Notice to Parties of Record

Project Name: **124th Street Properties**

Case Number: **PLD-2020-00045**

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

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

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

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

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

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

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

Mailed on: September 9, 2020

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

BEFORE THE LAND USE HEARINGS EXAMINER FOR CLARK COUNTY, WASHINGTON

In the matter of a Type III application for preliminary plat approval to divide ~17.03 acres into 86 single-family residential lots on 4 parcels zoned R1-6 in Clark County, Washington.	**FINAL ORDER** **124th Street Properties Subdivision** **PLD-2020-00045**

I. Summary:

This Order is the decision of the Clark County Land Use Hearings Examiner approving with conditions this application to subdivide 4 legal lots, zoned R1-6 and totaling 17.03 acres into 86 single-family residential lots (PLD-2020-00045), including two of five requested technical road modifications.

II. Introduction to the Property and Application:

Owners..... Byron & Neomi Hegstad
6330 NE 124th Street
Vancouver, WA 98686

Evelyn V. Reese
6300 NE 124th Street
Vancouver, WA 98686

Marie Schaeffer
P.O. Box 23
North Bonneville, WA 98639

Applicant ..... Aho Construction I, LLC
5512 NE 109th Court, Suite 101
Vancouver, WA 98662

Contact..... AKS Engineering and Forestry
Attn: Seth Halling
9600 NE 126th Ave., Suite 2520
Vancouver, WA 98682

Property..... Legal Description: Parcel Nos. 198788-000, 198800-000, 198834-000 & 198934-000 in the Southeast quarter of Section 30, Township 3 North, Range 2 East of the Willamette Meridian.

Applicable Laws..... Clark County Code (CCC) Title 15 (Fire), Ch. 40.200 (General Provisions), §40.220.010 (Single-Family Residential Districts), §40.260.080 (Forest Practices), Ch. 40.340 (Parking and Loading), Ch. 40.350 (Transportation), §40.350.020 (Transportation Concurrency), Ch. 40.370 (Sewer & Water), Ch. 40.386 (Storm Water & Erosion Control), Ch. 40.430 (Geologic Hazard Areas), Ch. 40.450 (Wetland Protection), Chs. 40.500 & 40.510 (Procedures), §40.510.030 (Type III Process), §40.520.010 (Legal Lot Determination), §40.540.040 (Subdivision), Ch. 40.550 (Road Modifications), §40.560.040 (Changes to Zoning Districts), Ch. 40.570 (SEPA), §40.570.080 (SEPA Archaeological), Ch. 40.610 (Impact Fees),

Title 24 (Public Health), RCW Ch. 58.17, and the Clark County Comprehensive Plan.

This proposal affects four legal lots, all zoned R1-6, totaling 17.03 acres, and proposes a standard 86-lot single-family residential subdivision. While County mapping shows wetland signatures on the property, no jurisdictional wetlands were found. County mapping also shows slopes greater than 15%, which triggers a review under the Geologic Hazards ordinance in CCC Ch. 40.430. Given the constraints imposed on the subdivision design and lay-out by existing streets and intersections and the surrounding topography, this project also requests 4 separate road modifications that are analyzed in Transportation Finding 7 below. All of the surrounding properties are similarly zoned R1-6 and developed with single-family dwellings on over-sized lots. The site is located south of NE 129th Street, north of NE 124th Street, east of NE 59th Avenue, and west of NE 66th Avenue. The site is within the territory of the Pleasant Highlands Neighborhood Association, the Battle Ground School District, the Mt. Vista Traffic Impact sub-area, Park District 8, and Fire District 5. The property is within the sanitary sewer service territory of the Clark Regional Wastewater District and the water service territory of Clark Public Utilities.

The original application was submitted in April 22, 2020, consisting of a binder (Ex. 1) with a set of full-sized plans (tab 6), application forms (tab 1), report from the October 31, 2019 Pre-Application Conference (tab 2), Developer's GIS Packet (tab 3), Narrative (tab 4), a geotechnical Soil Analysis Report (tab 7), Preliminary Stormwater Design and Report (tab 8), Project Engineer Statement of Completeness and Feasibility (tab 9), Traffic Study (tab 10), SEPA checklist (tab 11), Sewer and water Purveyor Utility Review Letters (tabs 12 & 13), Clark County Public Health Review Evaluation Letter (tab 14), Preliminary Boundary Survey (tab 15), school access letter (tab 16), Archaeological Information (tab 17), road modification request (tab 19), a wetland and habitat report (tab 20), and a forest practices permit application (tab 21). The applicant subsequently amended several of these submissions with a sight distance letter (Ex. 10), a preliminary boundary survey (Ex. 11), fire flow test results (Ex. 12) and additional road modification support (Ex. 23).

III. Summary of the Local Proceeding and the Record:

A preapplication conference for the development of this property was requested October 9, 2019 and held October 31, 2019 (Ex. 1, tab 2). An application was submitted May 13, 2020 (Ex. 1) and determined to be complete June 3, 2020 (Ex. 2). With this sequence, the project is deemed vested as of May 13, 2020. Notice of the Type III application, a preliminary SEPA determination of nonsignficance (DNS), and an August 13, 2020 public hearing was mailed to property owners within 300 feet and SEPA agencies on July 20, 2020 (Exs. 7 & 8). A sign announcing the hearing date was posted on the property July 7, 2020 (Ex. 6). The County received two comments in response to the July 20, 2020 preliminary SEPA checklist and determination of non-significance from the Washington Department of Ecology (Ex. 17) and the Southwest Washington Clean Air Agency (Ex. 16). Additionally, numerous letters of inquiry and objection were received from near-by neighbors to the project: Brenda and Chester Tallent (Ex. 15), Jim Crouch (Ex. 19), Dave Galanter (Ex. 25), Katherine Twiss (Ex. 26.), Connie and Roland Cobb (Ex. 29), Cassie Crawford (Ex. 30), Chuck Rabitoy (Ex. 31) and Jill Hill (Ex. 34). County Staff issued a comprehensive report on the project dated August 3, 2020 (Ex. 27) that incorporated all of the substantive comments from the various County departments (Exs. 5, 18, 20, 21 & 22) and recommended conditional approval. Several staff departments subsequently amended their comments based on the applicant's supplemental submissions (Exs. 32, 33 & 36).

Due to the COVID-19 pandemic, the August 13, 2020 hearing was held through a Zoom video conference platform; wherein, anyone could request the opportunity to testify, and everyone who participated could hear the testimony of everyone else. At the commencement of the August 13, 2020 hearing, the Examiner explained the procedure and disclaimed any ex parte contacts, bias, and conflicts of interest. Present at the hearing were Bryan Mattson, County Planning staff, Jennifer Reynolds, representing County Engineering, Hunter Decker, County Forester, and David Jardin, of Clark County Concurrency Engineering, who collectively provided verbal summaries of the proposal and explained the legal and factual basis for staff's recommendation. The applicant was represented by Michael Andreotti and Seth Halling of AKS Engineering and Forestry, Inc., who discussed the most recent iteration of the project (Ex. 1, tab 6) and responded to questions about it. Mr. Andreotti also expressed the applicant's agreement with recommended findings and conditions in the staff report (Ex. 27). Near-by neighbors to the project site, Guy Amery, Jill Hill and Chuck Rabitoy, appeared and testified in opposition to the project.

No one else requested the opportunity to testify, and the Examiner kept open the record for an additional 2 weeks (until August 27, 2020) to allow anyone to submit any written comments on any subject relevant to the proposal. Following the August 13th hearing, one new opposition comment was received into the record (Ex. 38) that echoed testimony from the hearing and prior written comments (Exs. 31 & 34). County engineering staff provided a memo correcting several errors and omissions in proposed findings and conditions (Ex. 33) and an additional memo on stopping sight distance requirements, which the application failed to address (Ex. 36). The applicant provided its final rebuttal to the public comments early (Ex. 39), and the record closed at the end of the day on September 3, 2020.

IV. Findings:

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

A. Testimony and comments in Opposition to the Project: Several near-by neighbors submitted written comments in opposition to the project, three of whom (Guy Amery, Jill Hill and Chuck Rabitoy) testified at the August 13th Zoom hearing: Brenda and Chester Tallent (Ex. 15), Jim Crouch (Ex. 19), Dave Galanter (Ex. 25), Katherine Twiss (Ex. 26.), Connie and Roland Cobb (Ex. 29), Cassie Crawford (Ex. 30), Chuck Rabitoy (Ex. 31) and Jill Hill (Exs. 34 & 38). The applicant provided written responses to these comments (Exs. 24 & 39). Collectively, these witnesses raised the following issues, to which the Examiner adopts the following findings:

1. Urban development is inconsistent with the rural character of the area. Nearly all of the public comments asserted that this 86-unit subdivision with an average lot size of 6,522 sf was incompatible with the predominately large-lot rural development form that predominates in the area. The primary issue that motivates these witnesses, however, is the basically rural character and rural level of transportation facilities in the immediate area that is not adequate to support urban densities and the number of new housing units coming online over the past two years and in the near future. Traffic volumes have increased, as have the number of cars driving excessive speeds, resulting in congestion,

significant intersection delays and concomitant traffic safety hazards and dangerous conditions for bicycles and pedestrians traveling along the abutting roads. The number of witnesses and detail of the testimony are convincing, and clearly the County will have to plan for safety and capacity improvements for all affected public facilities, not just transportation infrastructure. This development, however, is controlled by a limited set of relatively objective development standards tied to the underlying R1-6 zoning, which allows for this many units at this density. In fact, the zoning would allow a maximum of 94 units on this ~17-acre development site. The transportation concurrency problems created by the sheer number of housing units coming online each month is a larger problem that must be addressed outside of this subdivision approval process. The future is not hard to predict as these basically rural roads and intersections become overwhelmed with the traffic generated by this and other subdivisions in the area because all of the surrounding properties are similarly zoned (R1-6) and under-developed relative to what the zoning allows. Because this development proposal meets the required density and other dimensional and development standards, however, it is allowed, and these comments, even though valid, cannot serve as a basis to condition or deny it.

2. Impacts of construction traffic and activities. Many of these commentors complained of the impacts of construction activities and traffic from the near-by developments that have already been constructed. They want some assurance that similar nuisance impacts will not happen again with this development. The short answer is that these arguments do not relate to any of the applicable subdivision approval criteria, and the Examiner lacks the authority to require a developer to follow different construction methods than the code otherwise allows. However, this development and all of the contractors working on site preparation and construction will be required to follow the County's erosion control requirements. If there are erosion violations, County code enforcement is the remedy. With that in mind, the Examiner lacks the authority to prospectively require more of a developer than the County code currently requires. As an additional point, the neighbors who use NE 129th Street and NE 66th Avenue expressed concern that construction traffic would use these private streets. The applicant's design engineer testified at the hearing that, in fact, the developer would not allow any construction traffic to use the private segments of either street.

