



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: **APPLEWOOD ESTATES SUBDIVISION**

Case Number: **FOR2016-00107, SEP2016-00020, PLD2016-00009**

Location: 4411 NE 59TH Ave., Vancouver, WA 98661

Request: The applicant is requesting a Forest Practice Permit for tree removal in preparation for an approved subdivision.

Applicant: Brian Sobotta
5710 NE 45th Street
Vancouver, WA 98661
Applewood5800@gmail.com

Contact Person: Brian Sobotta 360-608-1648
Bkcon123@gmail.com

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

Neighborhood Contact:

Roads End Neighborhood Association
Barbara Murray, Vice President
5513 NE 40th Street
Vancouver, WA 98661
Email: bemur@comcast.net

Legal Description of Property:

SW ¼ Sec 18, T2N, R2E Parcel # 1084862440

Plan/Zone Designation: Urban Low Density Residential / R1-6

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: 8/16/2016

Fully Complete: 8/26/2016

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
Public Works
1300 Franklin Street, STE 185
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2121; Fax: (360) 397-2062
Web Page at: <http://www.clark.wa.gov>**

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

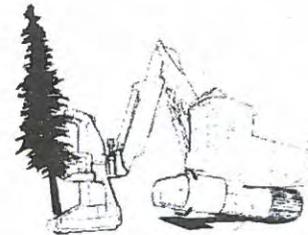
Date of This Notice: August 29, 2016

Closing Date for Public Comments: September 13, 2016
(15 days from notice)



Types I, II & III Forest Practices Application

Handout No. 30 Revised 08/02/2016



<u>Application Type</u>			
Class I Non-Exempt SFR Moratorium Waiver Hazard Tree Permit	<input type="checkbox"/>	Class IV-G COHP	<input checked="" type="checkbox"/>
	<input type="checkbox"/>		Type III Moratorium Waiver <input type="checkbox"/>
	<input type="checkbox"/>		

Legal name of Landowner: <i>Karen Sobotta</i>	Legal name of Timber Owner: (if different than Landowner)	Legal name of Forestry Operator: (if different than Landowner) <i>Forrest Gillette</i>
Name of Agent: <i>Brian Sobotta</i>	Forest Tax Reporting Account No: <i>800-080-389</i>	UBI No: <i>601726722</i>
Mailing Address: <i>5710 NE 45th St.</i>	Mailing Address	Corp Tax ID No:
City, State Zip: <i>Vanc. WA. 98661</i>	City, State Zip	Mailing Address: <i>22411 NE Ceder Creek Rd.</i>
Phone: <i>360/608-1648</i>	City, State Zip	City, State Zip: <i>Amboy WA 98601</i>
E-Mail: <i>bkeon123@gmail.com</i>	Phone: <i>360 606 0369</i>	Phone: <i>360 606 0369</i>
	E-Mail:	E-Mail: <i>LYNN Gillette3@gmail.com</i>

Information on tax reporting or tax numbers call the **Department of Revenue at 1-800-548-8829.** ←

Legal description:

Within ¼ sect. Of ¼ sect. of:	Section	Township	Range E/W	Parcel Number
				<i>108486244</i>

We affirm that the information contained herein is true, and understand that this proposed Forest Practice is subject to the current rules and regulations of the Forest Practices Act, as well as any applicable Federal, State or Local rules and regulations. We the undersigned also affirm compliance with the Clark County Code Chapter 40.380. Compliance with this application/notification does not ensure compliance with the Endangered Species Act, or other federal, state, or local laws.

Landowner Signature

Timber Owner Signature

Forestry Operator Signature

x Karen Sobotta

Steve Bullitt

Date: *x 7-15-2016*

Date: _____

Date: *8/13/16*

STAFF USE ONLY

Date Received:

FPA No.

SEPA No.

8/16/2016

Counter Complete Date:

Fully Complete Date:

Decision Date:

8/16/2016 *olp* *pl* *Jm*

CLASS OF APPLICATION

- Class I Forest Practice
- Class IV-G (SEPA Review Required)
- Class IV-Special (SEPA Review Required)
- Single Family Waiver from Six Year Moratorium (Plot Plan Required or Conceptual Building Envelopes Shown on Submittal)
- Hazard Tree Permit
- Conversion and/or Platted
- COHP (Conversion Option Harvest Plan)

ACTIVITY TYPE

- Harvesting _____ acres
- Chemical application to _____ acres
- Maintain _____ miles road
- Construction of _____ miles of new road
- Commercial or Non-Commercial
- Aerial or Ground

PUBLIC WORKS –FOREST PRACTICE APPLICATION SUBMITTAL REQUIREMENTS

The following checklist identifies information required to be included with a Forest Practice Application.

ALL APPLICATIONS

- APPLICATION FORM - The application form shall be completed and signed in ink by the applicant.
- APPLICATION FEE - The requisite fee for the FPA shall accompany the application. Make checks payable to "Clark County Public Works - Forestry Program."
- LOGGING SITE PLAN – Including water types and critical areas layers ([MapsOnline](#)).

CLASS IV- G FOREST PRACTICES

- STATE ENVIRONMENTAL POLICY ACT (SEPA) CHECKLIST- The checklist must be completed, signed in ink by the applicant, and be accompanied by all information required to process the SEPA.

CONVERSION OPTION HARVEST PLAN (COHP)

- CONVERSION NARRATIVE - A narrative describing:
 - Objectives of the timber harvest;
 - Relationship of the harvest to future development of the site;
 - Built and natural features present at the site;
 - Measures to be taken to preserve and protect critical areas;
 - Harvest method including type of equipment to be used; and,
 - Expected dates of commencement and completion of all harvest activity.
- CONCEPTUAL DEVELOPMENT PLANS – A conceptual layout of a probable future site development that is:
 - Drawn to Scale;
 - Based on the existing zoning and physical limitations of the property; and,
 - Based on the likely building areas, roads, driveways, septic system areas and lot configuration.

This application was determined to be counter complete on:

8/14/2016 *ck perjm*

Community Development Permit Technicians:

Ornell

PUBLIC WORKS - FOREST PRACTICE REVIEW FEE SCHEDULE

<input type="checkbox"/>	Conversion Option Harvest Plan (COHP) with approved current use timber management plan:	\$542	
<input type="checkbox"/>	COHP without approved current timber use management plan:	\$1,030	
<input type="checkbox"/>	Class I (Non-Exempt) Forest Practice:	\$425	
<input checked="" type="checkbox"/>	Class IV g:	\$1,882	
<input type="checkbox"/>	Hazard Tree Removal Determination (stand-alone):	\$135	
<input type="checkbox"/>	Site Inspection fee (for each Hazard Tree Removal Determination when a site visit is needed):	\$230	
<input type="checkbox"/>	Type I Moratorium Waiver (Single Family Residence):	\$624	
<input type="checkbox"/>	Type III Moratorium Waivers:	\$4,090	
<input type="checkbox"/>	Public Hearing Fee:	\$2,461	
<input type="checkbox"/>	Open Space/Current Use Taxation:	\$1,882	
Note: All Forest Practice applications must be accompanied by an issuance fee.			
<input type="checkbox"/>	Issuance Fees paid to Community Development for each application:	\$94	
		Total:	1776 ⁰⁰ \$0

Public Works - Forestry Program
Public Service Center
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
(360) 397-2121
www.clark.wa.gov



For other formats, contact the Clark County ADA Office: **Voice** (360) 397-2322;
Relay 711 or (800) 833-6388; **Fax** (360) 397-6165; **E-mail** ADA@clark.wa.gov.



Property Fact Sheet for Account 108486244

August 16, 2016

General Information

Property Account	108486244
Site Address	
Owner	APPLEWOOD ESTATES LLC
Mail Address	5710 NE 45TH ST VANCOUVER WA , 98661
Land Use	PRIME DEVELOPABLE GROUND
Property Status	Active
Tax Status	Regular
Lot Line Legal	ROBECK ACRES #17 LOT 3 #1 LOT 4 #2 LOT 2 BLK B 4.14A
Area (approx.)	180,338 sq. ft. / 4.14 acres

Assessment (2015 Values for 2016 Taxes)

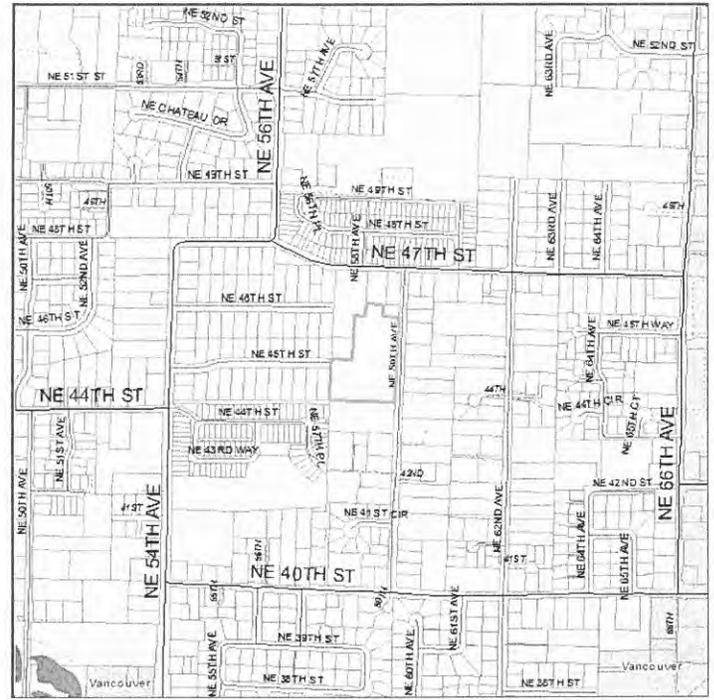
Land Value	\$555,230.00
Building Value	\$0.00
Total Property Value	\$555,230.00
Total Taxable Value	\$555,230.00

Most Recent Sale

Sale Date	01/06/2016
Document Type	D-QCD
Sale Number	739199
Sale Amount	\$413,000.00

Administrative

Zoning Designation	Single Family Residential (R1-6)
Zoning Overlay(s)	none
Comprehensive Plan	Urban Low Density Residential
Comp. Plan Overlay(s)	none
Census Tract	411.12
Jurisdiction	Clark County
Fire District	FD 5
Park District	District 7
School District	Vancouver
Elementary	Truman
Middle School	Gaiser
High School	Fort Vancouver
Sewer District	Vancouver
Water District	Vancouver
Neighborhood	Roads End
Section-Township-Range	SW 1/4,S18,T2N,R2E
Urban Growth Area	Vancouver
Dis-Tran Benefit Area	Yes
School Impact Fee	Vancouver
Transportation Impact Fee	South Orchards
Transportation Analysis Zone	188
Waste Connections	Monday
Garbage Collection Day	
Last Street Sweeping	4/20/2016
GPU Lighting Utility District	228
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 / HIB Non-Hydric / HIC
Critical Aquifer Recharge Area	Category 2 Recharge Areas
FEMA Map / FIRM Panel	53011C0388D
Watershed	Burnt Bridge Creek
Sub Watershed	Lower Burnt Bridge Creek

Geological Hazards

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

Habitat and Cultural Resources

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

Type III Land Division and Environmental Review Staff Report and Recommendation

Project Name: APPLEWOOD ESTATES SUBDIVISION

Case Number: PLD2016-00009

Location: 4411 NE 59th Ave.

