



NOTICE OF TYPE II APPLICATION - NON-SEPA

The Department of Environmental Services has received an application for review, as described below. This application is subject to public notice and administrative review (no public hearing) conducted pursuant to Clark County Code (CCC) Section 40.510.020 and applicable code sections as listed below.

Project Name: NE 72nd AVE PUB

Case Number: FOR2016-00079, SEP2015-00050, PLD2015-00036

Location: 13416 NE 72nd Ave, Vancouver, WA 98686

Request: The applicant is requesting a Forest Practice Permit for a previously approved planned unit development.

Applicant: AHO Construction
5512 NE 109th Ct., Suite 101
Vancouver, WA 98662

Contact Person: Jon Johnson
(360)254-0493
jonj@ahoconstruction.com

Staff Contact: Jim Vandling at 360-397-2121, Extension 4714

Neighborhood Contact:

Pleasant Highlands Neighborhood Association

Stephan B. Abramson, Ph.D.

4211 NE 131st Street

Vancouver, WA 98686

574-3363

E-mail: abramson@lifescipartners.net

Legal Description of Property: NW ¼ Sec 30, T3N, R2EWM

Plan/Zone Designation: Residential (R-30)

Approval Standards/Applicable Laws: Clark County Code: Title 15 (Fire Prevention), Chapter 40.200 (General Provisions), Section 40.220.010 (Single-Family Residential District), Chapter 40.350.020 (Transportation Concurrency), Chapter 40.370

(Sewer & Water), Chapter 40.385 (Storm Water & Erosion Control), Chapters 40.500 and 40.510 (Procedures), Chapter 40.540 (Boundary Line Adjustments & Land Divisions) Section 40.550.010 (Road Modifications), Chapter 40.570 (SEPA), Section 40.570.080 (SEPA Archaeological), Chapter 40.610 (Impact Fees), Title 24 (Public Health), RCW 58.17, and the Clark County Comprehensive Plan.

Application & Fully Complete Date:

Application Filed: 6/10/2016

Fully Complete: 6/13/2016

Timelines/Process:

Decisions on Type II Applications are made within 78 calendar days of the Fully Complete Review date (noted above), unless placed on hold for the submittal of additional information. Information regarding this application can be obtained by contacting Jim Vandling at **(360) 397-2121, Ext. 4714** at the Clark County Environmental Services Department, 1300 Franklin Street, STE 185, Vancouver, Washington.

Information Available on the County Web Page:

- "Weekly Preliminary Plan Review Status Report," (includes current applications, staff reports and final decisions):
<http://www.clark.wa.gov/commdev/active-landuseN.asp>
- Pre-Application Conferences and Public Land Use Hearing Agendas:
<http://www.clark.wa.gov/commdev/agendasN.asp>
- Applications and Information Handouts for each Type of Land Use Permit:
<http://www.clark.wa.gov/commdev/applicationsN.html>

Public Comment:

The public is encouraged to comment on this proposal. Comments received by the closing date noted below will be considered in the staff report. This notice is intended to inform potentially interested parties about the application and invite written comments regarding any concerns.

Please email comments to: sabra.hall-nelson@clark.wa.gov

Note: If mailing comments, an accurate mailing address for those submitting comment must be included or they will not qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision.

If written comments or documents are to be hand delivered, please submit them to the Public Service Center, 1st floor, STE 185.

Please address your written comments to:

**Attn: Jim Vandling
Public Service Center
Department of Environmental Services
1300 Franklin Street, STE 185
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>**

Or contact Jim Vandling at jim.vandling@clark.wa.gov

Date of This Notice: June 20, 2016

Closing Date for Public Comments: July 5, 2016
(15 days from notice)

Type III Land Division and Environmental Review Staff Report and Recommendation

- Project Name:** NE 72nd Avenue Planned Unit Development
- Case Number:** PLD2015-00036; PUD2015-00001; SEP2015-00050;
EVR2015-00036
- Location:** West side of NE 72nd Avenue about 400 feet south of NE 137th Street and the north side of NE 129th Street at NE 61st Avenue.
- Request:** The applicant is requesting subdivision approval to divide approximately 40.61 acres into 232 single family lots in the R-30 and R1-6 zone district using the provisions of the planned unit development code. A modification to the road standards for intersection spacing and to allow two (2) street stubs to have barricades instead of temporary turnarounds is also being requested.
- Applicant:** AHO Construction
5512 NE 109th Court, Suite 101
Vancouver, WA 98662
jonj@ahoconstruction.com
- Contact Person:** Seth Halling, P.E.
AKS Engineering
9600 NE 126th Avenue, Suite 2520
Vancouver, WA 98682
(360) 882-0419 sethh@aks-eng.com
- Property Owners:** Konnie Steel
5701 NE 118th Street
Vancouver, WA 98686
- Keith and Maude Harrington
16203 NE 61st Avenue
Vancouver, WA 98686
- Kenneth and Teresa Harrington
3120 Kindred Avenue
Tokeland, WA 98590

Revised 2/5/15



Community Development
1300 Franklin Street, Vancouver, Washington
Phone: (360) 397-2375 Fax: (360) 397-2011
www.clark.wa.gov/development



For an alternate format,
contact the Clark County
ADA Compliance Office.
Phone: (360)397-2322
Relay: 711 or (800) 833-6384
E-mail: ADA@clark.wa.gov

William Herrington
217 NE 151st Avenue
Vancouver, WA 98684

Norman and Joan Millard
6306 NE 129th Street
Vancouver, WA 98686

Gary and Laura Schubothe
13202 NE 72nd Avenue
Vancouver, WA 98686

Recommendation**Approved subject to Conditions of Approval**

Land Use Review manager's initials:  **Date issued: January 27, 2016**

Public Hearing date: February 11, 2016**County Review Staff**

Department/Program	Name	Phone Ext.	Email Address
Community Development			
Land Use Review Manager	Susan Ellinger	5122	Susan.ellinger@clark.wa.gov
Land Use Review Planner	Terri Brooks	4885	Terri.brooks@clark.wa.gov
Fire Marshal's Office	Curtis Eavenson	3323	Curtis.eavenson@clark.wa.gov
Environmental Services			
Biologist	Keith Radcliff	4180	Keith.radcliff@clark.wa.gov
Public Works			
Transportation and Stormwater Engineering Supervisor	Greg Shafer	4064	Greg.shafer@clark.wa.gov
Engineering Team Leader	Ali Safayi P.E.	4102	ali.safayi@clark.wa.gov
Engineer	David Bottamini	4881	David.bottamini@clark.wa.gov
Concurrency Engineer	David Jardin	4354	david.jardin@clark.wa.gov

Comp Plan Designation: Urban Low and Urban High

Parcel Number(s): Tax lots 12, 91, 190, 203 (198789-000) 127 (198897-000),
119 (198889-000), 121 (198891-000, 202 (198872-000),
106 198876-000)

Applicable Laws

Clark County Code Sections 40.200 (General Provisions); 40.220.010 (R1-6 Zoning District); 40.220.020 (R-30 Zoning District); 40.350.020 (Transportation Concurrency); 40.350.030 (Street and Road Standards); 40.370.010 (Sewer); 40.370.020 (Water Supply); 40.385 (Stormwater and Erosion Control); 40.420 (Floodplain); 40.450 (Wetland Protection); 40.440 Habitat; 40.430 Geologic Hazard area; 40.500.010 (Procedures); 40.510.030 (Type III Process); 40.520.010 (Legal Lot Determination); 40.520.080 (Planned Unit Developments); 40.540.040 (Subdivisions); 40.570 (SEPA); 40.570.080 (Archaeological); 40.610 & 40.620 (Impact Fees); Title 14 (Buildings and Structures); 15.12 (Fire Code); Title 24 (Public Health); RCW 58.17 (State Platting Laws); and the Clark County Comprehensive Plan

Neighborhood Association and Contact

Pleasant Highlands Neighborhood Association

Stephan B. Abramson, Ph.D.

4211 NE 131st Street, Vancouver, WA 98686

(360) 574-3363 Email: abramson@lifescipartners.net

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 regulations.

A pre-application conference on this matter was held on April 16, 2015. The pre-application was determined contingently vested as of March 26, 2015, the date the fully complete pre-application was submitted.

The fully complete application was submitted on August 27, 2015, and determined to be fully complete on September 17, 2015. Given these facts, the application is vested to land use regulations only on March 26, 2015. There are no disputes regarding vesting

Time Limits

The application was determined to be fully complete on September 17, 2015. The applicant was asked to submit additional information which extended the deadline by 77 days. Therefore, the code requirement for issuing a decision within 92 days lapses on February 26, 2016.

Public Notice

Notice of application and public hearing was mailed to the applicant, Pleasant Highlands Neighborhood Association and property owners within 300 feet of the site on September 30, 2015 however the location on that notice was incorrect so a corrected notice was sent October 14, 2015. SEPA notice was mailed to agencies on September 30, 2015 and reissued with the correct location on October 14, 2015.

A notice of cancellation of hearing was sent to the applicant, Pleasant Highlands Neighborhood Association and property owners within 300 feet of the site on November 16, 2015 and the new hearing date was sent January 8, 2016.

Public Comments

Comment letters were received from the following:

From and Exhibit number	Date rec'd	Issues
Summer Leao #6	10/9/2015	Loss of peace and quiet from additional dogs, people and traffic issues
Robin Leao #9	10/14/2015	Traffic issues, doesn't want "city life" brought to area and loss of peace and quiet
Dept. of Ecology #11	10/16/15	Fill must only include clean fill, demolition and asbestos, Construction Stormwater General Permit may be needed and properly existing decommissioning wells
Cindy Cornwall-Brady #12	10/17/15	Asked if there will be access from 137 th Street
Robin and Summer Leao #13 and 14	10/21/2015	Requests that this site be turned in a farm or wildlife area, removal of the barn, traffic
Dept. of Ecology #16	10/29/2015	Reiterated previous comments
Seventeen various neighbors #17	10/29/2015	Petition: storm water, increased traffic, wildlife displacement, archeological site disturbance, adjacent well contamination and reduction in aquifer, school capacity, SEPA issues
Marty Rifkin, Kate Jones, Jordon Farley #18	10/29/2015	Increased traffic should require traffic light
Mary Webber	1/21/2016	Traffic, water and forced sewer connection

Staff response: Response to major issues are outlined here and addressed in more detail in the remainder of the staff report. A Final Environmental Impact Statement for the release of the Urban Holding district was adopted on May 4, 2007 and took into account environmental impacts to wildlife and aesthetics such as noise and traffic. A specific requirement before an Urban Holding designation can be lifted is also that the Board of County Councilors make a determination that the completion of localized critical links for transportation and intersection improvements are reasonably funded as shown on the county 6 Year Transportation Improvement Plan or through a development agreement. Improvements by the county are ongoing in the area and the developer's themselves will make improvements along their frontages and for any substantial impacts their development causes off-site.

A traffic impact study was submitted with the application that analyzed crash data, sight distance and capacity of the roadways. It concluded: (1) the intersections show adequate capacity and favorable performance through year 2018 regardless of the additional trips for this development, (2) the crash history at the study intersection showed no trend indicative of safety issues that need to be addressed and, (3) a new traffic signal is not recommended. It does state the left turn lanes are warranted at three (3) intersections.

The applicant has completed an archeological predetermination which found that additional archeological work was needed for the existing barn on the site. No archeological sites were found. This has been completed and the Department of Historical Preservation has determined

that no adverse impact will occur to historical or cultural materials from the development of this subdivision (Exhibit 39).

No water wells will be drilled with this proposal. All water will come from an off-site Clark Public Utilities well so existing wells will not be impacted.

The applicant has proposed StormFilters (Contech Engineered Solutions), infiltration galleries, and infiltration on individual lots where feasible to handle stormwater. By complying with the Clark County Code for stormwater, no off-site impacts will occur.

The SEPA checklist does not include any questions on a project’s carbon footprint. Clark County Environmental Services staff have visited the site and determined that there are no wetlands on the site.

The case file is open to public review but the contents are not mailed with the notice of application.

All but two lots for the existing homes will pay school impact fees to mitigate for impacts to the public school system.

Sewer is being extended to serve this development but lots outside the project will not be required to connect.

Project Overview

The site is “L” shaped and extends west from NE 72nd Avenue about 2,600 feet and then south about 1,500 feet to NE 129th Street. The total site area is approximately 40 acres. The lot abutting NE 72nd Avenue contains a house, barn and detached garage and the lot abutting NE 129th Street has a house on it. The rest of the lots are vacant. All structures will be removed prior to final plat approval.

There are no critical areas on the site.

Most of the site is currently pasture except for about 10 acres that is forested along the northwestern portion of the site.

The applicant proposes to divide the property into 232 lots for detached single family residences using the Planned Unit Development section of the code. The applicant proposes to construct this development in nine (9) phases.

Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	UL & UH	R1-6 & R-30	Residential and agriculture
North	UL	R1-6	Residential
East	R-5	R-5	Large lot residential
South	UL and UH	R1-6 R-30	Large lot residential
West	UL	R1-7.5	Farmland but has a preliminary application for a 250 lot subdivision under review (PLD2015-00048)

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 – Use and Density

The applicant is proposing to divide approximately 40.61 acres into 232 residential lots within the R-30 and R1-6 zoning districts using the provisions of the PUD Ordinance.

CCC 40.520.080.B.2 states “Any use consistent with the zone districts designated for the parcel(s) within the proposed planned unit development boundary may be permitted in planned unit developments. The location of the uses in planned unit developments may vary from underlying zoning; provided, that the total allowed uses (e.g., number of residential uses or area assigned to commercial use) was limited by the maximum allowed on each respectively zoned parcel.”

CCC Table 40.220.010-2 allows a density range per acre of 5.1 to 7.3 for the R1-6 zone for PUDs. Density is only given for single-family attached (not detached) in the R-30 zone, with a minimum of 18 units and a maximum of 30 units per acre. . The maximum and minimum density requirements are calculated based on the gross area of the site minus any public or private roads.

The R-30 zone allows multi-family and attached single-family units, but restricts single-family detached units. Therefore, Clark County would ordinarily require single-family attached or multi-family units in a PUD with R-30 zoning. These units would be required at a density

equal to what the R-30 zone requires somewhere in the Planned Unit Development. This PUD meets the proposed density, but only includes detached single family units. In this case written notice was provided to the applicant on 12/16/2014 that single family detached units were allowed in a Planned Unit Development in the R-30 zone. Because of the earlier written notice that was provided to the applicant, it is the policy to stand by that interpretation even though we now believe it was in error (the only exception being when an erroneous opinion causes a life/safety problem). Therefore, Clark County will stand by the original interpretation in this case only and will include an appropriate recommendation to the Hearing Examiner. This decision is in no way meant to establish precedence and is not indicative of our interpretation of CCC40.520.080 moving forward.

The R1-6 portion of the site is approximately 33.79 acres with 7.84 acres dedicated to roads. Based on a net area of 25.95 acres, a maximum density of 189 lots (25.95 X 7.1) or a minimum density of 132 (25.95 x 5.1) would be allowed in the R1-6 portion of the site.

The R-30 portion of the site is approximately 6.82 acres with 1.84 acres dedicated to roads. Based on a net area of 4.98 acres, a maximum density of 149 units (4.98 X 30) or a minimum density of 89 units (4.95 X 18) residences would be allowed in the R-30 portion of the site.

The maximum density allowed for the entire site is 338 units and the minimum density is 221 units. The applicant is proposing 232 lots which meet the minimum requirement for the combination of both zones.

This application proposes the following standards:

Minimum Average Lot Area: 4,969 square feet
Maximum Average Lot Area: 8,500 square feet
Minimum Average Lot Width: 40 feet
Minimum Average Lot Depth: 90 feet
Front Yard Setback: 10 feet
Garage Setback: 18 feet
Interior Side Yard: 5 feet
Street Side Yard: 10 feet
Rear Yard Setback: 10 feet

The proposal meets all of these standards as required by code.

Finding 2 - PUD Size

Under CCC 40.520.080 C2, a PUD shall be located on a minimum site size of six (6) acres unless the responsible official finds that the site of the proposed use is adequate in size and shape to accommodate all required areas. The proposed PUD complies with the size standard because the site is approximately 40.6 acres.

Finding 3 - Open Space

Under CCC 40.520.080 C3, All PUDs shall provide a minimum of twelve percent open space based on the net site area for active or passive recreational purposes. The applicant is proposing a total of 4.46 acres (14%) of both passive and active recreational areas. The open spaces will contain play areas, picnic tables, seating areas and walking trails.

The applicant has done a good job providing an adequate amount of open space in locations accessible to all future residents of the PUD. Staff finds the proposed open space is consistent with the character of the PUD, considering its size, density, expected population, topography, and the number and type of dwellings.

Common open space shall be permanently maintained by and conveyed to an owners association or dedicated to a public agency. The applicant has indicated the open space will be conveyed to and permanently maintained by either a homeowners association and/or the Clark County Parks Department. All PUD improvements such as open space tracts and landscaping shall be constructed/completed prior to final plat approval for that phase unless otherwise noted. (See Condition D-1)

Finding 4 - Street Trees

The applicant is proposing a street tree system along all fronting and internal roadways in the PUD as well as street lights. One (1) street tree is required to be provided on an average of twenty-four (24) linear feet, with species chosen from the Clark County Standard Details Manual or specified by a certified landscape architect. The landscape plan shows street trees from 40 to more than 100 feet apart. This will need to be corrected to an average of 24 lineal feet in the final landscape plans. (See Condition D-5-a)

Finding 5 – Street Lighting

The applicant is proposing street lighting along all internal roadways. Street lighting is not required on functional classifications of arterial roadways such as NE 72nd Avenue. Staff finds the proposed PUD complies with the street lighting requirements of CCC 40.520.080 C 6.

Finding 6 – Landscaping

Where a multi-family zoned property abuts single family residential zoned property an L3 landscape in a 5 foot buffer is required. This would be along lots 31 through 50. No landscape plan for this area was submitted with the preliminary application. One will need to be submitted prior to final plat approval. (See Condition D-5-b)

An L1 landscape in a 5 foot buffer is required when residential zones abut multi-family zones as along lots 119 through 123 and 153 through 165. The open space landscaping along this area is sufficient to meet this criteria.

When multi-family abuts multi-family along lots 51 through 70 it also requires an L1 landscape in a 5 foot buffer. The open space landscaping along these lots is sufficient to meet this standard.

Where the multi-family zone is across the street from the rural residential zone, an L2 landscape in 10 feet is required. The L2 standard requires enough low shrubs to form a continuous screen three (3) feet high and ninety-five percent (95%) opaque year-round. In addition, one (1) tree is required per thirty (30) lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area. This will need to be added in the final landscape plan. (See Condition D-5-c)

All required landscape areas will need to be in a tract or easement and the Homeowners Association will have the responsibility for maintenance. (See Condition D-5-d)

Finding 7 – Urban Holding

As a condition of lifting the Urban Holding in this area, a covenant is required indicating that the owner or any subsequent owner of property will support annexation to the City of Vancouver. The applicant submitted copies of covenants that the current property owners have signed but are not yet signed by the City of Vancouver. The covenants will need to be fully signed and recorded prior to final plat approval. (See Condition D-2)

Finding 8 - PUD Approval Criteria

In order to grant approval of the proposed PUD, the hearings examiner must find the proposal complies with the three criteria found in CCC 40.520.080 D. Staff has reviewed the proposed PUD against these criteria and makes the following findings:

1. The applicant requests design flexibility for the R1-6 zoned lots to vary from lot width standards as well as area standards. The applicant is also requesting use flexibility for detached single family residences in the R-30 zone. Because the proposal meets the overall minimum density staff finds this is acceptable.
2. Through lot size, setbacks, building orientation, and screening, the proposed PUD shall provide a gradual transition adjacent to lower density neighborhoods (see CCC 40.520.080 D2). Staff notes this standard does not require a gradual transition adjacent to lower density zones, but to lower density neighborhoods. If the site were developed to the R1-6 zone standards, the lot depths would be the same as proposed and if developed as multi-family in the R-30 zone the depth would be less. Keeping the 10 foot setback to the rear property line will ensure that no more impact will occur to neighboring parcels than if all the lots were developed to the R1-6 zoning standards.
3. The proposal's design is centered on pedestrian-friendly orientation that includes pocket parks with playground equipment, benches, picnic tables and walking trails. Staff finds the proposed PUD complies with criterion D3.

Based on the above findings, staff finds the proposed PUD complies with the PUD criteria and should be approved with conditions.

Finding 9 - Setbacks

The applicant has not requested a reduction in setbacks so the following setbacks will apply to all proposed lots. Building setbacks are defined as the minimum horizontal distance between the property line and the foundation wall, exclusive of other building elements:

- Ten (10) foot front setback for the residence
- Eighteen (18) foot front setback to the garage
- Ten foot street side setback
- Five foot side setback
- Ten foot rear setback

Since the applicant is relying partially on the 10 foot rear setback to relieve impacts from the smaller lots, the rear setback should be noted on the final plat. (See Condition D-10-j)

Finding 10 - Manufactured Homes

The applicant has not indicated that manufactured homes would be placed on the lots in the proposed plat. Therefore, pursuant to CCC 40.260.130, manufactured homes will be prohibited on any lot in this plat. (See Condition D-10-a)

Finding 11 – Temporary Sewer Pump Station

The construction of a utility substation facility is permitted in any zoning district, subject to site plan approval pursuant to Section 40.520.040. The applicant has submitted a site plan (Exhibit 26) showing the location of the proposed pump station and landscaping. Staff finds that this plan meets the requirements of the code as designed. (See Condition D-3)

Finding 12 – Phasing

The applicant proposes to construct the project in 8 phases. Each phase must be an independent planning unit with safe and convenient circulation and with facilities and utilities coordinated with requirements established for the entire subdivision. (See Condition D-4)

Finding 13 - State Platting Standards (RCW 58.17)

With conditions of approval, staff finds the proposed subdivision will make appropriate provisions for public health, safety, and general welfare of the community. Proof of adequate water and sewer service, as well as treatment of any increase of stormwater runoff, will be provided, to protect groundwater supply and integrity. Impact Fees will also be required to contribute a proportionate share toward the costs of school and transportation provisions, maintenance and services.

The applicant has submitted a letter from Battle Ground Public Schools indicating that all students will be bussed to schools.

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

ArchaeologyFinding 14

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 applicant's archeologist 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 Conditions A-1-i and D-10-b)

Conclusion

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

HabitatFinding 15

On September 03, 2015 County Environmental Staff conducted a site visit on the subject parcels and concurs with the Wetland and Habitat Determination prepared by AKS Engineering & Forestry Vancouver. County Staff has determined there are no habitat issues and no further habitat review is required.

Conclusion

Environmental Services concludes that the proposed preliminary plan, subject to conditions identified in their attached report, meets habitat requirements of the Clark County Code.

