'white on blue'. [See Finding 34]

G	Development Review Timelines & Advisory Information Review and Approval Authority: None - Advisory to Applicant
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G-1 Site Plans and Other Land Use Approvals - Within seven (7) years of preliminary plan approval, a Fully Complete application for a building permit 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.
- G-5** Pursuant to Section 40.340.010(A)(11), required parking and loading spaces and associated access and maneuvering drives shall be maintained in good repair at all times. [See Finding 4]
- G-6** Provide and maintain a six-foot clear space completely around every fire hydrant. [See Finding 27]
- G-7** Maintain 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 27]
- G-8** Fire Department access roads less than 24ft. in width shall be posted “NO PARKING”. [See Finding 28]

H	Post Development Requirements Review and Approval Authority: As specified below
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- H-1 Outdoor Lighting** – Exterior lighting shall be located, shielded, and directed to prevent significant off site glare, in accordance with CCC 40.340.010(A)(7) and RCW 47.36.180.

Note: The Community Development Director reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

Decision Appeal Process

An **appeal** of any aspect of this decision may be appealed to the Clark County Hearing Examiner only by a party of record. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Community Development Director within the designated comment period.

The appeal shall be filed with the Department of Community Development, Permit Services Center, 1300 Franklin Street, Vancouver, Washington, 98660, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on June 1, 2016. Therefore any appeal must be received in this office by the close of business on June 15, 2016.

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

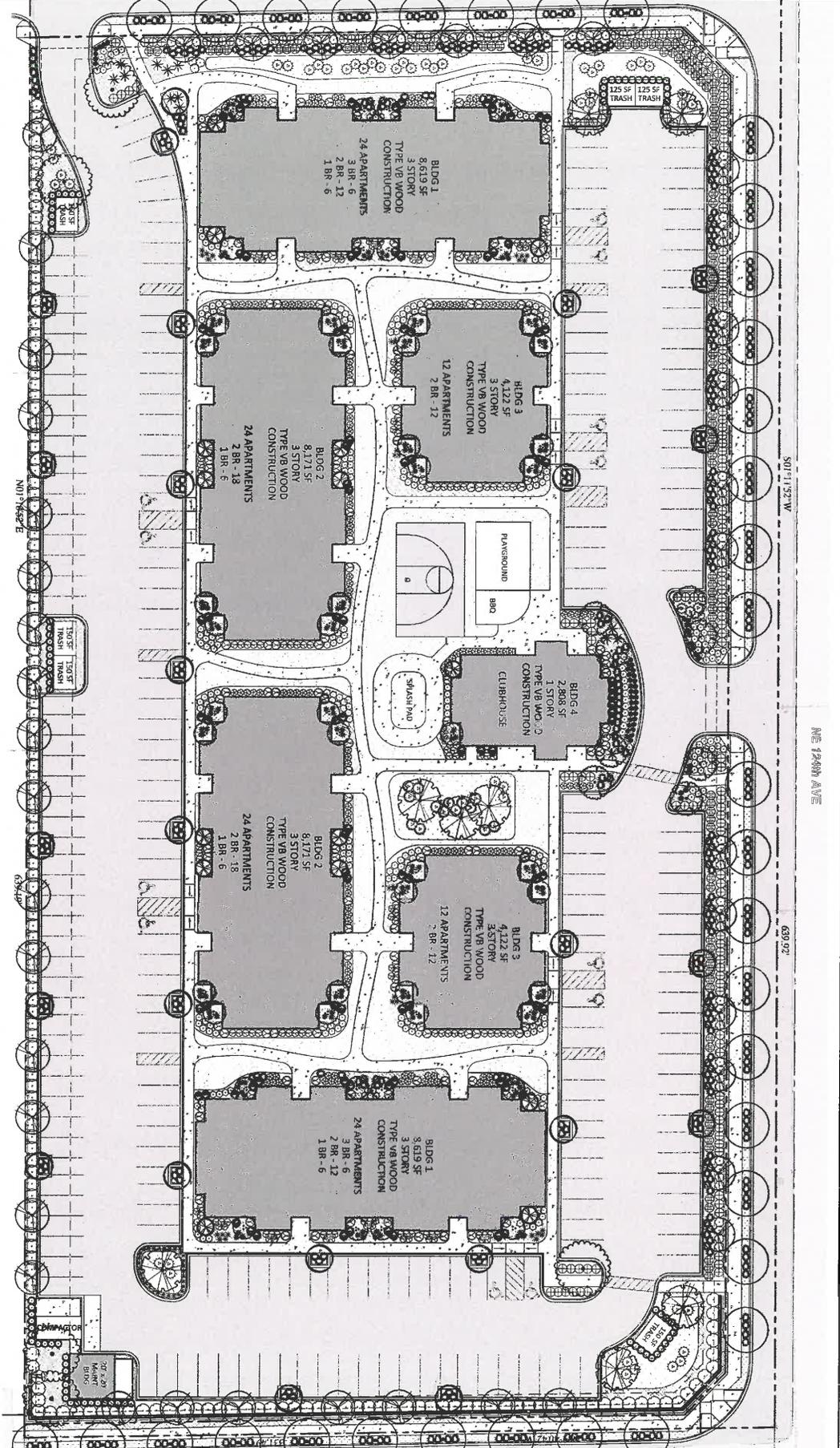
- Case number designated by the County;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
 - That each petitioner is entitled to file the appeal as an interested party in accordance with 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

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

An appeal of any aspect of the Hearing Examiner's decision, *except* the SEPA determination (i.e., procedural issues), may be appealed to the Superior Court or reconsidered by the Hearing Examiner only by a party of record pursuant to Ordinance 10-19, adopted 10/27/2009 by the Board of County Councilors.

Attachments

- Copy of Proposed Preliminary Plan



811
Know what's below.
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SHEET NUMBER L1.0	DATE 02/28/2018	ISSUE PRELIM	REVISION 1. 02/28/2018 2. 03/01/2018	DRAWN BY JAC CHECKED BY JAC	JOB #: 1.16.001	SCALE: 1" = 20'-0"	SHEET TITLE LANDSCAPE PLAN	PROJECT TITLE Union Park Apartments	12419 NE 119TH STREET VANCOUVER, WA 98682	Clark Land Design, PLLC Land Use Planning Landscape Architecture Development Consulting	JAMES CLARK LICENSED PROFESSIONAL ENGINEER LICENSE NO. 16017 EXPIRES 12/31/2021
	REVISION 1. 02/28/2018 2. 03/01/2018	DRAWN BY JAC CHECKED BY JAC									