Request: The applicant is requesting to subdivide a 4.14 acre parcel into 23 detached single family residential parcels in the R1-6 zone.

Applicant: Clark Land Design
10013 NE Hazel Dell Ave PMB 17
Vancouver, WA 98685
jclark@clarklanddesign.com

Property Owner: Applewood Estates LLC
5710 NE 45th St
Vancouver, WA 98661
Applewood5800@gmail.com

Recommendation

Approved, subject to Conditions of Approval

Land Use Review manager's initials: SE Date issued: August 24, 2016

Public Hearing date: September 8, 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	Bryan Mattson	4319	Bryan.mattson@clark.wa.gov
Fire Marshal's Office	Curtis Eavenson	3320	Curtis.eavenson@clark.wa.gov
Public Works			



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

Engineering Team Leader	Ali Safayi P.E.	4102	Ali.safayi@clark.wa.gov
Engineer	Jennifer Reynolds	4630	Jennifer.reynolds2@clark.wa.gov
Concurrency Engineer	David Jardin	4354	David.jardin@clark.wa.gov

Comp Plan Designation: Urban Low Density Residential

Parcel Number(s): 108486-244 & 108486-211 located in the Southwest quarter of Section 18, Township 2 North, Range 2 East of the Willamette Meridian

Applicable Laws

Clark County Code (CCC) Chapter 40.350 (Transportation), Section 40.350.020 (Transportation Concurrency), Chapter 40.386 (Stormwater Drainage and Erosion Control), Chapter 15.12 (Fire Code), Chapter 40.570 (SEPA), 40.200 (General Provisions); 40.220.010 (Single-Family Residential Districts, R1-6); 40.350.010 (Pedestrian/Bicycle Circulation); 40.350.030 (Street and Road Standards); 40.370.010 (Sewer); 40.370.020 (Water Supply); 40.500.010 (Procedures); 40.520.010 (Legal Lot Determination); 40.510.030 (Type III Process); 40.540.040 (Subdivisions); 40.570 (SEPA); 40.570.080 (Archaeological); 40.610 & 40.620 (Impact Fees); 15.12 (Fire Code); and RCW 58.17 (State Platting Laws).

Neighborhood Association and Contact

Roads End Neighborhood Association
Barbara Murray, vice president
5513 NE 40th Street
Vancouver WA 98661
Email: bemur@comcast.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 standards.

A pre-application conference on this matter was held on March 3, 2016. The pre-application was determined contingently vested as of February 4, 2016, the date the fully complete pre-application was submitted.

The fully complete application was submitted on June 14, 2016, and determined to be fully complete on June 27, 2016. Given these facts, the application is vested on February 4, 2016. There are no disputes regarding vesting.

Time Limits

The application was determined to be fully complete on June 27, 2016. The applicant was asked to submit additional information which extended the deadline by 3 days. Therefore, the

code requirement for issuing a decision within 92 days lapses on September 27, 2016. The state requirement for issuing a decision within 120 calendar days, lapses on October 25, 2016.

Public Notice

Notice of application and public hearing was mailed to the applicant, Roads End Neighborhood Association and property owners within 300 feet of the site on July 6, 2016. One sign was posted on the subject property and two within the vicinity on August 4, 2016.

Public Comments

No public comments were received.

Project Overview

The project is 4 acres in size and is located in the R1-6 low density residential zone. The site contains a barn/shop and some greenhouses that will be removed. Currently, the proposal is surrounded on all sides with single-family homes. The site topography is moderately sloping and there are no critical areas present. The project proposes to develop 23 new single-family lots along with street and utility improvements.

Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	Urban Low Density Residential	R1-6	Agriculture
North	Urban Low Density Residential	R1-6	Single Family Residence
East	Urban Low Density Residential	R1-6	Single Family Residence
South	Urban Low Density Residential	R1-6	Single Family Residence
West	Urban Low Density Residential	R1-6	Single Family Residence

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 – Lot Standards

The proposed subdivision is located within an R1-6 zoning district. This zone requires an average minimum lot area of 6,000 square feet and an average maximum area of 8,500 square feet. The zone also specifies that each lot shall have an average width of 50 feet and an average depth of 90 feet.

Based on a review of the preliminary plat, [*Exhibit 5*], the average lot area is 6,336 square feet. In addition, all proposed lots meet prescribed width and depth requirements of the R1-6 zone.

As proposed, the subdivision in its entirety meets the lot standard requirements.

Finding 2 – Existing Structures

The applicant intends to remove two existing structures from the premises prior to construction of the subdivision. A condition will be imposed to ensure these buildings are removed, with the necessary permits, prior to recordation of the final plat (*See Condition D-1*). It should be noted that, as part of these demolition permits, the applicant will be required to comply with all applicable asbestos inspection and control regulation in accordance with procedures of the Southwest Clean Air Agency.

Finding 3 – Manufactured Homes

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

Finding 4 - State Platting Standards (RCW 58.17)

RCW 58.17.110 requires, among other things for subdivision approval, a finding that safe walking conditions exist for students who walk to school. An email from the Vancouver School District was provided by the applicant, [*Exhibit 1, Tab I*]. It confirms "all students will be bused".

With conditions of approval, staff finds the proposed subdivision will make appropriate provisions for the public health, safety, and general welfare of the community. Extension and connection of proposed future residences to public sewer and water, as well as treatment of any future increase in 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, park and transportation provisions, maintenance and services.

Conclusion (Land Use): Staff concludes that the revised preliminary plan, subject to conditions identified above, meets land use requirements of the Clark County Code.

Archaeology

Finding 1 – Historic and Cultural Preservation

The entire 4.32 acres are located within a Moderate - High probability area for discovery of archaeological resources, as designated on the Archaeological Predictive Model Map of Clark County. This project is considered a high impact development. Therefore, an archaeological predetermination was required.

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

The DAHP concurs with the recommendation of the pre-determination that no additional studies are necessary; however, a note on the final construction plans will require that if resources are discovered during ground disturbance, work shall stop and DAHP and the county will be contacted, (*See Condition A-1-a and D-4-b*).

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

Forest Practices

Finding 1 – Timber Harvest

Pursuant to CCC 40.260.080(A)(2)(d), Class IV general forest practices, as defined by WAC 222-16-050(2), are those forest practices occurring on lands within Urban Growth Areas on lands platted after January 1, 1960 or on lands which are being converted to a use other than commercial timber production. The proposed land division involves a commercial timber harvest that is defined as a Class IV general forest practice. Therefore, the applicant is required to obtain a Class IV general forest practice permit. The applicant has applied for said permit, (FOR2016-00107). Staff review will be completed following the subdivision appeal period and as conditioned upon the Hearings Examiner Final Order, (*See Condition B-4*).

Conclusion (Forest Practices): Environmental Services concludes that the proposed preliminary plan, subject to the above condition, can meet forest practice requirements of the Clark County Code.

Transportation

Finding 1 – Pedestrian/Bicycle Circulation

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

The proposed site plan indicates that detached 5-foot sidewalks will be constructed along NE 59th Avenue, NE 45th Street, and NE 58th Avenue. The proposed pedestrian circulation complies with the provisions of CCC 40.350.010, (*See Condition A-2-a*).

Finding 2 – Circulation Plan

The proposed development is bordered by NE 59th Avenue to the east, developable parcels to the north and south, and the Hewlett Subdivision to the west. NE 45th Street stubs to the development from the west. The applicant proposes to extend NE 45th Street through the site to NE 59th Avenue to meet north-south block length requirements. The closest public roadway to the north is NE 47th Street and to the south is NE 40th Street; this equates to an existing east-west block length of approximately 1,400 feet. The applicant proposes to construct NE 59th Avenue through the site in order to meet east-west block length requirements. The circulation plan that the applicant has submitted provides adequate cross-circulation to proposed development and allows subsequent developments to also comply with circulation plan standards.

Finding 3 – Roads

NE 59th Avenue is classified as an Urban Neighborhood Circulator. The existing roadway has a half-width right-of-way of 25 feet and a total paved width of approximately 15 to 20 feet. Code requires a minimum of 27 feet of half-width right-of-way and 18 feet of half-width paved roadway. The preliminary site plan shows that the applicant will dedicate 2 feet of right-of-way and construct half street improvements along NE 59th Avenue to include a half street paved width of 18 feet, curb and gutter, a 5-foot detached sidewalk and 3.5-foot clear space. The applicant's proposal for this roadway meets the minimum standards, (*See Condition D-2*).

NE 45th Street is classified as an Urban Local Residential Access. The existing stubbed road to the west has a total right-of-way width of 60 feet and a paved width of 34 feet. Code requires a minimum of 46 feet of right-of-way width, 28 feet of total paved roadway width, curb and gutter, and a 5-foot sidewalk and 3.5-foot clear space on both sides of the roadway. The preliminary site plan shows that the curb alignment on the south side of NE 45th Street will be tapered to conform to the smaller minimum paved width road standards; however, this taper creates a safety concern for east bound traffic. The applicant shall construct the curb line along the south side of NE 45th Street in the same horizontal alignment as the existing curb on the stub road to the west or provide a taper length consistent with the Table 6C-4 of the MUTCD, (*See Condition A-2-b*).

NE 58th Avenue has a proposed classification of an Urban Local Residential Access. Code requires a minimum of 46 feet of right-of-way, a paved width of 28 feet, curb and gutter, a 5-foot sidewalk and 3.5-foot clear space. The applicant's proposal for this roadway meets the minimum standards; however, the roadway to the north is located on two neighboring parcels (parcel numbers 108486-220 & 180486-215). The owners of these parcels, Florence Frodl and Karen Sobotta, have signed a letter of Intent of

Easement for Right of Way to dedicate 11 feet of right-of-way to accommodate the partial width roadway section. Prior to final engineering approval, the 11-foot of right-of-way must be conveyed to the county, (*See Condition A-2-c*).

Finding 4 – Off-site Road Improvements

Per CCC 40.350.030(B)(6)(b)(1), all roads providing access to parcels being developed shall have an unobstructed and paved roadway width of 20 feet, or 18 feet of pavement with 1-foot shoulders. Any pre-existing roadway narrower than 18 feet with 1-foot shoulders shall be widened to the full 20-foot standard. Portions of the roadway width along NE 59th Avenue, both north and south, are less than 18 feet, therefore the applicant will be required to widen the roadway as needed to meet the 20-foot standard, (*See Condition A-2-d*):

Finding 5 – Access

Per the applicant's preliminary site plan, Lot 20 will be served by a new driveway located within a 20-foot easement across Parcel 108486-211. Florence Frodl and Karen Sobotta, owners and managers of Frodl LLC, owners of the parcel, have signed an Intent of Easement for Right-of-Way to allow the driveway access as well as the right of egress and ingress over their property. Prior to final engineering approval, this easement shall be recorded, (*See Condition A-2-e*).

Per CCC 40.350.030 (B)(4)(b)(1)(b), corner lot driveways shall be a minimum of 50 feet from the intersecting property lines, as measured to the nearest edge of the driveway, or in the case where this is impractical, the driveway may be limited to 20 feet in width and located 5 feet from the property line away from the intersection. It can also serve as a joint use driveway at this property line.