3. Adequate transportation facilities. Many comments asked that the County require more of this developer by way of street frontage improvements transportation infrastructure. Testimony at the August 13th hearing indicated that traffic volumes were increasing dramatically as many of the previously vacant properties develop with subdivisions. Transportation impacts and the adequacy and safety of the transportation system were key issues that the applicant and County staff addressed in this project. As a starting point, to the extent that these commentators ask the County to require off-site transportation improvements, there is scant authority for doing so. The County's authority to require off-site improvements is limited to those that are "reasonably necessary as a direct result of the proposed development or plat." RCW 82.02.020. That essentially limits required transportation and street frontage improvements to the immediately abutting street edges, known as half-street improvements, plus all internal streets. RCW 82.02.020 generally does not allow local governments to require off-site improvements because the burden to justify them is difficult to meet. State law allows, however, and the county code requires developers to improve all abutting street frontages and internal streets to current planned standards, including dedication of needed right-of-way, and the construction of curbs, gutters, sidewalks and additional

travel lanes. Accordingly, this development is required to make half-street improvements to all abutting streets and will be responsible for dedicating and constructing all internal streets (full-street improvements). This is the limit of the Examiner's authority under the County's Unified Development Code.

4. Adequacy of public utilities and services. This development is required to bring sewer, water and all other required utilities to the project site so that all of the homes can be served. Toward this end, all utilities will be brough to the site with sufficient capacity to serve this development and to extend beyond to adjacent properties and eventually serve them too. That is the nature of urban growth through subdivisions, and urban facilities extend outward. In most areas on the urban fringe, necessary infrastructure is generally not adequate. Through successive subdivisions, however, sewer, water and other urban facilities and services eventually become adequate to serve the types of development and densities that the zoning allows. That is the case here and why current public facilities do not appear adequate to handle the influx of new development in the area. While somewhat painful, new development such as this eventually constructs the necessary public facilities needed to serve urban development.

5. Stormwater drainage and runoff onto adjacent properties. At least one adjacent property owner (Ex. 31) questioned whether his property would experience stormwater runoff from the project site after initial grading and after development. In general, preexisting seasonal flooding conditions are improved when developments install stormwater collection systems and construct detention facilities. In this case, the commenter owns property below and adjacent to this development site, which would complicate the grading and stormwater system design. Nonetheless, this development is prohibited from increasing or concentrating stormwater runoff onto adjacent property or blocking existing drainage from adjacent lots. See Stormwater Finding 1 and Condition A-3b. This generally equates into the requirement that post-development rates of stormwater discharge off of the property shall not exceed pre-development rates of discharge.

6. Impact of construction on residential drinking water wells. At least one commenter raised concerns about adverse impacts of this project and all of the site preparation work on residential drinking water wells in the area (Ex. 38). The applicant responded (Ex. 39) that the entire area is a CARA Category 2 groundwater recharge zone, but that the subdivision construction and development activities are exempt from CARA permitting. The developer explains that the stormwater collection and treatment system includes a significant water quality component, consisting of a mechanical filtration system that will prevent contamination of groundwater from stormwater runoff. Nonetheless, this development is prohibited from adversely impacting the quality of near-by drinking water wells. The homes in this development will be connected to a municipal drinking water system, and therefore will not impact the production rate of the local groundwater sources.

7. Sight distance deficiencies and the vertical curve on NE 124th Street. The applicant's design engineer testified that all of the intersections can or will meet the 80-foot intersection sight distance requirement. Accomplishing this will include a slight relocation of NE 61st Place's intersection onto NE 124th Street to square-off the intersection geometry. However, the vertical curve on NE 124th Street near (east of) its intersection with NE 61st Place has a documented stopping sight distance deficiency. Several witnesses asked how this safety hazard will be remedied. The applicant responded that it will partially fill the dip in NE 124th Street in this area to reduce the

vertical curve and achieve the 155-foot stopping sight distance requirement, which assumes a 25 MPH posted speed. The applicant testified that the amount of fill needed to accomplish this will be relatively minor and will not impact driveways that connect with NE 124th Street in this segment (Ex. 39). Staff noted that the application failed to address stopping sight distance and following the August 13th hearing recommended several conditions to address this issue (Ex. 36). See Transportation Finding 6 and Conditions A-1k & C-3.

8. Isolation of Tract A and protection of NE 66th Avenue. One witness who lives on NE 66th Avenue (a private street), expressed concerns that traffic from this development would trespass onto this private street and that Tract A would not be sufficient to prevent this traffic (Ex. 29). The applicant responded (Ex. 9) that Tract A was designed to protect and preserve NE 66th Avenue from trespass and that the developer would erect a 6-foot tall cedar fence with metal posts around Tract A to ensure that traffic from this development does not enter onto NE 66th Avenue. See Condition F-6.

B. Findings Responsive to the Approval Criteria. The Examiner adopts the following findings in response to the approval criteria addressed in the staff reports (Ex. 27, 18, 20, 21, 22, 32, 33 & 36) and the most recent version of the application materials (Exs. 1, 10, 11, 12 & 23).

Land Use

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

Finding 2 - Lot Requirements. Table 40.220.010-2 requires a minimum and maximum average lot area in the R1-6 zone of 6,000 sf and 8,500 sf respectively. Parcels proposed in this plat range from ~5,000 sf to ~11,979 sf with an overall average lot size of ~6,522 sf, which meets average lot area standards. Table 40.220.010-2 requires average minimum lot width and depth for the R1-6 zone of 50 feet and 90 feet respectively. All of the lots proposed in this plat comply with the minimum width and depth standards. A condition is warranted, however, requiring compliance with all of the dimensional and lot development standards applicable to R1-6 zoned subdivisions. See Condition D-1. Table 40.220.010-3 prescribes the following setbacks, lot coverage and building height standards for this subdivision:

Minimum Setbacks (units in feet)				Max Lot Coverage	Max Building Height
Front	Side yard		Rear yard		
	Street	Interior			
10, 18 to the garage face	10	5	10	50%	35

All future construction on lots in this plat shall meet the R1-6 zone setback standards. See Condition E-1.

Finding 3 - Safe Walking Conditions to School. RCW 58.17.110 requires appropriate provisions to assure safe walking conditions for students who only walk to and from school. This development is located in the Battle Ground School District, and specifically within the

attendance boundaries of Pleasant Valley Primary School, Pleasant Valley Middle School and Prairie High School. The applicant provided a letter from the Battle Ground School District Director of Operations stating that all students will be bused from the proposed development (Ex. 1, tab 16). The proposed public road and temporary turnaround cul-de-sac will provide sidewalks within the development. From this, the Examiner finds that no "safe-walking" conditions are warranted.

Finding 4 - Existing Structures. The site includes 3 separate residences and several outbuildings, all of which are proposed to be removed as part of this development. A demolition permit is required prior to removing these structures. See Conditions B-5 & F-5. The existing structures will give rise to 3 impact fee credits. See Impact Fee Finding.

Finding 5 - County/State Platting Standards. With conditions of approval, the Examiner finds the proposed subdivision will make appropriate provisions for the public health, safety and general welfare of the community. Connection to public water and sewer facilities, as well as treatment of any future stormwater runoff will protect groundwater supply and integrity. Impact fees will also be paid for each building permit as the proportionate share of system facility impacts on school, park and transportation facilities.

Archaeology

Finding 1 – Applicability. The development site is located in a high to moderate-high probability area for the discovery of archaeological resources, as designated on Clark County's Archaeological Predictive Model Map. Also, because this project triggered a SEPA process, an Archaeological Predetermination was required.

Finding 2 - Pre-determination. The applicant submitted an archaeological pre-determination to the Washington State Department of Archaeology and Historic Preservation (DAHP) prior to submittal of the application (Ex. 1, tab 17). DAHP received the public notice along with a copy of the SEPA checklist but did not comment. Notes on the final engineering plans and the final plat are warranted stating that, if resources are discovered during ground disturbance, work shall stop and both DAHP and the county shall be notified. See Conditions A-10 & D-6a.

Transportation & Circulation

Finding 1 - Pedestrian/Bicycle Circulation Plan. CCC 40.350.015 requires pedestrian circulation facilities that comply with the Americans with Disabilities Act. The application proposes 5-foot sidewalks along the NE 129th Street, NE 124th Street and NE 61st Place frontages and along all internal roadways within the development. These measures and the proposed pedestrian circulation plan fulfill the requirements of CCC 40.350.015. The final construction plans shall show that all pedestrian facilities, including all corner ramps, will be constructed to comply with ADA standards. See Condition A-1a.

Finding 2 - Circulation Plan. The development is bordered by NE 129th Street to the north, NE 124th Street to the south, NE 66th Avenue to the northwest, NE 61st Place to the southwest and developable R1-6 residential zoned properties to the northwest and southeast. The applicant proposes to construct public partial-width street improvements along NE 129th Street, 124th Street, and NE 61st Place. Additionally, NE 65th Avenue will be constructed through the site to connect NE 124th Street to NE 129th Street. NE 126th Street & NE 127th Street are stubbed to the applicant's east and west property lines to provide additional circulation. The applicant's circulation plan demonstrates the maximum block

length and block perimeters are not exceeded. The Examiner finds that the project complies with the circulation plan standards.

Finding 3 – Frontage Roads/Improvements. NE 124th Street is classified as Neighborhood Circulator and is currently improved with an 18-foot pavement width within a varying 30 to 60-foot right-of-way. Code requires a half-width right-of-way of 27 feet, a paved roadway half-width of 18 feet, curb, and a 5-foot sidewalk per Clark County Standard Drawing 12. The applicant proposes half-width street improvements that meet the minimum standards and will facilitate a 20-foot wide pavement width. The applicant intends to grind and overlay the existing 18-feet of pavement width when expanding the roadway to a 20-foot width. The county's Preservation Group will need to perform pavement deflection testing to determine the adequacy of the existing pavement, including subgrade. See Condition A-1b.

NE 129th Street is classified as a Private Road and is improved with a 9-foot pavement width within a 30-foot access easement. The applicant intends to construct partial-width frontage improvements along the south side of this roadway next to the existing private road to meet the Urban Local Residential Access standard in Clark County Standard Drawing 13, which includes a 30-foot right-of-way, a 20-foot paved roadway width and curb and a 5-foot sidewalk. While the applicant does not propose frontage improvements along a 30-foot portion of NE 129th Street adjacent to Tract A, these frontage improvements are required. See Condition A-1c.

This development proposes to construct the public portion of NE 129th Street (the south side) adjacent to the private portion on the north, which will remain in a 30-foot private access easement. NE 129th Street will also remain private beyond the east and west stubs of this roadway constructed by the development. The applicant shall place a physical barrier on the property line between the private and public section of NE 129th Street to prevent access from one road to the other. A temporary street barricade shall be placed at each end of the public portion of NE 129th Street. The street barricade shall be placed on the east end of NE 129th Street so that traffic from NE 66th Avenue has access to the private portion of NE 129th Street, but not the public portion. See Conditions A-1d & A-1e.