Wetland:Finding 16

The National Wetlands Inventory maps five (5) modeled depressional wetlands on the subject parcels. On September 2, 2015 County Staff received a wetland and habitat determination prepared by AKS Engineering & Forestry Vancouver for the subject parcels. The report addresses critical areas regulated under the Clark County wetland protection and habitat conservation ordinance. "AKS conducted a site investigation focused within the project areas mapped as wetland by NWI. Onsite data was collected by AKS Natural Resources staff and USACE Wetland determinations Data Forms (for the Western Mountains, Valleys and Coast Region) were completed. The criteria required for determining an area as wetland; vegetation, soils and hydrology were not met." The wetland report concludes that "AKS does not concur with the NWI mapping, as no wetlands were identified onsite."

On September 03, 2015 County Environmental Staff conducted a site visit on the subject parcels and concurs with the Wetland and Habitat Determination prepared by AKS Engineering & Forestry Vancouver. County Staff has determined there are no wetland issues and no further wetland review is required.

Conclusion

Environmental Services concludes that the proposed preliminary plan, subject to conditions identified in their attached report, meets wetland requirements of the Clark County Code.

TransportationFinding 17 – Pedestrian/Bicycle Circulation Plan

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act are required in accordance with the provisions of Section CCC 40.350.010. The applicant has proposed pedestrian circulation throughout the subdivision in a sufficient manner. Staff believes the proposal meets the pedestrian circulation code.

Finding 18 – Road Circulation

The applicant has proposed circulation in each direction. "Urban Neighborhood Circulator" roads are proposed as NE 135th St. and NE 60th Avenue. The remaining roads are "Urban Local Residential" roads. A road modification addresses variance requests pertaining to stub locations, block lengths, and access to NE 72nd Avenue. (See Finding 21)

Finding 19 – Roads

NE 72nd Avenue is classified as a Principal Arterial road (Pr-4cb) requiring 50 feet of half-width right-of-way, 36 feet of paved half-width, detached sidewalk, curb/gutter, and landscaping strip. The preliminary proposes right-of-way and improvements consistent with these standards. NE 135th Street is designed according to the standards of an “Urban Neighborhood Circulator” roads consisting of 54 feet of right-of-way, 28 feet of paved width, curbs, gutters, and sidewalks. NE 60th Avenue is designed as a partial-width “Urban Neighborhood Circulator” including 31 feet of right-of-way, 20-foot partial-width roadway, detached sidewalk, curb, and gutter. NE 129th Street is designed as a partial-width “Urban Local Residential Access” including 31 feet of right-of-way, 20-foot partial-width roadway, detached sidewalk, curb, and gutter. The remaining roads are designed as “Urban Local Residential Access” roads consisting of 46 feet of right-of-way, 28 feet of road width, curbs, gutters, and sidewalks.

Per CCC Table 40.350.030-3 and CCC 40.350.030(B)(7)(b), the dedication of rights-of-way on corners at intersections with arterial roads shall include the chord of the radius. The county will accept an easement for this chord instead of dedication of right-of-way. (See Condition A-1.a)

Per CCC 40.350.030 (B)(4)(b)(1)(b), corner lot driveways shall be placed with a minimum separation of 50 feet from the intersecting property lines or where this is impractical, the driveway may be located 5 feet from the property line away from the intersection or as a joint use driveway at this property line.

Per CCC 40.350.030(B)(4)(b), no road may serve more than one hundred (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 second vehicle access road may be a county emergency-only access road, if it serves less than two hundred (200) lots or dwelling units. The applicant has obtained the right to access an easement for the purpose of emergency access to the west of the stub of NE 129th Street. Per CCC 40.350.030 (B)(9)(b)(3), a barricade shall be placed at the end of all stub streets. Removable bollards shall be placed at western stub of NE 129th Street for the purpose of allowing emergency access. (See Condition A-1.b)

Finding 20 – Road Modification (Technical) - EVR2016-00001

The applicant submitted a road modification analysis dated November 5, 2015. The applicant has a number of requests consisting of the following:

1. The applicant proposes a modification from Clark County Table 40.350.030-3, intersection spacing, with the following modification to the table:
 - Allow intersection spacing of 540 feet from NE 135th Street to NE 137th Street along NE 72nd Ave.
 - Allow intersection spacing of 408 feet from NE 135th Street to NE 133rd Street.
2. The applicant proposes a modification from CCC 40.350.030(B)(9)(b)(2), with the following modification to the section:

- Allow NE 67th Avenue, a proposed local access street stub to the south to be 159 feet in length with a barricade placed at 157 feet and no temporary turnaround.
 - Allow NE 64th Avenue, a proposed local access street stub to the south to be 159 feet in length with a barricade placed at 157 feet and no temporary turnaround.
3. The applicant proposes a modification from Clark County Table 40.350.030-4, with the following modification to said table:
- Allow proposed NE 135th Street to have less than the required 230 foot driveway spacing to the driveways providing access to parcels 198875-000, 198552-000, 198556-000, 198591-000, 198540-000, 198576-000, 198954-000, and 198875-000.
4. The applicant proposes a modification from CCC 40.350.030 (B)(9)(b)(1), with the following modification to the section:
- Allow NE 67th Avenue, a proposed local access street to not include a stub to the subject site's northern property line.
5. The applicant proposes a modification from CCC 40.350.030 (B)(9), with the following modification to the section:
- Allow the proposed southern street stub of NE 69th Avenue, a proposed local access street stub to not line up with Parcel 198971-000's existing western property line.
6. The applicant proposes a modification from CCC 40.350.030 (B)(2)(c), with the following modifications to the section :
- Allow 1,130 feet of block length on NE 135th Street between NE 69th Avenue and NE 64th Avenue.
 - Allow 1,139 feet of block length on NE 134th Street and NE 135th Street between NE 67th Avenue and NE 61st Avenue.
 - Allow 1,143 feet of block length on NE 61st Avenue between NE 134th Street and NE 129th Street.
7. The applicant proposes a modification from Clark County Section 40.350.030 (B)(4)(d)(3), with the following modification to the section:
- Allow the proposed intersection of NE 72nd Avenue and NE 135th Street to be a full access intersection without a median.

Approval Criteria

Modifications to the standards contained in Chapter 40.350 may be granted when the applicant demonstrates at least one (1) of the following:

- a. Topography, right-of-way, existing construction or physical conditions, or other geographic conditions make compliance with standards clearly impractical for the circumstances;
- b. A minor change to a specification or standard is required to address a specific design or construction problem which, if not enacted, will result in an unusual hardship;
- c. An alternative design is proposed which will provide a plan that is functionally equivalent or superior to the standards;
- d. Application of the standards of Chapter 40.350 to the development would be grossly disproportional to the impacts created;
- e. A change to a specification or standard is required to ensure consistency with existing features adjacent to or affected by the site where those existing features are not expected to change over time.

Applicant's Discussion

1. Per the applicant, the proposed modifications to the Clark County Table 40.350.030-3 can be approved because:
 - The proposed modification to Clark County Table 40.350.030-3, to allow reduced intersection spacing is needed because of the existing locations of NE 137th Street and NE 133rd Street.
 - The requested modification is required to ensure consistency with existing features (NE 137th Street and NE 133rd Street) adjacent to or affected by the site where those existing features are not expected to change over time.
2. Per the applicant, the proposed modifications to the CCC 40.350.030 (B)(9)(b)(2), to allow NE 64th Avenue and NE 67th Avenue street stubs to be 159 feet in length without a temporary turnaround can be approved because:
 - The proposed modification is functionally equivalent to the standard being modified, because no lots front NE 64th Avenue's southern stub.
 - The proposed modification is functionally equivalent to the standard being modified, because Lots 122 and 123 only front the northern 63 feet of NE 67h Avenue's stub.
 - Requiring the applicant to install a temporary turnaround at the terminus of the proposed street stubs will result in an unusual hardship to the applicant and would be grossly disproportional to the impacts created.
3. Per the applicant, the proposed modifications to the Clark County Table 40.350.030-4 can be approved because:
 - The proposed modification to Clark County Table 40.350.030-4, to allow reduced driveway spacing is needed because of the existing

locations of off-site driveways on NE 72nd Avenue make meeting driveway spacing requirements unfeasible.

4. Per the applicant, the proposed modifications to CCC 40.350.030 (B)(9)(b)(1), to allow NE 67th Avenue to not be extended to the subject site's northern property line can be approved because:
 - The existing conditions of the properties which abut the subject site's northern property line between proposed NE 69th Avenue and NE 64th Avenue have existing access to their northern property lines from NE 137th Street. Providing access from the south to these abutting lots will not enhance their ability to further divide in the future, but rather consume valuable area from the relatively small lots. In addition, existing structures located on the abutting lot are situated such that a street extension would require demolition.
 - Topography, right-of-way, existing construction or physical conditions, or other geographic conditions make compliance with standards clearly impractical for the circumstances;
 - The requested modification is required to ensure consistency with existing features (access from NE 137th Street for abutting lots and existing off-site structures) adjacent to or affected by the site where those existing features are not expected to change over time.
5. Per the applicant, the proposed modification to CCC 40.350.030 (B)(9), to allow the proposed southern street stub of NE 69th Avenue, a proposed local access street stub to not line up with Parcel 198971-000's existing western property line can be approved because:
 - The existing condition of the existing off-site right-of-way limits the applicant's ability to align NE 69th Avenue with parcel 198971-000's western property line.
6. Per the applicant, the proposed modification to CCC 40.350.030 (B)(2)(c), to allow three proposed street blocks in excess of the maximum 800 foot block length can be approved because :
 - The street block of NE 135th Street between NE 69th Avenue and NE 64th Avenue can be approved because; the existing conditions of the abutting lots to the block have existing access from NE 137th Street, along their northern property lines. Providing additional access to these abutting lots from the south will not enhance their ability to further divide in the future, but rather consume valuable area from the relatively small lots. In addition, existing structures located on the abutting lot are situated such that a street extension would require demolition.

- The street block of NE 134th Street and NE 135th Street between NE 67th Avenue and NE 61st Avenue can be approved because; the proposed plan will provide a plan that is functionally equal to the standard being varied. The applicant is proposing to not continue proposed NE 64th Avenue through this block length as a traffic calming measure. Pedestrian access is proposed through the middle of the block.
 - The street block of NE 61st Avenue between NE 134th Street and NE 129th Street can be approved because; the proposed plan will provide a plan that is functionally equal to the standard being varied. The three adjoining parcels (198962-000, 198878-000, and 198955-000) will have access to public streets in the future as demonstrated on the preliminary circulation plan, which accompanies this application. Furthermore, the applicant proposes to not extend NE 131st Street to the subject site's eastern property line to allow the applicant to retain the treed habitat area, which is proposed to be a park and open space.
7. Per the applicant, the proposal for the intersection of NE 72nd Avenue and the site's access (NE 135th Street) to be a full access intersection without a median can be approved because:
- The alternative proposed will be functionally equal to the standard being varied by functioning safely and operating within capacity.

Staff's Evaluation

1. The minimum intersection spacing requirement for an "Urban Principal Arterial" is 600 feet. Although the proposed intersection spacing distances do not meet 600 feet, they meet at least 400 feet of spacing. Staff is of the opinion that the request can be approved per criterion (a). David Jardin, who reviews concurrency for Clark County, has provided analysis that indicates a full intersection can be supported:

In an effort to evaluate all evidence related to the current road modification request Concurrency Staff reviewed the following:

- Regional Significance of proposed locations for modification.
- Crash history.
- NE Hazel Dell Avenue corridor travel times.

Regional Significance of Proposed Site Access Location

Concurrency Staff reviewed the regional significance of NE 135th Street and NE 72nd Avenue. Staff found that the only classified road in the County's Arterial Atlas, within the study area, is NE 72nd Avenue. NE 72nd Avenue is classified as a Principle Arterial (Pr-4cb) and is regulated by the County's Concurrency Ordinance/Code (CCC 40.350.020). NE 135th Street is proposed, as a part of the NE 72nd Avenue Subdivision development, as a public urban neighborhood circulator road with on-street parking. Because NE 135th Street is not classified as a collector street or above, the intersection of NE 135th Street/NE 72nd Avenue is not regulated by Concurrency, but by safety.

Crash History

Concurrency Staff reviewed the crash history analysis provided by the applicant's traffic engineer. The applicant's engineer indicated that there was no crash history along the site frontage. Staff concurs with the applicant's findings.

NE 72nd Avenue Corridor Capacity

Staff reviewed transportation models to determine the current estimated corridor capacity along NE 72nd Avenue as they relate to the subject frontage. Staff found that the NE 72nd Avenue corridor is under capacity with regard to current and proposed volumes as compared to existing geometry.

Conclusion

Staff's review produced the following findings of fact:

- The proposed public road intersection of NE 72nd Avenue/NE 135th Street is not considered regionally significant and is not regulated by the County's Concurrency Code.
- There is no recorded crash history along the NE 72nd Avenue site frontage.
- The NE 72nd Avenue corridor capacity, between NE 119th Street and NE 139th Street, is at acceptable levels with the current lane geometry.
- Eastbound NE 135th Street approach may experience long wait times with a left-turning movement onto NE 72nd Avenue in the AM and PM peak periods.

Further, it should be noted future traffic conditions and/or as development occurs along NE 72nd Avenue, it may be necessary to construct raised median, or restrict turning movements on NE 72nd Avenue at the proposed NE 135th Street location. Access restrictions could be constructed at any time in the future as roadway volumes increase and/or safety issues become of concern. Access restrictions could be constructed for development mitigation or as a county project. As a result, the applicant should acknowledge that access onto NE 72nd Avenue may be limited at some time in the future. (See Condition A-1-c)

2. Staff is of the opinion that the request can be approved per criterion (c). The stubs are proposed to be within 10 feet of the length which does not require a temporary turnaround. However, the county typically does not allow a mid-block pedestrian crossing. The applicant shall remove the mid-block pedestrian crossings. The pedestrian paths can be reoriented such that they direct pedestrians to the associated intersections to the north. (See Condition A-1-d)
3. The required 230 feet of driveway spacing applies to spacing between driveways. CCC 40.350.030 (B)(4)(b), corner lot driveways shall be a minimum of fifty (50) feet from the intersecting property lines, as measured to the nearest edge of the driveway. It appears that the proposal meets the 50-foot spacing requirement and the 230-foot spacing does not apply to the spacing between an intersection and a driveway. Proposed lots #50 and #51 will not be allowed to have direct driveway access to NE 72nd Avenue.

4. Staff does not believe that the applicant has provided sufficient justification for not requiring a stub of NE 67th Avenue to the northern property line. The resulting block length will be approximately 1,150 feet which exceeds the maximum block length by approximately 350 feet. It appears that, with development to the north, the stub could be extended in a feasible manner.
5. Staff does not support the proposal to position the southern stub of NE 69th Ave. with parcel #198971-000 which is 1 acre in size. Per CCC 40.350.030 (B)(2)(b), the circulation plan shall demonstrate feasibility with development of adjacent properties. The stub could be positioned elsewhere in which CCC 40.350.030 (B)(2)(b) is addressed while meeting the minimum intersection spacing requirement of 150 feet for an "Urban Neighborhood Circulator" per Table 40.350.030-2. (See Condition A-1-e)
6. The applicant has proposed 2 additional block lengths that are greater than 1100 feet in length. Staff does not believe the applicant has provided sufficient justification for not complying with the maximum block length requirement of 800 feet with respect to NE 134th St. and NE 61st Avenue. A pedestrian path can be used to comply with the block perimeter of 3200 feet per CCC 40.350.030 (B)(2)(c)(1)(b), however, not in lieu of a road in order to meet the block length requirement per CCC 40.350.030 (B)(2)(c)(1)(a). An additional stub is needed to provide circulation to the southeast of the subject project. (See Condition A-1-f)
7. A road modification is not required for this request, however, the applicant shall be aware that the county may deem that a median is necessary at some point in the future. (See Condition A-1-c)

Staff's recommendations are the following:

1. NE 72nd Ave. Intersection Spacing: *Approved with a Condition.*
2. NE 64th and 67th Avenue Southern Stubs: *Approved with a Condition.*
3. Driveway Spacing with an Intersection: *NA*
4. NE 67th Avenue Northern Stub: *Approved*
5. Location of NE 69th Avenue Southern Stub: *Denied with a Condition.*
6. 3 Block Lengths of More Than 1,100 Feet: *The NE 135th Street block is Approved and the NE 134th St. and NE 61st Ave. blocks are Denied.*
7. Full Intersection Access to NE 72nd Ave: *NA*

Finding 21 – 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. Sight distance triangles shall be shown on the final construction plans and on the final plat.

The applicant submitted a sight distance narrative, dated August 20th, 2015 and additional analysis was provided as part of the road modification addendum dated January 8, 2016. Per the analysis, sight distance of at least 500 feet is achievable to the north and south at the proposed intersection with NE 72nd Avenue. The sight distance triangles for all intersections shall be shown on the final engineering plans and the final plat. (See Condition A-1-g)

Finding 22 – Transportation Phasing

The applicant is responsible for providing all necessary transportation improvements required for each individual phase including temporary turnarounds. The required transportation improvements for each proposed phase will be reviewed during final engineering review. (See Condition A-1-h)

Conclusion

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

Transportation Concurrency

Finding 23: Trip Generation

County concurrency staff has reviewed the proposed NE 72nd Avenue PUD. The traffic study submitted indicates that the proposed development will divide 40.5 acres, into 232 single family detached residences. The applicant's traffic study has estimated the a.m. peak-hour trip generation at 174, p.m. peak-hour trip generation at 230 trips and an average daily trip generation (ADT) of 2,190 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 13416 NE 72nd Avenue in Vancouver.

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

Finding 24: 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 construct a new public

neighborhood circulator road, NE 135th Street, from NE 72nd Avenue, an Urban Principle Arterial (Pr-4cb) through the development. The connection of NE 135th Street, at NE 72nd Avenue, will be constructed as a full access public intersection. A proposed interior street network will provide individual lot access for this development.

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

Finding 25: 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 with the exception of NE 159th Street/NE 72nd Avenue and NE 139th Street/NE 72nd Avenue intersections. These intersections are operating at a LOS E. The study evaluated these regionally significant unsignalized intersections for signal warrants. The study concluded that signals were not warranted at any study intersection, and were not recommended. County Staff concurs with the traffic study findings.

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

Concurrency Corridors

Evaluation of the concurrency corridor operating levels and travel speeds represented in the County's model yielded operating levels and travel speeds with an acceptable level of service.

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 26: 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 submitted traffic study evaluated the need for turn lanes at the intersection of NE 129th Street/NE 72nd Avenue, NE 137th Street/NE 72nd Avenue and NE 135 Street/NE 72nd Avenue. The analysis indicated that a northbound left turn lanes, on NE 72nd Avenue, are warranted at each of the intersections studied. However, the traffic study does show that the intersections of NE 129th Street/NE 72nd Avenue and NE137th Street/NE 72nd Avenue warrant northbound left turn lanes based on through movement volume, and that the proposed development was not adding any left turning movements at these locations. The applicant’s engineer concluded that based on the number of left turning vehicles, the number of advancing and opposing vehicles and the roadway speed, a left turn lane is recommended at the proposed NE 135th Street/NE 72nd Avenue. County Staff concurs with these findings as outlined in the applicant’s traffic study.

The applicant has submitted a volunteer letter, dated 12/15/2015. This letter states that the applicant volunteers to construct a northbound left turn lane on NE 72nd Avenue at the proposed NE 135th Street. Construction of the northbound left turn lane would be a part of the NE 72nd Avenue frontage improvements, as a part of phase 1 of the proposed development. The applicant’s letter indicates that construction of the improvements would not come from construction, or pavement widening improvements on the east side of NE 72nd Avenue, but would be achieved from restriping of NE 72nd Avenue. The restriping of NE 72nd Avenue would result in a 3-foot wide shoulder on the east side of NE 72nd Avenue, and a 17 foot wide shoulder on the west side of NE 72nd Avenue until future off-site frontage improvements are completed.

Although the applicant has volunteered a northbound left-turn lane out of the construction of required frontage improvement lane width, the applicant has not indicated that the existing roadway appurtenances will be maintained. As previously mentioned, the traffic study indicates that a left-turn lane is required to mitigate the impacts of the proposed development in order to

maintain mobility and safety at the proposed new NE 135th Street/NE 72nd Avenue intersection. The applicant's construction of NE 72nd Avenue frontage improvements and northbound left-turn lane will need to maintain existing roadway appurtenances (i.e. bike lanes, shoulder width, striping, pedestrian facilities, etc.). This may require increasing the pavement width, dedication of right-of-way and safety type improvements to comply with roadside clear zone requirements. (See Condition A-6 & D-7)

Finding 27: Historical Accident Situation

The applicant's traffic study analyzed the crash history as obtained from Clark County for the period January 2010 through December 2014.

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 28: 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, trashcans, 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-7)

Finding 29: Vehicle Turning Movements

The applicant's narrative does not indicate the types of vehicles that may serve the proposed development. The curb return radii, entering from NE 72nd Avenue at NE 135th Street, will need to comply with the minimum 35-foot radius at an intersection with an arterial.

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. 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, which may result in no on-street parking areas on NE 135th Street near the intersection with NE 72nd Avenue. (See Condition A-10).

Finding 30: Sight Distance

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

Conclusion

Transportation Concurrency staff concludes that the proposed preliminary plan, subject to conditions identified in their attached report, meets transportation concurrency requirements of the Clark County Code.

Stormwater

Finding 31 - Stormwater Applicability

The provisions of Clark County Code Chapter 40.385 shall apply to all new development, redevelopment, and drainage projects consistent with the Stormwater Management Manual for Western Washington (SMMWW) as modified by CCC 40.385 and the county's 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 10 per CCC 40.385.020(A)(4).

Finding 32 – Stormwater Proposal

The applicant provided a stormwater technical information report dated August 26th, 2015 and associated groundwater monitoring results. An addendum was submitted dated December 15, 2015. The applicant has proposed StormFilters (Contech Engineered Solutions), infiltration galleries, and infiltration on individual lots where feasible per the addendum. The tested infiltration rate was measured at a range of 0.8 in/hr to 75.25 in/hr. The applicant's engineer proposes the design infiltration rates for various facility contributing basins listed in Section G.2 of the preliminary stormwater report with a minimum factor of safety of 4. (See Condition C-1)

Individual infiltration systems have been proposed for the roof and crawl space drains on the lots. The individual infiltration facilities are proposed to be privately owned and maintained. (See Condition D-10-i)

In compliance with CCC 40.385.020 (C)(3)(c), the applicant is required to demonstrate that the seasonal high groundwater level is at least 15 feet below the bottom of proposed infiltration systems. The monitoring data has generally demonstrated compliance with CCC 40.385.020 (C)(3)(c), however, at one location within the site, groundwater was found to be located at approximately 14 feet deep. The applicant shall maintain compliance with CCC 40.385.020 (C)(3)(c) for final construction plan approval. (See Condition # A.3.a)

Per CCC 40.385.020(C)(1)(a), no new development or redevelopment shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. (See Condition A.3-b)

Finding 33 – Stormwater Phasing

Each individual proposed phase shall be designed with sufficient stormwater management facilities and comply with CCC 40.385. The required stormwater improvements for each proposed phase will be reviewed during final engineering review. (See Condition A-3-c)

Conclusion

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 34 – Fire Marshal Review

This application was reviewed by Curtis Eavenson in the Fire Marshal's Office. He can be reached at (360) 397-2375 ext. 3320. Information can be faxed to (360) 759-6063. Where there are difficulties in meeting these conditions or if additional information is required, contact Curtis Eavenson in the Fire Marshal's office immediately.