Finding 6 – Sight Distance

The approval criteria for sight distances at intersections and driveways are found in CCC 40.350.030(B)(8). Landscaping, trees, utility poles, and miscellaneous structures will not be allowed to impede required sight distance requirements at all proposed driveways and road intersections. Per Table 40.350.030-8, the applicant is required to have 250 feet of sight distance per the posted 25 MPH speed limit along NE 59th Avenue and NE 45th Street.

The applicant will be required to submit a sight distance certification letter that addresses any obstructions and how sight distance will be achieved along both the intersections of NE 59th Avenue with NE 45th Street and NE 58th Avenue with NE 45th Street. The sight distance certification letter must be prepared and stamped by a licensed engineer in the state of Washington. The sight distance triangles must be shown on the final construction plans and final plat, (*See Condition A-2-f*).

Finding 7 – Street Extensions

The revised preliminary site plan, dated 06/08/2016, shows a temporary turnaround at both ends of proposed NE 58th Avenue. A portion of the temporary turnaround at the north end of NE 58th Avenue is located on a neighboring parcel (TL 108486-220). The owner of that parcel, Florence Frodl, has signed a letter of Intent of Easement for Right of Way of Temporary Fire Truck Turn Around to allow for the public turnaround to be

located on their property. Prior to final engineering approval, a public easement for egress and ingress must be recorded, (*See Condition A-2-g*).

Conclusion (Transportation):

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

Transportation Concurrency

Finding 1: Trip Generation

County concurrency staff has reviewed the proposed Applewood Estates Subdivision. The traffic study submitted indicates that the proposed development will divide 4.14 acres, into 23 single family attached residences. The applicant's traffic study has estimated the a.m. peak-hour trip generation at 16, p.m. peak-hour trip generation at 23 trips and an average daily trip generation (ADT) of 201 trips. The trip generation was estimated using the nationally accepted data published by the Institute of Transportation Engineers Ninth Edition. The proposed development site is located at 5710 NE 45th Street in Vancouver.

The applicant has submitted a traffic study under the provisions of Clark County Code section 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 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 the extension of NE 45th Street, an existing public road. NE 45th Street is stubbed to the west property line of the proposed development. NE 45th Street will be extended through the proposed development to connect to NE 59th Avenue. The existing and proposed public roads, NE 45th Street NE 59th Avenue and NE 58th Avenue, will provide individual lot access.

The applicant's study evaluated the level of service and found that the intersections analyzed will have an estimated LOS B or better, in the 2019 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 3: 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 1 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 is 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.

Unsignalized Intersections

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

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

Concurrency Corridors

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

Summary

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

SAFETY:

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

- traffic signal warrant analysis,
- turn lane warrant analysis,
- crash history analysis,
- roadside safety (clear zone) evaluation,
- vehicle turning movements, and
- any other issues associated with highway safety.

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

Finding 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 traffic study found that with the low right and left turning traffic volumes, turn lanes would not be warranted. Staff concurs with the applicant’s findings

Finding 5: Historical Accident Situation

The applicant’s traffic study analyzed the crash history as obtained from Clark County for the period January 1, 2011 through December 31, 2015.

The intersection crash rates, for the study intersections do not exceed thresholds that would warrant additional analysis. The studied intersections are as follows:

- NE 54th Avenue/NE 45th Street
- NE 54th Avenue/NE 44th Street
- NE 54th Avenue/NE 40th Street
- NE 59th Avenue/NE 40th Street
- NE 59th Avenue/NE 45th Street/Project Site Access

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

Finding 6: 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 un-encumbered 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 Transportation Concurrency Condition A-4*).

Finding 7: Vehicle Turning Movements

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

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. The plans will also need to show that all applicable design vehicles have the ability to enter and exit the proposed road network without swinging into opposing or adjacent travel lanes, which may result in no parking areas on the proposed NE 58th Avenue and NE 45th Street near the intersection of NE 58th Avenue/NE 45th Street and NE 45th Street NE the intersection with NE 59th Avenue, (*See Transportation Concurrency Condition A-5*).

Finding 8: Sight Distance

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

Conclusion (Transportation Concurrency): Staff finds that the revised preliminary plan, subject to conditions identified above, meets requirements of the Clark County Code.

Stormwater

Finding 1 - Stormwater Applicability

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

Finding 2 – Stormwater Proposal

The 4-acre site currently contains a barn/shop and some greenhouses; all of which will be removed. The remainder of the site contains trees and a large field. The general topography slopes from north to south and slightly west to east with gradients from 5% to 10%. On-site soil is classified as Hillsboro Loam (HIB and HIC) and has a hydrologic

soil group classification of “B”. Per the applicant’s engineer, the majority of the existing runoff flows to a closed depression within the field on the southeast side of the property, where the water infiltrates into the ground. Some drainage from the property to the south also drains to this closed depression. After development, water from the southern property will no longer freely drain onto the site, and will instead be directed towards the southwest. Since no new development shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots; the applicant shall show in the final TIR how the development will comply with this stormwater control requirement. The applicant will also be required to conduct a closed depression analysis for this development, (*See Condition A-6-b and A-6-c*).

The applicant provided a Preliminary Technical Information Report prepared by BMP Design, LLC, dated May 10, 2016. Proposed site improvements include sidewalk, public streets, and 23 residential lots for a total of approximately 2.7 acres of new hard surface. The project proposes to use a series of bioretention areas, pervious pavement, and infiltration trenches to manage stormwater runoff. The bioretention areas will be located in the planter strips within the public right-of-way, the pervious pavement will be located within the public temporary turnarounds on NE 58th Avenue, and private infiltration trenches will be constructed for each lot to manage roof runoff, (*See Plat Note Condition D-4-g and Condition E-2*).

Redmond Geotechnical Services performed infiltration testing on April 14, 2015. The tested infiltration rate was recorded as 18 inches per hour at a depth of 10 feet below the existing ground surface (~262 feet). A factor of safety of 2 was applied to size the infiltration facilities for a design infiltration rate of 9 inches per hour. The applicant’s engineer has provided WWHM calculations that show the proposed facilities are able to infiltrate 100% of the 50-year storm event total volume. Based on Table 4.2 in Section 4.3.1.3, Book 1 of the Clark County Stormwater Manual, staff believes that a more appropriate factor of safety for infiltration facilities in closed depression is 4. Therefore, the applicant will need to submit documentation from a geotechnical engineer that specifies the exact correction factor to be used to size the infiltration facilities, (*See Condition A-6-d and C-1*).

Groundwater was encountered at 15 feet below existing ground surface during the infiltration testing. Furthermore, Redmond Geotechnical Services performed groundwater monitoring between October 2015 and May 2016 at the site. A piezometer was installed a depth of 15 feet below the existing ground surface (~260 feet) at the location of the closed depression. The highest groundwater depth was measured at 5.5 feet below the existing ground surface. This equates to an estimated groundwater elevation of 254 feet. BMP Design, LLC states that after grading activities are completed, all infiltration facilities will be able to achieve a 5-foot separation from the seasonal high ground water level, (*See Condition C-2*).

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

Fire Protection

Finding 1 – 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. 4095 or 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 2 – Building Construction

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process, (*See Condition E-4*).

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 application. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. Required fire flow is based upon a single family home with up to 3,600 sq. ft. of inhabitable area. A Utility letter states that existing fire flow in the area is estimated to be at least 1000 GPM @ 20 PSI, (*See Condition D-5-a*).

One and two family homes over 3,600 square feet (including attached garages) will have additional fire protection requirements. Contact the Clark County Fire Marshal's Office for additional information, (*See Condition G-4*).

Finding 4 – Fire Hydrants

Fire hydrants are required for this application. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads, (*See Condition D-5-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 City of 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 Conditions D-5-c, D-5-d, and H-1-a*).

Finding 5 – Fire Apparatus Access

Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application appear to meet the requirements of the Clark County Road Standards, (*See Condition H-1-b*).

Finding 6 – Fire Apparatus Turnarounds

Approved fire apparatus turnarounds are required for this project. The provisions for turning around fire apparatus comply with the Clark County Road Standards.

Finding 7 – Fire Lane

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 D-5-e).

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

UtilitiesFinding 1 – Water and Sewer

The site will be served by the City of Vancouver water and sewer districts. Letters from the above districts confirm that services are available to the site.

Finding 2 – Health Department

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).

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

Impact FeesFinding 1 – 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.

- South Orchards sub-area with a TIF of \$3,164.32 per dwelling
- Vancouver School District, with a SIF of \$1,523.00 per dwelling
- Park District #7, with a PIF of \$1,885.00 per dwelling (\$1445.00 for park acquisition / \$440.00 for park development)

Impact fees shall be paid prior to issuance of building permits for each new lot (See Conditions D-3-c and E-3). If a building permit application is made more than three years following the date of preliminary plat approval, impact fees will be recalculated according to the then-current ordinance rate.

SEPA Determination

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

- **DS = Determination of Significance** - The impacts cannot be mitigated through conditions of approval and, therefore, require the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** - The impacts can be addressed through conditions of approval; or,
- **DNS = Determination of Non-Significance** - The impacts can be addressed by applying the Clark County Code.

The likely SEPA determination of Non-Significance (DNS) in the Notice of Development Review Application issued on July 6, 2016 is hereby final.

SEPA Appeal Process

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

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

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

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

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

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

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

- Case number designated by the county
- Name of the applicant
- Name of each petitioner
- Signature of each petitioner or his or her duly authorized representative
- A statement showing the following:

- That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.020(H) or 40.510.030(H)
- The reasons why the SEPA determination is in error
- The appeal fee

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

The decision of the Hearing Examiner is final unless:

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

Staff Contact Person: Bryan Mattson, (360) 397-2375, ext. 4319.

Responsible Official: Marty Snell, Community Development Director

Recommendation

Based upon the revised proposed plan known as Exhibit 5, and the findings and conclusions stated above, staff recommends the Hearing Examiner **APPROVES** this request, subject to the understanding that the application is required to adhere to all applicable codes and laws, and is subject to the following conditions of approval.

Conditions of Approval

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

a. Archaeology

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

- a. The applicant shall show on the final construction plans that all proposed pedestrian facilities will be constructed to comply with ADA standards, (*See Transportation Finding 1*).

- b. The applicant shall show on the final construction plans that the new curb line along the south side of NE 45th Street will be constructed in the same horizontal alignment as the existing curb on the stub road to west or provide a taper curb length consistent with the Table 6C-4 of the MUTCD, (*See Transportation Finding 3*).
- c. Prior to final engineering approval, the applicant shall provide documentation that shows the 11-foot of right-of-way dedication needed from parcels 108486-215 and 108486-220 to construct NE 58th Avenue has been conveyed to the county, (*See Transportation Finding 3*).
- d. The applicant shall show on the final construction plans any portion of NE 59th Avenue that will need to be widened in order to comply with the 20-foot off-site roadway width standard, (*See Transportation Finding 4*).
- e. The applicant shall provide documentation that shows the 20-foot easement needed to access Lot 20 of the development though parcel 108486-211 has been recorded, (*See Transportation Finding 5*).
- f. The applicant shall show the sight distance triangles for all intersections on the final engineering plans and the final plat, (*See Transportation Finding 6*).
- g. The applicant shall provide documentation that shows the public access easement needed from parcel 108486-220 to construct a temporary turnaround at the north end of NE 58th Avenue has been recorded, (*See Transportation Finding 7*).