NE 61st Place is classified as a Private Road and is improved with a 16-foot pavement width within a 60-foot access easement. The applicant intends to construct partial-width frontage improvements along the east side of this roadway to meet the Urban Local Residential Access standard of Clark County Standard Drawing 13, which include a 31-foot right-of-way, a 20-foot paved roadway width, curb and a 5-foot sidewalk.

NE 66th Avenue is classified as Private Road and is improved with a 12-foot pavement width within a 60-foot access easement. Clark County Standard Drawing 15 requires an easement width of 26 feet, a paved roadway width of 20 feet and a curb and a 5-foot sidewalk on one side of the road. The applicant does not intend to improve this road as prescribe by code and rather will place their 30-foot portion of the 60-foot access easement within a tract that will be retained by the developer. The applicant submitted a technical road modification request on this issue and seeks to avoid constructing NE 66th Avenue to the current roadway standards. See Transportation Finding 7 – Technical Road Modifications, Request 1.

All other proposed streets are classified as Urban Local Residential Access roadways and are required to have a 46-foot total right-of-way width, a 28-foot paved roadway width and curb and a 5-foot sidewalk along both sides of the roadway per Clark County Standard

Drawing 13. The applicant is proposing the minimum standard. All right-of-way dedications for all public roadways shall be conveyed to the county with the final plat. See Condition D-8.

Finding 4 - Access Management. For all corner lots at the intersection of two urban local access, CCC 40.350.030 (B)(4)(b)(1)(b) requires the driveways to be a minimum of 40 feet from the projected curb line or edge of pavement, as measured to the nearest edge of the driveway, so long as cars parked in the driveway are outside of the sight distance triangle. The final engineering plans shall show that the driveways for all corner lots comply with the applicable corner lot driveway standards. See Condition A-1f. A joint driveway will serve Lots 56, 57 & 58. The driveway shall have a minimum width of 12 feet of clear unobstructed all-weather driving surface within a 20-foot easement. A developer's covenant that establishes maintenance responsibility for the joint driveway is required. See Conditions A-1g & D-5e.

Finding 5 - Sight Distance. The approval criteria for sight distances are found in CCC 40.350.030(B)(8), which establishes the minimum sight distances at intersections and driveways. Additional building setbacks may be required for corner lots in order to maintain adequate sight distance. The final engineering plans shall show sight distance triangles at all intersections. Landscaping, trees, utility poles, and miscellaneous structures will not be allowed to impede required sight distance requirements at all proposed driveway approaches and intersections. The applicant's engineer, AKS Engineering & Forestry, provided a July 15, 2020 Sight Distance Certification Letter (Ex. 10) which addresses sight distance at the proposed intersections of NE 129th Street and NE 65th Avenue, NE 124th Street and NE 65th Avenue and NE 124th Avenue and NE 61st Place. CCC 40.350.030(B)(8)(d) requires 80 feet of sight distance for uncontrolled intersections abutting corner lots in an urban residential subdivision, and the applicant's engineer asserts that this standard is achieved at all of the proposed access points. The applicant's engineer made a site visit on March 9, 2020 to confirm that the required 80-foot sight distance was met or exceeded at the uncontrolled intersections. The intersection sight distance was measured along the lines four feet from the roadway center, in driver's direction, for both approaches. Based on the information provided by the applicant's engineer, sight distance will be achieved at the proposed intersections for the proposed development. The final engineering plans and final plat shall show sight distance triangles at all intersections. See Conditions A-1h, D-9 & D-6e.

Lot 53, 54 and 55 will have direct access onto NE 124th Street. It is unclear to staff at this time, given the existing grade of this roadway if Driveway Sight Distance per CCC 40.350.030(B)(8)(b) can be met. NE 124th Street has a posted speed limit of 25 MPH; therefore, 250 feet of sight distance is required in both directions at these driveways. The applicant shall provide a sight distance certification for the driveways proposed on these lots with the final construction plans. See Condition A-1j.

The application did not address the stopping sight distance requirements in CCC 40.350.030(B)(8)(b). According to Table 40.350.030-7, all intersections onto NE 124th Street and NE 129th Street are required to have 155 feet of stopping sight distance according to the posted speed limit of 25 MPH. The applicant proposes to fill a low spot (vertical curve) on NE 124th Street that appears to be the problem and achieve compliance. Staff noted the omission and recommended conditions to address stopping sight distance (Ex. 36). At the time of Final Construction Review, the applicant shall provide a written analysis and engineer's certification that that stopping sight distance compliant with CCC

40.350.030(B)(8)(b) can be met at the intersection of NE 124th Street / NE 61st Place and at the intersections of NE 124th Street / NE 65th Avenue and NE 129th Street / NE 65th Avenue. Any mitigation measures needed to achieve the required sight distance shall also be shown. See Condition A-1k. Prior to provisional acceptance of development, the applicant shall submit a sight distance certification letter that certifies that stopping sight distance is met at the intersection of NE 124th Street / NE 61st Place and at the intersections of NE 124th Street / NE 65th Avenue and NE 129th Street / NE 65th Avenue. See Condition C-3.

Finding 6 - Street Extension. NE 61st Place is longer than 150 feet and will temporarily terminate at the development's north property line. CCC 40.350.030(B)(9)(b)(2) requires that if a road more than 150 feet in length temporarily terminates at a property boundary, a temporary turnaround cul-de-sac bulb consistent with this standard shall be constructed near the plat boundary. The bulb is supposed to be paved and 80 feet in diameter, which may include the width of the roadway and sidewalks, where required, terminating at the point where the bulb radius begins. The applicant applied for a road modification to avoid having to construct the bulb turn-around at the northern terminus of NE 61st Place (Ex. 23), which the Examiner has granted. See Transportation Finding 7 – Technical Road Modification request 5. The applicant proposed to end construction of NE 127th Street, NE 61st Place, and NE 129th Street 5 ½ to 16 ½ feet short of the property boundary, but code requires these roadways to be extended to the edge of the property. The applicant submitted technical road modification requests to address this issue (Ex. 1, tab 19), but the Examiner has denied all three requests. See Finding 7 – Technical Road Modification requests 2, 3 & 4. Therefore, these streets shall stub at the property lines.

Finding 7 – Technical Road Modification. The applicant submitted 5 technical road modification requests (Ex. 1, tab 19 & Ex. 23) seeking the following:

1. Relief from the construction of frontage road improvements along NE 66th Avenue (Private Road).
2. Termination of the NE 127th Street (Local Access) stub approximately 9 feet from the west property line.
3. Termination of the NE 61st Place (Local Access) stub approximately 16.5 feet from north property line.
4. Termination of the NE 129th Street (Local Access) stub approximately 5.5 feet from the west property line.
5. Relief from constructing a temporary turnaround at the end of the public street stub on NE 61st Place (local access).

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

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

e. *A change to a specification or standard is required to ensure consistency with existing features adjacent to or affected by the site where those existing features are not expected to change over time.*

Staff reviewed these road modification requests and in two reports (Exs. 21 & 32) recommended approval of requests 1 & 5 and denial of requests 2, 3 & 4. Based on these requests and staff's recommendations, the Examiner adopts the following findings with respect to each request:

Modification 1. CCC 40.350.030(B)(5)(a) requires the construction of partial width road improvements for all abutting streets, with few exceptions that don't apply to this situation. In the case of NE 66th Avenue, this is a 60-foot wide private road and utility easement along the property's northeast boundary. CCC 40.350.030(B)(5)(a) would require the developer to improve this road to the Urban Private Road standard, except this private street is not needed to meet public circulation requirements and the lots of the development will not take access from this roadway. Staff supported this request to not construct the required roadway improvements for this road based on the fourth circumstance (*Application of the standards of Chapter 40.350 to the development would be grossly disproportional to the impacts created*). The Examiner agrees and approves this modification request because the lots in this development are legally precluded from using this facility. Tract A will be created to preserve the 30-foot wide portion of the easement that lies within the boundary of the development to allow for continued access of this road for the parcels to the east, who hold the easement rights. Notes to this effect shall be placed on the face of the plat. See Condition D-6i.

Modifications 2, 3 & 4. CCC 40.350.030(B)(9)(b)(1) requires any street within the urban area for which an extension in the future is planned to be extended to the edge of the property being developed through the plat, short plat or site plan approval process, unless otherwise approved by the review authority. These street stubs shall be a full street section, including sidewalks. Staff did not support this request to end the construction of NE 127th Street, NE 61st Place, or NE 129th Street short of the property line because it would prevent future extensions of these streets to serve abutting properties and complete a usable circulation system. If there is an issue at final construction plan review that would preclude the required roadway construction, the applicant may, at that time, apply for one or more road modifications to address any topography issue. See Condition A-1i. As things stand, however, the Examiner denies requests 2, 3 & 4.

Modification 5. CCC 40.350.030(B)(9)(b)(2) (Use of Temporary Turnaround) requires that where a road serving more than 18 dwelling units or longer than 150 feet temporarily terminates at a property boundary, the developer shall construct a temporary turnaround cul-de-sac bulb near the plat boundary. NE 61st Place is a 1,200 foot long private roadway serving 7 lots. Instead of full compliance with this requirement, the applicant proposes to construct partial-width public street improvement along the east side of the development property for ~194 feet along the south end of this roadway. Full compliance with this requirement and construction of a bulb or hammerhead would take a significant bite out of the developable area of the property with no commensurate benefit to the lot or this development. Given the disproportionate cost of such an exaction in relation to the project's impact, the fourth circumstance exists, and this modification is approved as requested.

Transportation Concurrency

Finding 1 - Trip Generation. The applicant submitted a March 30, 2020 traffic study prepared by Lancaster Mobley (Ex. 1, tab 10), based on the subdivision of 17 acres into 86 single-family residential lots. The applicant's traffic study estimated the a.m. and p.m. peak-hour trip generation at 62 trips and 82 trips, respectively, with an average daily trip (ADT) generation of 784. Trip generation was estimated using the nationally accepted data published by the Institute of Transportation Engineers 10th Ed. Staff concurred with the applicant's findings and deemed the traffic information complete and compliant with CCC 40.350.020(D)(1). The Examiner agrees and based on the applicant's submission concludes that the proposed preliminary plan meets the County's transportation concurrency requirements.

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 a LOS A condition would expect little delay. A driver who experiences a 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 a 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 application proposes to construct a new, public, local street network that will provide access to the existing street network at a proposed connection with NE 124th Street. The applicant's plans show there will be other streets and intersections within the subdivision for the purpose of setting up a road infrastructure for circulation to adjacent underdeveloped parcels. The applicant's traffic study (Ex. 1, tab 10) analyzed the local access intersections and determined that all of them – NE 123rd Street/NE 72nd Avenue, NE 119th Street/NE 56th Avenue and NE 119th Street/NE 58th Avenue – will operate at a LOS C or better in the 2022 build-out horizon. The study also shows that the LOS was evaluated during the a.m. and p.m. peak hour traffic conditions in existing and build-out scenarios. County Staff evaluated the traffic study's conclusions and concurred with its findings. On that basis, the Examiner agrees.