Finding 35 – 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-2)

Finding 36 – 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. Prior to final approval submit proof from the water purveyor indicating if fire flow is available at the site. 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 inhabitable area. (See Condition B-1-d)

Finding 37 – Fire Hydrants

Fire hydrants are required for this application. The indicated number and spacing of the fire hydrants is adequate.

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 Dept. at 360-487-7260 to arrange for location approval. The applicant shall provide and maintain a three-foot clear space completely around every fire hydrant. (See Conditions A-9-a and A-9-b)

Finding 38 – Fire Apparatus Access

The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standards. Provide 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. Fire department access appears to comply with the Clark County Road Standards.

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 A-9-c)

Finding 39 – Additional Fire Protection

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

Finding 40 – Setback Encroachments

Setback encroachments as permitted by the International Building Code may require additional fire protection features including fire rated construction and or residential fire sprinkler systems. (See Condition E-4)

Conclusion

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

Water and Sewer Service

Finding 41 – Public Water and Sewer

The site will be served by the Clark Public Utilities water district and Clark Regional Wastewater sewer district. Letters from the above districts confirm that public water service is available to the site but that public sewer would not be until an annexation to the sewer district is approved. This was approved by Clark Regional Wastewater on December 8, 2015 (See Exhibit 49).

Finding 42

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-8)

Finding 43 – Existing Wells and Septic Systems

The existing wells and/or septic systems are proposed to be abandoned. Submittal of an acceptable *Public Health Evaluation Letter* to the county is required at the time specified in the evaluation letter. (See Condition A-8)

Conclusion

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 44 – Impact Fees

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. Following are impact fees for detached single family dwellings.

Mt. Vista sub-area with a TIF of \$4,986.45 per dwelling
Battle Ground School District, with a SIF of \$5,128.00 per dwelling
Park District #8, with a PIF of \$1,800.00 per dwelling

TIF is payable prior to issuance of building permits. (See Conditions D-6-d and E-1)

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 September 30, 2015 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: Terri Brooks, (360) 397-2375, ext. 4885

Responsible Official: Marty Snell, Community Development Director

Recommendation

Based upon the proposed plan known as Exhibit 2 as modified by Exhibit 33 and the findings and conclusions stated above, staff recommends the Hearing Examiner **APPROVE** 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

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 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 dedicate a minimum of 25-foot chord of the radius (right-of-way or easement) at the intersection of the proposed NE 135th Street and NE 72nd Avenue. (See Finding 19)
 - b. Per CCC 40.350.030 (B)(9)(b)(3), a barricade shall be placed at the end of all stub streets. Removable bollards shall be placed at the western stub of NE 129th Street for the purpose of allowing emergency access. (See Finding 19)
 - c. It may be necessary to construct raised median, or restrict turning movements on NE 72nd Avenue at the proposed NE 135th Street location. Access restrictions could be constructed at any time in the future as roadway volumes increase and/or safety issues become of concern. Access restrictions could be constructed for development mitigation or as a county project. As a result, the applicant should acknowledge that access onto NE 72nd Avenue may be limited at some time in the future. (See Finding 20)
 - d. The applicant shall remove the mid-block pedestrian crossings. The pedestrian paths can be reoriented such that they direct pedestrians to the associated intersections to the north. (See Finding 20)
 - e. Per CCC 40.350.030 (B)(2)(b), the circulation plan shall demonstrate feasibility with development of adjacent properties. The southern stub of NE 69th Ave. shall be positioned elsewhere in which CCC 40.350.030 (B)(2)(b) is addressed while meeting the minimum intersection spacing requirement of 150 feet for an "Urban Neighborhood Circulator" per Table 40.350.030-2. (See Finding 20)
 - f. A pedestrian path can be used to comply with the block perimeter of 3200 feet per CCC 40.350.030 (B)(2)(c)(1)(b), however, not in lieu of a road in order to meet the block length requirement per CCC 40.350.030 (B)(2)(c)(1)(a). An additional stub is needed to provide circulation to the southeast of the subject project. (See Finding 20)
 - g. The sight distance triangles for all intersections shall be shown on the final engineering plans and the final plat. (See Finding 21)
 - h. The applicant is responsible for providing all necessary transportation improvements required for each individual phase including temporary turnarounds. The required transportation improvements for each proposed phase will be reviewed during final engineering review. (See Finding 22)
 - i. 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-2 Transportation:

- a. **Signing and Striping Plan:** The applicant shall submit a signing and striping plan and a reimbursable work order, authorizing County Road Operations to perform any signing and pavement striping required within the County right-of-way. This plan and work order shall be approved by the Department of Public Works prior to final plat or final site plan approval.
- b. **Traffic Control Plan:** Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

A-3 Final Stormwater Plan - The applicant shall submit and obtain County approval of a final stormwater plan designed in conformance to CCC 40.385 and the following conditions of approval:

- a. The applicant shall maintain compliance with CCC 40.385.020 (C)(3)(c) for final construction plan approval. (See Finding 31)
- b. Per CCC 40.385.020(C)(1)(a), no new development or redevelopment shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. (See Finding 32)
- c. Each individual proposed phase shall be designed with sufficient stormwater management facilities and comply with CCC 40.385. The required stormwater improvements for each proposed phase will be reviewed during final engineering review. (See Finding 33)

A-4 Erosion Control Plan - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.385.

A-5 Excavation and Grading - Excavation/grading shall be performed in compliance with CCC14.07.

A-6 Final Transportation Plan/Off Site (Concurrency) – 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. This signing and striping plan shall also include installation of a northbound left-turn lane on NE 72nd Avenue at NE 135th Street. This northbound left-turn lane, at NE 72nd Avenue/NE 135th Street, shall have a minimum storage length of 100 feet with the appropriate lane tapers. Construction of this left turn lane shall also include and maintain all required frontage appurtenances (i.e. bike lanes, shoulder width, striping, pedestrian facilities, etc.). This may require increasing the pavement

width, dedication of right-of-way and safety type improvements to comply with roadside clear zone requirements. The applicant shall obtain a work order with Clark County to reimburse the County for required signing and striping. (See Finding 26)

A-7 Final Transportation Plan/Off Site (Concurrency) - 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 29)

A-8 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-9 Fire Marshal Requirements

- a. Fire hydrants are required for this application. The indicated number and spacing of the fire hydrants is adequate. The applicant shall provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads. (See Finding 37)
- 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 the Vancouver Fire Department at 360-487-7260 to arrange for location approval. The applicant shall provide and maintain a six-foot clear space completely around every fire hydrant. (See Finding 37)
- 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 Finding 38)

A-10 Final Transportation Plan/Off Site (County Concurrency) – 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, which may result in no on-street parking areas on the neighborhood circulator road, at/near the NE 135th Street/NE 72nd Avenue intersection. (See Finding 29)

B	Prior to Construction of Development Review & 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.
- 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.
- c. Prior to site construction, structures slated for demolition shall be demolished in accordance with the procedures of the Southwest Clean Air Agency and a Clark County demolition permit.
- d. Fire flow in the amount of 1000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this application. Prior to final approval submit proof from the water purveyor indicating if fire flow is available at the site. 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 inhabitable area. (See Finding 36)

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:

In accordance with CCC 40.385.020(C)(3)(i), before acceptance of any infiltration facility by the county, the completed facility must be tested and monitored to demonstrate that the facility performs as designed. If the tested coefficient of permeability determined at the time of construction is at least ninety-five percent (95%) of the uncorrected coefficient of permeability used to determine the design rate, construction shall be allowed to proceed. If the tested rate does not meet this requirement, the applicant shall submit an additional testing plan to Clark County that follows the requirements in Chapter 2 of the Stormwater Manual. This plan shall

address steps to correct the problem, including additional testing and/or resizing of the facility to ensure that the system complies with the provisions of this chapter. (See Finding 32)

- C-2 Verification of the Installation of Required Landscape** - 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.

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** Common open space shall be permanently maintained by and conveyed to an owners association or dedicated to a public agency. All PUD improvements such as open space tracts and landscaping shall be constructed/completed prior to final plat approval for that phase unless otherwise noted. (See Finding 3)
- D-2** The applicant shall submit a recorded copy of the annexation covenant discussed in finding 6.
- D-3** The applicant shall construct the temporary sewer pump station as shown in exhibit 26.
- D-4** Each phase shall be an independent planning unit with safe and convenient circulation and with facilities, utilities and open spaces as required by the entire subdivision. (See Finding 11)
- D-5 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. For all Planned Unit Developments, the final landscape plan shall include common area plans including trails, recreation areas and equipment, landscaping, etc.
- a. Street trees shall be placed an average of 24 feet apart. (See Finding 4)
 - b. Show an L3 landscape in a 5 foot buffer along lots 31 through 50. (See Finding 6)
 - c. Show an L2 landscape in a 10 foot buffer along NE 72nd Avenue. (See Finding 6)
 - d. The required landscape areas shall either be in a tract or easement and maintained by the Homeowners Association
- D-6** Developer Covenant – A “Developer Covenant to Clark County” shall be submitted for recording to include the following:
- a. Critical Aquifer Recharge Areas - "The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."

- b. Erosion Control - "Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."
- c. Land Near Agricultural, Forest or Mineral Resources: Land owners and residents are hereby notified that this plat is located within 500 feet of lands zoned agriculture-wildlife (AG-WL), agriculture (AG-20), forest (FR-40, FR-80), or surface mining (S), or in current use under Revised Code of Washington (RCW) Chapter 84.34. Therefore, the subject property is within or near designated agricultural land, forestland or mineral resource land, as applicable, on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. Potential discomforts or inconveniences may include, but are not limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery including aircraft during any twenty-four (24) hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides.
- d. Impact Fees: "In accordance with CCC 40.610, except for 2 lots designated on the final plat as waived (phase 1 – one lot, phase 6 - one lot), the School, Park and Traffic Impact Fees for each dwelling in this subdivision are: \$5,128.00 (Battle Ground School District), \$1,360.00 - Acquisition; \$440.00- Development for Park District #8), and \$4,986.45 (Mt. Vista 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-7 Transportation (Concurrency) – The applicant shall construct a northbound left turn lane on NE Ward Road, and all related design features, at the intersection of NE 72nd Avenue/NE 135th Street. Construction of this left turn lane shall also include and maintain all required frontage appurtenances (i.e. bike lanes, shoulder width, striping, pedestrian facilities, etc.). This may require increasing the pavement width, dedication of right-of-way and safety type improvements to comply with roadside clear zone requirements. These improvements shall be completed prior to final plat approval unless modified by the Director of Public Works.

D-8 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-9 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 in the open space areas.

D-10 Plat Notes - The following notes shall be placed on the final plat:

- a. Mobile Homes: "Mobile homes are not permitted on any lots."

- 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. Building Envelope Note: If any development activity or ground disturbance occurs outside of the building envelopes represented on the final plat, an additional archaeological predetermination survey will be required for the area impacted.
- d. Sidewalks: "Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages."
- e. 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."
- f. Driveways: "All residential driveway approaches entering public roads are required to comply with CCC 40.350."
- g. Access Restrictions: "Direct driveway access onto NE 72nd Avenue is not allowed."
- h. Sight Distance: "All sight distance triangles shall be maintained."
- i. Roof and Crawl Space Drains: "Roof and crawl space drains 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."
- j. Setbacks - "All lots shall comply with a 10 foot front setback (18 to garage), 10 foot street side setback, 5 foot side setback, and a 10 foot rear setback."

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** - The applicant shall pay impact fees based on the number of dwelling units in the building, as follows:
 - a. \$5,128.00 per dwelling for School Impact Fees (Battle Ground School Dist.)

- b. \$1,800.00 per dwelling for Park Impact Fees (\$1,360.00 – Acquisition; \$440.00– Development for Park District #8);
- c. \$4,986.45 per dwelling for Traffic Impact Fees (Mt. Vista 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-2** 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.
- E-3** One and two family homes over 3,600 square feet (excluding attached garages) will have additional fire protection requirements. Contact the Clark County Fire Marshal's Office for additional information.
- E-4** Setback encroachments as permitted by the International Building Code may require additional fire protection features including fire rated construction and or residential fire sprinkler systems.

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** Sidewalks shall be constructed along all the respective lot frontages.
- F-2** 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 for lots 31 through 50.

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.**

H	Post Development Requirements Review and Approval Authority: As specified below
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H-1 The required landscaping shall be maintained by the Homeowners Association.

<p>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.</p>

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

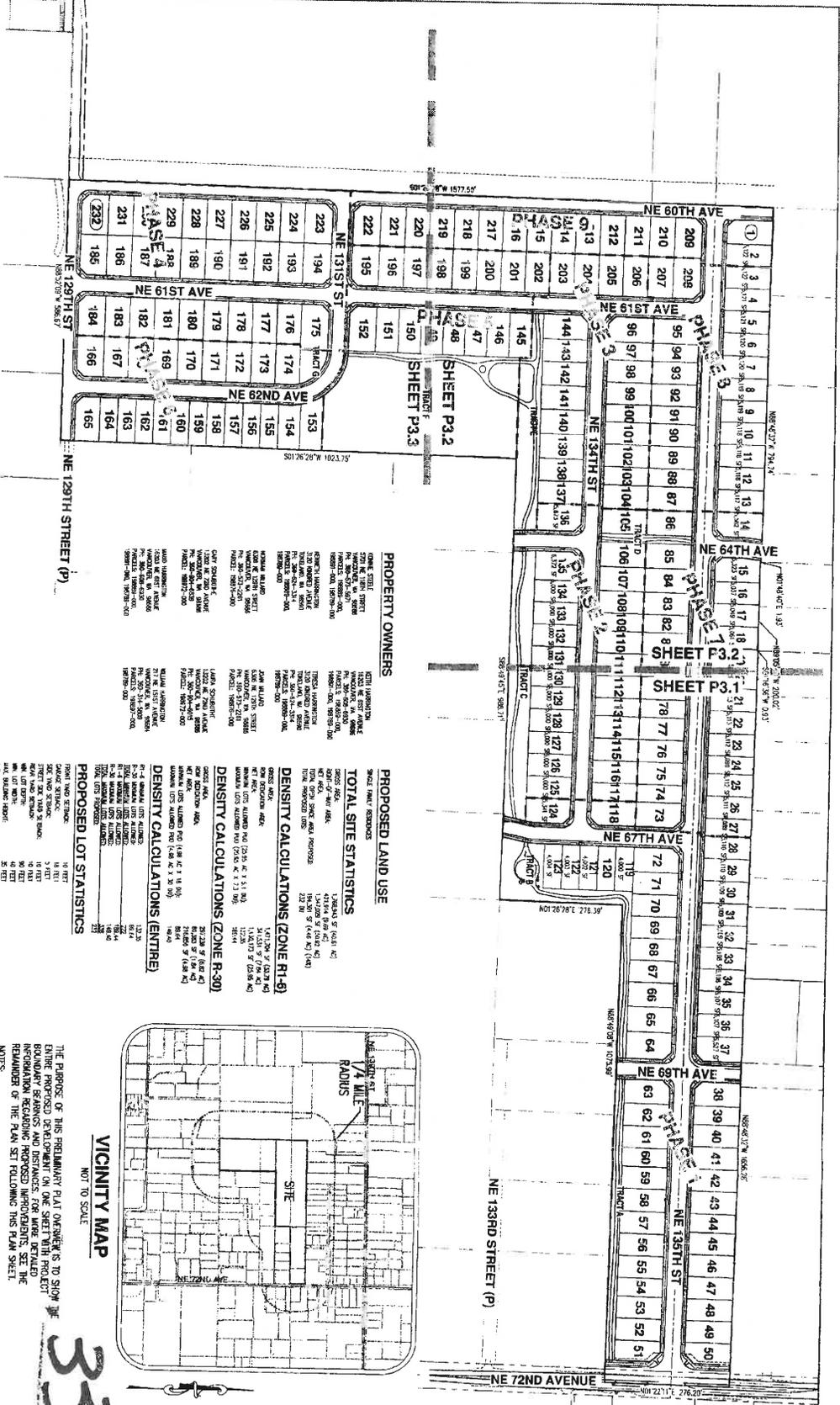
- Copy of Proposed Preliminary Plan



APPLICANT
 AKS ENGINEERING & FORESTRY
 8000 NE 130TH AVE STE 2520
 WASHINGTON, WA 98003
 P: 206.222.0419
 F: 206.222.0418
 C: 206.222.0418

**ENGINEERING/PLANNING/SURVEYING/
 LANDSCAPE ARCHITECTURE FIRM**

AKS ENGINEERING & FORESTRY
 8000 NE 130TH AVE STE 2520
 WASHINGTON, WA 98003
 P: 206.222.0419
 F: 206.222.0418
 C: 206.222.0418



PROPERTY OWNERS

OWNER	ADDRESS	PHONE
AKS ENGINEERING & FORESTRY	8000 NE 130TH AVE STE 2520 WASHINGTON, WA 98003	206.222.0419
AKS ENGINEERING & FORESTRY	8000 NE 130TH AVE STE 2520 WASHINGTON, WA 98003	206.222.0419
AKS ENGINEERING & FORESTRY	8000 NE 130TH AVE STE 2520 WASHINGTON, WA 98003	206.222.0419
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AKS ENGINEERING & FORESTRY	8000 NE 130TH AVE STE 2520 WASHINGTON, WA 98003	206.222.0419
AKS ENGINEERING & FORESTRY	8000 NE 130TH AVE STE 2520 WASHINGTON, WA 98003	206.222.0419

PROPOSED LAND USE

TOTAL SITE STATISTICS

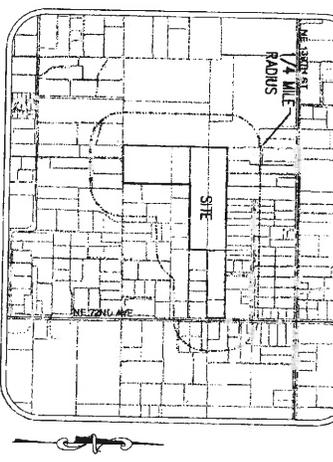
Zone	Area (sq ft)	Area (ac)
RESIDENTIAL MEDIUM DENSITY (RM-30)	1,118,000	25.4
RESIDENTIAL LOW DENSITY (RL-10)	1,118,000	25.4
TOTAL	2,236,000	50.8

DENSITY CALCULATIONS (ZONE RM-30)

Zone RM-30: 10 units per acre
 Total Area: 25.4 acres
 Total Units: 254 units

DENSITY CALCULATIONS (ZONE RL-10)

Zone RL-10: 2 units per acre
 Total Area: 25.4 acres
 Total Units: 51 units



PROPOSED LOT STATISTICS

TRACT	AREA (SQ FT)	AREA (AC)
TRACT A	1,118,000	25.4
TRACT B	1,118,000	25.4
TOTAL	2,236,000	50.8

TRACT PURPOSE SF OWNER

TRACT	PURPOSE	OWNER
TRACT A	RESIDENTIAL MEDIUM DENSITY	AKS ENGINEERING & FORESTRY
TRACT B	RESIDENTIAL LOW DENSITY	AKS ENGINEERING & FORESTRY

PROPERTY DESCRIPTION

TRACT A: 1,118,000 SQ FT, 25.4 ACRES, ZONE RM-30, 10 UNITS PER ACRE, 254 UNITS TOTAL.

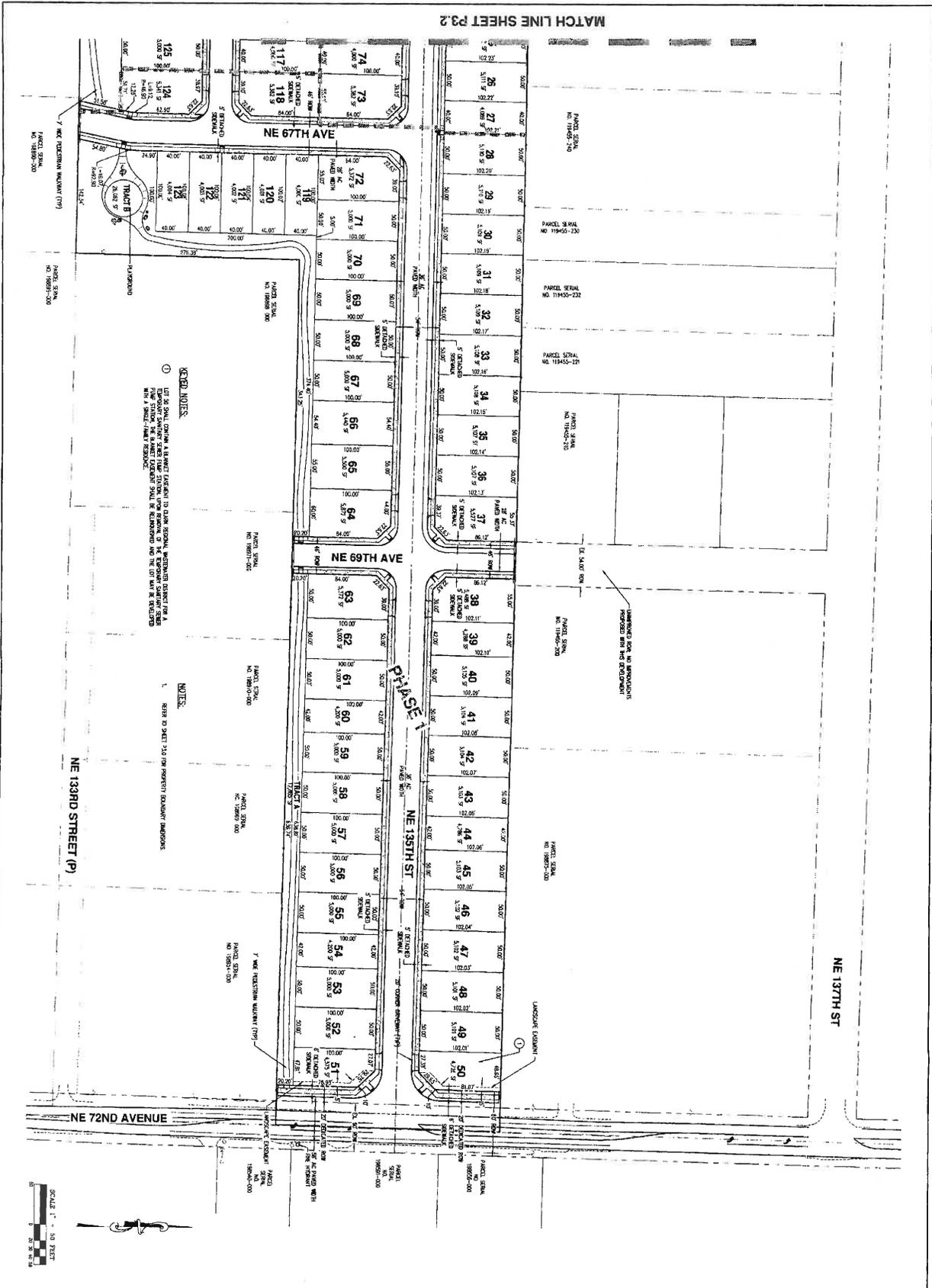
TRACT B: 1,118,000 SQ FT, 25.4 ACRES, ZONE RL-10, 2 UNITS PER ACRE, 51 UNITS TOTAL.