- A-3 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. The applicant shall obtain a work order with Clark County to reimburse the County for required signing and striping.
- A-4 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 Transportation Concurrency Finding 6*).
- A-5 Final Transportation Plan/Off Site (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 proposed road network without swinging into opposing or adjacent travel lanes, which may result in no parking areas on the proposed NE 58th

Avenue and NE 45th Street near the intersection of NE 58th Avenue/NE 45th Street and NE 45th Street NE the intersection with NE 59th Avenue, (*See Transportation Finding 7*).

- A-6 Final Stormwater Plan** - The applicant shall submit and obtain county approval of a final stormwater plan for on and off-site facilities, as applicable, designed in conformance to CCC 40.386 and the following conditions of approval:
 - a. The applicant shall submit final construction plans and a final Technical Information Report that addresses Minimum Requirements #1 through #9, (*See Stormwater Finding 1*).
 - b. The applicant shall submit the results of a closed depression analysis prepared in accordance with Book 2, Chapter 1 of the 2015 Clark County Stormwater Manual, (*See Stormwater Finding 2*).
 - c. The applicant shall show in the final Technical Information Report how the existing off-site drainage patterns will be affected and accommodated by the proposed development, (*See Stormwater Finding 2*).
 - d. The applicant shall submit documentation from a geotechnical engineering allowing that specifies the exact correction factor to be used to size the infiltration facilities, (*See Stormwater Finding 2*).

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

- A-8 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 Excavation and Grading** - Excavation / grading shall be performed in compliance with CCC Chapter 14.07.

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

Prior to construction, the following conditions shall be met:

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

- B-2 Erosion Control** - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering

infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

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

B-4 Forest Practices: Prior to commencing construction, the applicant shall obtain a Class IV general forest practice permit, (*See Forest Practices Finding 1*).

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 Section 5.1.2, Book 2 of the Clark County Stormwater Manual 2015, if the tested coefficient of permeability determined at the time of construction is at least 95 percent of the uncorrected coefficient of permeability used to determine the design rate, construction may proceed. If the tested rate does not meet this requirement, the applicant shall submit a plan to Clark County that follows the requirements in Section 1.8.5., Book 1. This plan shall address steps to correct the problem, including additional testing and/or resizing of the facility to ensure that the system will meet the minimum requirements of this manual, (*See Stormwater Finding 2*).

C-2 Stormwater:

During installation of the infiltration facilities, the applicant shall demonstrate that the groundwater table is at least 5 feet below the designed elevation of the bottom of the proposed infiltration facilities. The system shall be redesigned if the required separation is not achieved, (*See Stormwater Finding 2*).

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 Existing Structures: Demolition and/or removal of existing structures shall be accomplished with the necessary permits from the Clark County Building Division prior to recordation of the final plat for the respective phase in which it is located, (*See Land Use Finding 2*).

D-2 Right of Way: The right-of-way for NE 58th Avenue, NE 59th Avenue, and NE 45th Street Avenue must be conveyed to the county with the final plat, (*See Transportation Finding 3*).

D-3 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. Impact Fees - "In accordance with CCC 40.610, the School, Park and Traffic Impact Fees for each dwelling in this subdivision are: \$1,523.00 (Vancouver School District); \$1,885.00 (\$1,445.00 - Acquisition; \$440.00 - Development for Park District #7), and \$3,164.32 (South Orchards 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-4 Plat Notes - The following notes shall be placed on the final plat:

- a. Mobile Homes: "Mobile homes are not permitted on all lots subject to the requirements of CCC 40.260.130."
- b. Archaeological: "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."
- c. Sidewalks: "Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages."
- d. Utilities: "An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."
- e. Sight Distance: "All sight distance triangles shall be maintained."
- f. Driveways: "All residential driveway approaches entering public roads are required to comply with CCC 40.350."
- g. Roof and Crawl Space Drains: "Roof and crawl space drains for all lots of the development are to 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.

D-5 Fire Marshal Requirements

- a. Fire Flow: Fire flow in the amount of 1000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this application. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. Required fire flow is based upon a single family home with up to 3,600 sq. ft. of inhabitable area. A Utility letter states that existing fire flow in the area is estimated to be at least 1000 GPM @ 20 PSI, *(See Fire Marshal Finding 3)*.
- b. Fire Hydrants: Fire hydrants are required for this application. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads, *(See Fire Marshal Finding 4)*.
- c. Hydrant adapters and location: Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact City of Vancouver Fire Department at 360-487-7260 to arrange for location approval, *(See Fire Marshal Finding 4)*.
- d. Clear Space: Provide and maintain a six-foot clear space completely around every fire hydrant, *(See Fire Marshal Finding 4)*.
- e. Fire Lane: 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 Fire Marshal Finding 7)*.

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 Excavation and Grading** - Excavation/grading shall be performed in compliance with CCC 14.07.
- E-2 Infiltration systems** - Roof and crawl space drains for all lots of the development shall be installed in accordance with the approved As-Built plans, unless a revised plan is approved by the county. These stormwater systems will be owned and maintained by the property owner on whose lot the stormwater system is located, *(See Stormwater Finding 2)*.
- E-3 Impact Fees** - The applicant shall pay impact fees based on the number of dwelling units in the building, as follows:

- a. \$1,523.00 per dwelling for School Impact Fees (Vancouver School Dist.)
- b. \$1,885.00 per dwelling for Park Impact Fees (\$1,445.00 – Acquisition; \$440.00 – Development for Park District #8);
- c. \$3,164.32 per dwelling for Traffic Impact Fees (South Orchards 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-4 Fire Marshal Requirements - Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process, (*See Fire Marshal Finding 2*).

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 None

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

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

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

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

G-3 Building and Fire Safety
Building and fire, life, and safety requirements must be addressed through specific approvals and permits. This decision may reference general and specific items related to structures and fire, life, and safety conditions, but they are only for reference in regards to land use conditions. It is the responsibility of the owner, agent, tenant, or applicant to insure that Building Safety and Fire Marshal requirements are in compliance or

brought into compliance. Land use decisions do not waive any building or fire code requirements.

- G-4 Fire Marshal:** One and two family homes over 3,600 square feet (excluding attached garages) will have additional fire protection requirements (*See Fire Protection Finding 3*).

H	Post Development Requirements Review and Approval Authority: As specified below
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H-1 Fire Marshal:

- a. A six-foot clear space around the circumference of all fire hydrants shall be maintained. (*See Fire Marshal Finding 4*).
- b. Access roads shall be maintained with an unobstructed vertical clearance of not less than 13.5 feet, with an all-weather driving surface and capable of supporting the imposed loads of fire apparatus. (*See Fire Marshal Finding 5*)

Note: Any additional information submitted by the applicant within fourteen (14) calendar days prior to or after issuance of this report, may not be considered due to time constraints. In order for such additional information to be considered, the applicant may be required to request a “hearing extension” or “open record” and shall pay the associated fee.

Hearing Examiner Decision and Appeal Process

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

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

Motion for Reconsideration

Any party of record to the proceeding before the Hearing Examiner may file with the responsible official a motion for reconsideration of an examiner’s decision within fourteen (14) calendar days of written notice of the decision. A party of record includes the applicant and those individuals who signed the sign-in sheet or presented oral testimony at the public hearing, and/or submitted written testimony prior to or at the Public Hearing on this matter.

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

- Procedural irregularity or error, clarification, or scrivener’s error, for which no fee will be charged;

- Newly discovered evidence, which the moving party could not with reasonable diligence have timely discovered and produced for consideration by the examiners;
- The decision is not supported by substantial evidence in the record; or,
- The decision is contrary to law.

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

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

Appeal Rights

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

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

Attachments

- Attachment A: Revised Proposed Plat
- Attachment B: Public Works, Development Engineering Report
- Attachment C: Public Works, Transportation Concurrency Report
- Attachment D: Fire Marshal Letter

ATTACHMENT B
**TYPE III DEVELOPMENT &
ENVIRONMENTAL REVIEW,
STAFF REPORT & DECISION**

(Engineering Review)
Form DS1300B - PLD



Project Name: Appplewood Estates Subdivision
Case Number: PLD2016-00009, SEP2016-00020
Staff Engineer: Jennifer Reynolds, P.E.
Supervisor: Ali Safayi, P.E.
Report Issue Date: August 17, 2016
Vesting Date: June 27, 2016

RECOMMENDATION

Approve subject to Conditions of Approval

Development Engineering Supervisor Initials: A.S.

Date Signed: 8/17/16

Major Issues, Analysis & Conclusions

TRANSPORTATION:

Finding #1 – Pedestrian/Bicycle Circulation

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

The proposed site plan indicates that detached 5-foot sidewalks will be constructed along NE 59th Avenue, NE 45th Street, and NE 58th Avenue. The proposed pedestrian circulation complies with the provisions of CCC 40.350.010. (See Condition # A-1.a)

Finding #2 – Circulation Plan

The proposed development is bordered by NE 59th Avenue to the east, developable parcels to the north and south, and the Hewlett Subdivision to the west. NE 45th Street stubs to the development from the west. The applicant proposes to extend NE 45th Street through the site to NE 59th Avenue to meet north-south block length requirements. The closest public roadway to the north is NE 47th Street and to the south is NE 40th Street; this equates to an existing east-west block length of approximately 1,400 feet. The applicant proposes to construct NE 59th Avenue through the site in order to meet east-west block length requirements. The circulation plan that the applicant has submitted provides adequate cross-circulation to proposed development and allows subsequent developments to also comply with circulation plan standards.

Finding #3 – Roads

NE 59th Avenue is classified as an Urban Neighborhood Circulator. The existing roadway has a half-width right-of-way of 25 feet and a total paved width of approximately 15 to 20 feet. Code requires a minimum of 27 feet of half-width right-of-way and 18 feet of half-width paved roadway. The preliminary site plan shows that the applicant will dedicate 2 feet of right-of-way and construct half street improvements along NE 59th Avenue to include a half street paved width of 18 feet, curb and gutter, a 5-foot detached sidewalk and 3.5-foot clear space. The applicant's proposal for this roadway meets the minimum standards.

(See Condition # D-1)

NE 45th Street is classified as an Urban Local Residential Access. The existing stubbed road to the west has a total right-of-way width of 60 feet and a paved width of 34 feet. Code requires a minimum of 46 feet of right-of-way width, 28 feet of total paved roadway width, curb and gutter, and a 5-foot sidewalk and 3.5-foot clear space on both sides of the roadway. The preliminary site plan shows that the curb alignment on the south side of NE 45th Street will be tapered to conform to the smaller minimum paved width road standards; however, this taper creates a safety concern for east bound traffic. The applicant shall construct the curb line along the south side of NE 45th Street in the same horizontal alignment as the existing curb on the stub road to the west or provide a taper length consistent with the Table 6C-4 of the MUTCD.