Finding 3 - Clark County Concurrency. This development is required to meet the standards in CCC 40.350.020(G) for corridors and intersections of regional significance within 1 mile of the development site. Typically, the County's transportation model is used to determine what urban area developments are currently being reviewed, approved or under construction near the proposed development. The traffic these developments will generate is referred to as "in-process traffic" and ultimately will contribute to the same roadway facilities as the proposed development. This "in-process traffic" is used to evaluate and anticipate area growth and its impact on intersection and roadway operating levels with and without the proposed development. From this, the county can determine if roadway mitigation is 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 that stand to be affected by traffic from this development. This analysis showed that individual movements during peak hour traffic conditions had approach delays that did not exceed a maximum 240 seconds, or 2 cycles, of delay in the build-out year. Therefore, County Staff determined that this development will comply with adopted Concurrency standards for signalized intersections. On this basis, the Examiner agrees.

Unsignalized Intersections. County staff evaluated the operating levels and standard delays represented in the County's model, which yielded operating levels and standard delay times with a LOS better than the minimum allowable LOS E for unsignalized intersections. The applicant's traffic study (Ex. 1, tab 10) reports the anticipated LOS on individual intersection approaches, one of which – the westbound approach of NE 72nd Avenue/NE 88th Street – was determined to have a LOS of F in the 2022 evaluation year with the proposed development in place. The applicant's traffic study then analyzed the impacts of the proposed development on this intersection to determine if mitigation would be required under CCC 40.350.020 (G)(1)(c), which states:

"All unsignalized intersections of regional significance in the unincorporated county shall achieve LOS E standards or better (if warrants are not met). If warrants are met, unsignalized intersections of regional significance shall achieve LOS D standards or better. Intersection control or mitigation of unsignalized intersections shall be at the discretion of the Public Works Director and shall not obligate the county to meet this LOS standard. However, proposed developments shall not be required to mitigate their impacts in order to obtain a concurrency approval unless:

1. The proposed development adds at least five (5) peak period trips to a failing intersection approach; and

2. The worst movement on the failing approach is worsened by the proposed development. In determining whether the movement is worsened, the Public Works Director shall consider trip volume, delay, and any other relevant factors."

The applicant's analysis compared the anticipated impacts against these criteria and found that none of the criteria were met, which means that the Code does not require mitigation for the trips contributed to this turning movement lane that is anticipated to be failing in the 2022 model year. Staff reviewed and verified the applicant's traffic study and its conclusion that no mitigation was required. On this basis, the Examiner agrees that this development can comply with adopted Concurrency Standards for unsignalized intersections.

Concurrency Corridors. Staff reported that an evaluation of the concurrency corridor operating levels and travel speeds in the County's model yielded operating levels and travel speeds within acceptable levels of service.

Conclusion. Based on staff's favorable review, the Examiner concludes that this development can comply with the County's concurrency standards for corridors and signalized and unsignalized intersections that are under County jurisdiction.

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

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

Mitigation for off-site safety deficiencies may only be a condition of development approval pursuant to CCC 40.350.030.B.6, which provides that "nothing in this section shall be

construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a significant traffic or safety hazard would be caused or materially aggravated by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Finding 4 - Turn Lane Warrants. Turn lane warrants are evaluated at unsignalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway. The applicant's traffic engineer used the WSDOT Design Manual to evaluate the need for turn lanes at unsignalized intersections in the study area and concluded that turn lanes were not warranted at any of the unsignalized intersections within the study area due to the low right and left turning traffic volumes. County Concurrency Staff confirmed the applicant's analysis and findings and recommended no further analysis or conditions. On this basis, the Examiner agrees.

Finding 5 - Historical Accident Situation. The applicant's traffic study analyzed the crash history from data obtained from WSDOT for the period December 2014 through December 2019. The data revealed that intersection crash rates do not exceed thresholds that would warrant additional analysis, and the applicant's engineer did not recommend any safety mitigations as a part of this development. Staff confirmed the applicant's analysis and concurred with the applicant's finding. On this basis, the Examiner agrees.

Finding 6 - Roadside Safety (Clear Zone) Evaluation. The Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6th Ed., states that "[t]he clear roadside concept…is applied to improve safety by providing an un-encumbered roadside recovery area that is as wide as practical…" This concept "allows for errant vehicles leaving the roadway for whatever reason and supports a roadside designed to minimize the serious consequences of roadway departures." Clark County has adopted these requirements in CCC 40.350.030(C)(1)(b) by incorporation of the Washington State Department of Transportation (WSDOT) Design Manual, Chapter 1600, which states that:

> *"A clear roadside border area is a primary consideration when analyzing potential roadside and median features. The intent is to provide as much clear, traversable area for a vehicle to recover as practicable given the function of the roadway and the potential tradeoffs. The Design Clear Zone is used to evaluate the adequacy of the existing clear area and proposed modifications of the roadside. When considering the placement of new objects along the roadside or median, evaluate the potential for impacts and try to select locations with the least likelihood of an impact by an errant vehicle."*
>
> *"For managed access state highways within an urban area, it might not be practicable to provide the Design Clear Zone distances shown in Exhibit 1600-2. Roadways within an urban area generally have curbs and sidewalks and might have objects such as trees, poles, benches, trashcans, landscaping and transit shelters along the roadside."*
>
> *"For projects on city streets as state highways that include work in those areas that are the City's responsibility and jurisdiction, design the project using the city's Development/Design Standards. The standards adopted by the city must meet the requirements set by the Design Standards Committee for all projects on arterial, bike projects, and all federal-aid projects."*

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

Finding 7 - Vehicle Turning Movements. The road and driveway approach standards in CCC 40.350.030(C)(3) are minimum criteria intended for normal conditions. CCC 40.350.030(C)(3) also states that the "responsible official may require higher standards for unusual site conditions." The applicant shall submit construction plans for review and approval that show that the design and geometry of each intersection will accommodate all applicable design vehicles. The plans shall also show that all applicable design vehicles have the ability to enter and exit the development minimizing impact to opposing travel lanes, which may result in on-street "no parking" areas on local residential access roads at/near public intersections. See Condition A-4c.

Finding 8 - Concurrency Conclusion: Based on the applicant's Traffic Study (Ex. 1, tab 10) and sight distance analysis (Ex. 10), staff's favorable recommendation, and the foregoing findings, the Examiner concludes that this development proposal complies with the County's concurrency requirements.

Stormwater

Finding 1 - Stormwater Applicability. The County's Stormwater Ordinance (CCC Ch. 40.386) applies to all new development, redevelopment, land disturbing activities, and drainage projects consistent with the Clark County Stormwater Manual (CCSM) 2015. This project adds more than 5,000 sf of new impervious surface; therefore, it is subject to and shall comply with Minimum Requirements 1 through 9 per Section 1.4, Book 1 of the CCSM 2015. See Condition A-3a. This development shall not materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. See Condition A-3b.

Finding 2 - Stormwater Proposal. The 17.03-acre project site currently contains 3 existing houses and several outbuildings, all of which will be removed. The site is mostly a pasture grass field with areas of trees in the middle and northeast comer of the site. Stormwater runoff currently disperses through vegetation and infiltrates on site. On-site soils are classified as Hillsboro Loam (HIB) and Hillsboro Silt Loam (HoB & HoC), which are classified as hydrologic soil group B and a Clark County WWHM soil group classification of SG 2 & SG 3, respectively. The applicant provided an April 2020 Preliminary Stormwater Technical Information Report (Ex. 1, tab 8) prepared by AKS Engineering & Forestry, Inc. Proposed site improvements include the construction of public roads, 86 residential structures and driveways for a total of approximately 9.47 acres of new/replaced hard surface. On-site stormwater management (MR 5) and flow control (MR 7) requirements are proposed to be met with public and private infiltration trenches. Nine public infiltration trenches will be located in the flex zone (under the planter strip and sidewalk) of the public streets. The trenches will manage runoff from the public street improvements, driveway, and approximately 30 of the house roofs (Lots 9, 27-55). A private infiltration trench will be located in the rear of the remaining 56 lots. A HydroCAD analysis was completed showing that the proposed stormwater facilities will infiltrate 100% of the 100-year storm event. The applicant shall be aware that direct or indirect conveyance of roof runoff to a public infiltration trench under the paved section of the road is not permitted. Additionally, conveying runoff to the weep holes to be mixed with the road surface runoff which requires treatment via treatment filter system is also not allowed. Due to the increased costs of the filter systems over time, the county is making efforts to reduce the flow through the filter systems, which will result in less frequent filter replacement by not mixing the roof runoff with the polluted water and conveying it all to the filter systems. The roof runoff from the lots shall either be directed to a separate infiltration system outside of the public road paved

section or be accommodated with a separate private facility. See Condition A-3c. Basic runoff treatment (MR 6) is met for all pollution generating surfaces with 12 Old Castle® PerkFilter™ catch basins with a total of 45 single and stacked cartridges. The catch basins will all be located within the public streets. The applicant shall submit documentation from the stormwater treatment system manufacturer indicating that the stormwater treatment devices were sited and sized appropriately. See Condition A-3d. The stormwater facilities located within the public right-of-way shall be owned and maintained by the county. Stormwater facilities located on individual lots shall be owned and maintained by the homeowners. See Conditions A-3e, D-5c, D-6f, D-6g & E-3.

Finding 3 - Infiltration and Groundwater. Columbia West Engineering, Inc. preformed single-ring, falling head infiltration tests on October 1, 2019 in 7 test pits (Ex. 1, tab 8). The tested rate of infiltration was recorded as 6 to 100 inches per hour at depths of 6 and 11 feet below grade. The engineer applied a factor of safety of 4 for a design infiltration rate of 3.75 to 15 inches per hour when sizing the infiltration trenches based on the location of the test pits and the infiltration facilities. The applicant shall demonstrate that the tested infiltration rate determined at the time of construction of the infiltration facilities is at least 95% of the uncorrected tested infiltration rate used to determine the design rate. See Conditions A-3f & C-1a. Groundwater was not encountered in the test pit explorations conducted at the site in October to a maximum depth of approximately 15 feet below ground surface. Two groundwater monitoring piezometers were installed at the site on December 18, 2019 to a depth of 30 feet. Groundwater elevation data was collected from the piezometers on January 2020, and no groundwater was encountered. Clark County GIS estimates the groundwater at the site to be between 0 and 25 feet below ground. The applicant shall provide additional piezometer reading for the remaining 2019-2020 wet season (October 1 – April 30) with the final TIR. See Condition A-3g. The public infiltration trenches shall have 5 feet of separation between the bottom of the facility and the seasonal high groundwater level. The applicant shall demonstrate during construction that the infiltration trenches can achieve the groundwater separation. See Conditions A-3h & C-1b.

Finding 4 - Stormwater Conclusion: Based on the project's Geotechnical Soil Analysis Report (Ex. 1, tab 7), the Stormwater Technical Information Report and Development Plans (Ex. 1, tab 8), the Engineer's Statement of Completeness and Feasibility (Ex. 1, tab 9), staff's favorable recommendation, and the foregoing findings, the Examiner concludes that this development proposal complies with the County's stormwater requirements.