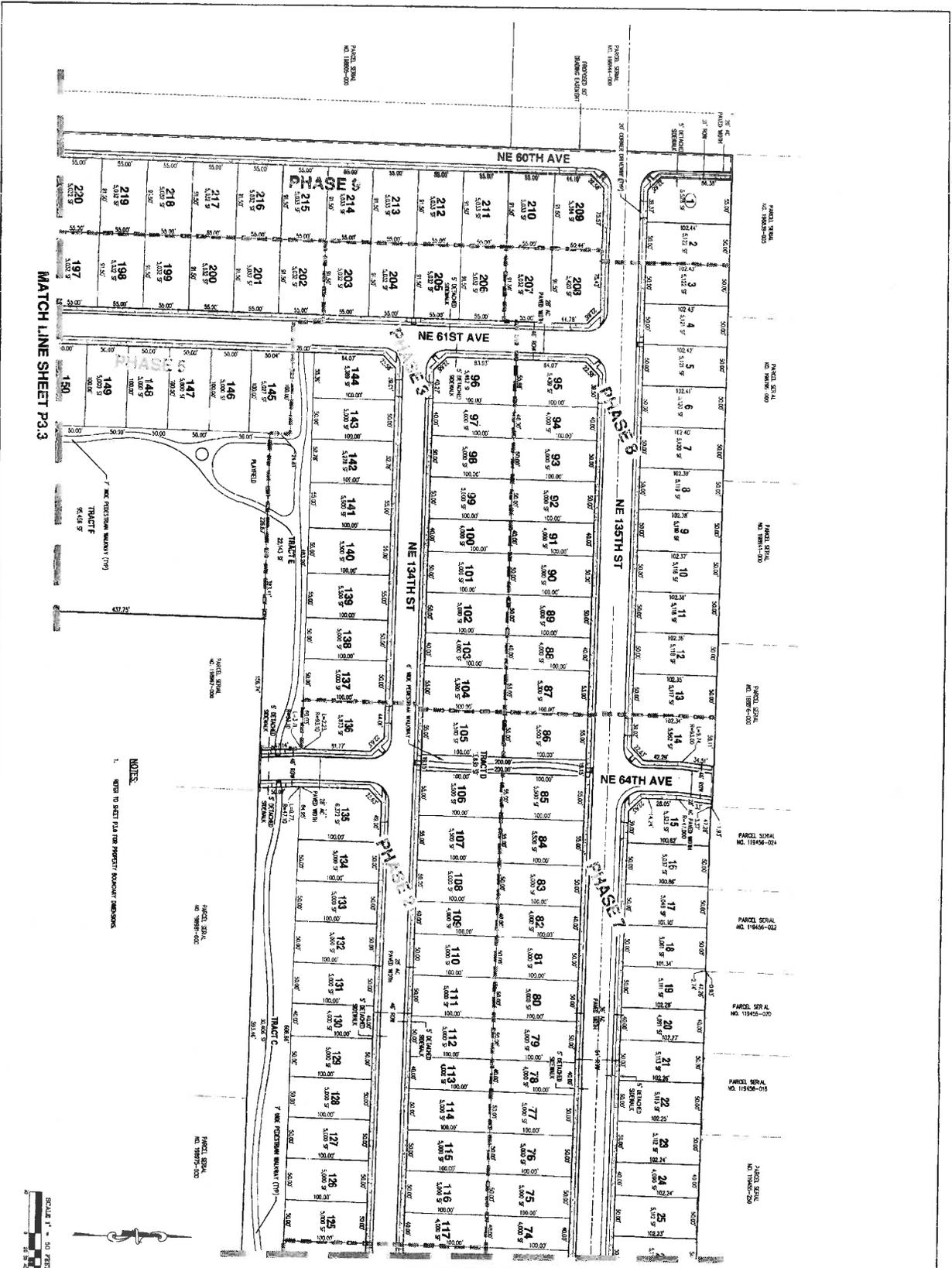
THE PURPOSE OF THIS PRELIMINARY PLAT IS TO SHOW THE ENTIRE PROPOSED DEVELOPMENT ON ONE SHEET WITH PROJECT BOUNDARY BEARINGS AND DISTANCES FOR AMBER DETAILED REVISIONS AND DISTANCES FOR AMBER DETAILED REVISIONS OF THE PLAN SET FOLLOWING THIS PLAN SHEET NOTES:

1. ACCORDING TO CLARK COUNTY ZONING REGULATIONS, STANDARD BEARINGS, SOMETIMES ANGLES FROM 10 DEGREES TO 180 DEGREES, SHOULD BE USED TO DEFINE THE BOUNDARY OF THE SITE.
2. BEARINGS SHOULD BE GIVEN TO THE NEAREST SECOND OF AN ANGLE.
3. DISTANCES SHOULD BE GIVEN TO THE NEAREST TENTH OF A FOOT.
4. THE PLAN SET IS A PRELIMINARY PLAT AND SHOULD NOT BE USED FOR CONSTRUCTION.
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20. THE PLAN SET IS A PRELIMINARY PLAT AND SHOULD NOT BE USED FOR CONSTRUCTION.

	OVERALL PRELIMINARY PLAT PLAN	NE 72ND AVENUE PLANNED UNIT DEVELOPMENT CLARK COUNTY WASHINGTON	AKS ENGINEERING & FORESTRY 8000 NE 130TH AVE STE 2520 WASHINGTON, WA 98003 P: 206.222.0419 F: 206.222.0418 C: 206.222.0418
	JOB NUMBER: 4433 SHEET: P3.0	DATE: 11/22/2015 SCALE: AS SHOWN	ENGINEER: [Signature] SURVEYOR: [Signature]

MATCH LINE SHEET P3.2





P3.2
SHEET

AKS ENGINEERING & FORESTRY
INCORPORATED
1511 21ST AVE SE
SUITE 100
WACARVILLE, WA 98002
P: 360.582.2419
F: 360.582.2425
www.aks.com

PRELIMINARY PLAT PLAN (NORTHWEST)

**NE 72ND AVENUE
PLANNED UNIT DEVELOPMENT
CLARK COUNTY WASHINGTON**

AKS
AKS ENGINEERING & FORESTRY
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1511 21ST AVE SE SUITE 200
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Notice to Parties of Record

Project Name: NE 72nd Avenue PUD

Case Number: PLD2015-00036

The attached decision of the Land Use Hearing Examiner is final unless a motion for reconsideration is filed or an appeal is filed with Superior Court.

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

Motion for Reconsideration:

Any party of record to the proceeding before the hearings 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 the rights of the moving party:

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

Mailed on: March 1, 2016

DS1333

Revised 7/15/13



Community Development
1300 Franklin Street, Vancouver, Washington
Phone: (360) 397-2375 Fax: (360) 397-2011
www.clark.wa.gov/development



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contact the Clark County
ADA Compliance Office.
Phone: (360)397-2322
Relay: 711 or (800) 833-6384
E-mail: ADA@clark.wa.gov

**BEFORE THE LAND USE HEARINGS EXAMINER
FOR CLARK COUNTY, WASHINGTON**

In the matter of a Type III application for a 232-lot Planned Unit Development subdivision on 40.61 acres split-zoned R1-6 and R-30 in unincorporated Clark County, Washington.

**FINAL ORDER
72nd Avenue PUD**

**PLD2015-00036, PUD2015-00001,
EVR2015-00036 & SEP2015-00050**

I. Summary:

This Order is the decision of the Clark County Land Use Hearings Examiner approving with conditions this application for a 232-lot Planned Unit Development subdivision for single-family dwellings on 40.61 acres split-zoned R1-6 and R-30 and related approvals (PLD2015-00036, PUD2015-00001, EVR2015-00036 & SEP2015-00050).

II. Introduction to the Property and Application:

Applicant..... AHO Construction LLC
Pete Dewitz
5512 NE 109th Court, Suite 101
Vancouver, WA 98662

Contact..... AKS Engineering, Inc.
Attn: Seth Halling, P.E.
9600 NE 126th Ave., Suite 2520
Vancouver, WA 98682

Owners Konnie Steel
5701 NE 118th Street
Vancouver, WA 98686

Keith and Maude Harrington
16203 NE 61st Avenue
Vancouver, WA 98686

Kenneth & Teresa Harrington
3120 Kindred Avenue
Tokeland, WA 98590

William Herrington
217 NE 151st Avenue
Vancouver, WA 98684

Norman and Joan Millard
6306 NE 129th Street
Vancouver, WA 98686

Gary and Laura Schubothe
13202 NE 72nd Avenue
Vancouver, WA 98686

Property..... Legal Description: Tax Lots 12, 91, 190, 203 (Parcel No. 198789-000) 127 (Parcel No. 198897-000), 119 (Parcel No. 198889-000), 121 (Parcel No. 198891-000), 202 (Parcel No. 198872-000), 106 (Parcel No. 198876-000) located in the SE quarter of Section 30, Township 3 North, Range 2 East of the Willamette Meridian.

Applicable Laws..... Clark County Code (CCC) Chapter 40.200 (General Provisions); 40.220.010 (R1-6 Zoning District); 40.220.020 (R-30 Zoning District); 40.350.020 (Transportation Concurrency); 40.350.030 (Street and Road Standards); 40.370.010 (Sewer); 40.370.020 (Water Supply); 40.385 (Stormwater and Erosion Control); 40.420 (Floodplain); 40.450 (Wetland Protection); 40.440 Habitat; 40.430 Geologic Hazard area; 40.500.010 (Procedures); 40.510.030 (Type III Process); 40.520.010 (Legal Lot Determination); 40.520.080 (Planned Unit Developments); 40.540.040 (Subdivisions); 40.570 (SEPA); 40.570.080 (Archaeological); 40.610 & 40.620 (Impact Fees); Title 14 (Buildings and Structures); 15.12 (Fire Code); Title 24 (Public Health); RCW 58.17, and the Clark County Comprehensive Plan.

The subject site consists of six parcels (Parcel Numbers 198789-000, 198897-000, 198889-000, 198891-000, 198872-000, 198876-000) totaling 40.61 acres, which is proposed for 232 lots using the County's Planned Unit Development (PUD) provisions in CCC 40.520.080. The collection of parcels proposed for this development are roughly L-shaped and located on the west side of NE 72nd Avenue about 400 feet south of NE 137th Street and the north side of NE 129th Street at NE 61st Avenue. -Two of the parcels have one dwelling each (2 existing dwellings) and an assortment of outbuildings, all of which will be removed as part of the development and for which the development is entitled to two impact fee credits. This site was added to the Vancouver Urban Growth Area and placed in Urban Holding in 2007, when a Final Environmental Impact Statement was prepared for its ultimate release. That decision took into account environmental impacts to wildlife, aesthetics, noise and traffic. The property was then released from Urban Holding in 2010 (Ordinance No. 2010-04-01) and deemed suitable for urban development, at which time the Board of County Councilors determined that local critical transportation links and intersection improvements were reasonably funded by inclusion on the county 6 Year Transportation Improvement Plan or through a development agreement. Improvements by the county are on-going in the area and this developer will make improvements along the site frontages and for any substantial off-site impacts caused by this development. The majority of the property is open pasture land, with an approximately 10-acre forested in the northwest part of the property. There are no critical areas on the property. The site is located in the Battle Ground School District, Fire District 5, Park District 8, Mt. Vista Transportation Impact Fee subarea, the territory of Pleasant Highlands Neighborhood Association and the service territories of Clark Regional Waste Water District and Clark Public Utilities provides water.

The application consists of a set of full-sized plans (Ex. 2) and a binder (Ex. 1) that includes a project narrative (tab 6), notes from the April 16, 2015 pre-application conference (tab 4), a developer's GIS Packet (tab 5), Legal Lot Information (tab 7), Approved Preliminary Plats Abutting the Site (tab 8), a geotechnical report and Soils Analysis (tab 10), Stormwater Technical Information Report (tab 11), Project Engineer Statement of Feasibility (tab 12), Traffic Study (tab 13, separately bound), a Traffic Study addendum (Ex. 31) and a revised circulation plan (Ex. 32), concurrency volunteer letters (Exs. 30 & 38), SEPA checklist (tab 14), an Archaeological Pre-Determination to DAHP (tab 15), Sewer and Water Utility Review Letter (tabs 16 & 17), Health Department Project Review Evaluation Letter (tab 18), Covenants or Restrictions (tab 19), a wetland and habitat determination (tab 20), road modification request (tab 21) and a revised road modification narrative (Ex. 29), School District letter (tab 22), an off-site access agreement to NE 129th Street (tab 24), and a preliminary Boundary Survey (tab 26).

III. Summary of the Local Proceeding and the Record:

A preapplication conference for this subdivision was requested on March 26, 2015 and held April 16, 2015 (Ex. 1, tab 4). A fully complete application was submitted August 27, 2015 (Exs. 1 & 2) and was deemed fully complete September 17, 2015 (Ex. 3). From this sequence, this development is deemed vested as of March 26, 2015. Notice of the Type III application and a February 11, 2016 public hearing on the application was mailed to property owners within 300 feet and to the Pleasant Highlands Neighborhood Association on September 30, 2015 (Exs. 4 & 5). A corrected land use hearing and SEPA notice (correcting the site location) was issued on October 14, 2015 (Exs. 7 & 8). Notices of the application and hearing were posted on the site by the applicant on October 30th (Ex. 19). The applicant subsequently requested a hold (Ex. 35), which caused the hearing to be cancelled (Exs. 36 & 37) and rescheduled to February 11, 2016 (Exs. 41, 43 & 44). The County received two comments – both from Washington Department of Ecology (Exs. 11 & 16) – on the SEPA checklist issued on this project by the close of the comment and appeal period on October 28, 2015. The County received written communication from the Department of Archaeology and Historic Preservation (Exs. 34 & 39) regarding the possibility of encountering archaeological and cultural resources on the site during development. There was also a substantial amount of pre-hearing communication between the applicant and Clark Regional Wastewater District about the provision of sewer to the site and the improvements that would be required to serve (Exs. 20, 21, 22, 23, 24 & 26).

Numerous written comments were received on this application from residents in the area (Exs. 6, 9, 12, 13, 14, 17, 18, 47, 48 & 50) generally opposing the development, its density and the number of units variously based on perceived loss of rural ambiance, increased traffic and stormwater runoff, impacts to wildlife, archaeological resources, the local aquifer and schools. County Development Engineering Staff issued a report on the applicant's road modification requests (Ex. 46), and planning staff issued a comprehensive report on all aspects of the project dated January 27, 2015 (Ex. 51) recommending conditional approval. At the commencement of the February 11th hearing, the Examiner explained the procedure and disclaimed any ex parte contacts, bias, or conflicts of interest. No one objected to the proceeding, notice or procedure. No one raised any procedural objections or challenged the Examiner's jurisdiction or his ability to decide the matter impartially.

Present at the hearing were Terri Brooks, County Planning staff, and David Bottamini, County Engineer on the project, and David Jardin, County Concurrency Engineer, who collectively provided verbal summaries of the proposal, the staff report and the various agency and public comments already in the record. The applicant was represented by its attorney, Steve Madson, and design engineers, David Weston and Seth Halling, who described the project, explained details, responded to questions, and generally advocated for approval of the proposed development. Mr. Weston provided a memo suggesting revisions and corrections to staff's proposed findings and conditions of approval (Ex. 54). Otherwise, the applicant's design team expressed general agreement with the proposed findings and conditions in the January 27th staff report (Ex. 51). Two near-by neighbors (Tracy Guinett and Dwane Schey) testified in a neutral capacity, asking questions about precisely what the applicant proposed and how it would impact their properties, to which the applicant responded. One adjacent neighbor (Ben Filan) testified representing several of his fellow neighbors in opposition to the project reiterating the following arguments that had been presented in written form (Ex. 17):

- Loss of rural ambiance, quality of life and aesthetics of the area
- Notification should be increased in geographic scope and level of detail
- Application documents and supporting information should be more accessible

- The SEPA notice contained several spelling and grammatical errors
- Wetlands - How and when will the County amend its wetland inventory to include more obscure wetlands
- Schools – the local schools appear to be over-capacity
- Traffic & transportation – the traffic that will be generated by this development will exceed the capacity of local streets and intersections, endanger pedestrians and exacerbate intersections that are already hazardous

There was no other verbal testimony on this proposal and no requests for a continuance or that the record be kept open. The Examiner closed the record and took the matter under consideration at the conclusion of the February 11th hearing.

IV. Findings:

Only issues and approval criteria raised in the course of the application, during the hearing and before the close of the record are discussed in this section. All approval criteria not raised by staff, the applicant or a party to the proceeding have been waived as contested issues, and no argument with regard to these issues can be raised in any subsequent appeal. The Examiner finds those criteria to be met, even though they are not specifically addressed in these findings.

A. Findings Responsive to Opponent Arguments: The Examiner adopts the following findings in response to issues raised by opponents to the project either in writing (Exs. 6, 9, 12, 13, 14, 17, 18, 47, 48 & 50) or verbally at the hearing:

1. Loss of rural ambiance, quality of life and aesthetics of the area. Several written comments objected to the loss of rural quality of life and related ambiance and aesthetics of the area. These comments relate to the conversion of this formerly rural area into a relatively intense and densely developed urban area. While the loss of the rural character is an understandable and significant impact of near-by residents of the area, the Board of County Councilors, in collaboration with the City of Vancouver, previously planned for the release of the land from Urban Holding, annexation to the City of Vancouver, and zoned it for intense urban development consistent with the Growth Management Act. While the Examiner sympathizes with these neighbors, witnesses and comments, he is obligated to apply the zoning and development standards adopted by the Board of County Councilors and imposed on this property. That necessarily requires this rural area to a relatively dense urban landscape consistent with the R-30 and R1-6 Zoning requirements.
2. Adequacy of notice and accessibility of record materials: While this sentiment is understandable, the County provided the notice required by state law and the Development Code, and in fact, provided notice of cancellation of the first hearing date and scheduling of the new hearing date. The documents in the record, including the application and all supporting materials, were publicly available as state law requires. The Examiner concludes that this objection does not provide a basis to condition or deny this application.
3. Adequacy of SEPA notice: The Examiner concludes that the SEPA checklist (Ex. 1, tab 14) and notice (Exs. 4, 5, 7 & 8) were complete and compliant with state law and the County' Development Code. Moreover, no comments or appeals were filed on the

SEPA notice by the close of the comment and appeal period on October 28, 2015 and it is now final.

4. Wetlands. This issue takes more the form of a question about how the county inventories protected wetlands and no so much as an objection to this application or its compliance with the County's Wetland Ordinance (CCC ch. 40.450). In that light, it does not provide a basis to condition or deny this application.
5. School capacity. Mr. Filan questioned whether there was sufficient capacity at the affected local schools to handle the students that will live in this new development. While casual observation may lead one to conclude that schools are over-capacity, that is a determination to be made by the School District based upon its capacity needs and facility planning, not Clark County through the plat review process. The Examiner would rely upon any official statement by an affected school district that there was insufficient capacity to serve a particular development, but the record contains no such statement. Instead, the record contains a letter from the Battle Ground School District stating how students living in this development will get to school (Ex. 1, tab 22). Finally, each house constructed in this development will pay school impact fees, which is deemed to be a legally sufficient as this development's contribution to schools for new capacity to serve new development. In this light, the Examiner declines to require more of this applicant.
6. Traffic & transportation. Mr. Filan asserts that the traffic to be generated by this development will exceed the capacity of local streets and intersections, endanger pedestrians and exacerbate intersections that are already hazardous. Mr. Filan provides no evidence, credible or otherwise, in support of these assertions, which are within the technical expertise of a professional engineer, certified in transportation engineering. The applicant has provided a Traffic Impact Study (Ex. 1, tab 13, separately bound & Ex. 31) and a circulation plan (Ex. 32) which documents and quantifies the likely transportation impact of this development on surrounding road segments and intersections, including an analysis of operational levels of service, safety and concurrency. County Concurrency Engineering reviewed the applicant's engineering and Traffic Impact Study, confirmed its conclusions and recommended specific conditions to ensure that this development meets the County's adopted transportation safety and concurrency standards. Absent some comparably credible expert evidence to the contrary, the Examiner believes and accepts the technical review and recommendations of the County Concurrency Engineers.

B. Findings Responsive to the Applicable Approval Criteria: The Examiner adopts the following findings in response to the approval criteria addressed in the staff report:

Land Use

Finding 1 – Use and Density: The proposal is to divide approximately 40.61 acres into 232 single-family detached residential lots in the R-30 and R1-6 zones using the PUD provisions of CCC 40.520.080, which states in pertinent part "Any use consistent with the zone districts designated for the parcel(s) within the proposed planned unit development boundary may be permitted in planned unit developments. The location of the uses in planned unit developments may vary from underlying zoning; provided, that the total allowed uses (e.g., number of residential uses or area assigned to commercial use) was limited by the maximum allowed on each respectively zoned parcel." CCC Table 40.220.010-2 allows a density range of 5.1 to 7.3 units/acre in the R1-6 zone for PUDs. Density is only given for

single-family attached (not detached) in the R-30 zone, with a minimum of 18 units and a maximum of 30 units per acre. The maximum and minimum density requirements are calculated based on the gross area of the site less any public or private roads. The R-30 zone allows multi-family and attached single-family units, but prohibits single-family detached units. Therefore, Clark County would ordinarily require single-family attached or multi-family units in a R-30 zoned PUD. These units would be required at a density equal to what the R-30 zone requires somewhere in the PUD. This PUD meets the proposed density, but only includes detached single-family units. Planning staff indicates that it provided advice to the applicant on December 16, 2014 that single-family detached units were allowed in the R-30 Zone with a PUD, even though that is not entirely correct. Because staff's erroneous opinion was provided in writing, it is County policy to be bound by such written code interpretations, even though staff now believes that the advice was incorrect. Apparently the only time staff departs from this policy is when the erroneous opinion jeopardizes life/safety. Therefore, County staff states that it stand by the original interpretation in this case only and provided a recommendation to the Examiner consistent with the written, albeit incorrect, advice (Ex. 51, p 7). This decision is not intended to establish a precedent and is not indicative of staff's interpretation of CCC40.520.080 moving forward.

As a matter of law, staff's position and the prior interpretation is untenable. The County cannot be, and is not, bound by staff advice or interpretations that are contrary to the code, even if that erroneous interpretation was in the form of a written opinion. *Mercer Island v. Steinmann*, 9 Wn. App. 479, 482-483, 513 P.2d 80 (1973) ("a municipality is not precluded from enforcing zoning regulations if its officers have issued building permits allowing construction contrary to such regulations, have given general approval to violations of the regulations, or have remained inactive in the face of such violations.") Or, as the Court of Appeals put it: the "governmental zoning power may not be forfeited by the action of local officers in disregard of the statute and the ordinance. The public has an interest in zoning that cannot thus be set at naught. The plaintiff landowner is presumed to have known of the invalidity of the exception and to have acted at his peril." *Id.*, quoting with approval the New Jersey Supreme Court in *Zahodiakin Eng'r Corp. v. Zoning Bd. of Adjustment*, 8 N.J. 386, 396, 86 A.2d 127 (1952). The R-30 zoned portion of the site is approximately 6.82 acres, and appears to be limited to Phase 1. While the preliminary plat is approvable and it is possible for this site to develop within the range of density required by the underlying zones as a PUD, a condition is warranted requiring the R-30 zoned portion to comply with the underlying zoning restrictions, including the prohibition on detached single-family homes. See Condition D-11.