(See Condition # A-1.b)

NE 58th Avenue has a proposed classification of an Urban Local Residential Access. Code requires a minimum of 46 feet of right-of-way, a paved width of 28 feet, curb and gutter, a 5-foot sidewalk and 3.5-foot clear space. The applicant's proposal for this roadway meets the minimum standards; however, the roadway to the north is located on two neighboring parcels (parcel numbers 108486-220 & 180486-215). The owners of these parcels, Florence Frodl and Karen Sobotta, have signed a letter of *Intent of Easement for Right of Way* to dedicate 11 feet of right-of-way to accommodate the partial width roadway section. Prior to final

engineering approval, the 11-foot of right-of-way must be conveyed to the county. (See **Condition # A-1.c**)

Finding #4 – Off-site Road Improvements

Per CCC 40.350.030(B)(6)(b)(1), all roads providing access to parcels being developed shall have an unobstructed and paved roadway width of 20 feet, or 18 feet of pavement with 1-foot shoulders. Any pre-existing roadway narrower than 18 feet with 1-foot shoulders shall be widened to the full 20-foot standard. Portion of the roadway width along NE 59th Avenue, both north and south, are less than 18 feet, the applicant will be required to widened the roadway as need to meet the 20-foot standard. (See **Condition # A-1.d**)

Finding #5 – Access

Per the applicant's preliminary site plan, Lot 20 will be served by a new driveway located within a 20-foot easement across Parcel 108486-211. Florence Frodl and Karen Sobotta, owners and managers of Frodl LLC, owner of the parcel, have signed an *Intent of Easement for Right-of-Way* to allow the driveway access as well as the right of egress and ingress over their property. Prior to final engineering approval, this easement shall be recorded. (See **Condition # A-1.e**)

Per CCC 40.350.030 (B)(4)(b)(1)(b), corner lot driveways shall be a minimum of 50 feet from the intersecting property lines, as measured to the nearest edge of the driveway, or in the case where this is impractical, the driveway may be limited to 20 feet in width and located 5 feet from the property line away from the intersection or as a joint use driveway at this property line.

Finding #6 – Sight Distance

The approval criteria for sight distances at intersections and driveways are found in CCC 40.350.030(B)(8). Landscaping, trees, utility poles, and miscellaneous structures will not be allowed to impede required sight distance requirements at all proposed driveways and road intersections. Per Table 40.350.030-8, the applicant is required to have 250 feet of sight distance per the posted 25 MPH speed limit along NE 59th Avenue and NE 45th Street.

The applicant will be required to submit a sight distance certification letter that addresses any obstructions and how sight distance will be achieved along both the intersections of NE 59th Avenue with NE 45th Street and NE 58th Avenue with NE 45th Street. The sight distance certification letter must be prepared and stamped by a licensed engineer in the state of Washington. The sight distance triangles must be shown on the final construction plans and final plat. (See **Condition # A-1.f**)

Finding #7 – Street Extensions

The revised preliminary site plan, dated 06/08/2016, shows a temporary turnaround at both ends of proposed NE 58th Avenue. A portion of the temporary turnaround at the north end of NE 58th Avenue is located on a neighboring parcel

(TL 108486-220). The owner of that parcel, Florence Frodl, has signed a letter of *intent of Easement for Right of Way of Temporary Fire Truck Turn Around* to allow for the public turnaround to be located on their property. Prior to final engineering approval, a public easement for egress and ingress must be recorded. (**See Condition # A-1.g**)

Conclusion (Transportation):

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

STORMWATER:

Finding #8 - Stormwater Applicability

The provisions of Clark County Code Chapter 40.386 shall apply to all new development, redevelopment, land disturbing activities, and drainage projects consistent with the Clark County Stormwater Manual. The project adds more than 5,000 square feet of new hard surface; therefore, the applicant shall comply with Minimum Requirements #1 through #9 per Section 1.4, Book 1 of the Clark County Stormwater Manual 2015. (**See Condition # A-3.a**)

Finding #9 – Stormwater Proposal

The 4-acre site currently contains a barn/shop and some greenhouses; all of which will be removed. The remainder of the site contains trees and a large field. The general topography slopes from north to south and slightly west to east with gradients from 5% to 10%. On-site soil is classified as Hillsboro Loam (HIB and HIC) and has a hydrologic soil group classification of "B". Per the applicant's engineer, the majority of the existing runoff flows to a closed depression within the field on the southeast side of the property, where the water infiltrates into the ground. Some drainage from the property to the south also drains to this closed depression. After development, water from the southern property will no longer freely drain onto the site, and will instead be directed towards the southwest. Since, no new development shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots; the applicant shall show in the final TIR how the development will comply with this stormwater control requirement. The applicant will also be required to conduct a closed depression analysis for this development. (**See Condition # A-3.b and A-3.c**)

The applicant provided a Preliminary Technical Information Report prepared by BMP Design, LLC, dated May 10, 2016. Proposed site improvements include sidewalk, public streets, and 23 residential lots for a total of approximately 2.7 acres of new hard surface. The project proposes to use a series of bioretention areas, pervious pavement, and infiltration trenches to manage stormwater runoff. The bioretention areas will be located in the planter strips within the public right-of-way, the pervious pavement will be located within the public temporary

turnarounds on NE 58th Avenue, and private infiltration trenches will be constructed for each lot to manage roof runoff. (*Plat Note # D-3.e and Condition E-2*)

Redmond Geotechnical Services performed infiltration testing on April 14, 2015. The tested infiltration rate was recorded as 18 inches per hour at a depth of 10 feet below the existing ground surface (~262 feet). A factor of safety of 2 was applied to size the infiltration facilities for a design infiltration rate of 9 inches per hour. The applicant's engineer has provided WWHM calculations that show the proposed facilities are able to infiltrate 100% of the 50-year storm event total volume. Based on Table 4.2 in Section 4.3.1.3, Book 1 of the Clark County Stormwater Manual, staff believes that a more appropriate factor of safety for infiltration facilities in closed depression is 4. Therefore, the applicant will need to submit documentation from a geotechnical engineer that specifies the exact correction factor to be used to size the infiltration facilities. (*See Condition # A-3.d and C-1*)

Groundwater was encountered at 15 feet below existing ground surface during the infiltration testing. Furthermore, Redmond Geotechnical Services performed groundwater monitoring between October 2015 and May 2016 at the site. A piezometer was installed a depth of 15 feet below the existing ground surface (~260 feet) at the location of the closed depression. The highest groundwater depth was measure at 5.5 feet below the existing ground surface. This equates to an estimated groundwater elevation of 254 feet. BMP Design, LLC states that after grading activities are completed, all infiltration facilities will be able to achieve a 5-foot separation from the seasonal high ground water level. (*See Condition # C-2*)

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

Conditions of Approval

**A Final Construction Plan Review for Land Division
Review & Approval Authority: Development Engineering**

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 show on the final construction plans that all proposed pedestrian facilities will be constructed to comply with ADA standards. (See Finding #1)
- b. The applicant shall show on the final construction plans that the new curb line along the south side of NE 45th Street will be constructed in the same horizontal alignment as the existing curb on the stub road to west or provide a taper curb length consistent with the Table 6C-4 of the MUTCD. (See Finding #3)
- c. Prior to final engineering approval, the applicant shall provide documentation that shows the 11-foot of right-of-way dedication needed from parcels 108486-215 and 108486-220 to construct NE 58th Avenue has been conveyed to the county. (See Finding #3)
- d. The applicant shall show on the final construction plans any portion of NE 59th Avenue that will need to be widened in order to comply with the 20-foot off-site roadway width standard. (See Finding #4)
- e. The applicant shall provide documentation that shows the 20-foot easement needed to access Lot 20 of the development though parcel 108486-211 has been recorded. (See Finding #5)
- f. The applicant shall show the sight distance triangles for all intersections on the final engineering plans and the final plat. (See Finding #6)
- g. The applicant shall provide documentation that shows the public access easement needed from parcel 108486-220 to construct a temporary turnaround at the north end of NE 58th Avenue has been recorded. (See Finding #7)

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 40.386 and the following conditions of approval:

- a. The applicant shall submit final construction plans and a final Technical Information Report that addresses Minimum Requirements #1 through #9. (See Finding #8)
- b. The applicant shall submit the results of a closed depression analysis prepared in accordance with Book 2, Chapter 1 of the 2015 Clark County Stormwater Manual. (See Finding #9)
- c. The applicant shall show in the final Technical Information Report how the existing off-site drainage patterns will be affected and accommodated by the proposed development. (See Finding #9)
- d. The applicant shall submit documentation from a geotechnical engineering allowing that specifies the exact correction factor to be used to size the infiltration facilities. (See Finding #9)

A-4 Erosion Control Plan - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.386.

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

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.

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

C-1 Stormwater:

In accordance with Section 5.1.2, Book 2 of the Clark County Stormwater Manual 2015, if the tested coefficient of permeability determined at the time of construction is at least 95 percent of the uncorrected coefficient of permeability used to determine the design rate, construction may proceed. If the tested rate does not meet this requirement, the applicant shall submit a plan to Clark County that follows the requirements in Section 1.8.5., Book 1. This plan shall address steps to correct the problem, including additional testing and/or resizing of the facility to ensure that the system will meet the minimum requirements of this manual.
(See Finding #9)

C-2 Stormwater:

During installation of the infiltration facilities, the applicant shall demonstrate that the groundwater table is at least 5 feet below the designed elevation of the bottom of the proposed infiltration facilities. The system shall be redesigned if the required separation is not achieved.
(See Finding #9)

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

D-1 The right-of-way for NE 58th Avenue, NE 59th Avenue, and NE 45th Street Avenue must be conveyed to the county with the final plat.
(See Finding #3)

D-2 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."

D-3 Plat Notes - The following notes shall be placed on the final plat:

- a. Sidewalks: "Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages."
- b. 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."
- c. Sight Distance: "All sight distance triangles shall be maintained."
- d. Driveways: "All residential driveway approaches entering public roads are required to comply with CCC 40.350."
- e. Roof and Crawl Space Drains: "Roof and crawl space drains for all lots of the development are to 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."

E	Building Permits Review & Approval Authority: Customer Service
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Prior to issuance of building permit, the following condition shall be met:

- E-1 Excavation and Grading** - Excavation/grading shall be performed in compliance with CCC 14.07.
- E-2** Roof and crawl space drains for all lots of the development shall be installed in accordance with the approved As-Built plans, unless a revised plan is approved by the county. These stormwater systems will be owned and maintained by the property owner on whose lot the stormwater system is located. (See Finding #9)

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

F-1 None

G	Development Review Timelines & Advisory Information Review & Approval Authority: None - Advisory to Applicant
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G-1 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 the DOE for further information.**

ATTACHMENT C
**TYPE III DEVELOPMENT &
ENVIRONMENTAL REVIEW
STAFF REPORT
& RECOMMENDATION**

(Concurrency Review)
Form DS1402A



Project Name: Applewood Subdivision
Case Number: PLD2016-00009
Staff Engineer: David Jardin
Supervisor: Ali Safayi, PE
Report Issue Date: August 17, 2016
Vesting Date: June 15, 2016

DECISION
Approved with Conditions

Development Engineering Supervisor Initials: U.S.
Date Signed: 8/17/16

Major Issues, Analysis & Conclusions

TRANSPORTATION CONCURRENCY:

Finding 1: Trip Generation

County concurrency staff has reviewed the proposed Applewood Subdivision. The traffic study submitted indicates that the proposed development will divide 4.14 acres, into 23 single family attached residences. The applicant's traffic study has estimated the a.m. peak-hour trip generation at 16, p.m. peak-hour trip generation at 23 trips and an average daily trip generation (ADT) of 201 trips. The trip generation was estimated using the nationally accepted data published by the *Institute of Transportation Engineers Ninth Addition*. The proposed development site is located at 5710 NE 45th Street in Vancouver.