Geologic Hazard Areas

Finding 1 – Geologic Hazard Areas Applicability & Assessment. Clark County GIS indicates that portions of the development are located in a regulated geologic hazard area, in particular, small areas of a steep slope hazard are mapped on Parcel No. 198788-000. All development activities in or adjacent to (within 100 feet) a geologic hazard area is subject to and shall comply with the applicable provisions of CCC Ch. 40.430. The applicant's geotechnical engineer, Columbia West Engineering, Inc., provided a geologic hazard review in a November 12, 2019 Geotechnical Site Investigation for this development (Ex. 1, tab 7), based upon physical and visual reconnaissance, subsurface exploration, laboratory analysis of collected soil samples, and review of maps and other published technical literature. The report concluded that the on-site slopes and other field conditions did not meet the definition of steep slope hazards or landslide hazards in CCC 40.430(C)(1) or 40.430(C)(2)(b). The applicant shall adhere to the design recommendations in the Geotechnical Site Investigation. See Condition A-7. The site's topography may rely on the construction of retaining walls to accommodate the slopes on the site. A building permit is required for

retaining walls greater than 4 feet tall or when the wall is surcharged. The engineering plans shall show retaining walls in sufficient detail on for staff to assess their impact on adjacent roads, structures, and public and private utilities. See Condition A-8.

Finding 2 – Geologic Hazard Areas Conclusion. Based on the applicant's geotechnical analysis, staff's review and favorable recommendation and the foregoing findings, the Examiner concludes that this project can comply with the County's geologic hazard requirements.

Forest Practices

Finding 1 – Forest Excise Tax. If the Landowner or Operator plans to dispose of residual forest products as a result of this clearing, the landowner or operator shall first secure a Forest Tax Reporting Account number from the WA State Dept. of Revenue. See Condition C-2a. The person who owns the timber at the time of harvest is responsible for paying forest tax. Contractors performing labor and services for the timber owner are not responsible for the forest tax. When the owner of the timber cannot be determined, the landowner at the time of harvest will be responsible for the tax.

Finding 2 – Operations. Per RCW 7.48.305, Forest Practices are intended to protect the safety and welfare of the citizens of Clark County and are not presumed a nuisance. This timber harvest shall be executed in substantial conformance of the information as presented in the application package with any modifications found in findings and conditions as a result of this review.

- Felling of Timber within 1 Tree Length of overhead power lines requires a 24-hour advance notification of Clark PUD prior to operations.
- Motorized equipment operating hours will be limited to between 7 a.m. and 10 p.m. Mondays to Saturdays.
- Applicant is responsible for any and all damage occurring to neighboring properties as a result of this tree removal.
- Log hauling from this site shall avoid the hours of 0700 to 0800 hours in the morning and 1500 to 1630 hours in the afternoon on days in which school bus activity is anticipated.
- Log hauling must abide to all posted speed limits and rules of the road, the use of unmuffled "jake brakes" will not be permitted adjacent to private residences. See Condition C-2b.

Finding 3 – Conversion of Use. CCC 40.260.080(A)(2)(d)(1) - Class IV general, as defined by WAC 222-16-050(2) are those forest practices on lands which are being converted to a use other than commercial timber production. Examples of Class IV general forest practices include harvest of timber and conversion of land to agricultural, residential or commercial uses, and forest practices which would otherwise be Class III, but which are taking place on lands that are not to be reforested because of the likelihood of future conversion to urban development. Reforestation is not required under a Class IV general forest practices permit as the property subject to the permit is being converted to a non-forestry use.

Finding 4 – Forest Practice Impact on Stormwater, Erosion & Grading. Prior to harvest, any site prep such as stump pulling and grading may be subject to a Clark County grading permit. This includes forest practices (including, but not limited to, class IV conversions) that are part of a construction activity that will result in the disturbance of one or more acres, and discharge to surface waters of the State (that is, forest practices that prepare a site for construction activities). The harvest operator is responsible for providing all Stormwater and erosion control requirements in accordance with CCC Ch. 40.386 (Storm Water and Erosion Control) for Forest Practices for the entire project site.

Finding 5 - Forest Practice Roads & Impacts. Forest Practice Roads, per WAC 222-24-026, are approved on a temporary basis. Therefore, these roads may not meet Clark County requirements and standards for Single-Family Residences or future developments. The Operator should contact Clark County Development Engineering team (360) 397-6118 for further information.

- Damage to the Public Roads or Right of Way shall be the sole responsibilities of the Applicant and underlying Property Owner. Any such damage shall be corrected to the satisfaction of Clark County Public Works Dept. within 24 hours.

- Tracking on to county roads is prohibited under CCC Chs. 40.386 & 13.26A. See Condition C-2c.

Finding 6 – Slash Piles and Burning. RCW 76.04 & WAC 332-24 consider slash Piles to be an additional fire hazard, meaning a condition existing on any land in the state which is covered wholly or in part by forest debris which is likely to further the spread of fire and thereby endanger life or property. This is a NO Burning Zone. All slash shall be chipped or removed to an approved off-site within 6 months of cutting. See Condition C-2d.

Wetland Protection

Finding 1 – Wetland Presence. Wetland and Habitat Review Staff visited the site on June 11, 2020 and expressed agreement with the applicant's critical areas report – 124th Street Properties Subdivision Clark County, Washington Critical Areas Determination prepared by AKS Engineering (Ex. 1, tab 20). The site does not contain any wetlands; therefore, no further wetland review is required for this proposal.

Fire Protection

Finding 1 - Building Construction. Building construction occurring pursuant to this application shall comply with the county's building and fire codes. Additional specific requirements may be imposed at the time of building construction as a result of the permit review and approval process. See Condition F-4.

Finding 2 - Fire Flow. Fire flow in the amount of 1,000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this development. Prior to final approval, the developer shall submit proof from the water purveyor indicating that the required fire flow remains available at the site. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. A May 18, 2020 water review letter from the Clark Public Utilities indicates 1,000 gpm at 20 psi can be supplied (Ex. 1, tab 13). See Conditions A-9a, D-2a & D-2b.

Finding 3 - Fire Hydrants. Fire hydrants are required for this development and the indicated number and spacing of the fire hydrants is not adequate. The developer shall provide fire

hydrants such that the maximum spacing between hydrants no farther apart than 700 feet and no lot or parcel is farther than 500 feet from a fire hydrant as measured along approved fire apparatus access roads. See Condition A-9a. The local fire district chief shall review and approve the exact locations of all fire hydrants. The developer shall contact Fire District 5 via the Vancouver Fire Department to arrange for location approval. See Condition A-9a. Unless waived by the fire district chief, all fire hydrants shall be provided with appropriate storz adapters for the pumper connection. See Condition A-9d. The developer and subsequent builders shall provide and maintain a 3-foot clear space completely around every fire hydrant. See Conditions A-9c & F-4b.

Finding 4 - Fire Apparatus Access. Fire apparatus access is required for this application, and the roadways and maneuvering areas as indicated in the application appear to provide adequate fire apparatus access. The developer shall provide fire apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, with an all-weather driving surface and capable of supporting the imposed loads of fire apparatus. See Conditions A-9b & F-4c. Approved fire apparatus turnarounds are required for this project, and the indicated provisions for turning around fire apparatus appear to be adequate.

Finding 5 - Residential Fire Sprinklers. Homes exceeding 3,600 sf, including attached garages, require additional fire protection features up to and including a residential fire sprinkler system when adequate public water and a hydrant is not within required distances. See Condition E-4. If an automatic fire sprinkler is required at the time of construction for buildings subject to this application, those systems require separate reviews, permits, and approvals issued by the Clark County Fire Marshal's office.

Finding 6 – Parking. Parking is prohibited on access roads that are narrower than 24 feet wide. Roads that are narrower than 24 feet wide shall be posted "NO PARKING-FIRE LANE." See Conditions A-9e & D-2c.

Water and Sewer Service

Finding 1 - Service Availability. The site will be served by the Clark Public Utilities water system and Clark Regional Wastewater District. Letters from the above districts confirm that services are available to the site. Prior to final plat approval, documentation is required from CRWWD and Clark Public Utilities that utilities have been installed and approved. See Conditions D-7a & D-7b.

Finding 2 - Public Health Site Evaluation. A Development Review Evaluation Letter (DRE) was submitted as part of the preliminary review application. The DRE confirms that the existing residences are served by separate private, on-site septic systems as follows:

- Parcel No. 198788000, 6300 NE 124th Street: ON0042238, located southwest of the existing residence according to the existing conditions site map and CCPH site inspection.
- Parcel No. 198934000, 6330 NE 124th Street: ON0042198, located northeast of the existing residence according to the existing conditions site map and CCPH site inspection.
- Parcel No. 198834000, 6410 NE 124th Street: ON0015699, located northeast of the existing residence, according to the existing conditions site map and CCPH site inspection.

These systems and any additional sewage systems located during development of this plat shall be properly abandoned with documentation submitted to CCPH prior to final plat

approval. See Condition B-6. Proper abandonment of the systems requires tank pumping by a licensed pumper, breaking in the tank lids, and filling the cavities with compacted soil. Any cesspools, drywells, or pump chambers discovered on the site must also be abandoned in this manner and locations shown on the final plat. See Condition D-7c. The proposed development shall connect to an approved public sewer system, and the developer shall submit a copy of the final acceptance letter from the sanitary sewer purveyor or the equivalent with the Mylar. See Condition D-7d. The letter also confirms multiple wells are on site. County records document that the following 2 active wells on the parcels proposed for development:

- Parcel No. 198788000, 6300 NE 124th Street: A pump house with a well (WP0012496) was located southeast of the existing residence, according to the existing conditions site map and CCPH site inspection.
- Parcel No. 198934000, 6330 NE 124th Street: An active well (WP0012497) was located southeast of the existing residence, according to the existing conditions site map and CCPH site inspection.

These wells and any additional wells located during development of this plat shall be properly decommissioned by a licensed well driller with documentation submitted to CCPH prior to final plat approval and all decommissioned wells must be shown on the final plat. See Conditions B-6 & D-7c. This development shall connect to an approved public water system, and the developer shall submit a copy of the final acceptance letter from the purveyor or the equivalent with the Mylar. See Condition D-7d.

Impact Fees

Finding 1 - Applicability & Assessment. Except for three credits corresponding to the three existing dwellings on this property, all new residential lots created by this plat will produce impacts on schools, parks, and traffic and related systems and facilities. The three lots to receive the credit shall be designated on the final plat. See Condition D-6j. Accordingly, each home shall pay the then-current School Impact Fee (SIF), Park Impact Fee (PIF), and Traffic Impact Fee (TIF) at the time of building permit issuance pursuant to CCC chapter 40.610, which currently include the following impact fees for each new home:

- $7,525.56 TIF per dwelling unit in the Mt. Vista Sub-area;
- $6,397 SIF per dwelling unit in the Battle Ground School District;
- $3,959 PIF per dwelling unit in Park District 8.