The R-30 zoned portion of the site is ~6.82 acres with 1.84 acres dedicated to roads. Based on a net developable area of 4.98 acres, a maximum of 149 units and minimum of 89 units is allowed in the R-30 zoned portion. The R1-6 portion of the site is ~33.79 acres with 7.84 acres dedicated to roads. Based on a net developable area of 25.95 acres, the R1-6 Zoned portion is allowed a maximum of 189 lots or a minimum of 132 lots. The maximum and minimum density allowed for the aggregate site is 338 and 221 units, respectively. The applicant is proposing 232 lots, which meets the minimum requirement for the combination of both zones. This application is subject to the following dimensional standards in the R1-6 zone:

- Minimum Average Lot Area: 4,969 sf
- Maximum Average Lot Area: 8,500 sf
- Minimum Average Lot Width: 40 feet

- Minimum Average Lot Depth: 90 feet
- Front Yard Setback: 10 feet
- Garage Setback: 18 feet
- Interior Side Yard: 5 feet
- Street Side Yard: 10 feet
- Rear Yard Setback: 10 feet

The preliminary plat demonstrates that compliance with all of these standards is feasible.

Finding 2 - PUD Size. CCC 40.520.080.C.2 requires that the site proposed for a PUD be at least 6 acres in size. This site, at 41.61 acres, meets this requirement.

Finding 3 - Open Space. CCC 40.520.080.C.3 requires all PUDs to provide a minimum of 12% open space based on the net site area for active or passive recreational purposes. The applicant proposes a total of 4.46 acres (14%) for both passive and active recreational areas. The open spaces will contain play areas, picnic tables, seating areas and walking trails. In staff's view, the proposal provides an adequate amount of open space in locations accessible to all future residents of the PUD. Based on staff's favorable recommendation, the Examiner finds the proposed open space is consistent with the character of the PUD, considering its size, density, expected population, topography, and the number and type of dwellings. Common open space shall be permanently maintained by and conveyed to a homeowners association or dedicated to a public agency. The applicant indicates the open space will be conveyed to and permanently maintained by either a homeowners association and/or the Clark County Parks Department. All PUD improvements such as open space tracts and landscaping shall be constructed and completed prior to final plat approval for that phase unless otherwise noted. See Condition D-1.

Finding 4 - Street Trees. The applicant proposes a street tree system along all fronting and internal roadways in the PUD as well as street lights. One street tree is required on an average of 24 linear feet, with species chosen from the Clark County Standard Details Manual or specified by a certified landscape architect. The landscape plan shows street trees from 40 to more than 100 feet apart – a density that shall be increased to an average of 24 lineal feet, and the final landscape plans shall demonstrate compliance with this standard. See Condition D-5a.

Finding 5 – Street Lighting. The applicant proposes street lighting along all internal roadways. Street lighting is not required on functional classifications of arterial roadways such as NE 72nd Avenue. Based on the plans, the Examiner concludes that proposed PUD complies with the street lighting requirements of CCC 40.520.080.C.6.

Finding 6 – Landscaping. Where a multi-family zoned property abuts single-family residential zoned property an L3 landscape in a 5-foot buffer is required, which includes Lots 31 through 50. No landscape plan for this area was submitted with the preliminary application, but the applicant shall submit one prior to final plat approval. See Condition D-5b. An L1 landscape in a 5-foot buffer is required when residential zones abut multi-family zones as along Lots 119 through 123. The open space landscaping along this area is sufficient to meet this criterion. When multi-family abuts multi-family along Lots 51 through 70 it also requires an L1 landscape in a 5-foot buffer. The open space landscaping along these lots is sufficient to meet this standard. Where the multi-family zone is across the street from the rural residential zone, an L2 landscape in 10 feet is required. The L2 standard requires enough low shrubs to form a continuous screen 3 feet high and 95%

opaque year-round. In addition, one tree is required per 30 lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area. The final landscape plan shall demonstrate compliance with these requirements. See Condition D-5c. The required landscape areas shall either be in a tract or easement and maintained by the Homeowners Association, unless dedicated or conveyed to a public agency, or in the case of the L3 landscape buffer on Lots 31 through 50, which shall be maintained by the individual homeowners. See Conditions D-5d and H-1.

Finding 7 – Urban Holding. As a condition of lifting the Urban Holding in this area, a covenant is required indicating that the owner or any subsequent owner of property will support annexation to the City of Vancouver. The applicant submitted copies of covenants that the current property owners have signed but are not yet signed by the City of Vancouver. The covenants shall be fully executed and recorded prior to final plat approval. See Condition D-2.

Finding 8 - PUD Approval Criteria. Approval of a proposed PUD requires compliance with the three criteria in CCC 40.520.080.D, upon which the Examiner makes the following findings:

1. CCC 40.520.080.D(1) - The applicant requests design flexibility for the R1-6 zoned lots to vary from lot width and area standards. The applicant also requests flexibility for detached single-family residences in the R-30 zone. Because the proposal meets the overall minimum density, the Examiner finds that the minor dimensional variations proposed are acceptable; however, detached single-family homes are prohibited in the R-30 Zone, and a PUD does not allow relief from that requirement. See Condition D-11.
2. CCC 40.520.080.D(2) - Through lot size, setbacks, building orientation, and screening, the proposed PUD shall provide a gradual transition adjacent to lower density neighborhoods. This standard does not require a gradual transition adjacent to lower density zones, but to lower density neighborhoods. If the site were developed to the R1-6 zone standards, the lot depths would be the same as proposed and if developed as multi-family in the R-30 zone the depth would be less. Keeping the 10-foot setback to the rear property line will ensure that no more impact will occur to neighboring parcels than if all the lots were developed to the R1-6 zoning standards.
3. CCC 40.520.080.D(3) - The proposal's design is centered on pedestrian-friendly orientation that includes pocket parks with playground equipment, benches, picnic tables and walking trails. The Examiner finds the proposed PUD complies with this standard.

Based on the foregoing, the Examiner concludes that the proposed PUD can comply with the PUD criteria, and it is approved as proposed with conditions, except that the lots and housing types shall not include single-family detached units on the portion of the site zoned R-30 (Phase 1), unless the developer obtains a rezone of this part of the site. See Condition D-11.

Finding 9 – Setbacks. The applicant has not requested a reduction in or variance to the setbacks so the following setbacks will apply to all proposed lots. Building setbacks are defined as the minimum horizontal distance between the property line and the foundation wall, exclusive of other building elements. The following setbacks apply to the R1-6 Zoned portion of the property:

- 10-foot front setback for the residence
- 18-foot front setback to the garage
- 10-foot street side setback
- 5-foot side setback
- 10-foot rear setback

Since the applicant is relying partially on the 10-foot rear setback to relieve impacts from the smaller lots, the rear setback shall be noted on the final plat for Lots 1 through 30. See Condition D-10i.

Finding 10 - Manufactured Homes. The applicant has not indicated that manufactured homes will be placed on the lots in this plat. Therefore, pursuant to CCC 40.260.130, manufactured homes are prohibited on all lots in this plat. See Condition D-10a.

Finding 11 – Temporary Sewer Pump Station. This project must be served by sanitary sewer, and the developer is obligated to provide (design and construct) all infrastructure needed to get sewer to the site and then to serve each lot thus created. This means that the applicant must annex the development site into the service territory of Clark Regional Wastewater (Ex. 20) and provide a new temporary sewer pump station (Exs. 21, 22, 23 & 24). The construction of a utility substation facility is permitted in any zoning district, subject to site plan approval pursuant to CCC 40.520.040. The applicant submitted a site plan (Ex. 26) showing the location of the temporary pump station and landscaping. The Examiner concludes that this plan meets the code's requirements as designed. If the developer chooses to use the proposed sewer route and the temporary sewer pump station is deemed necessary, the applicant shall construct the temporary sewer pump station as proposed (Ex. 26). See Condition D-3.

Finding 12 – Phasing. The applicant proposes to construct the project in 9 phases. Each phase shall be an independent planning unit with safe and convenient circulation and with facilities and utilities coordinated with requirements established for the entire subdivision. See Condition D-4.

Finding 13 - State Platting Standards (RCW 58.17). With conditions of approval, the Examiner finds the proposed subdivision will make appropriate provisions for public health, safety, and general welfare of the community. The developer will provide proof of adequate water and sewer service, and treatment of any increase of stormwater runoff, to protect groundwater supply and integrity. Builders of homes on each lot will pay Impact Fees as a proportionate share toward the cost of increasing capacity of school, transportation and park facilities needed to serve new development. The applicant submitted a letter from Battle Ground Public Schools indicating that all students will be bussed to schools (Ex. 1, tab 22).

Archaeology

Finding 1. The applicant submitted an archaeological pre-determination to the Washington State Department of Archaeology and Historic Preservation (DAHP) prior to submittal of the application (Ex. 1, tab 15). The DAHP expressed its concurrence with the recommendation of the applicant's archeologist that no additional studies are necessary (Exs. 34 & 39). A note on the final construction plans is warranted requiring that if resources are discovered during ground disturbance, work shall stop and DAHP and the county will be contacted. See Conditions A-1i & D-10b

Habitat

Finding 1. Based on a September 3, 2015 site visit, County Environmental Staff concurred with the Wetland and Habitat Determination prepared by AKS Engineering & Forestry (Ex. 1, tab 20). County Staff has determined there are no habitat issues and recommended no further habitat review.

Wetlands

Finding 1. The National Wetlands Inventory maps 5 modeled depressional wetlands on the site. On September 2, 2015 County Staff received a wetland and habitat determination prepared by AKS Engineering & Forestry (Ex. 1, tab 20) for the site, which addressed critical areas regulated under the Clark County wetland protection and habitat conservation ordinance. According to the report “AKS conducted a site investigation focused within the project areas mapped as wetland by NWI. AKS Natural Resources staff collected data from the site using USACE Wetland Determination Data Forms (for the Western Mountains, Valleys and Coast Region). The criteria required for determining an area as wetland; vegetation, soils and hydrology were not met.” The wetland report concludes that “AKS does not concur with the NWI mapping, as no wetlands were identified onsite.” Then, on September 3, 2015, County Environmental Staff conducted a site visit on the subject parcels and concurs with the Wetland and Habitat Determination prepared by AKS Engineering & Forestry and, from that site visit, determined there are no wetlands and concluded that no further wetland review was warranted. Based on staff’s site visit and informed recommendation, the Examiner agrees.

Transportation

Finding 1 – Pedestrian/Bicycle Circulation Plan. CCC 40.350.010 requires pedestrian circulation facilities that comply with the Americans with Disabilities Act. The applicant proposes pedestrian circulation throughout the subdivision that, in staff’s opinion, meet the pedestrian circulation code.

Finding 2 – Road Circulation. The applicant has proposed circulation in each direction and proposes NE 135th Street and NE 60th Avenue as Urban Neighborhood Circulator roads. The remaining roads shall be Urban Local Residential roads. A road modification addresses variance requests pertaining to stub locations, block lengths, and access to NE 72nd Avenue. See Finding 21.

Finding 3 – Roads. NE 72nd Avenue is classified as a Principal Arterial road (Pr-4cb) requiring 50 feet of half-width right-of-way, 36 feet of paved half-width, detached sidewalk, curb/gutter, and landscaping strip. The plans propose right-of-way and improvements consistent with these standards. NE 135th Street is designed as an Urban Neighborhood Circulator, consisting of 54 feet of right-of-way, 28 feet of paved width, curbs, gutters, and sidewalks. NE 60th Avenue is designed as a partial-width Urban Neighborhood Circulator including 31 feet of right-of-way, 20-foot partial-width roadway, detached sidewalk, curb, and gutter. NE 129th Street is designed as a partial-width Urban Local Residential Access including 31 feet of right-of-way, 20-foot partial-width roadway, detached sidewalk, curb, and gutter. The remaining roads are designed as Urban Local Residential Access roads consisting of 46 feet of right-of-way, 28 feet of road width, curbs, gutters, and sidewalks. Per CCC Table 40.350.030-3 and CCC 40.350.030(B)(7)(b), the dedication of rights-of-way on corners at intersections with arterial roads shall include the chord of the radius. The county will accept an easement for this chord instead of dedication of right-of-way. See Condition A-1a. CCC 40.350.030(B)(4)(b)(1)(b) requires corner lot driveways to be spaced a minimum of 50 feet from the intersecting property lines or where this is impractical, the driveway may be located 5 feet from the property line away from the intersection or as a joint

use driveway at this property line. CCC 40.350.030(B)(4)(b) prohibits any one road from serving more than 100 lots or dwelling units unless it 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 second vehicle access road may be a county emergency-only access road, if it serves less than 200 lots or dwelling units. The applicant has obtained the right to access an easement for the purpose of emergency access to the west of the stub of NE 129th Street (Ex. 1, tab 24). CCC 40.350.030(B)(9)(b)(3) requires a barricade to be placed at the end of all stub streets. Unless NE 129th Street is dedicated and constructed to serve as a second access to this development, it shall be an emergency access only, in which case, the applicant shall install removable bollards at western stub of NE 129th Street. See Condition A-1b.

Finding 4 – Technical Road Modifications (EVR2016-00001). The applicant requested the following road modifications (Ex. 1, tab 21 & Ex. 29) to the street design standards in CCC ch. 40.350 that otherwise would apply:

1. The applicant proposes the following departures from the intersection spacing requirements in CCC Table 40.350.030-3:
 - Allow intersection spacing of 540 feet from NE 135th Street to NE 137th Street along NE 72nd Ave.
 - Allow intersection spacing of 408 feet from NE 135th Street to NE 133rd Street.
2. The applicant proposes the following departures from the cross-circulation requirements in CCC 40.350.030(B)(9)(b)(2):
 - Allow NE 67th Avenue, a proposed local access street stub to the south to be 159 feet in length with a barricade placed at 157 feet and no temporary turnaround.
 - Allow NE 64th Avenue, a proposed local access street stub to the south to be 159 feet in length with a barricade placed at 157 feet and no temporary turnaround.
3. The applicant proposes the following departures from the intersection spacing requirements in CCC Table 40.350.030-4:
 - Allow proposed NE 135th Street to have less than the required 230-foot driveway spacing to the driveways providing access to parcels 198875-000, 198552-000, 198556-000, 198591-000, 198540-000, 198576-000, 198954-000 & 198875-000.
4. The applicant proposes the following departure from the cross-circulation requirements in CCC 40.350.030(B)(9)(b)(1):
 - Allow NE 67th Avenue, a proposed local access street to not include a stub to the subject site's northern property line.
5. The applicant proposes the following departures from the cross-circulation requirements in CCC 40.350.030(B)(9):
 - Allow the proposed southern street stub of NE 69th Avenue, a proposed local access street stub to not line up with Parcel 198971-000's existing western property line.
6. The applicant proposes the following departures from the block length requirements in CCC 40.350.030(B)(2)(c):
 - Allow 1,130 feet of block length on NE 135th Street between NE 69th Avenue and NE 64th Avenue.

- Allow 1,139 feet of block length on NE 134th Street and NE 135th Street between NE 67th Avenue and NE 61st Avenue.
- Allow 1,143 feet of block length on NE 61st Avenue between NE 134th Street and NE 129th Street.

7. The applicant proposes the following a modification from the intersection design standards in CCC 40.350.030(B)(4)(d)(3):

- Allow the proposed intersection of NE 72nd Avenue and NE 135th Street to be a full access intersection without a median.

Modifications to the road design standards in CCC ch. 40.350 may be granted pursuant to CCC 40.550.010(C)(2) a-e when the applicant demonstrates that at least one of the following circumstances exists:

- Topography, right-of-way, existing construction or physical conditions, or other geographic conditions make compliance with standards clearly impractical for the circumstances;*
- A minor change to a specification or standard is required to address a specific design or construction problem which, if not enacted, will result in an unusual hardship;*
- An alternative design is proposed which will provide a plan that is functionally equivalent or superior to the standards;*
- Application of the standards of Chapter 40.350 to the development would be grossly disproportional to the impacts created;*
- A change to a specification or standard is required to ensure consistency with existing features adjacent to or affected by the site where those existing features are not expected to change over time.*

Staff evaluated each of the applicant's road modification requests and generated a report and recommendation on each request (Ex. 46). Based on staff's review and recommendations, the Examiner adopts the following findings with regard to each modification request:

1. Approve - CCC 40.550.010(C)(2)(a): The minimum intersection spacing requirement for an Urban Principal Arterial is 600 feet. Although the proposed intersection spacing distances do not meet 600 feet, they have at least 400 feet of spacing, and concurrency engineering reviewed the following factors to determine that 400 feet of spacing would be safe under the circumstances of this proposal:

Regional Significance of Proposed Site Access Location: Concurrency Staff reviewed the regional significance of NE 135th Street and NE 72nd Avenue and found that the only classified road in the County's Arterial Atlas, within the study area, is NE 72nd Avenue. NE 72nd Avenue is classified as a Principle Arterial (Pr-4cb) and is regulated by the County's Concurrency Ordinance/Code (CCC 40.350.020). NE 135th Street is proposed, as a part of the NE 72nd Avenue Subdivision development, as a public urban neighborhood circulator road with on-street parking. Because NE 135th Street is not classified as a collector street or above, the intersection of NE 135th Street/NE 72nd Avenue is not regulated by Concurrency, but by safety.

Crash History: Concurrency Staff reviewed the crash history analysis provided by the applicant's traffic engineer. The applicant's engineer indicated that there was no crash history along the site frontage. Staff concurs with the applicant's findings.

NE 72nd Avenue Corridor Capacity: Staff reviewed transportation models to determine the current estimated corridor capacity along NE 72nd Avenue as they relate to the subject frontage. Staff found that the NE 72nd Avenue corridor is under capacity with regard to current and proposed volumes as compared to existing geometry.

From this, the Examiner concludes that the proposed public road intersection of NE 72nd Avenue/NE 135th Street is not regionally significant and is not regulated by the County's Concurrency Code. There is no recorded crash history along the NE 72nd Avenue site frontage. The NE 72nd Avenue corridor capacity, between NE 119th Street and NE 139th Street, is at acceptable levels with the current lane geometry. Eastbound NE 135th Street approach may experience long wait times with a left-turning movement onto NE 72nd Avenue in the AM and PM peak periods. Under future traffic conditions and as development occurs along NE 72nd Avenue, it may be necessary to construct raised median, or restrict turning movements on NE 72nd Avenue at the proposed NE 135th Street location. Access restrictions could be constructed at any time in the future as roadway volumes increase and/or safety issues become of concern. Access restrictions could be constructed for development mitigation or as a county project. As a result, the applicant should acknowledge that access onto NE 72nd Avenue may be limited at some time in the future, but for now, this modification is approved. See Condition A-1c.

2. Approve - CCC 40.550.010(C)(2)(c). Street stubs as proposed will be within 10 feet of the length that does not require a temporary turnaround. However, the county typically does not allow mid-block pedestrian crossings, which the applicant shall remove from the plans. The pedestrian paths can be reoriented so that they direct pedestrians to the associated intersections to the north. See Condition A-1d.
3. Not needed. The required 230 feet of separation applies to spacing between driveways. According to CCC 40.350.030(B)(4)(b), corner lot driveways shall be at least 50 feet from the intersecting property lines as measured to the nearest edge of the driveway. It appears that the proposal meets the 50-foot spacing requirement, and the 230-foot spacing does not apply to the spacing between an intersection and a driveway. Lots 50 & 51 shall not have direct driveway access to NE 72nd Avenue.
4. Approve - CCC 40.550.010(C)(2)(c). Staff concluded that the applicant did not provide sufficient justification for its request to not stub NE 67th Avenue to the northern property line, which produces a block length of ~1,150 feet, which exceeds the maximum allowed block length by ~350 feet. However, staff's analysis ignores the other streets in this development that will stub to the north property line, *i.e.*, NE 60th Avenue, NE 64th Avenue and NE 69th Avenue. In the Examiner's opinion, these other stub streets will provide sufficient cross-circulation, and on this basis, this modification is approved.
5. Denied. Staff did not support the proposal to align the southern stub of NE 69th Ave. with parcel 198971-000, which is 1 acre in size. Per CCC 40.350.030 (B)(2)(b), the circulation plan shall demonstrate feasibility with development of adjacent properties. The stub could be positioned elsewhere in a location that would allow compliance with CCC 40.350.030(B)(2)(b) while also meeting the 150-foot minimum intersection spacing requirement for an Urban Neighborhood Circulator under Table 40.350.030-2. See Condition A-1e.

6. Denied. The applicant has proposed 2 additional blocks longer than 1,100 feet (NE 134th Street and NE 61st Avenue). Staff found that the applicant provided insufficient justification for not complying with the maximum 800-foot block length requirement with respect to these streets. CCC 40.350.030(B)(2)(c)(1)(b) allows use of a pedestrian path to meet with the block perimeter of 3,200 feet; however, CCC 40.350.030(B)(2)(c)(1)(a) does not allow pedestrian path to be used in lieu of a road to meet the block length requirement. An additional stub is needed to provide circulation to the southeast of the site. See Condition A-1f.
7. Not needed. A road modification is not required for this request, and it is denied. However, the applicant should understand that the county may determine that a median is necessary at some point in the future, thus the developer and subsequent home owners have no right to expect this intersection to remain free of a median barrier. See Condition A-1c.

Finding 5 – Sight Distance. This development is required to achieve the minimum sight distance standards for intersections and driveways in CCC 40.350.030.B.8. The final engineering plans shall show sight distance triangles for all intersections. Landscaping, trees, utility poles, and miscellaneous structures shall not be allowed to impede sight distance requirements at any of the driveway approaches or intersections. Additional building setbacks may be required for corner lots to maintain adequate sight distance. The sight distance triangles shall be delineated to scale on the final construction plans and the final plat. See Condition A-1g. The applicant submitted an August 20, 2015 sight distance narrative (Ex. 1, tab 13) and additional analysis was provided as part of the January 8, 2016 road modification addendum. The applicant demonstrates that sight distance of at least 500 feet is achievable to the north and south at the proposed intersection with NE 72nd Avenue. The sight distance triangles for all intersections shall be shown on the final engineering plans and the final plat. See Condition A-1g.

Finding 6 – Transportation Phasing. The applicant shall provide (design and construct to county standards) all necessary transportation improvements that are required to serve and support each individual phase including temporary turnarounds. The required transportation improvements for each proposed phase shall be reviewed during final engineering review. See Condition A-1h.