The applicant has submitted a traffic study under the provisions of Clark County Code section 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 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 the extension of NE 45th Street, an existing public road. NE 45th Street is stubbed to the west property line of the proposed development. NE 45th Street will be extended through the proposed development to connect to NE 59th Avenue. The existing and proposed public roads, NE 45th Street NE 59th Avenue and NE 58th Avenue, will provide individual lot access.

The applicant's study evaluated the level of service and found that the intersections analyzed will have an estimated LOS B or better, in the 2019 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 3: 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 1 mile of the proposed development. Typically, the County's transportation model is used to determine what urban area developments are currently being reviewed, approved, or are under construction and in the vicinity of the proposed development. The traffic these developments generate is referred to as "*in-process traffic*" and will ultimately contribute to the same roadway facilities as the proposed development. This "*in-process traffic*" is used to evaluate and anticipate area growth and its impact on intersection and roadway operating levels with and without the proposed development, helping to determine if roadway mitigation necessary to reduce transportation impacts.

Signalized Intersections

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

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

Unsignalized Intersections

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

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

Concurrency Corridors

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

Summary

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

SAFETY:

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

- traffic signal warrant analysis,
- turn lane warrant analysis,
- crash history analysis,
- roadside safety (clear zone) evaluation,
- vehicle turning movements, and
- any other issues associated with highway safety.

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

Finding 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 traffic study found that with the low right and left turning traffic volumes, turn lanes would not be warranted. Staff concurs with the applicant's findings

Finding 5: Historical Accident Situation

The applicant's traffic study analyzed the crash history as obtained from Clark County for the period January 1, 2011 through December 31, 2015.

The intersection crash rates, for the study intersections do not exceed thresholds that would warrant additional analysis. The studied intersections are as follows:

- NE 54th Avenue/NE 45th Street
- NE 54th Avenue/NE 44th Street

- NE 54th Avenue/NE 40th Street
- NE 59th Avenue/NE 40th Street
- NE 59th Avenue/NE 45th Street/Project Site Access

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

Finding 6: 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 Transportation Concurrency A-2)

Finding 7: Vehicle Turning Movements

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

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. The plans will also need to show that all applicable design vehicles have the ability to enter and exit the proposed road network without swinging into opposing or adjacent travel lanes, which may result in no parking areas on the proposed NE 58th Avenue and NE 45th Street near the intersection of NE 58th Avenue/NE 45th Street and NE 45th Street NE the intersection with NE 59th Avenue. (See Transportation Concurrency A-3).

Finding 8: Sight Distance

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

Conclusion

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

Conditions of Approval

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

- A-1 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. The applicant shall obtain a work order with Clark County to reimburse the County for required signing and striping.

- A-2 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 6)

- A-3 Final Transportation Plan/Off Site (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 proposed road network without swinging into opposing or adjacent travel lanes, which may result in no parking areas on the proposed NE 58th Avenue and NE 45th Street near the intersection of NE 58th Avenue/NE 45th Street and NE 45th Street NE the intersection with NE 59th Avenue. (See 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 Transportation (Concurrency)** – NONE

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

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

C-1 Transportation (Concurrency) - NONE

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

D-1 Transportation (Concurrency) – NONE

E	Building Permits Review & Approval Authority: Customer Service
----------	-------------------------------------------------------------------------------------

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

E-1 Transportation (Concurrency) – NONE

F	Occupancy Permits Review & Approval Authority: Building
----------	------------------------------------------------------------------------------

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

F-1 Final Transportation Plan/Off Site (Concurrency) – NONE

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

G-1 Transportation (Concurrency) – NONE



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CLARK COUNTY
WASHINGTON

Attachment D

COMMUNITY DEVELOPMENT

Fire Marshal's Office

August 22, 2016,

Subject: Preliminary Land Division Comments
Applewood Estates Subdivision
PLD2016-00009

TO: Bryan Mattson, Project Planner

This application was reviewed by Curtis Eavenson in the Fire Marshal's Office. Curtis can be reached at (360) 397-2186 x3320, or e-mail at curtis.eavenson@clark.wa.gov. Information can be faxed to Curtis at (360) 397-2076. Where there are difficulties in meeting these conditions or if additional information is required, contact Curtis in the Fire Marshal's Office immediately.

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.

Fire flow in the amount of 1000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this application. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. Required fire flow is based upon a single family home with up to 3,600 sq. ft. of inhabitable area. A Utility letter states that existing fire flow in the area is estimated to be at least 1000 GPM @ 20 PSI.

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

Fire hydrants are required for this application. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads.

Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection.

The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact City of Vancouver Fire Department at 360-487-7260 to arrange for location approval.

Provide and maintain a six-foot clear space completely around every fire hydrant.

The roadways and maneuvering areas as indicated in the application appear to meet the requirements of the Clark County Road Standard.

PUBLIC SAFETY COMPLEX • 505 NW 179th Street • RIDGEFIELD, WASHINGTON 98642
(360) 397-2186 • FAX (360) 397-2076 • TDD (360) 397-6057 • www.clark.wa.gov



For other formats
Clark County ADA Office, Voice (360) 397-2000
Relay (800) 833-6384, E-mail ADA@clark.wa.gov

Approved fire apparatus turnarounds are required for this project. The indicated provision for turning around fire apparatus at the south end of NE 58th AV is adequate.

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".

Curtis Eavenson
Sr. Deputy Fire Marshal

SEPA Environmental Checklist

Washington Administrative Code (WAC) 197-11-960

Purpose of checklist:

The State Environmental Policy Act (SEPA), Revised Code of Washington (RCW), Chapter 43.21C, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and agencies identify impacts from your proposal and to help agencies decide whether or not an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe basic information about your proposal. Governmental agencies use this checklist to determine whether or not the environmental impacts of your proposal are significant. Please answer the questions briefly, giving the most precise information or best description known. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply."

Some questions pertain to governmental regulations such as zoning, shoreline, and landmark designations. If you have problems answering these questions, please contact the Clark County Permit Center for assistance.

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. You may be asked to explain your answers or provide additional information related to significant adverse impacts.

Use of checklist for non-project proposals:

Complete this checklist for non-project proposals (e.g., county plans and codes), even if the answer is "does not apply." In addition, complete the supplemental sheet for non-project actions (Part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

Revised 9/1/11



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

A. Background

1. Name of proposed project, if applicable:
Applewood Estates Subdivision
2. Name of applicant:
**Applewood Estates, LLC
Brian Sobotta**
3. Address and phone number of applicant and contact person:
Applicant:
**5710 NE 45th Street
Vancouver, WA 98661
360-608-1648**

Contact Person:
**James Clark
Clark Land Design, PLLC
360-921-4445
jclark@clarklanddesign.com**
4. Date checklist prepared:
April 7, 2016
5. Agency requesting checklist:
Clark County
6. Proposed timing or schedule (including phasing, if applicable):
The project construction is tentatively scheduled for 2017.
7. Do you have any plans for future additions, expansion, or further activity related to this proposal? If yes, explain.
No.
8. List any environmental information that has been or will be prepared related to this proposal.
A wetland pre-determination was conducted on the site by Clark County. The project will be designed and developed in accordance with state and local requirements for stormwater management, erosion control and any other environmental standards.
9. Are other applications pending for governmental approvals affecting the property covered by your proposal? If yes, please explain.
All applications associated with site plan review in Clark County are pending. Review by Washington State Department of Archaeology and Historic Preservation is also pending.
10. List any government approvals or permits needed for your proposal:

Clark County Health Department Review, Clark County planning, engineering and construction approvals and permits, DAHP.

11. Give a brief, complete description of your proposal, including the proposed uses and size of the project and site. There are several questions addressed later in this checklist asking 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 project proposes a new 23-lot subdivision on a 4.14 acre site.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including street address, section, township, and range. If this proposal occurs over a wide area, please provide the range or boundaries of the site. Also, give a legal description, site plan, vicinity map, and topographic map. You are required to submit any plans required by the agency, but not required to submit duplicate maps or plans submitted with permit applications related to this checklist.

The site is located on Tax Lot 108486-244 and is located just east of 5710 NE 45th Street, Vancouver, WA.

B. Environmental Elements

1. Earth

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____.
The site slopes moderately from the northwest to the southeast.
- b. What is the steepest slope on the site and the approximate percentage of the slope?
The site contains 0-5% slopes (43.3% of the site) and 5-10% slopes (56.7% of the site)
- c. What general types of soils are found on the site (e.g., clay, sand, gravel, peat, muck)? Please specify the classification of agricultural soils and note any prime farmland.
HIB (93.2%, HIC (6.8%)
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, please describe.
No.
- e. Describe the purpose, type, and approximate quantities of any filling or proposed grading. Also, indicate the source of fill. **Grading will occur onsite for infrastructure development and construction. The quantities are unknown at this time.**
- f. Could erosion occur as a result of clearing, construction, or use? If so, please describe. **Yes, soil could erode due to exposure to rain during construction, but erosion control measures will be in place to avoid the transport of soil off-site.**
- g. What percentage of the site will be covered with impervious surfaces after the project construction (e.g., asphalt or buildings)? **Exact quantities will not be known until**

home construction, but approximately 70% of the site is expected to be impervious.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth include: **Silt fence, inlet protection, mulching and seeding.**
-

2. Air

- a. What types of emissions to the air would result from this proposal (e.g., dust, automobile, odors, industrial wood smoke) during construction and after completion? Please describe and give approximate quantities.
Construction equipment will emit exhaust. Air may get dusty during construction.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, please describe. **No**
- c. Proposed measures to reduce or control emissions or other impacts to air: **None**
-

3. Water

- a. Surface:
- 1) Is there any surface water body on or in the vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, and wetlands)? If yes, describe the type and provide names and into which stream or river it flows into.
No.
 - 2) Will the project require any work within 200 feet of 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? Please provide description, purpose, and approximate quantities: **No**
 - 5) Does the proposal lie within a 100-year floodplain? If so, please note the 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:
- 1) Will ground water be withdrawn, or will water be discharged to ground water? Please give description, purpose, and approximate quantities.

Groundwater will not be withdrawn. Stormwater will be treated and infiltrated into the ground using rain gardens and/or other approved BMP's. Quantity varies depending on rainfall.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources; (e.g., domestic sewage; industrial, containing the following chemicals. . .; agricultural; etc.). Describe the size and number of the systems, houses to be served; or, the number of animals or humans the systems are expected to serve.
None

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal. Include quantities, if known. Describe where water will flow, and if it will flow into other water.

Infiltration is proposed for disposal of the stormwater from this project. Rain gardens or other approved BMP's will be used to treat the contaminated runoff and then it will be infiltrated on-site.

- 2) Could waste materials enter ground or surface waters? If so, please describe.
No

- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:
The stormwater systems will be designed to collect, convey, treat and infiltrate stormwater runoff from the developed site.

4. Plants

- a. Check or circle types of vegetation found on the site

- Deciduous tree: **misc.**
- Evergreen tree: **misc.**
- Shrubs: **misc.**
- Grass: **yes**
- Pasture: **no**
- Crop or grain: **garden & orchard**
- Wet soil plants: **no**
- Water plants: **no**
- Brush: **yes**

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

- c. List threatened or endangered species on or near the site.
None known.