These are the current impact fee amounts and are subject to change. CCC 40.610.040. Impact fees are calculated and paid using the rates in effect at the time building permits are issued. See Conditions D-5d, D-6h & E-2.

SEPA DETERMINATION

Staff determined there were no probable significant adverse environmental impacts associated with this proposal that could not be avoided or mitigated through the conditions of approval and issued a preliminary Determination of Non-Significance (DNS) on July 20, 2020 (Exs. 13 & 14). The County received two responsive comments to the preliminary SEPA determination during the comment period (ending August 1, 2020) from the Washington Department of Ecology (Ex. 17) and the Southwest Washington Clean Air Agency (Ex. 16). These comments are adequately addressed in findings above and by the substantive land use approval criteria and conditions of approval and do not warrant a separate response. The Examiner concludes that the SEPA checklist is compliant with the applicable state and County requirements. No appeal of the County's DNS was filed; therefore, it is final.

V. Decision and Conditions:

Based on the foregoing findings and except as conditioned below, this application is approved in general conformance with the preliminary plat (Ex. 1, tab 6) and supporting application materials (Exs. 10, 11, 12 & 23). This development application is approved as proposed, subject to the requirements that the developer, owner or subsequent developer (the "developer") shall comply with all applicable code provisions, laws and standards and the following conditions of approval. The following conditions shall be interpreted and implemented consistently with the foregoing findings:

A	**Final Construction Review for Land Division** **Review and Approval Authority: Development Engineering & Transportation Concurrency**

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

A-1 **Final Transportation Plan/On-Site** - The developer shall submit and obtain County approval of a final transportation design in conformance with CCC Ch. 40.350 and the following additional requirements:

a. The final construction plans shall show that all proposed pedestrian facilities, including corner ramps, will be constructed to comply with ADA standards. See Transportation Finding 1.

b. The final construction plans shall show a pavement section for NE 124th Street that complies with the results of pavement deflection testing as prescribed by CCC 40.350.030(B)(5)(a)(6). See Transportation Finding 3.

c. The final construction plans shall show that the frontage improvements required along NE 129th Street are built adjacent to Tract A. Improvements shall be built to accommodate a private road/driveway approach at this location associated with NE 66th Avenue. See Transportation Finding 3.

d. The final construction plans shall show a physical barrier on the property line between NE 129th Street (private) and NE 129th Street (public) to prevent access from one road to the other. See Transportation Finding 3.

e. The final construction plans shall show temporary street barricades on each end of NE 129th Street in compliance with CCC 40.350.030(C)(4)(f). See Transportation Finding 3.

f. The final construction plans shall show the driveways for all corner lots and that they comply with CCC 40.350.030(B)(4)(b)(1)(b). See Transportation Finding 4.

g. The final construction plans shall show that the joint driveway will comply with CCC 40.350.030(B)(4)(b)(2). The lot numbers who have access to the joint driveway easement shall also be labeled. See Transportation Finding 4.

h. The final construction plans shall show the sight distance triangles at all street intersections. See Transportation Finding 5.

i. The final construction plans shall show that the street stubs for all proposed roads, notably that NE 127th Street, NE 61st Place, and NE 129th Street shall be constructed to the property boundary OR if able to show the extension is beyond the developer's control, the developer may submit a technical road modification request with the final engineering application. See Transportation Finding 7.

j. Based on the posted speed limit of 25 MPH for NE 124th Street, 250 feet of sight distance is required in both directions for driveways accessing this street, which appear to include Lots 53, 54 & 55. The developer shall provide a sight distance certification for the driveways proposed on these lots with the final construction plans.

k. At the time of Final Construction Review, the applicant shall provide a written analysis and engineer's certification that that stopping sight distance compliant with CCC 40.350.030(B)(8)(b) can be met at the intersection of NE 124th Street / NE 61st Place and at the intersections of NE 124th Street / NE 65th Avenue and NE 129th Street / NE 65th Avenue. The final construction plans shall also show any mitigation measures needed to achieve the required stopping sight distance. See Transportation Finding 6.

A-2 **Transportation (Signing and Striping)** - The developer shall submit a signing and striping plan and a reimbursable work order, authorizing County Road Operations to perform any signing and pavement striping required within the County right-of-way. This plan and work order shall be approved by the Department of Public Works prior to final plat or final site plan approval.

A-3 **Final Stormwater Plan** - The developer shall submit and obtain County approval of a final stormwater plan designed in conformance with CCC Ch. 40.386 and the following additional requirements:

a. The developer shall submit final construction plans and a final Technical Information Report (TIR) that address Minimum Requirements 1 though 9. See Stormwater Finding 1.

b. The developer shall demonstrate that the development will not materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. See Stormwater Finding 1.

c. The developer shall show on the final construction plans that the roof drain for each lot is routed to separate private infiltration facilities. Alternatively, the developer may propose to convey the roof runoff to infiltration systems within the public right-of-way outside of the paved road section. Connection of roof and crawl space drains directly into a public infiltration trench under the roadway is prohibited. See Stormwater Finding 2.

d. The developer shall submit documentation from the stormwater treatment system manufacturer indicating that the stormwater treatment devices were sited and sized appropriately. See Stormwater Finding 2.

e. The developer shall identify on the final construction plans ownership responsibilities for each of the proposed stormwater facilities. See Stormwater Finding 2.

f. The tested and design infiltration rates shall be identified on the final construction plans. See Stormwater Finding 3.

g. The developer shall submit additional groundwater monitoring data with the final TIR to include piezometer readings from the remaining 2019-2020 wet season. See Stormwater Finding 3.

h. The groundwater elevation and minimum separation from the bottom of the infiltration trenches to the seasonal high-groundwater elevation shall be identified on the final construction plans. See Stormwater Finding 3.

A-4 **Final Transportation Plan (Concurrency)** - The developer shall submit a Final Construction Plan for review and approval to Development Engineering, consistent with the approved preliminary plan and the following additional requirements:

a. The developer 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 developer shall obtain a work order with Clark County to reimburse the County for required signing and striping.

b. The developer shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. See Transportation Concurrency Finding 6.

c. The developer shall submit construction plans that show all applicable design vehicles are able to enter and exit the development minimizing impact to opposing travel lanes. This may result in no on-street parking areas on local residential access roads, at/near public intersections. See Transportation Concurrency Finding 7.

A-5 **Erosion Control Plan** - The developer shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC Ch. 40.386.

A-6 **Excavation and Grading** – All excavation and grading shall be performed in compliance with CCC Ch. 14.07.

A-7 **Geological Hazard Areas** - The developer shall adhere to the recommendations in the November 12, 2019 Geotechnical Site Investigation, prepared by Columbia West Engineering, Inc., unless further studies present new or different facts. See Geohazard Finding 1.

A-8 **Retaining Walls** - A building permit is required for all retaining walls taller than 4 feet and for walls supporting a surcharge. The final construction plans shall show all retaining walls in sufficient detail for staff to assess their impact on adjacent roads, structures, and public and private utilities. See Geohazard Finding 1.

A-9 **Fire Marshal Requirements**: The developer shall comply with or otherwise implement all of the conditions suggested by the Fire Marshal's Office, including the following:

a. The developer shall submit plans showing the location of water lines and hydrants for review and approval by the Fire District Chief. Fire hydrants shall be no farther apart than 700 feet, and no lot or parcel shall be father than 500 feet from a fire hydrant. See Fire Protection Finding 2.

b. Access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13.5 feet with an all-weather driving surface capable of supporting the imposed loads of fire apparatus. See Fire Protection Finding 4.

c. A 3-foot clear space shall be provided around every fire hydrant. See Fire Protection Finding 3.

d. Unless waived by the fire district chief, hydrants shall be provided with appropriate "storz" adapters for the pumper connection. See Fire Protection Finding 3.

e. Parking is prohibited on access roads that are narrower than 24 feet wide. Roads that are narrower than 24 feet wide shall be posted "NO PARKING – FIRE LANE." See Fire Protection Finding 6.

A-10 **Final Construction Plan (Archaeology)** - The developer shall submit and obtain county approval of a final construction plan with the following note (See Archaeology Finding 2):

"Archaeology: If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia, the Cowlitz Indian Tribe, and Clark County shall be notified. Failure to comply with these state requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

B	**Prior to Construction of Development** **Review and Approval Authority: Development Inspection & Permit Services**

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

B-3 **Erosion Control** - Prior to construction, all erosion and sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

B-4 **Erosion Control** - Erosion control facilities shall not be removed without county approval.

B-5 **Demolition Permits** - All existing structures will require a demolition permit prior to removal. See Land Use Finding 4.

B-6 **Septic Tank and Well Decommissioning**: Prior to provisional acceptance, abandonment of septic systems, water wells and underground tanks shall be decommissioned in accordance with the procedures of the Clark County Public Health Department. See Water and Sewer Finding 2.

C	**Provisional Acceptance of Development** **Review and Approval Authority: Development Inspection & County Forester**

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

C-1 Stormwater:

a. In accordance with Section 5.1.2, Book 2 of the Clark County Stormwater Manual 2015, if the tested coefficient of permeability determined at the time of construction is at least 95% 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 developer shall submit a plan to Clark County that follows the requirements in Book 1, Section 1.8.5. This plan shall address steps to correct the problem, including additional testing and/or resizing of the facilities to ensure that the system will meet the minimum requirements of the stormwater manual. See Stormwater Finding 3.

b. During installation of the infiltration galleries, the developer shall demonstrate that the required minimum vertical separation to the seasonal high water table for each facility as shown on the final construction plans shall be met. The systems shall be redesigned if the required separation is not achieved. See Stormwater Finding 3.

C-2 Forest Practice Requirements:

a. Logging: If the Landowner or Operator plans to dispose of residual forest products as a result of this clearing, the landowner or operator shall first secure a Forest Tax Reporting Account number from the WA State Dept. of Revenue. See Forest Practice Finding 1.

b. Operations: Operations shall be conducted consistent with RCW 7.48.305 and adopted administrative rules, including the following measures (See Forest Practice Finding 2):
   - Felling of Timber within 1 Tree Length of overhead power lines requires a 24-hour advance notification of Clark PUD prior to operations.
   - Motorized equipment operating hours will be limited to between 7AM and 10 PM Mondays to Saturdays.
   - Developer is responsible for any and all damage occurring to neighboring properties as a result of this tree removal.
   - Log hauling from this site shall avoid the hours of 0700 to 0800 hours in the morning and 1500 to 1630 hours in the afternoon on days in which school bus activity is anticipated.
   - Log hauling must abide to all posted speed limits and rules of the road, the use of unmuffled "jake brakes" will not be permitted adjacent to private residences.

c. Roads & Impacts: Forestry roads shall be constructed consistent with WAC 222-24-026 and include the following measures (See Forest Practice Finding 5):
   - Damage to Public Roads or Right of Way shall be the sole responsibilities of the Developer and underlying Property Owner. Any such damage shall be corrected to the satisfaction of Clark County Public Works Dept. within 24 hours.
   - Tracking on to county roads is prohibited under CCC 40.386 and 13.26A.

d. Slash Piles and Burning: Slash piles and burning shall be conducted consistent with RCW 76.04 & WAC 332-24 and all slash shall be chipped or removed to an approved off-site within 6 months of cutting. See Forest Practice Finding 6.