Transportation Concurrency

Finding 1: Trip Generation. County concurrency staff reviewed the proposed NE 72nd Avenue PUD. The applicant's traffic study (Ex. 1, tab 13, separately bound) indicates that the proposed development will divide 40.5 acres, into 232 single family detached residences and estimates the a.m. and p.m. peak hour trip generation at 174 and 230 trips, respectively, with an average daily trip generation of new 2,190 trips. The trip generation was estimated using the nationally accepted data published by the Institute of Transportation Engineers 9th Ed. The applicant submitted its traffic study in partial fulfillment of CCC 40.350.020 (D)(1).

Finding 2: Site Access. Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as 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 delays, 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 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 traffic study (Ex. 1, tab 13, bound separately) indicates that the subdivision will construct a new public neighborhood circulator road (NE 135th Street) from NE 72nd Avenue, an Urban Principle Arterial (Pr-4cb) through the development. The connection of NE 135th Street, at NE 72nd Avenue will be constructed as a full access public intersection, and a proposed interior street network will provide individual lot access. The applicant's study evaluated intersection service levels during the am and pm peak hour traffic conditions in existing and build-out scenarios and determined that the intersections analyzed will operate at a LOS E or better in the 2018 build-out horizon. County Staff concurred with the traffic study findings.

Finding 3: Clark County Concurrency. This development is required to meet the standards in CCC 40.350.020.G for corridors and intersections of regional significance within 2 miles of the development site. Typically, the County's transportation model is used to determine what urban area developments are currently being reviewed, approved or under construction in the vicinity of the proposed development. The traffic these developments will generate is referred to as "in-process traffic" and ultimately will 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. From this, County staff determined that the development would or could comply with adopted Concurrency standards for signalized intersections under County jurisdiction. On this basis, the Examiner agrees.

Unsignalized Intersections. County Staff evaluated the operating levels and standard delays represented in the County's model, which yielded operating levels and standard delay times with a LOS better than the minimum allowable LOS E for unsignalized intersections, exception for NE 159th Street/NE 72nd Avenue and NE 139th Street/NE 72nd Avenue intersections, which operate at an LOS E. The study then evaluated these regionally significant unsignalized intersections for signal warrants, and concluded that signals were not warranted at any of these intersection. Therefore, none of the unsignalized intersections were recommended for signalization, and County Staff concurred with those traffic study findings.

Concurrency Corridors. Staff reported that an evaluation of the concurrency corridor operating levels and travel speeds in the County's model yielded operating levels and travel speeds within acceptable levels of service. No further analysis or mitigation is needed on this issue.

Conclusion. Based on staff's favorable review, the Examiner concludes that this development can comply with the County's 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,
- accident analysis, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of development approval pursuant to CCC 40.350.030.B.6, which provides that “nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a significant traffic or safety hazard would be caused or materially aggravated by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020.”

Finding 4: Turn Lane Warrants. Turn lane warrants are evaluated at unsignalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway. The applicant’s traffic study evaluated the need for turn lanes at the intersection of NE 129th Street/NE 72nd Avenue, NE 137th Street/NE 72nd Avenue and NE 135 Street/NE 72nd Avenue. The analysis indicated that a northbound left turn lanes on NE 72nd Avenue are warranted at each of the intersections studied, but it did show that northbound left turn lanes were warranted at the intersections of NE 129th Street/NE 72nd Avenue and NE 137th Street/NE 72nd Avenue based on through movement volume, but that the proposed development was not adding any left turning movements at these locations. The applicant’s engineer concluded that based on the number of left turning vehicles attributable to this development, the number of advancing and opposing vehicles, and the roadway speed, a left turn lane is recommended at the proposed NE 135th Street/NE 72nd Avenue. County Staff concurred with the applicant’s findings and so too does the Examiner. The applicant submitted a December 15, 2015 letter (Ex. 38) volunteering to construct a northbound left turn lane on NE 72nd Avenue at the proposed NE 135th Street. Construction of the northbound left turn lane would be a part of the NE 72nd Avenue frontage improvements, as a part of phase 1 of the proposed development. The applicant’s letter indicates that construction of the improvements would not come from construction, or pavement widening improvements on the east side of NE 72nd Avenue, but would be achieved from restriping of NE 72nd Avenue. The restriping of NE 72nd Avenue would result in a 3-foot wide shoulder on the east side of NE 72nd Avenue, and a 17 foot wide shoulder on the west side of NE 72nd Avenue until future off-site frontage improvements are completed. Although the applicant volunteered to construct a northbound left-turn lane as part of the construction of required frontage improvements and within the existing right-of-way, the applicant did not indicate that the existing roadway appurtenances would be maintained. As previously mentioned, the traffic study indicates that a left-turn lane is required to mitigate the impacts of the proposed development and to maintain mobility and safety at the proposed new NE 135th Street/NE 72nd Avenue intersection. The applicant’s construction of NE 72nd Avenue frontage improvements and northbound left-turn lane shall maintain existing roadway appurtenances, e.g. bike lanes, shoulder width, striping, pedestrian facilities, etc., which may require increasing the pavement width, dedicating additional right-of-way and providing safety type improvements to comply with roadside clear zone requirements. See Conditions A-6 & D-7.

Finding 5: Historical Accident Situation. The applicant’s traffic study analyzed the crash history from data obtained from Clark County for the period January 2010 through December 2014. The intersection crash rates, for the study intersections do not exceed thresholds that would warrant additional analysis or further mitigation. Staff concurred with the applicant’s findings and so too does the Examiner.

Finding 6: Roadside Safety (Clear Zone) Evaluation. The Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6th Ed, states that “[t]he clear roadside concept... is applied to improve safety by providing an un-encumbered roadside recovery area that is as wide as practical...” 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.” Clark County has adopted these requirements in CCC 40.350.030(C)(1)(b) by incorporation of the Washington State Department of Transportation (WSDOT) Design Manual, Chapter 1600, which 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, trashcans, landscaping and transit shelters along the roadside.”

“For projects on city streets as state highways that include work in those areas that are the City’s responsibility and jurisdiction, design the project using the city’s Development/Design Standards. The standards adopted by the city must meet the requirements set by the Design Standards Committee for all projects on arterial, bike projects, and all federal-aid projects.”

The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Sec. 1600.04) in the final engineering design of all roadways and frontage improvements. See Condition A-7.

Finding 7: Vehicle Turning Movements. These curb return radii shall comply with the minimum 35-foot radius at an intersection with an arterial. It shall be noted that, this curb return radius is the minimum standard and is intended for normal conditions, per CCC 40.350.030(C)(3), which also states that the “responsible official may require higher standards for unusual site conditions.” The applicant shall submit for county review and approval construction plans that show that the intersection geometry will accommodate all applicable design vehicles. The plans shall also show that all applicable design vehicles have the ability to enter and exit the development without swinging into opposing travel lanes, which may result in areas of no on-street parking on NE 135th Street near the intersection with NE 72nd Avenue. See Condition A-10.

Stormwater

Finding 1 - Stormwater Applicability. CCC chapter 40.385 applies to all new development, redevelopment, and drainage projects consistent with the Stormwater Management Manual for Western Washington (SMMWW) as modified by CCC chapter 40.385 and the county’s stormwater manual. This project adds more than 5,000 sf of new impervious surface. Therefore, the applicant is subject to and shall comply with Minimum Requirements 1 through 10 in CCC 40.385.020.A.4. The applicant shall submit final construction plans and

a final Technical Information Report for review and approval that demonstrates compliance with these requirements. See Condition C-3.

Finding 2 – Stormwater Proposal. The applicant provided an August 26, 2015 stormwater technical information report and associated groundwater monitoring results (Ex. 1, tabs 10 & 11) and a December 15, 2015 addendum. The applicant proposes StormFilters (Contech Engineered Solutions), infiltration galleries and infiltration on individual lots where feasible per the addendum. The tested infiltration rate was measured at a range of 0.8 in/hr. to 75.25 in/hr. (Ex. 28). The applicant's engineer proposes the design infiltration rates for various facility contributing basins listed in Section G.2 of the preliminary stormwater report with a minimum factor of safety of 4. See Condition C-1. Individual infiltration systems have been proposed for the roof and crawl space drains on the lots. The individual infiltration facilities are proposed to be privately owned and maintained. See Condition D-10h. CCC 40.385.020(C)(3)(c) requires the applicant to demonstrate that the seasonal high groundwater level is at least 15 feet below the bottom of proposed infiltration systems. The monitoring data generally demonstrates compliance with CCC 40.385.020(C)(3)(c), but groundwater was found within 14 feet of the surface at one location on the site. The applicant shall maintain compliance with CCC 40.385.020(C)(3)(c) for final construction plan approval. See Condition A-3a. CCC 40.385.020(C)(1)(a) prohibits this development from materially increasing or concentrating stormwater runoff onto any adjacent property or to block existing drainage from adjacent lots. See Condition A-3b. The Examiner concludes from the applicant's stormwater and soil infiltration information that compliance with CCC ch. 40.385 is feasible.

Finding 3 – Stormwater Phasing. Each individual proposed phase shall be designed with sufficient stormwater management facilities and comply with CCC ch. 40.385. The required stormwater improvements for each proposed phase shall be reviewed during final engineering review. See Condition A-3c.

Fire Protection

Finding 1 – Fire Marshal Review. This application was reviewed by the Fire Marshal's Office, which provided conditions of approval to ensure compliance with life/safety requirements. The developer shall fulfill or otherwise comply with all of these conditions. Where there is difficulty meeting these conditions or if additional information is required, the developer shall contact the Fire Marshal's office immediately.

Finding 2 – Building Construction. Building construction occurring pursuant to this application shall comply with the county's building and fire codes. Additional specific requirements may be imposed at the time of building construction as a result of the permit review and approval process. See Condition E-2.

Finding 3 – Fire Flow. Fire flow in the amount of 1000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this development. Prior to final approval the developer shall submit proof from the water purveyor indicating that fire flow is available at the site. 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 sf of inhabitable area. See Condition B-1d.

Finding 4 – Fire Hydrants. Fire hydrants are required for this application, and the indicated number and spacing of the fire hydrants appears to be adequate. 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 shall review and approve the exact locations of fire hydrants. The developer shall contact City of Vancouver Fire Department to arrange for location approval. The developer shall provide and maintain a 3-foot clear space completely around every fire hydrant. See Conditions A-9a & A-9b.

Finding 5 – Fire Apparatus Access. The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standards and shall provide 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. Fire department access appears to comply with the Clark County Road Standards. Parking is prohibited on access roads that are narrower than 24 feet wide. Roads that are narrower than 24 feet wide shall be posted "NO PARKING-FIRE LANE." See Condition A-9c.

Finding 6 – Additional Fire Protection. One and two family homes over 3,600 sf, excluding attached garages, shall have additional fire protection requirements, and for additional information builders shall contact the Clark County Fire Marshal's Office. See Condition E-3.

Finding 7 – Setback Encroachments. Setback encroachments as permitted by the International Building Code may require additional fire protection features including fire rated construction and or residential fire sprinkler systems. See Condition E-4.

Water and Sewer Service

Finding 1 – Public Water and Sewer. The site will be served by the Clark Public Utilities water district and Clark Regional Wastewater sewer district. Letters from these service providers (Ex. 1, tabs 16 & 17) confirm that public water service is available to the site but that public sewer would not be until an annexation to the sewer district is approved. This was approved by Clark Regional Wastewater on December 8, 2015 (Ex. 49).

Finding 2 – Public Health Evaluation Letter. The developer shall submit a Public Health Evaluation Letter 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-8.

Finding 3 – Existing Wells and Septic Systems. The existing wells and septic systems shall be abandoned, and the developer shall submit an acceptable Public Health Evaluation Letter to the county at the time specified in the evaluation letter. See Condition A-8.

Impact Fees

Finding 1 – Impact Fees. All new residential lots created by this plat will produce impacts on schools, parks, and traffic and related systems and facilities. The applicant is entitled to impact fee credit for the two dwellings that are on the development site and will be removed as part of this project. The applicant shall designate which lots in the subdivision are to receive the credits. Accordingly, the following School Impact Fees (SIF), Park Impact Fees

(PIF), and Traffic Impact Fees (TIF) shall be assessed on all new detached single-family dwellings constructed in this subdivision pursuant to CCC chapter 40.610:

- \$4,986.45 TIF per house in the Mt. Vista Transportation Sub-area
- \$5,128 SIF per house in the Battle Ground School District;
- \$1,800 PIF per house for Park District 8 (\$1,360 for acquisition & \$440 for development).

Impact fees for townhouse or multifamily units are:

- \$3,027.31 per townhouse unit or \$3,464.98 per multi family unit in the Mt. Vista Transportation Sub-area
- \$2,649 per multifamily unit in the Battle Ground School District
- \$1,315 per dwelling unit for multifamily or townhouse for Park District 8 (\$994 for acquisition & \$321 for development).

Impact fees shall be paid prior to issuance of a building permit for each new dwelling. If a building permit application is made more than three years following the date of preliminary plat approval, the impact fees shall be recalculated and assessed according to the then-current ordinance rate. See Conditions D-6d & E-1.

SEPA DETERMINATION

Staff determined that there were no probable significant adverse environmental impacts associated with this proposal that could not be avoided or mitigated through the conditions of approval and issued a corrected Determination of Non-Significance (DNS) on October 14, 2015 (Exs. 7 & 8). Only one responsive SEPA comment was received during the comment period (ending October 28, 2015) from the Washington Department of Ecology (Ex. 16), which does not require a separate response. The Examiner concludes that the SEPA checklist is compliant with the applicable state and County requirements. No appeal of the County's DNS was filed, and therefore it is final.

V. Decision and Conditions:

Based on the foregoing findings and except as conditioned below, this application is approved in general conformance with the revised preliminary plat (Ex. 33) and supporting application materials (Exs. 1, 2, 26, 30 & 38). This development application is approved as proposed, subject to the requirements that the developer, owner or subsequent developer (the "developer") shall comply with all applicable code provisions, laws and standards and the following conditions of approval. The following conditions shall be interpreted and implemented consistently with the foregoing findings:

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 Final Transportation Plan/On-Site - The developer 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 developer shall dedicate a minimum of 25-foot chord of the radius (right-of-way or easement) at the intersection of the proposed NE 135th Street and NE 72nd Avenue. See Transportation Finding 3.

- b. Per CCC 40.350.030 (B)(9)(b)(3), a barricade shall be placed at the end of all stub streets. Unless NE 129th Street is dedicated and constructed to serve as a second access to this development, it shall be an emergency access only, in which case, the developer shall install removable bollards at western stub of NE 129th Street. See Transportation Finding 3.
- c. It may be necessary to construct raised median or restrict turning movements on NE 72nd Avenue at the NE 135th Street intersection. Access restrictions could be constructed at any time in the future as roadway volumes increase or safety issues arise. Access restrictions could be constructed for development mitigation or as a county project. Access onto NE 72nd Avenue may be limited at some time in the future. See Transportation Finding 4.
- d. The developer shall remove the mid-block pedestrian crossings from the preliminary plans. The pedestrian paths shall be reoriented so as to direct pedestrians to the associated intersections to the north. See Transportation Finding 4.
- e. In compliance with CCC 40.350.030 (B)(2)(b) the circulation plan shall demonstrate feasibility with development of adjacent properties. The southern stub of NE 69th Avenue shall be positioned elsewhere and comply with CCC 40.350.030(B)(2)(b) while meeting the minimum intersection spacing requirement of 150 feet for an Urban Neighborhood Circulator per Table 40.350.030-2. See Transportation Finding 4.
- f. A pedestrian path can be used to comply with the block perimeter of 3200 feet per CCC 40.350.030 (B)(2)(c)(1)(b); however, a pedestrian path cannot be used in lieu of a road to meet the block length requirement of CCC 40.350.030 (B)(2)(c)(1)(a). An additional stub shall be provided for future circulation to the southeast of the site. See Transportation Finding 4.
- g. Sight distance triangles for all road intersections shall be shown on final construction plans and on the plat. See Transportation Finding 5. The developer shall remove any obstructing vegetation that encroaches into the sight-distance triangles, and the developer shall perform any other mitigation needed to achieve the minimum 500 feet to the north and south at the proposed intersection with NE 72nd Avenue
- h. The developer shall provide all necessary transportation improvements required for each individual phase, including temporary turnarounds. The required transportation improvements for each proposed phase will be reviewed during final engineering review. See Transportation Finding 6.
- i. The following note shall be placed on the face of the final construction plans:
"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-2 Transportation:

- a. Signing and Striping Plan: The developer shall submit a signing and striping plan and a reimbursable work order, authorizing County Road Operations to perform any signing and pavement striping required within the County right-of-way. This plan and work order

shall be approved by the Department of Public Works prior to final plat or final site plan approval.

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

A-3 Final Stormwater Plan - The developer shall submit and obtain County approval of a final stormwater plan designed in conformance with CCC ch. 40.385 and the following additional requirements:

- a. The developer shall maintain compliance with CCC 40.385.020(C)(3)(c) for final construction plan approval. See Stormwater Finding 1.
- b. Per CCC 40.385.020(C)(1)(a), no new development or redevelopment shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. See Stormwater Finding 2.
- c. Each individual proposed phase shall be designed with sufficient stormwater management facilities and comply with CCC ch. 40.385. The required stormwater improvements for each proposed phase will be reviewed during final engineering review. See Stormwater Finding 3.

A-4 Erosion Control Plan - The developer shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.385.

A-5 Excavation and Grading – All excavation and grading shall be performed in compliance with CCC ch. 14.07.

A-6 Final Transportation Plan/Off Site (Concurrency) – The developer shall submit a signing and striping plan for review and approval, which shall show signing and striping and all related features for required frontage improvements and any off-site improvements. This signing and striping plan shall also include installation of a northbound left-turn lane on NE 72nd Avenue at NE 135th Street. This northbound left-turn lane, at NE 72nd Avenue/NE 135th Street, shall have a minimum storage length of 100 feet with the appropriate lane tapers. Construction of this left turn lane shall also include and maintain all required frontage appurtenances, *e.g.*, bike lanes, shoulder width, striping, pedestrian facilities, etc., which may require increasing the pavement width, dedication of right-of-way and safety type improvements to comply with roadside clear zone requirements. The developer shall obtain a work order with Clark County to reimburse the County for required signing and striping. See Transportation Concurrency Finding 4.

A-7 Final Transportation Plan/Off Site (Concurrency) - The developer 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 Transportation Concurrency Finding 7.

A-8 Public Health Review – The developer shall submit a Public Health Evaluation Letter 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-9 Fire Marshal Requirements. The developer shall comply with or otherwise fulfill all of the conditions recommended by the Fire Marshal's Office, including the following:

- a. Fire hydrants are required for this application, and the indicated number and spacing of the fire hydrants appears to be adequate. The developer shall provide fire hydrants so that the maximum spacing between hydrants does not exceed 700 feet and no lot or parcel is farther than 500 feet from a fire hydrant as measured along approved fire apparatus access roads. See Fire Protection Finding 4.
- b. Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local fire district chief approves the exact locations of fire hydrants, and the developer shall contact the Vancouver Fire Department at 360-487-7260 to arrange for location approval. The developer shall provide and maintain a 3-foot clear space completely around every fire hydrant. See Fire Protection Finding 4.
- c. Parking is prohibited on access roads that are narrower than 24 feet wide. Roads that are narrower than 24 feet wide shall be posted "NO PARKING-FIRE LANE." See Fire Protection Finding 5.

A-10 Final Transportation Plan/Off Site (County Concurrence) – The developer 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 are able to enter and exit the development without swinging into opposing travel lanes, which may result in no on-street parking areas on the neighborhood circulator road, at or near the NE 135th Street/NE 72nd Avenue intersection. See Transportation Concurrence Finding 7.

B	Prior to Construction of Development Review & 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.
 - 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.
 - c. Prior to site construction, structures slated for demolition shall be demolished in accordance with the procedures of the Southwest Clean Air Agency and a Clark County demolition permit.

- d. The developer shall provide fire flow in the amount of 1000 gallons per minute supplied at 20 psi for 60 minutes duration, and prior to final approval submit shall submit proof from the water purveyor indicating if fire flow is available at the site. 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 sf of inhabitable area. See Fire Protection Finding 3.

B-2 Erosion Control - Prior to construction, all erosion and 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: In accordance with CCC 40.385.020(C)(3)(i), before acceptance of any infiltration facility by the county, the completed facility shall be tested and monitored to demonstrate that the facility performs as designed. If the tested coefficient of permeability determined at the time of construction is at least 95% of the uncorrected coefficient of permeability used to determine the design rate, construction shall be allowed to proceed. If the tested rate does not meet this requirement, the developer shall submit an additional testing plan to Clark County that follows the requirements in Chapter 2 of the Stormwater Manual. This plan shall address steps to correct the problem, including additional testing and/or resizing of the facility to ensure that the system complies with the provisions of this chapter. See Stormwater Finding 2.

C-2 Verification of the Installation of Required Landscape - The developer 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. Right-of-way landscaping may be deferred until the time of occupancy of abutting homes so that home and sidewalk construction does not damage landscape.

C-3 Stormwater. This development is subject to and shall comply with Minimum Requirements 1 through 10 in CCC 40.385.020.A.4. The applicant shall submit final construction plans and a final Technical Information Report for review and approval that demonstrates compliance with these requirements. See Stormwater Finding 1.

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 Open Space. Common open space shall be permanently maintained by and conveyed to an owners association or dedicated to a public agency. All PUD improvements such

as open space tracts and landscaping shall be constructed/completed prior to final plat approval for that phase unless otherwise noted. See Land Use Finding 3.

- D-2 Annexation to Vancouver after Urban Holding.** The developer shall submit copies of the fully executed and recorded covenants agreeing to annexation of parcels in this plat to the City of Vancouver. See Land Use Finding 7.
- D-3 Temporary Sewer pump station.** If the developer chooses to use the proposed sewer route and the temporary sewer pump station is deemed necessary, the developer shall construct the temporary sewer pump station as shown in Exhibit 26.
- D-4 Phasing.** Each phase shall be an independent planning unit with safe and convenient circulation and with facilities, utilities and open spaces as required by the entire subdivision. See Land Use Finding 12.
- D-5 Final Landscape Plan** - The developer shall submit and obtain county approval of final landscape plan that is consistent with CCC ch. 40.320, the approved preliminary landscape plan and the following additional requirements. The landscape plan shall include landscaping within the public right-of-ways and on-site, and common areas including trails, recreation areas and other commonly owned or used landscape areas:
- a. Street trees shall be placed an average of 24 feet apart. See Land Use Finding 4.
 - b. Show an L3 landscape in a 5-foot buffer along Lots 31 through 50. See Land Use Finding 6.
 - c. Show an L2 landscape in a 10-foot buffer along NE 72nd Avenue. See Land Use Finding 6.
 - d. The required landscape areas shall either be in a tract or easement and maintained by the Homeowners Association, unless dedicated or conveyed to a public agency, or in the case of the L3 landscape buffer on Lots 31 through 50, which shall be maintained by the individual homeowners. See Land Use Finding 6. The landscape buffers shall be shown on the final plat.
- D-6 Developer Covenant** – A Developer Covenant to Clark County shall be submitted for recording that includes the following:
- a. Critical Aquifer Recharge Areas - "The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."
 - b. Erosion Control - "Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."
 - c. Land Near Agricultural, Forest or Mineral Resources: "Land owners and residents are hereby notified that this plat is located within 500 feet of lands zoned agriculture-wildlife (AG-WL), agriculture (AG-20), forest (FR-40, FR-80), or surface mining (S), or in current use under Revised Code of Washington (RCW) Chapter 84.34. Therefore, the subject property is within or near designated agricultural land, forestland or mineral resource land, as applicable, on which a variety of commercial activities may occur that are not

compatible with residential development for certain periods of limited duration. Potential discomforts or inconveniences may include, but are not limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery including aircraft during any 24 hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides.”

d. Impact Fees: “In accordance with CCC ch. 40.610, and except for two lots for which this plat is entitled to impact fee credit, the following School and Traffic Impact Fees shall be paid for each new dwelling in this subdivision at or prior to the time of building permit issuance.