- d. List proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site:
Landscaping will be provided by individual homeowners.

5. Animals

- a. Circle any birds and animals which have been observed on or near the site:
- Birds: **robins, sparrows and other small birds**
 - Mammals: **mice, moles, rabbits, deer, coyote, raccoon, etc...**
 - Fish: **N/A**
- b. List any threatened or endangered species known to be on or near the site.
None known
- c. Is the site part of a migration route? If so, please explain.
The site is located within what is commonly referred to as the Pacific Flyway. The flyway stretches from Alaska to Mexico and from the Pacific Ocean to the Rocky Mountains.
- d. List proposed measures to preserve or enhance wildlife:
None.

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 used for heating, lighting, etc...
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, please 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:
The project will comply with state building and energy codes. No additional measures are proposed.

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, please describe.
No
- 1) Describe special emergency services that might be required.
Fire, Police and Ambulance
 - 2) Proposed measures to reduce or control environmental health hazards, if any:
Stormwater will be treated.
- b. Noise

- 1) What types of noise exist in the area which may affect your project (e.g., traffic, equipment, operation, other)?
None.
- 2) What types and levels of noise are associated with the project on a short-term or a long-term basis (e.g., traffic, construction, operation, other)? Indicate what hours the noise would come from the site. **7am – 7pm construction noise in the short term. Traffic in the long term.**
- 3) Proposed measures to reduce or control noise impacts: **None**

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?
The site is currently used for gardening and an orchard.
- b. Has the site been used for agriculture? If so, please describe.
The site is currently used for gardening and home orchard, but not commercial agriculture. It is unknown whether the site was used for agriculture in the past
- c. Describe any structures on the site.
There is a greenhouse and shop that will be removed.
- d. Will any structures be demolished? If so, please describe.
Yes. All other structures will be removed.
- e. What is the current zoning classification of the site?
R1-6
- f. What is the current comprehensive plan designation of the site?
UL
- g. What is the current shoreline master program designation of the site?
N/A
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, please specify.
No.
- i. How many people would reside or work in the completed project?
None
- j. How many people would the completed project displace?
None
- k. Please list proposed measures to avoid or reduce displacement impacts: **N/A**

1. List proposed measures to ensure the proposal is compatible with existing and projected land uses and plans:
The project will be developed in accordance with the site's zoning.

9. Housing

- a. Approximately how many units would be provided? Indicate whether it's high, middle, or low-income housing. **23 low-density, middle income homes.**
- b. Approximately how many units, if any, would be eliminated? Indicate whether it's high, middle, or low-income housing. **None**
- c. List proposed measures to reduce or control housing impacts: **None**

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas? What is proposed as the principal exterior building materials?
Homes will comply with maximum height requirements outlined in Clark County Code.
- b. What views in the immediate vicinity would be altered or obstructed?
None
- c. Proposed measures to reduce or control aesthetic impacts:
None

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
Street lights will be proposed with the project.
- 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:
None

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
There is a neighborhood park 1/2 mile to the southwest of the site.
- b. Would the project displace any existing recreational uses? If so, please describe. **No**

- c. Proposed measures to reduce or control impacts on recreation, including recreational opportunities to be provided by the project or applicant:
This project will pay a park impact fee which will help in the future development of parks and recreation facilities.

13. Historic and cultural preservation

- a. Are there any places or objects on or near the site which are listed or proposed for national, state, or local preservation registers. If so, please describe.
None known.
- b. Please describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.
None known.
- c. Proposed measures to reduce or control impacts:
None.

14. Transportation

- a. Identify the public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.
The site has access from NE 59th Avenue and NE 45th Street.
- b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
No. There is no public transit within approximately 1 mile of the site.
- c. How many parking spaces would the completed project have? How many would the project eliminate?
Each home will have at least two parking spaces in the driveway, none will be eliminated.
- d. Will the proposal require new roads or streets, or improvements to existing roads or streets, not including driveways? If so, please describe and indicate whether it's public or private.
The project will propose frontage improvements and right-of-way dedication for NE 59th Avenue, NE 45th Street, and NE 58th Avenue.
- e. Will the project use water, rail, or air transportation? If so, please describe.
No
- f. How many vehicular trips per day would be generated by the completed project? Indicate when peak traffic volumes would occur.
Approximately 219 ADT, 23 PM peak hour / 17 AM peak hour.
- g. Proposed measures to reduce or control transportation impacts:
The project will be assessed traffic impact fees.

15. Public services

- a. Would the project result in an increased need for public services (e.g., fire protection, police protection, health care, schools, other)? If so, please describe.

The project will require all public services listed above, and they are all available to serve the site.

- b. Proposed measures to reduce or control direct impacts on public services:

The proposed project will pay Impact Fees

16. Utilities

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

Electricity, water, telephone, sanitary sewer and refuse service.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on or near the site:

Water: Clark Public Utilities

Sewer: On-site septic

Telephone: Qwest or Comcast

Electricity: Clark Public Utilities

Garbage: Waste Connections

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:  _____ Date Submitted: 4/7/2016

Notice of Type III Application, Optional SEPA Determination of Non-Significance, and Public Hearing

The Clark County Department of Community Development has received an application for development review, as described below. Based on a review of the submitted application materials, the county expects to issue a **Determination of Non-Significance (DNS)** for the proposal allowed by state law and Clark County Code (CCC), Section 40.570.040(E) – Optional DNS Process. As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review.

Comments received within the deadline will be considered in the review of the proposal. **Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal.** No additional comment period will be provided unless probable significant environmental impacts are identified during the review process, which would require additional study or special mitigation. The proposal may include mitigation under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared.

Closing date for public comments: July 21, 2016

Hearing date, time, and location

The Clark County Hearing Examiner will conduct the public hearing on Thursday, September 8, 2016 at 6:00 p.m., at the Public Service Center, 1300 Franklin Street, Vancouver, Washington, 98660, on the sixth floor, Room 680 (see attached map).

The doors to the Public Service Center will open between 5:45 and 7:00 p.m. for those attending the hearing on this matter. Parking is available in the parking garage on the north side of the Public Service Center, access off Franklin Street.

At the hearing, the Hearing Examiner will consider the following:

Project Name: Applewood Estates Subdivision

Case Numbers: PLD2016-00009, SEP2016-00020, & GEO2016-00005

Request: The applicant requests approval to subdivide an approximately 4

Revised 7/15/13



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



For an alternate format,
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Relay: 711 or (800) 833-6384
E-mail: ADA@clark.wa.gov

acre site in the R1-6 zone into twenty-three (23) lots for single family residences along with street and utility improvements.

- Location:** ≈5711 NE 45th Street
- Applicant:** Brian Sobotta
5710 NE 45th Street
Vancouver, WA 98661
Applewood5800@gmail.com
- Contact person:** Clark Land Design, PLLC
c/o James Clark
10013 NE Hazel Dell Avenue, PMB 177
Vancouver, WA 98685
jclark@clarklanddesign.com
- Property owner:** Applewood Estates LLC
c/o Karen Sobotta
5710 NE 45th Street
Vancouver, WA 98661
Applewood5800@gmail.com
- Hearing Examiner:** Joe Turner
- Staff contact:** Bryan Mattson
360-397-2375x4319
Bryan.mattson@clark.wa.gov
- Neighborhood contact:** Roads End Neighborhood Association
Barbara Murray, vice president
5513 NE 40th Street
Vancouver, WA 98661
Email: bemur@comcast.net
- Date this Public Notice issued:** July 6, 2016

Legal description of property: Tax lot #17 of Lot 3, tax lot #1 of Lot 4, tax lot #2 of Lot 2, & tax lot #5 of Lot 1; all of Robeck Acres Block B; located in the southwest quadrant of Section 18, Township 2 North, Range 2 East, Willamette Meridian

Approval Standards/Applicable Laws:

Clark County Code: Title 15 (Fire Prevention), Chapter 40.200 (General Provisions), Section 40.220.020 (Residential & Office Residential District), Section 40.260.155 (Narrow Lot Development Standards), Chapter 40.310 (Signs), Chapter 40.320 (Landscaping), Chapter 40.330 (Crime Prevention & Safety), Chapter 40.340 (Parking & Loading), Chapter 40.350 (Transportation & Circulation), Section 40.350.020 (Transportation Concurrency), Chapter

40.360 (Solid Waste and Recycling), Chapter 40.370 (Sewer & Water), Chapter 40.386 (Storm Water & Erosion Control), Chapter 40.430 (Geologic Hazard Areas), Chapters 40.500 and 40.510 (Procedures), Section 40.520.010 (Legal Lot Determination), Section 40.520.040 (Site Plan Review), Sections 40.540.020 & 40.540.040 (Land Division & Subdivisions), 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 and Fully Complete Date

Application date: April 12, 2016

Fully Complete date: June 27, 2016

Public Comment

The public is encouraged to comment on this proposal. Comments received by the closing date noted above 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.

Closing date for public comments: July 26, 2016

An accurate mailing address for those mailing comments must be included or they will *not* qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision.

In Person: The Community Development is located in the Public Service Center, first and third floors, 1300 Franklin Street, Vancouver, Washington 98660.

Mail: Attn: Amy Wooten
Department of Community Development
P.O. Box 9810
Vancouver, WA. 98666-9810

Email: amy.wooten@clark.wa.gov

Staff Report Timelines/Process

Staff reports, agendas, and/or SEPA reviews and determinations will be available for review at least fifteen (15) calendar days before the hearing date. Decisions on Type III applications are made within 92 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information.

Information regarding this application can be obtained by calling Amy Wooten at (360) 397-2375 ext. 5683, visiting Community Development, 1300 Franklin Street, Vancouver, Washington 98660, or checking the status online at www.clark.wa.gov/development.

Community Development Web site - www.clark.wa.gov/development

- Weekly Preliminary Plan Review Status Report - includes current applications
- Pre-Application Conferences and Land Use Hearing agendas
- Applications and handouts for each type of land use permit

SEPA Options

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, requiring 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.

SEPA Appeal

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

Please refer to the *Appeals* handout for more information and fees.

The appeal request and fee shall be submitted in person to the Department of Community Development at the address listed below:

Public Service Center
Community Development Permit Center
1300 Franklin Street, first floor
Vancouver, WA 98660

Public Testimony

Faxed, mailed or delivered testimony must be received at the Community Development Permit Center by 12:00 noon the day of the hearing. Other written or verbal testimony may be presented and considered at the public hearing.

Testifying in person

Any person wishing to present testimony at the Public Hearing should arrive by 6:00 p.m. at the Public Service Center, sixth floor, 1300 Franklin Street, Vancouver, Washington.

For more information, see *The land use hearing process and how to provide effective testimony* handout on the Web site at www.clark.wa.gov/development/how.html

Written testimony

Written testimony must arrive by 12:00 noon on the day of the hearing.

Hand-deliver: Community Development
Public Service Center
1300 Franklin, first and third floors
Vancouver WA 98660

Mail: Attn: Bryan Mattson
Department of Community Development
PO Box 9810
Vancouver, WA 98666-9810.

Fax: (360) 397-2011, Attn: Bryan Mattson

Accommodation of physical impairments

The Public Service Center is wheelchair accessible. If you need auxiliary aids or services in order to attend, contact the Clark County ADA Office. Voice (360) 397-2322; Relay 711 or (800) 833-6384; Email ADA@clark.wa.gov.