C-3 **Stopping Sight Distance**. Prior to provisional acceptance of development, the applicant shall submit a sight distance certification letter certifying that stopping sight distance is met at the intersection of NE 124th Street / NE 61st Place and at the intersections of NE 124th Street / NE 65th Avenue and NE 129th Street / NE 65th Avenue. See Transportation Finding 6.

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

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

D-1 **Land Use** - All lots and development on each shall meet minimum dimensional and development standards of the R1-6 zone. See Land Use Finding 2.

D-2 **Fire Marshal Requirements**: The developer shall comply with or otherwise implement all of the conditions suggested by the Fire Marshal's Office, including the following:

a. The developer shall demonstrate that water mains supplying fire flow have been installed and approved. See Fire Protection Finding 2.

b. The developer shall submit a current utility review letter from the water purveyor indicating required fire flow remains available at the site. See Fire Protection Finding 2.

c. Parking is prohibited on access roads that are less than twenty-four (24) feet wide. Roads that are less than 24 feet wide shall be posted "NO PARKING – FIRE LANE." See Fire Protection Finding 6.

D-3 **Public Health Signature Requirement** - Public Health shall sign the final plat.

D-4 **Abandonment of On-Site Water Wells and Sewage Systems** - The location of abandoned septic tanks and decommissioned wells shall be shown on the face of the final plat. See Water and Sewer Service Finding 2.

D-5 **Developer Covenant** - A Developer Covenant to Clark County shall be submitted for recording that includes the following:

a. Critical Aquifer Recharge Areas: "The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."

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

c. Responsibility for Stormwater Facility Maintenance: If applicable, for stormwater facilities for which the county will not provide long-term maintenance, the developer shall make

arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.

d. Impact Fees: "In accordance with CCC Ch. 40.610, except for 3 lots to be identified on the face of the plat, impact fees for every new home constructed in this development shall be assessed and paid for impacts on schools, parks and transportation facilities based for the following districts: Battle Ground School District (SIF), Park District 8 (PIF) and Mt. Vista Transportation Sub-area (TIF). Consistent with CCC 40.610.040, impact fees shall be calculated at the time of building permit issuance using the then-applicable rates."

e. Joint Driveway Maintenance Covenant: A private joint driveway maintenance covenant shall be submitted to the responsible official for approval and recorded with the County Auditor. The covenant shall set out the terms and conditions of responsibility for maintenance, maintenance methods, standards, distribution of expenses, remedies for noncompliance with the terms of the agreement, right of use easements, and other considerations, as required by CCC 40.350.030(C)(4)(g). See Transportation Finding 4.

D-6 **Plat Notes** - The following notes shall be placed on the final plat:

a. Archaeology: "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia, the Cowlitz Indian Tribe, 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."

b. Sidewalks: "Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages.

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

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

e. Sight Distance: "All sight distance triangles shall be maintained."

f. Privately Owned Stormwater Facilities: "The following party is responsible for long-term maintenance of the privately owned stormwater facilities: _____."

g. Roof and Crawl Space Drains: "Roof and crawl space drains shall be installed in accordance with the approved As-Built plans, unless a revised plan is approved by the county. These stormwater systems will be owned and maintained by the property owner on whose lot the stormwater system is located. Storm drain laterals to any public infiltration trench shall be maintained by the homeowner."

h. Impact Fees: "In accordance with CCC Ch. 40.610, except for 3 lots to be identified on the face of the plat, impact fees for every new home constructed in this development shall be assessed and paid for impacts on schools, parks and transportation facilities based for the following districts: Battle Ground School District (SIF), Park District 8 (PIF) and Mt. Vista Transportation Sub-area (TIF). Consistent with CCC 40.610.040, impact fees shall be calculated at the time of building permit issuance using the then-applicable rates."

i. Tract A: "Tract A shall retain the access and utility easement rights for properties east of NE 66th Avenue as identified in Short Plat Book 1, Pg. 555. Also, no access to Tract A is allowed for any lots within this subdivision."

j. Impact Fee Credits. The developer shall identify which 3 lots are exempt from impact fees on the face of the plat. See Impact Fee Finding 1.

D-7 Sewer and Water Requirements:

a. The developer shall produce documentation from Clark Regional Waste Water district that sewer has been installed and approved. See Water and Sewer Finding 1.

b. The developer shall produce documentation from Clark Public Utilities that water has been installed and approved. See Water and Sewer Finding 1.

c. The locations of all decommissioned wells, septic systems, cesspools, drywells, or pump chambers discovered on site shall be decommissioned and locations shown on the face of the plat. See Water and Sewer Finding 2.

d. A copy of the final acceptance letter from CRWWD and CPU must be submitted with the Mylar. See Water and Sewer Finding 2.

D-8 Right-of-way Dedication - The required right-of-way along NE 129th Street, NE 124th Street and NE 61st Place, along with all new road internal to the development must be conveyed to the county with the final plat. See Transportation Finding 3.

D-9 Intersection Sight Distance - The sight distance triangles shall be delineated on the final plat. See Transportation Finding 5.

E	**Building Permits** **Review and Approval Authority: Permit Services**

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

E-1 Land Use - All future construction on lots in this plat shall meet the R1-6 Zone setback standards. See Land Use Finding 2.

E-2 **Impact Fees** - In accordance with CCC Ch. 40.610, except for 3 lots to be identified on the face of the plat, impact fees for every new home constructed in this development shall be assessed and paid for impacts on schools, parks and transportation facilities based for the following districts: Battle Ground School District (SIF), Park District 8 (PIF) and Mt. Vista Transportation Sub-area (TIF). Consistent with CCC 40.610.040, impact fees shall be calculated at the time of building permit issuance using the then-applicable rates. See Impact Fee Finding 3.

E-3 **Roof and Crawl Space Drains** - Roof and crawl space drains shall be installed in accordance with the approved As-Built plans, unless a revised plan is approved by the county. These stormwater systems will be owned and maintained by the property owner on whose lot the stormwater system is located. Storm drain laterals to any public infiltration trench shall be maintained by the homeowner. See Stormwater Finding 2.

E-4 **Fire Marshal Requirements** - Homes exceeding 3,600 sf, including attached garages, require additional fire protection features up to and including a residential fire sprinkler system when adequate public water and a hydrant is not within required distances. See Fire Protection Finding 5.

E-5 **Excavation and Grading** - Excavation and grading shall be performed in compliance with CCC Ch. 14.07.

G Development Review Timelines & Advisory Information

F-1 **Land Division:** Within 7 years after the effective date of this decision, the developer shall submit to the Planning Director a fully complete final plat consistent with CCC 40.540.070 and the requirements of this preliminary plat approval. Otherwise, this preliminary plat approval shall automatically expire and become null and void.

F-2 **ECY Stormwater Permit:** A stormwater permit from the Department of Ecology (ECY) is required if both of the following conditions occur:

a. The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; AND

b. There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the 1-acre threshold. This applies even if the developer is responsible for only a small portion (less than one acre) of the larger project planned over time. The developer shall Contact the ECY for further information.

F-3 **ECY Permitting and Regulatory Oversight:** The developer is responsible for compliance with all state regulations administered by the Department of Ecology (ECY), including the following areas:

a. Solid Waste Management - Derek Rockett (360) 407-6287. All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from your local jurisdictional health department prior to filling.

All removed debris resulting from this project must be disposed of at an approved site. Contact the local jurisdictional health department for proper management of these materials.

b. Hazardous Waste & Toxics Reduction - Tara Davis (360) 407-6275. Demolition: The developer proposes to demolish an existing structure(s). In addition to any required asbestos abatement procedures, the developer should ensure that any other potentially dangerous or hazardous materials present, such as PCB-containing lamp ballasts, fluorescent lamps, and wall thermostats containing mercury, are removed prior to demolition. Also, be aware that PCBs are increasingly being found in caulking and paint. It is important that these materials and wastes are removed and appropriately managed prior to demolition. It is equally important that demolition debris is also safely managed, especially if it contains painted wood or concrete, treated wood, or other possibly dangerous materials.

Please review the "Dangerous Waste Rules for Demolition, Construction, and Renovation Wastes," on Ecology's website at: *https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Dangerous-waste-guidance/Common-dangerous-waste/Construction-and-demolition*. The developer may also contact Robert Rieck with Ecology's Hazardous Waste and Toxics Reduction program (HWTR) at (360) 407-6751 for more information about safely handling dangerous wastes and demolition debris

c. Toxics Cleanup - Jackson Barnes (360) 407-6248. If contamination is suspected, discovered, or occurs during the development, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by testing, the Department of Ecology must be notified. Contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact Andrew Smith with the Toxics Cleanup Program at the Southwest Regional Office at (360) 407-6316.

d. Toxics Cleanup - Craig Rankine (360) 690-4795. There are known contaminated site(s) within approximately half-a-mile of the proposed SEPA action. The site(s) include, but may not be limited to following, see Ecology Facility Site ID No's, site name and project manager:

- 36151 Clark County Public Works 119th Street (no project manager assigned, contact Craig Rankine [360] 690-4795)
- 90752948 American RV Storage (no project manager assigned, contact Craig Rankine [360] 690-4795)
- 3780556 Manor Highway Auto Sales (no project manager assigned, contact Craig Rankine [360] 690-4795)

If environmental contamination is discovered at the site of the proposed action, it must be reported to Ecology's Southwest Regional Office by contacting the Environmental Report Tracking System Coordinator at (360) 407-6300. For assistance regarding cleanup information on sites listed above contact the Ecology project manager. The developer should make sure only clean soil is used as fill. Provisions and equipment should be on hand to contain and cleanup a release of oil or fuel from heavy equipment operation.

e. Water Quality/Watershed Resources Unit - Greg Benge (360) 690-4787. Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or stormdrains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants. Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

Section A 10 of the SEPA checklist does not reflect the need for coverage under the Construction Stormwater General Permit (CSWGP), which may be required for the proposed project. If construction stormwater leaves the site (common examples include bioretention facility overflows and/or turbid stormwater created by trackout entering inlets) and discharges to Waters of the State, a CSWGP is required. Coverage under the CSWGP is highly recommended if there's any chance of discharge occurring.

F-4 **Building and Fire Safety –** The following on-going building and fire safety requirements shall apply during development, home building and remain in effect as on-going requirements applicable to all dwellings in this development:

a. Building and fire, life, and safety requirements shall 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 regarding land use conditions. It is the responsibility of the owner, agent, tenant, or developer to ensure 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. See Fire Protection Finding 1.

b. A 3-foot clear spaces shall be maintained around the circumference of all fire hydrants. See Fire Protection Finding 3.

c. Access roads shall maintain an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13.5 feet with an all-weather driving surface capable of supporting the imposed loads of fire apparatus. See Fire Protection Finding 4.