- \$4,986.45 TIF per house in the Mt. Vista Transportation Sub-area
- \$5,128 SIF per house in the Battle Ground School District;
- \$1,800 PIF per house in Park District 8 (\$1,360 for acquisition & \$440 for development).

Impact fees for townhouse or multifamily units are:

- \$3,027.31 per townhouse unit or \$3,464.98 per multi family unit in the Mt. Vista Transportation Sub-area
- \$2,649 per multifamily unit in the Battle Ground School District
- \$1,315 per dwelling unit for multifamily or townhouse for Park District 8 (\$994 for acquisition & \$321 for development).

These 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 March 1, 2016, and expiring on March 1, 2019. Impact fees for permits applied for after this expiration date shall be recalculated and assessed using the then-current regulations and fees schedule.” See Impact Fee Finding 1.

D-7 Transportation Concurrency – The developer shall construct a northbound left turn lane on NE 72nd Avenue, and all related design features, at the intersection of NE 72nd Avenue/NE 135th Street. Construction of this left turn lane shall also include and maintain all required frontage appurtenances, e.g., bike lanes, shoulder width, striping, pedestrian facilities, etc., which may require increasing the pavement width, dedication of right-of-way and safety type improvements to comply with roadside clear zone requirements. These improvements shall be completed prior to final plat approval unless modified by the Director of Public Works.

D-8 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-9 Verification of Landscape Installation - The developer shall provide verification in accordance with CCC 40.320.030(B) that the required landscaping has been installed in the open space areas in accordance with the approved landscape plan.

D-10 Plat Notes - The following notes shall be placed on the final plat:

- a. Mobile Homes: “Mobile homes are prohibited on all lots in this plat.”
- b. Archaeology: “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 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 6 feet along the front boundary lines of all lots adjacent to public streets."
- e. Driveways: "All residential driveway approaches entering public roads shall comply with CCC ch. 40.350."
- f. Access Restrictions: "Direct driveway access onto NE 72nd Avenue is prohibited."
- g. Sight Distance: "All sight distance triangles shall be maintained."
- h. Roof and Crawl Space Drains: "Roof and crawl space drains 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."
- i. Setbacks - "Lots 1 through 30 shall comply with a 10-foot front setback (18 feet to the garage), 10-foot street side setback, 5-foot side setback, and a 10-foot rear setback."
- j. The landscape buffers shown on Lots 31 through 50 shall be maintained by the individual lot owners.

D-11 Compliance with applicable zoning and development standards. Development of this subdivision shall comply with the requirements of the R-30 and R1-6 zoning requirements as modified by the Planned Unit Development provisions of CCC 40.520.080 and all applicable development standards. That compliance shall be reflected on the final plat, including the prohibition against detached single-family homes on land zoned R-30 (Phase 1), unless the developer obtains a rezone of this part of the site. Site plan review shall be required for other than detached single family residences.

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** – The developer shall pay the following impact fees for each dwelling constructed in this subdivision, except for two lots for which the developer is entitled to impact fee credit:
 - \$4,986.45 TIF per house in the Mt. Vista Transportation Sub-area
 - \$5,128 SIF per house in the Battle Ground School District;

- \$1,543 PIF per house in Park District 8 (\$1,103 for acquisition & \$440 for development).

Impact fees for townhouse or multifamily units are:

- \$3,027.31 per townhouse unit or \$3,464.98 per multi family unit in the Mt. Vista Transportation Sub-area
- \$2,649 per multifamily unit in the Battle Ground School District
- \$1,315 per dwelling unit for multifamily or townhouse for Park District 8 (\$994 for acquisition & \$321 for development).

If a building permit application is made more than three years following the date of preliminary site plan approval, the impact fees shall be recalculated and assessed according to the then-current rate. See Impact Fee Finding 1.

- E-2 Building and Fire Code Compliance.** Building construction occurring pursuant to this subdivision approval shall comply with the county's building and fire codes. Additional specific requirements may be imposed at the time of building construction as a result of the permit review and approval process.
- E-3 Fire Protection.** One and two family homes over 3,600 sf (excluding attached garages) shall have additional fire protection requirements. The developer shall contact the Clark County Fire Marshal's Office for additional information.
- E-4 Fire Protection.** Setback encroachments as permitted by the International Building Code may require additional fire protection features including fire rated construction and or residential fire sprinkler systems.

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 Sidewalks.** Sidewalks shall be constructed and right-of-way landscaping installed along all the respective lot frontages.
- F-2 Landscaping.** The developer 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 for Lots 31 through 50.

G	Development Review Timelines & Advisory Information
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- G-1 Land Division:** Within 7 years after the effective date of this decision, the developer shall submit to the Planning Director a fully complete final plat consistent with CCC 40.540.070 and the requirements of this preliminary plat approval. Otherwise, this preliminary plat approval shall automatically expire and become null and void.
- G-2 DOE Stormwater Permit:** A stormwater permit from the Department of Ecology (DOE) is required if both of the following conditions occur:
- a. The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; AND

- b. 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 1-acre threshold. This applies even if the developer is responsible for only a small portion (less than one acre) of the larger project planned over time. The developer shall Contact the DOE for further information.

H Post Development Requirements
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H-1 HOA maintenance of common area landscaping. The required landscape areas shall be maintained by the Homeowners Association, unless dedicated or conveyed to a public agency, or in the case of the L3 landscape buffer on Lots 31 through 50, which shall be maintained by the individual homeowners. See Land Use Finding 6.

Date of Decision: March 1, 2016.

By: 
Daniel Kearns,
Land Use Hearings Examiner

NOTE: Only the Decision and Conditions of approval, if any, are binding on the applicant, owner or subsequent developer of the subject property as a result of this Order. Other parts of the final order are explanatory, illustrative or descriptive. There may be requirements of local, state or federal law or requirements which reflect the intent of the applicant, county staff, or the Hearings Examiner, but they are not binding on the applicant as a result of this final order unless included as a condition of approval.

Motion for Reconsideration

Any party of record to the proceeding before the hearings examiner may file with the responsible County official a motion for reconsideration of the Examiner's decision within 14 calendar days of written notice of this decision. A party of record includes the applicant and those individuals who signed the sign-in sheet, presented oral testimony at the public hearing, or submitted written testimony prior to or at the Public Hearing on this matter. Any motion for reconsideration must be accompanied by the applicable fee and identify the specific authority in the 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 the rights of the moving party:

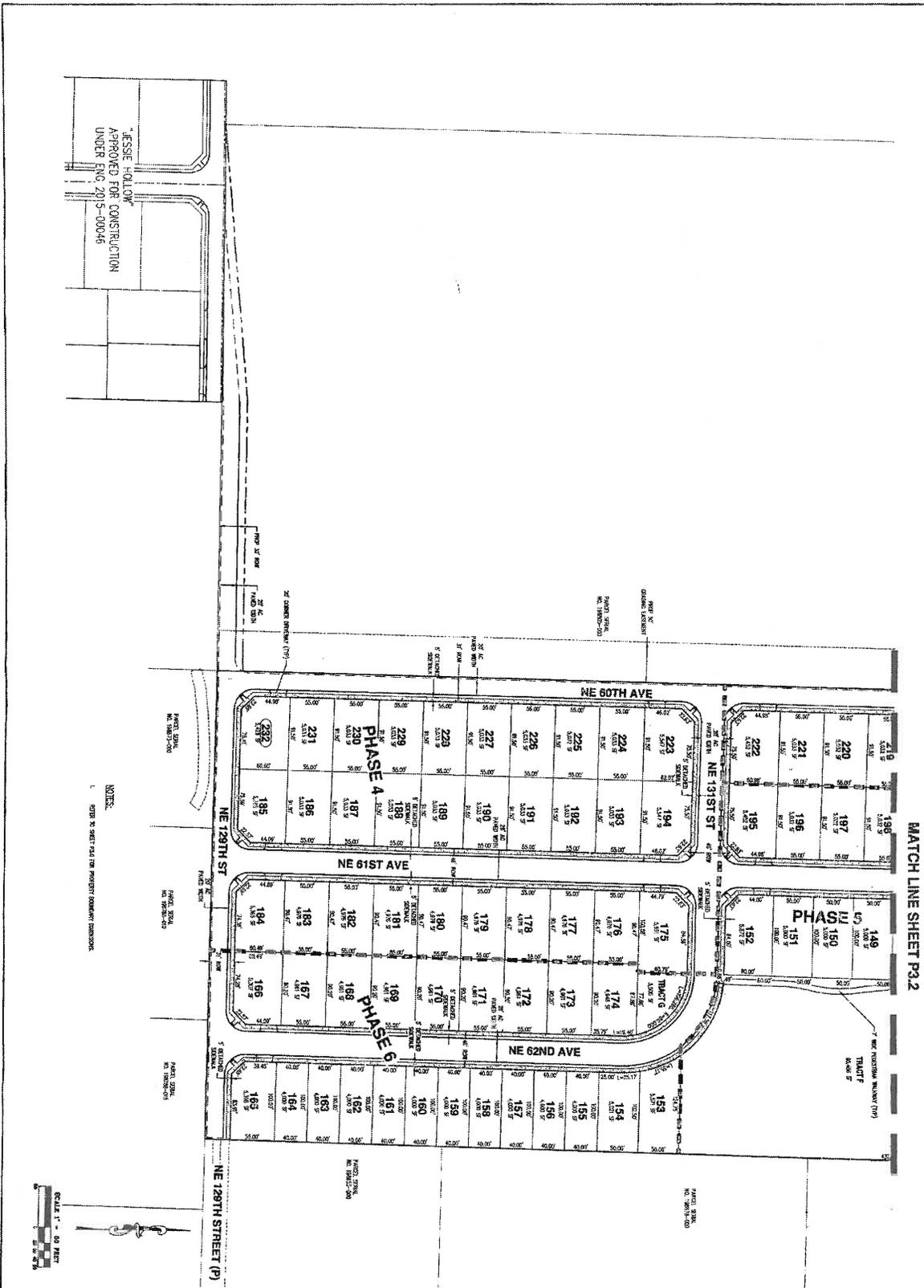
- a. Procedural irregularity or error, clarification, or scrivener's error, for which no fee will be charged;
- b. Newly discovered evidence, which the moving party could not with reasonable diligence have timely discovered and produced for consideration by the examiners;
- c. The decision is not supported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

Any party of record may file a written response to a Motion for Reconsideration if filed within 14 calendar days of the motion for reconsideration. In response to a timely Motion for

Reconsideration, the Examiner will issue a decision on reconsideration within 28 calendar days of the date the motion was filed.

Notice of Appeal Rights

This is the County's final decision on this application. Anyone with standing may appeal any aspect of the Hearings Examiner's decision, except the SEPA determination, to Clark County Superior Court pursuant to the Washington Land Use Petition Act, RCW chapter 36.70C.



SCALE 1" = 60 FEET
 SHEET NUMBER 4433
 SHEET P3.2

PRELIMINARY PLAT PLAN (SOUTH)

**NE 72ND AVENUE
 PLANNED UNIT DEVELOPMENT
 CLARK COUNTY WASHINGTON**

AKS ENGINEERING & FORESTRY
 WASHINGTON, LLC
 2000 40TH AVENUE, SUITE 200
 WASHINGTON, WA 98002
 PH: 206.835.0018
 FAX: 206.835.0019
 WWW.AKS.COM

ENGINEERING - SURVEYING - NATURAL RESOURCES
 FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

Role	Company Name	Name	Address 1	Address 2	City	State	Zip Code	Email Address
Planner	Clark County	Terri Brooks						
Applicant	AHO Construction							ionj@ahoconstruction.com
Owner		Konnie Steele	5701 NE 118th St		Vancouver	WA	98686	
Owner		Keith and Maud Harrington	16203 NE 61st Ave		Vancouver	WA	98686	
Owner		Kenneth and Teresa Harrington	PO Box 114		Tokeland	WA	98590	
Owner		William Harrington	217 NE 151st Ave		Vancouver	WA	98684	
Owner		Gary and Laura Schubothe	13202 NE 72nd Ave		Vancouver	WA	98686	
Owner		Norman and Joan Millard	6306 NE 129th St		Vancouver	WA	98686	
N/H Association	Pleasant Highlands	Stephan Abramson, Ph.D.	4211 NE 131st St		Vancouver	WA	98686	abramson@lifescipartners.net
Contact Person								
Utility Contact								
	Clark County	Desiree DeMonye						Desiree.DeMonye@clark.wa.gov
	City of Vancouver	Kristin Lehto						Kristin.Lehto@cityofvancouver.us
		Jennifer Halleck						Jennifer.Halleck@vansd.org
		Jeff Roberts						jeff@crandallgroup.com
		Curtis Achziger						cbachziger45@centurylink.net
		Robin & Summer Leao	13311 NE 72nd Av		Vancouver	WA	98686	
		Ben Filan & Monica Gruber	6501 NE 137th St		Vancouver	WA	98686	mgruber77@hotmail.com
		Nellie L. Witt	6510 NE 137th St		Vancouver	WA	98686	
		Mary H. Webber	6510 NE 137th St		Vancouver	WA	98686	
		Linda DelMar	6817 NE 137th St		Vancouver	WA	98686	
		Roger Dunn	6815 NE 137th St		Vancouver	WA	98686	
		Thomas C Miller	6904 NE 137th St		Vancouver	WA	98686	
		Cindy Miller	6819 NE 137th St		Vancouver	WA	98686	
		Paul Gilbert	7003 NE 137th St		Vancouver	WA	98686	
		Lori & William Stewart	6711 NE 137th St		Vancouver	WA	98686	
		Frank Fournio	6617 NE 137th St		Vancouver	WA	98686	
		Forest Burson	6405 NE 137th St		Vancouver	WA	98686	
		Jewelie Jones	6514 NE 137th St		Vancouver	WA	98686	
		Robert M Riches						briches300@aol.com
		Thomas Foster	6802 NE 137th St		Vancouver	WA	98686	
		Barbara Rainey						quiznosqueen04@yahoo.com
		Marty Rifkin, Mary Jones, Jordan Farley	9604 NE 126th Ave					j.farley@pac1property.com
		Cindy Cornwall-Brady						cornwall-brady@comcast.net
		Steven Madsen	PO Box 269		Couger	WA	98616	sb.msdsen@hotmail.com
		Vitaliy Manzhura	10608 NE 94th Ave		Vancouver	WA	98662	vmanzhura@gmail.com
		Rodney Harrington	1511 W Aspen Pl		LaCenter	WA	98629	
		Houston & Mel Aho	5512 NE 109th Ct		Vancouver	WA	98662	
		Tony Glavin	7700 NE Greenwood Dr	Ste 100	Vancouver	WA	98662	tonyg1954@live.com

	Seth Halhing	9600 NE 126th Ave	Ste2520	Vancouver	WA	98682	sethh@aks-eng.com
	Pete Dewitz	2730 S Cornet Dr		Ridgefield	WA	98642	
	Jon Johnson	4208 NE 139th St		Vancouver	WA	98686	johnsonjg@aol.com
	Tracy Guinett	PO Box 612		Brush Prairie	WA	98606	tcgunett@gmail.com
	Dave Weston	9600 NE 126th Ave		Vancouver	WA	98682	davew@aks-eng.com
	Jason Stevensen	23805 NE 42nd Ct		Ridgefield	WA	98642	stevensen@gmail.com
	Brent Kallianen	23801 NE 42nd Ct		Ridgefield	WA	98642	
	Duane Schey	13333 NE 72nd Ave		Vancouver	WA	98686	susanduane@comcast.net



EXHIBIT LIST

Project Name: NE 72ND AVE PUD

**Case Number: PLD2015-00036; PUD2015-0001; SEP2015-00050;
HAB2015-00070; WET2015-00046; EVR2015-00036**

EXHIBIT NO.	DATE	SUBMITTED BY	DESCRIPTION
1	8/27/15	Applicant: AHO Construction	Application, Pre-app report, GIS packet, narrative, legal lot information, plats abutting the site, reduced size plans, , geotechnical report, stormwater report, stormwater statement, traffic study, SEPA , archeological pre-determination utility reviews, Health Dept. evaluation, covenants, wetland and habitat determination, road modification, school letter, architectural drawings, off-site access agreement, annexation agreement, boundary survey
2	8/27/15	Applicant: AHO Construction	Full size plans
3	9/17/15	CC Land Use Review	Fully complete determination
4	9/30/15	CC Land Use Review	Notice of application
5	9/30/15	CC Land Use	Affidavit of Mailing – Exhibit 4
6	10/9/15	Summer Leao	Comment letter
7	10/14/15	CC Land Use	REVISED Notice of Application
8	10/14/15	CC Land Use	Affidavit of Mailing – Exhibit 7
9	10/14/15	Robin Leao	Comment letter
10	10/15/15	CC Land Use	Email re: residential use in R-30 zone
11	10/16/15	Dept. of Ecology	SEPA comments
12	10/16/15	Cindy Cornwall-Brady	Email comments
13	10/21/15	Summer Leao	Comment letter
14	10/21/15	Robin Leao	Comment letter
15	10/22/15	CC Land Use	Early issues email to contact person
16	10/29/15	Dept. of Ecology	SEPA comments

17	10/29/15	Monica Gruber and others	Petition comments
18	10/29/15	Marty Rifkin, Kate Jones, Jordan Farley	Comments
19	10/30/15	Contact: Dave Weston	Affidavit of posting land use sign
20	11/2/15	Clark Regional Wastewater	Sewer comments
21	11/3/15	Contact: Seth Halling	Interim pump station plans
22	11/4/15	CC Land Use	Email re: sewer & pump station
23	11/4/15	CC Building Division	Email re: building permits for pump station
24	11/4/15	CC Prosecuting Attorney	Email re: sewer availability
25	11/5/15	Contact: Seth Halling	Email agreeing to 2 nd picnic table
26	11/5/15	Contact: Seth Halling	Revised pump station site plan and emails
27	11/5/15	Contact: Seth Halling	Copy of deed AF# 7910290066
28	11/5/15	Contact: Seth Halling	Soil infiltration rate correction factor
29	11/5/15	Contact: Seth Halling	Revised narrative for road mod
30	11/5/15	Contact: Seth Halling	Concurrency volunteer letter
31	11/5/15	Contact: Seth Halling	Traffic impact study addendum
32	11/5/15	Contact: Seth Halling	Revised preliminary circulation plan
33	11/5/15	Contact: Seth Halling	Revised preliminary plat maps
34	11/9/15	DAHP	Comment on archeology
35	11/10/15	Contact: Seth Halling	Email requesting application hold
36	11/16/15	CC Land Use	Notice of Public Hearing Cancellation
37	11/16/15	CC Land Use	Affidavit of Mailing – Exhibit 36
38	12/21/15	Contact: Seth Halling	Revised concurrency volunteer letter
39	12/29/15	Gretchen Kaehler, DAHP	Archeology concurrence
40	12/30/15	Contact: Seth Halling	Emails re: archeology
41	1/6/16	Contact: Seth Halling	Email re: new hearing date
42	1/7/16	CC Development Engineering	Email re: road 64 th Ave.

43	01/08/16	CC Land Use	Notice of Public Hearing Date Change
44	01/08/16	CC Land Use	Affidavit of Mailing – Exhibit 43
45	1/7/16	Seth Halling	Email re: layout and open space loss
46	1/20/16	CC Development Engineering	Road modification report
47	1/20/16	Ben Filan	Email re: testimony
48	1/21/16	Mary Webber	Comment letter
49	1/26/16	CC Regional Wastewater	Resolution 1655 approving annexation
50	1/21/16	Ben Filan	Email confirming contact information
51	1/27/16	CC Land Use	Staff report
52	1/27/16	CC Land Use	Affidavit of mailing staff report
53	1/28/16	Seth Halling	Email requesting copy of public comments
54	2/10/16	Seth Halling	Letter with requested changes to staff report

Copies of these exhibits can be viewed at:
Department of Community Development
Development Services Division
1300 Franklin Street
Vancouver, WA 98666-9810

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND

1. Name of proposed project, if applicable: NE 72nd Avenue PUD

2. Name of applicant: AHO Construction

3. Address and phone number of applicant and contact person:

Applicant:
5512 NE 109th Ct., Suite 101
Vancouver, WA 98662
Jon Johnson
jonj@ahoconstruction.com
360-254-0493

Contact: AKS Engineering & Forestry
9600 NE 126th Ave, Suite 2520
Vancouver, WA 98682
Seth Halling
sethh@aks-eng.com
360-882-0419

4. Date checklist prepared: *July 17, 2015*

5. Agency requesting checklist: *Clark County*

6. Proposed timing or schedule (including phasing, if applicable):

The applicant intends to begin Phase 1 of the work described in this checklist in the spring of 2016. This application proposes 9 phases.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. *None proposed*

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. *A geotechnical investigation and report, Wetland & Habitat Determination, and Archaeological Predetermination.*

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No applications pending

10. List any government approvals or permits that will be needed for your proposal, if known.

SEPA Determination, Wetland & Habitat Determination, Subdivision & PUD Approval, Archaeological Predetermination, and sewer annexation.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The applicant proposes a 232-lot planned unit development subdivision on 40.61 acres in the R-30 and R1-6 zones. There are two existing residences on the site, which are proposed to be removed. Site development will include site clearing, excavation and grading, construction of a frontage improvements to 72nd, internal streets, an extension of NE 129th street through Parcel 198805-000 to the subject site's southwest corner, utilities, including a temporary sanitary pump station on proposed Lot 50 and sanitary sewer force main in NE 72nd Avenue, open space, and stormwater facilities.

As stated in 40.520.010(B)(2), any use consistent with the zone districts designated for the parcels within the proposed planned unit development (PUD) may be permitted within a PUD. The subject site is dual-zoned and includes 33.79 gross acres of R1-6 and 6.82 gross acres of R-30. Detached single-family dwellings are a permitted use in the R1-6 zone. Therefore, this application proposes to develop the PUD with detached single-family dwellings. By combining the required minimum and maximum densities for

the subject site's underlying zones, this development is required to meet a minimum density of 222 dwelling units and a maximum density of 338 dwelling units. This application proposes 232 dwelling units, meeting the Comprehensive Plan's goals and the site's overall required density.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Address: 13416 NE 72nd Avenue & 6306 NE 129th Street

Abbreviated Legal: NE 1/4, Sec 30, T3N, R2E, WM.