Appeal of Hearing Examiner Decision

The Hearing Examiner normally issues a decision within two weeks of the public hearing. 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.

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

Attachments

- Proposed land division plan
- Map of property owners receiving notice



Clark Design, P.L.L.C.
 Landscape Architecture
 10000 1st Avenue, Suite 100
 Kirkland, WA 98033
 Phone: (206) 835-1100
 Fax: (206) 835-1101
 Website: www.clarkdesign.com

Prepared for: **Applewood Estates Subdivision**
 10000 1st Avenue, Suite 100
 Kirkland, WA 98033

SHEET TITLE
 PRELIMINARY PLAT
 8 SITE PLAN

DATE	BY	REVISION
06/15/2011	JAC	ISSUE FOR PERMIT
06/15/2011	JAC	ISSUE FOR PERMIT

SCALE: 1" = 40'
 JOB # 115014
 SHEET NUMBER
G1.0

APPLEWOOD ESTATES SUBDIVISION
 PART OF THE WILLAMETTE MERIDIAN CLATSOP COUNTY, OREGON
 JUNE 2011

APPLICANT OWNER:
 BOON SPORTS & RECREATION
 2700 NE 15TH AVENUE, SUITE 100
 VANCOUVER, WA 98681

CONTACT PERSON:
 JAMES CLARK, P.E.
 CLARK DESIGN, P.L.L.C.
 10000 1ST AVENUE, SUITE 100
 KIRKLAND, WA 98033

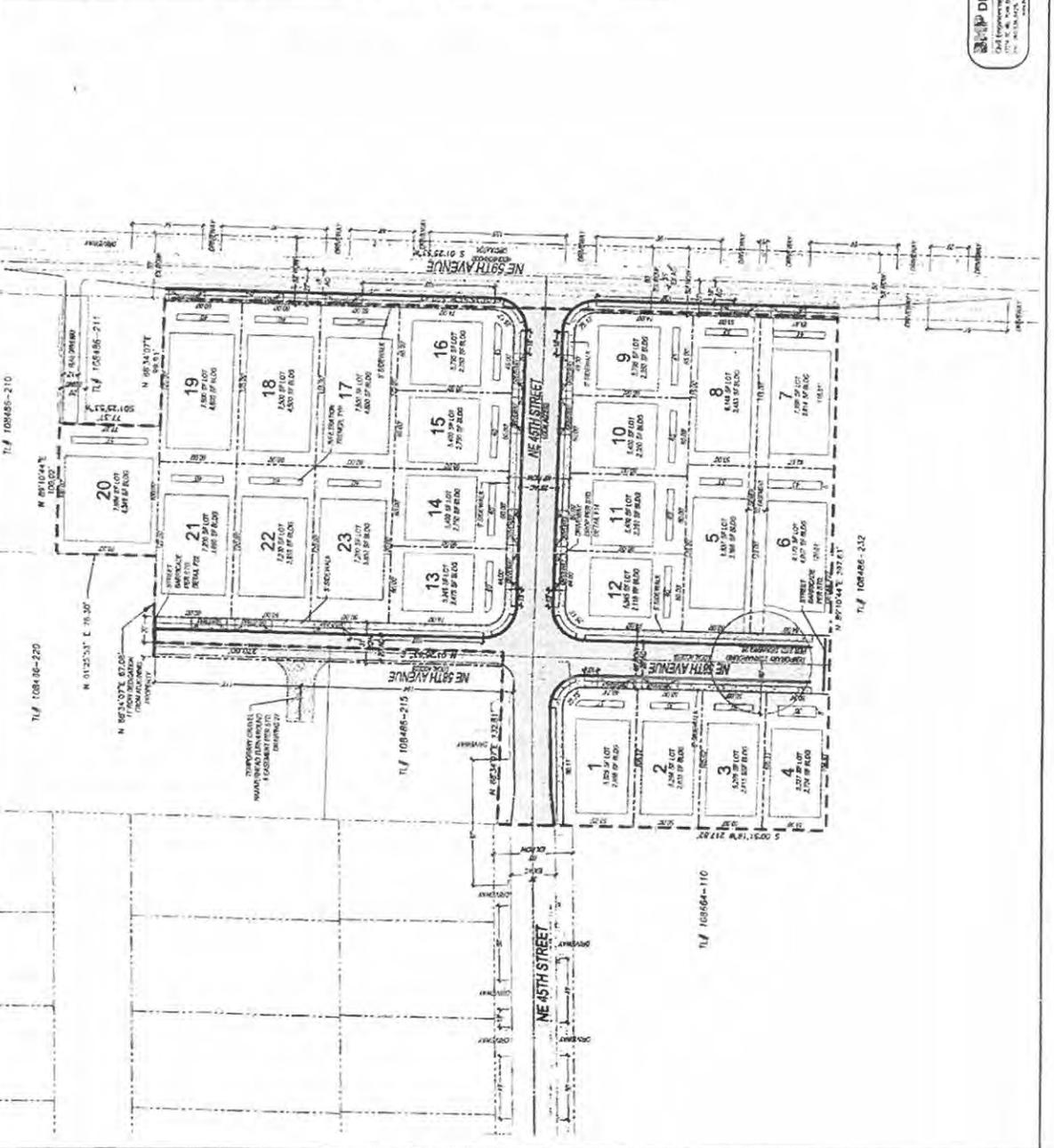
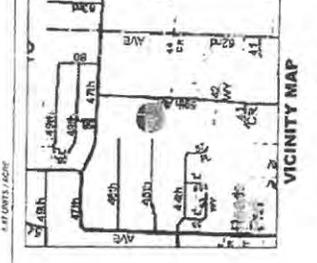
EXISTING SITE INFORMATION:
 ZONING: UNDEVELOPED LAND
 ZONING EXEMPTION: NONE
 GROSS SITE AREA: 114 ACRES, 162,861 SQ FT
 EXISTING UTILITIES AND SERVICES: WATER, SEWER, GAS, ELECTRICITY, TELEPHONE, CABLE, SATELLITE DISH ANTENNA, FIBER OPTIC

ENVIRONMENTAL CONDITIONS:
 THE SITE IS NOT LOCATED IN AN ENVIRONMENTAL SENSITIVE AREA AS SHOWN ON THE CLATSOP COUNTY ENVIRONMENTAL SENSITIVE AREAS MAP. THERE ARE NO CULTURAL RESOURCES OR HISTORIC RESOURCES ON THE SITE.

EXISTING COORDINATE DISCREPANCIES:
 THE COORDINATE DATA FOR THIS SITE WAS OBTAINED FROM A SOURCE THAT DOES NOT CORRELATE TO THE CLATSOP COUNTY COORDINATE DATA.

PROPOSED SITE INFORMATION:
 TOTAL GROSS AREA: 114 ACRES, 162,861 SQ FT
 TOTAL LOT AREA: 114 ACRES, 162,861 SQ FT
 TOTAL LOT COUNT: 23 LOTS

PROPOSED SITE AREA SUMMARY:
 GROSS SITE AREA: 114 ACRES, 162,861 SQ FT
 ROW/REGULATORY TRACTS: 0 ACRES, 0 SQ FT
 NET SITE AREA: 114 ACRES, 162,861 SQ FT
 AVERAGE LOT SIZE: 7,124 SQ FT
 LOT DENSITY: 0.14 UNITS/ACRE



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Know what's below.
 Call before you dig.

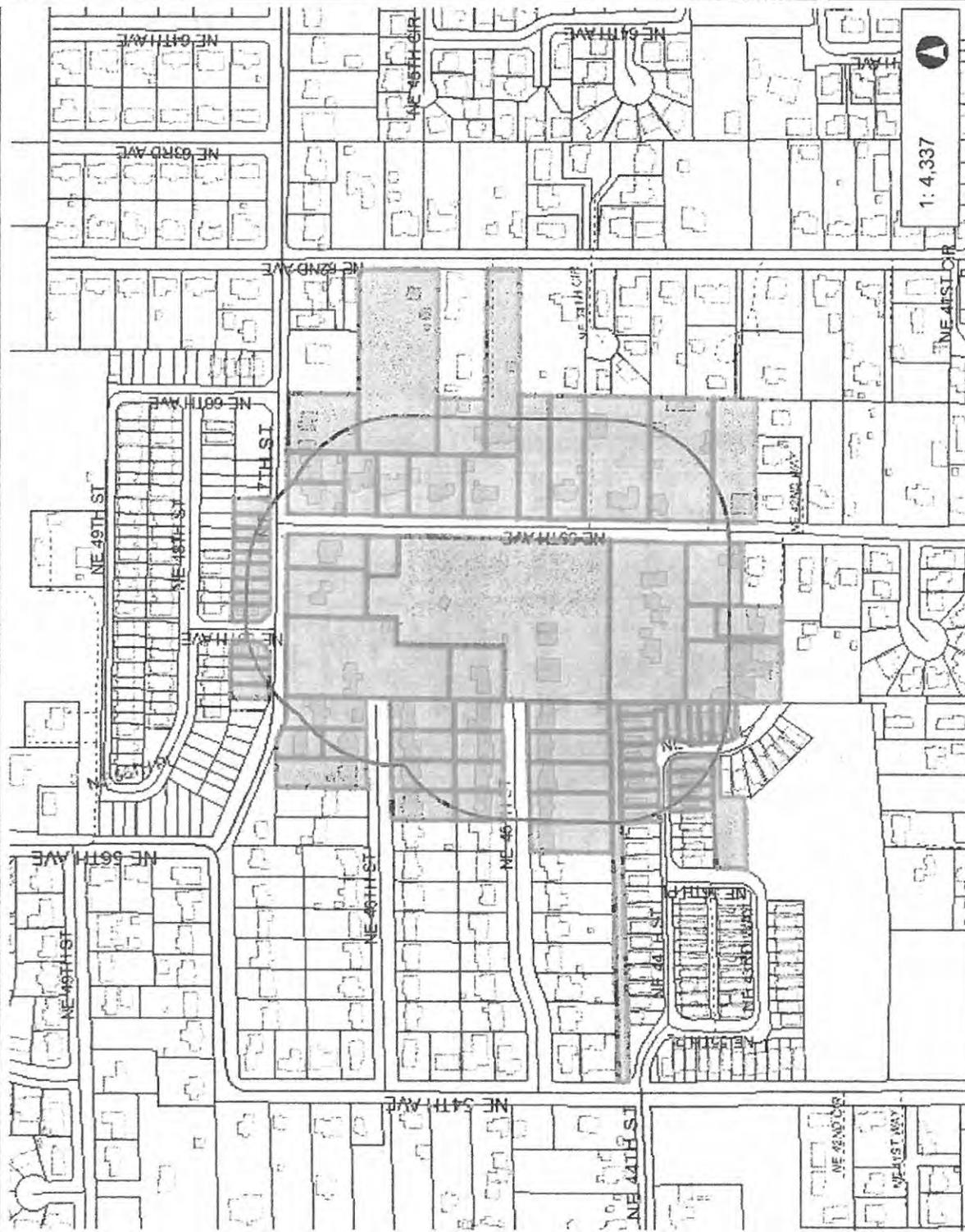


Applewood Estates Subdivision 300' List



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

Notes:



1:4,337

722.8 Feet

361.38

0

This map was generated by Clark County's "MapsOnline" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information.