Clark County parcel ID#

On-site Parcels - 198789000, 198897000, 198889000, 198891000, 198972000, and 198876000

Off-Site Parcels - 198805-000 and 198844-000

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site

(circle one): Flat, rolling, **hilly**, steep slopes, mountainous,

other _____ ***The northern portion of the site generally slopes from west to east, the western portion of the site is hilly.***

b. What is the steepest slope on the site (approximate percent slope)?

Slopes range up to 22%, with the site's steepest slopes in the southern portion of the site.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. ***According to the USDA NRCS web soil survey, soils onsite consist of Hillsboro loam (HIA-1.2%, HIB-86.4%, HIC-6.8%, & HID-3.5%) and Hillsboro silt loam (HoB-2.1%).***

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. ***No surface indications or history of unstable soils on site or in immediate vicinity***

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. ***Applicant proposes to remove trees and vegetation to perform on-site grading necessary to construct the proposed development. Estimated on-site quantities: Cut 61,000 CY, Fill 62,000 CY. This application also proposes to construct a street from the subject site's SW corner through proposed right-of-way***

on Parcel 198805-000 to connect with proposed NE 129th Street, Which is approved per ENG2015-00046. The applicant also proposes a 50 foot grading easement on Parcel Numbers 198844-000 and 198805-000 to accommodate grading of proposed NE 60th Avenue. Estimated off-site quantities: Cut 800 CY, Fill 0 CY. Fill areas will utilize on-site materials and import materials from approved off-site sources, if necessary.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **Yes, erosion is possible during work, mainly in the form of silt transfer and dust blowoff. Erosion potential will be minimized by utilizing best management practice for erosion control.**
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **Project construction will create impervious surfaces estimated to comprise 25 % of the site.**
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: **Applicant proposes to utilize best management practices to minimize soil erosion.**

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. **During site development and building construction there will be exhaust emission from construction equipment. Once construction is completed, air emissions will be limited to automobile exhaust from vehicles entering and leaving the site.**
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **None**
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: **Applicant will comply with applicable code and best management practices**

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

None known

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. N/A
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. No
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. No
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. No

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. No
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. N/A

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. ***Stormwater generated by impervious surfaces will be collected, treated, and infiltrated on site.***
- 2) Could waste materials enter ground or surface waters? If so, generally describe. ***No waste materials are proposed to enter ground or surface waters as part of this application.***
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. ***On-site stormwater was previously infiltrated and dispersed within the vegetation onsite and the proposed stormwater generated by impervious surfaces will be collected, treated, and infiltrated at rates allowed per Clark County Code 40.385.***

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: ***Stormwater generated by impervious surfaces will be collected, treated, and infiltrated at rates allowed per Clark County Code 40.385.***

4. Plants

- a. Check the types of vegetation found on the site:

- _x_ deciduous tree: alder, maple, aspen, other
- _x_ evergreen tree: fir, cedar, pine, other
- _x_ shrubs
- _x_ grass
- _____ pasture
- _x_ crop or grain (Hay)
- _____ Orchards, vineyards or other permanent crops.
- _____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- _____ water plants: water lily, eelgrass, milfoil, other
- _____ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Proposed site development will require clearing and grading of approximately 40 acres of the site; predominantly grass, grain, and trees. Native vegetation will be protected where feasible.

c. List threatened and endangered species known to be on or near the site.

None known

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: ***A landscape plan is included with the application and will include some native, drought tolerant plantings.***

e. List all noxious weeds and invasive species known to be on or near the site.

Himalayan Blackberry

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

birds: hawk, heron, eagle, songbirds, other: _____
 mammals: deer, bear, elk, beaver, other: coyote, rabbit
 fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site.

None known

c. Is the site part of a migration route? If so, explain.

Yes, Pacific Flyway

d. Proposed measures to preserve or enhance wildlife, if any:

This application proposes to place some of the native plant materials in an open space tract, along with planting street trees throughout the development.

e. List any invasive animal species known to be on or near the site.

None known

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. ***Electricity will be available for the energy needs of residents.***
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. ***No***
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

None, future energy conservation features may be installed with future home construction.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. ***Environmental hazards are limited to standard risks associated with construction and occupancy of the development.***

- 1) Describe any known or possible contamination at the site from present or past uses.

None known

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. ***None known***

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. ***Typical construction materials such as: gas, diesel, oil, etc.***

- 4) Describe special emergency services that might be required. ***No special emergency service needs are anticipated.***

- 5) Proposed measures to reduce or control environmental health hazards, if any: ***As no impacts are anticipated, no such measures are proposed. The applicant will comply with applicable code and best management practices***

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? ***None known***

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. ***Short term- construction***

equipment during daylight hours. Long term- typical neighborhood vehicular noise.

- 3) Proposed measures to reduce or control noise impacts, if any: **Require all construction equipment to have muffled exhaust. Restrict construction to hours allowed by Clark County (7am – 10pm).**

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. **The site has two single-family residences and a hay field. Properties to the north, east, and south are primarily large-lot single-family residences, the properties to the west are undeveloped R1-7.5 land with a single-family residence and outbuildings.**
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

No.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: **No**
- c. Describe any structures on the site. **There are two single-family residences, a detached garage, and a barn on the subject site, all of which are proposed to be removed.**
- d. Will any structures be demolished? If so, what? **Yes, all existing on-site structures (2 residences, a detached garage, and a barn) are proposed to be demolished.**
- e. What is the current zoning classification of the site? **R-30 & R1-6**
- f. What is the current comprehensive plan designation of the site? **UH & UL**
- g. If applicable, what is the current shoreline master program designation of the site?
N/A
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. **Clark County GIS indicates that there are on-site wetlands and County staff believes that aerial photography indicates habitat signatures. AKS Engineering & Forestry conducted a site visit in February 2015 and determined that there are no on-site wetlands or critical habitat. Please refer to the Wetland and Habitat Determination that accompanies this application.**

- i. Approximately how many people would reside or work in the completed project? ***Assuming two people per dwelling unit, approximately 464 people will reside.***
- j. Approximately how many people would the completed project displace? ***Assuming two people per dwelling unit, approximately 4 people will be displaced.***
- k. Proposed measures to avoid or reduce displacement impacts, if any: ***More dwelling units are proposed than will be removed with this application.***
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: ***Proposed measures include approval through the Clark County Subdivision and Planned Unit Development Review processes. The proposed development meets the minimum and maximum density requirements of the underlying zones and provides a mixture of lot sizes to provide opportunity for future homes in various price ranges.***
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: ***Proposed measures include approval through the Clark County Subdivision and Planned Unit Development Review processes.***

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. ***Approximately 232 middle income single-family dwelling units will be provided with the proposed project.***
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. ***Two middle income single-family residences will be removed with this application.***
- c. Proposed measures to reduce or control housing impacts, if any: ***The project will result in more middle income single-family dwelling units than are being eliminated by the proposed project.***

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? ***The future residences will not exceed 35 feet in height. The future residences have not been designed with this application. Therefore, the future building materials are unknown at this time and will be approved through Clark County's building permit process.***
- b. What views in the immediate vicinity would be altered or obstructed? ***No known views will be obstructed.***

c. Proposed measures to reduce or control aesthetic impacts, if any: ***No additional measures outside of Clark County Municipal Code.***

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? ***This application proposes to provide street lighting and no impacts are anticipated in excess of normal residential lighting and glare.***
- b. Could light or glare from the finished project be a safety hazard or interfere with views? **No**
- c. What existing off-site sources of light or glare may affect your proposal? **None**
- d. Proposed measures to reduce or control light and glare impacts, if any: **No additional measures outside of Clark County Municipal Code.**

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? ***None known.***
- b. Would the proposed project displace any existing recreational uses? If so, describe. **No**
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: ***This application proposes 4.46 acres of open space, including walking paths, benches, a playfield, and a playground.***

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. ***There are structures in the project area that are more than 45 years of age. These structures were not nor are required to be formally documented or evaluated as part of the required archaeological predetermination.***
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. ***Two historic-era archaeological sites are documented on the property. They are designated 45CL1119 and 45CL1120. It is the opinion of the archaeological consulting firm that conducted the predetermination survey that the sites, as recorded, are not of archaeological interest and require no additional study. The predetermination survey was submitted to DAHP for review.***
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

The applicant proposes to follow the recommendations of the predetermination report and DAHP.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. ***The applicant will follow the recommendations of the predetermination report and DAHP.***

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. ***This application proposes to provide access to the development from NE 72nd Avenue and proposed NE 135th Street. Access will also be achieved to the subject site's southwest corner through an off-site extension of NE 129th Street, which is approved per ENG2015-00046. The development includes internal streets to provide individual access to each of the proposed lots and provide circulation through the site.***
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? ***No. Nearest public transit stop is located near the intersection of NE 99th Street and NE 50th Avenue (approximately 1.75 miles south)***
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? ***The project does not propose any parking spaces, other than those provided with each residence and on-street parking on the proposed streets.***
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). ***Yes, this application proposes frontage improvements to NE 72nd Street and construction of on-site public streets and a public connection from the subject site's SW corner to proposed NE 129th Street, which is approved per ENG2015-00046. This application also proposes to provide street stubs to the north, south, and west.***
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. ***No***
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? ***The proposed development is expected to generate an additional 2,190 trips per day, 174 am peak hour and 230 pm peak trips.***

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. ***None are anticipated.***
- h. Proposed measures to reduce or control transportation impacts, if any: ***This application proposes three north-bound left-turn lanes on NE 72nd Avenue. Proposed turn lanes are located at NE 137th Street, proposed NE 135th Street, and NE 129th Street (Private). Traffic impact fees will be paid at the time of issuance of building permits.***

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. ***Yes: An additional 230 residential dwelling units will cause an incremental increase in the need for all public services.***
- b. Proposed measures to reduce or control direct impacts on public services, if any. ***The appropriate impact fees will be paid.***

16. Utilities

- a. Circle utilities currently available at the site:
 electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other well

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Electrical: Clark Public Utilities
Refuse: Waste Connections
Telephone: Century Link
Sanitary Sewer: CRWWD
Public Water: Clark Public Utilities

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

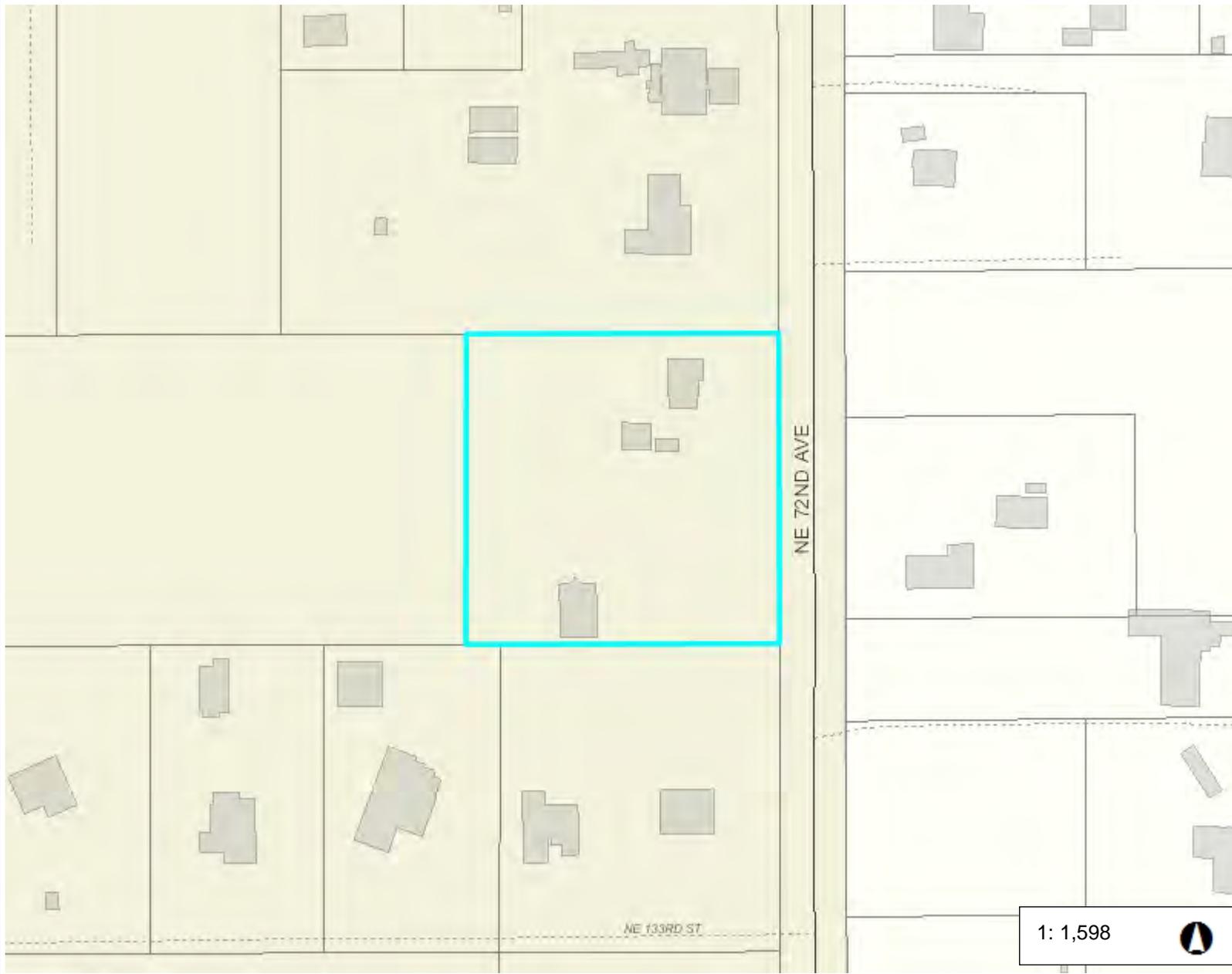
Name of signee Seth Halling

Position and Agency/Organization Project Manager, AKS Engineering + Forestry

Date Submitted: 8/27/15



FOR-2016-00079



Legend

-  Building Footprints
-  Taxlots
-  Cities Boundaries
-  Urban Growth Boundaries

Notes:

Parcel 198789000

1: 1,598 





Property Fact Sheet for Account 198789000

June 17, 2016

General Information

Property Account	198789000
Site Address	13416 NE 72ND AVE, VANCOUVER, 98686
Owner	HARRINGTON KENNETH G ET AL
Mail Address	PO BOX 114 TOKELAND WA , 98590
Land Use	SFR UNIT NOT SHARING STRUCTURE WITH OTHER USES
Property Status	Active
Tax Status	Regular
1st Line Legal	#12, #91, #190, #203 SEC 30 T3N R2EWM 1.99A
Area (approx.)	86,684 sq. ft. / 1.99 acres

Assessment (2015 Values for 2016 Taxes)

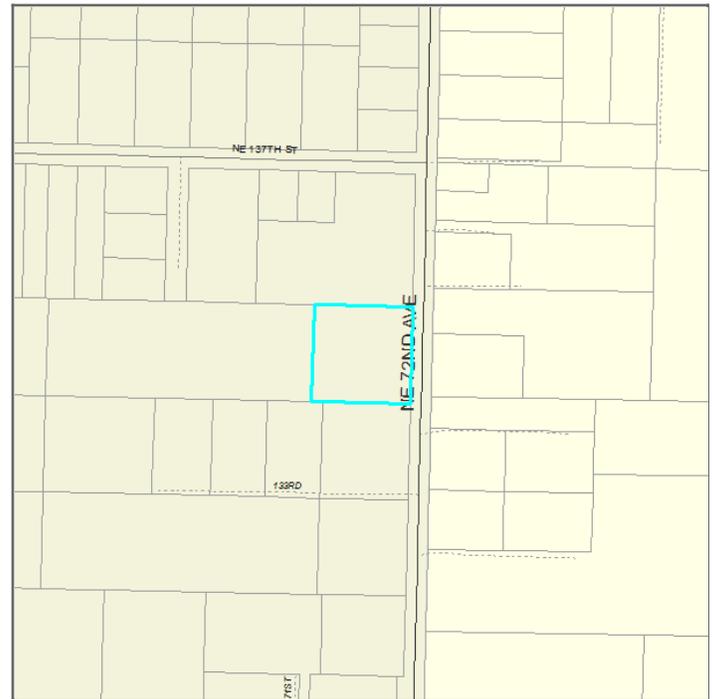
Land Value	\$94,901.00
Building Value	\$0.00
Total Property Value	\$94,901.00
Total Taxable Value	\$94,901.00

Most Recent Sale

Sale Date	06/23/2010
Document Type	D-PREP
Sale Number	655101
Sale Amount	\$0.00

Administrative

Zoning Designation	Residential (R-30)
Zoning Overlay(s)	none
Comprehensive Plan	Urban High Density Residential
Comp. Plan Overlay(s)	none
Census Tract	408.05
Jurisdiction	Clark County
Fire District	FD 5
Park District	District 8
School District	Battle Ground Elementary Pleasant Valley Middle School Pleasant Valley High School
Sewer District	Rural/Resource
Water District	Clark Public Utilities
Neighborhood	Pleasant Highlands
Section-Township-Range	NE 1/4,S30,T3N,R2E
Urban Growth Area	Vancouver
C-Tran Benefit Area	No
School Impact Fee	Battle Ground
Transportation Impact Fee	Mt. Vista
Transportation Analysis Zone	504
Waste Connections	Friday
Garbage Collection Day	Friday
Last Street Sweeping	n/a
CPU Lighting Utility District	0
Burning Allowed	No
Wildland Urban Interface/Intermix	No



Wetlands and Soil Types

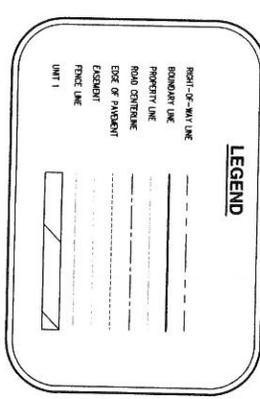
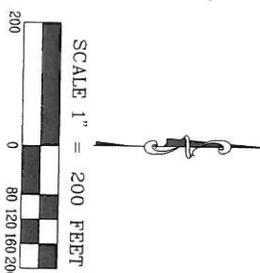
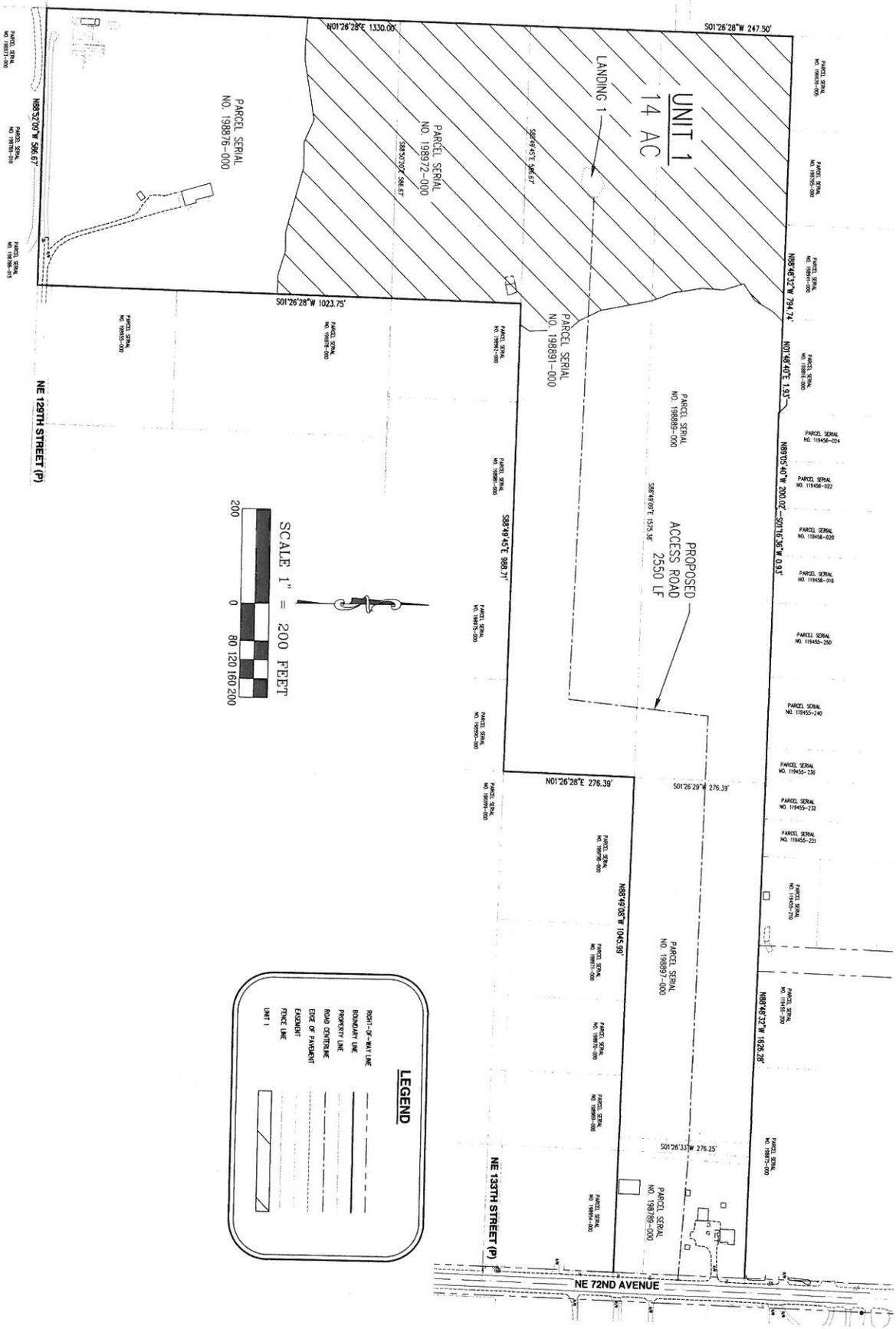
Wetland Class	No Mapping Indicators
Wetland Inventory	No Mapping Indicators
Flood Hazard Area	Outside Flood Area
Shoreline Designation	none
Soil Types / Class	Non-Hydric / HIA Non-Hydric / HIB
Critical Aquifer Recharge Area	Category 2 Recharge Areas
FEMA Map / FIRM Panel	53011C0376D 53011C0378D
Watershed	Salmon Creek
Sub Watershed	Curtin Creek

Geological Hazards

Slope Stability	
Geological Hazard	
NEHRP Class	C
Liquefaction	Very Low to Low

Habitat and Cultural Resources

Priority Habitat	
Habitat Area Buffer	
Species Area Buffer	
Archaeological Probability	Moderate-High High
Archaeological Site Buffer	No
Historic Site	No Mapping Indicators



DESIGNED BY	C.S.
DRAWN BY	C.S.
CHECKED BY	SMH
SCALE	AS NOTED
DATE	4/3/18
JOB NUMBER	
4433	
SHEET	
L1.0	

LOGGING SITE PLAN

72ND AVE SUBDIVISION
CLARK COUNTY WASHINGTON
 19889-000, 19891-000, 19892-000, 19897-000, 19897-000

AKS
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