F-5 **SWCAA Requirements:** Demolition / Asbestos [SWCAA 476] - Prior to demolition or renovation of a structure, a thorough asbestos inspection must be conducted by an AHERA-certified inspector in order to determine the presence of asbestos containing material (ACM) in all affected structure(s) or area(s). A copy of the AHERA asbestos inspection report must be posted for viewing at the project site (Ex. 16). The following Construction Dust sources and corresponding regulations apply [SWCAA 400: General Regulations for Air Pollution Sources]:

a. Construction and earthmoving activities have the potential to generate excessive dust emissions if reasonable control measures are not implemented. SWCAA Regulation 400-040(2) requires that "no person shall cause or permit the emission of particulate matter from any stationary source to be deposited beyond the property under direct control of the owner or operator of the stationary source in sufficient quantity to interfere unreasonably with the use and enjoyment of the property upon which the material is

deposited". Furthermore, SWCAA Regulation 400-040(8)(a) requires that "the owner or operator of any source of fugitive dust shall take reasonable precautions to prevent fugitive dust from becoming airborne and shall maintain and operate the source to minimize emissions".

b. Common control measures to mitigate the emission of dust from construction and earthmoving activities include: application of water before and during earthmoving operations, application of water to disturbed surface areas (including access roads and staging areas) after earthmoving operations, application of chemical dust control products and/or surfactants, limiting access to open/disturbed areas, reducing equipment/vehicle speeds, establishing vegetative cover on inactive areas and ceasing operations altogether during high wind events.

c. Violations of SWCAA Regulation 400-040 may result in civil penalties being assessed against the project operator and/or property owner. The developer may contact SWCAA at 360-574-3058 for more information regarding the agency's requirements. Notification forms, permit applications, air quality regulations and other information are available on the internet at *http://www.swcleanair.org*

F-6 **Tract A fence.** The developer shall erect a 6-foot tall cedar fence with metal posts around Tract A to ensure that traffic from this development does not enter onto NE 66th Avenue.

Date of Decision: September 9, 2020.

By: _____
Daniel Kearns,
Land Use Hearings Examiner

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

Motion for Reconsideration

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

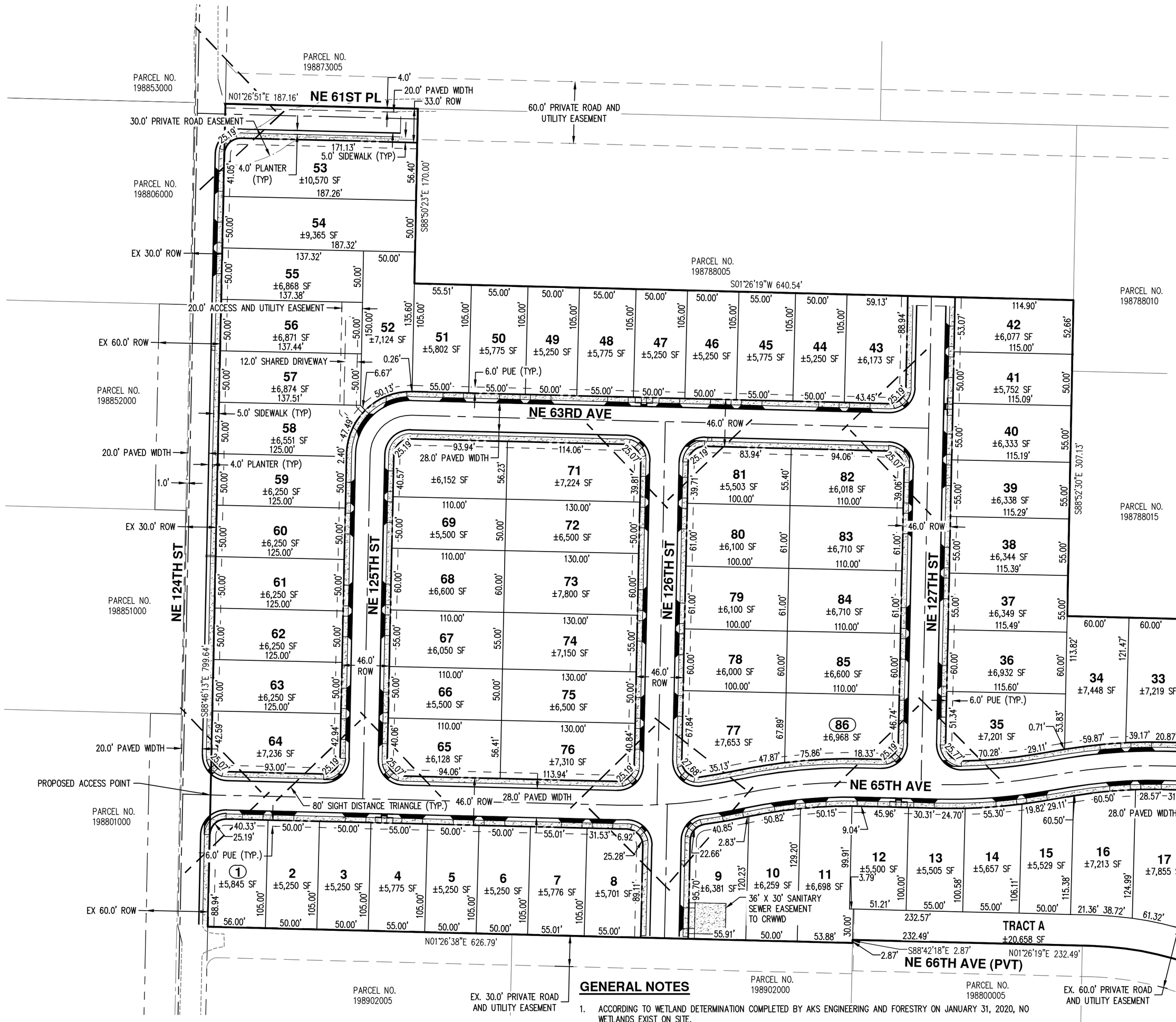
a. Procedural irregularity or error, clarification, or scrivener's error, for which no fee will be charged;

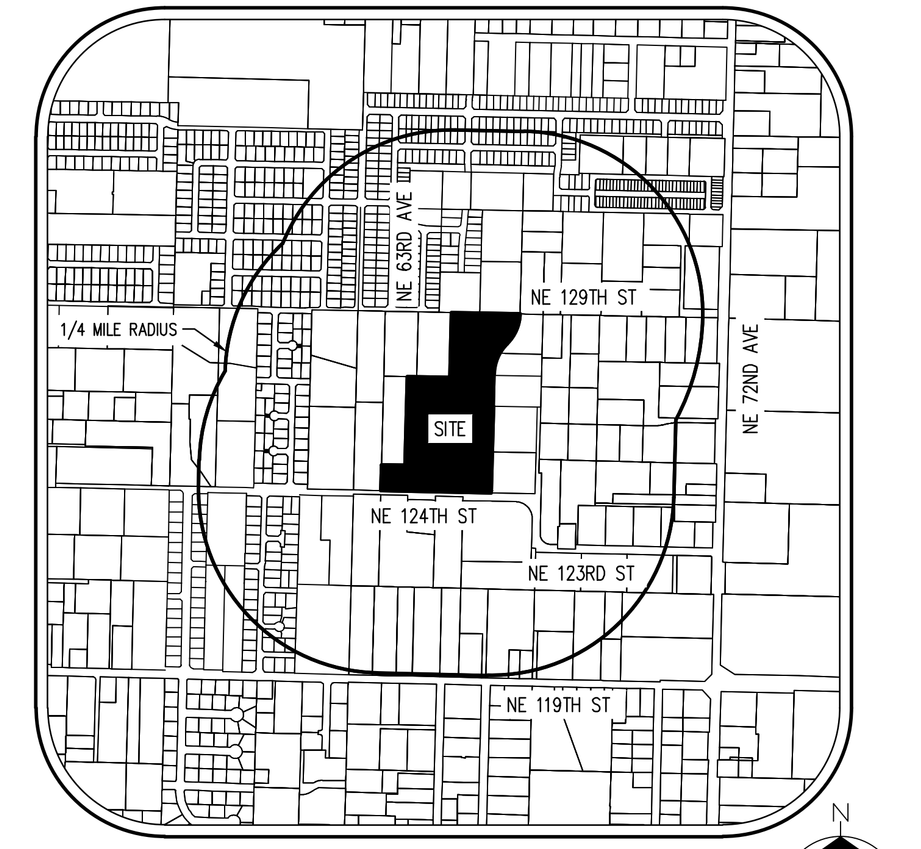
b. Newly discovered evidence, which the moving party could not with reasonable diligence have timely discovered and produced for consideration by the examiners;
c. The decision is not supported by substantial evidence in the record; or,
d. The decision is contrary to law.

Any party of record may file a written response to a Motion for Reconsideration if filed within 14 calendar days of the motion for reconsideration. In response to a timely Motion for Reconsideration, the Examiner will issue a decision on reconsideration within 28 calendar days of the date the motion was filed.

Notice of Appeal Rights

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





VICINITY MAP

N.T.S.

SIGHT DISTANCE CERTIFICATION

THE SIGHT DISTANCE AT THE PROPOSED ACCESS POINTS MEETS OR EXCEEDS THE 80 FOOT UNCONTROLLED URBAN SIGHT DISTANCE REQUIREMENT SET FORTH IN CLARK COUNTY CODE SECTION 40.350.030(B)(8)(d).

APPLICANT

AHO CONSTRUCTION I, INC.
CONTACT: HOUSTON AHO
5512 NE 109TH COURT, SUITE 101
VANCOUVER, WA 98662
PH: 360-254-0493
EMAIL: HOUSTONA@AHOCONSTRUCTION.COM

CONTACT/ENGINEERING/PLANNING/ SURVEYING/LANDSCAPE ARCHITECTURE FIRM

AKS ENGINEERING & FORESTRY, LLC.
CONTACT: SETH HALLING, P.E.
9600 NE 126TH AVENUE, SUITE 2520
VANCOUVER, WA 98682
PH: 360-882-0419
FAX: 360-882-0426
E-MAIL: SETHH@AKS-ENG.COM

PROPERTY OWNERS

MARIE SCHAEFFER
PO BOX 23
NORTH BONNEVILLE, WA 98639
PH: 360-393-8991
EMAIL: LEEKENNYQ@GMAIL.COM

EVELYN REESE
6300 NE 124TH ST
VANCOUVER, WA 98686
PH: 360-713-7567
EMAIL: REESESTEVE2@GMAIL.COM

BYRON AND NEOMI HEGSTAD
6330 NE 124TH ST
VANCOUVER, WA 98686
PH: 360-635-8604

PROPERTY DESCRIPTION

LOCATED IN THE SOUTHEAST 1/4 SECTION 30, TOWNSHIP 3 NORTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLARK COUNTY, WASHINGTON.
PROPERTY SERIAL #'S 198800-000, 198834-000, 198934-000, AND 198788-000.

EXISTING LAND USE

SINGLE FAMILY RESIDENTIAL R1-6

PROJECT PURPOSE

86 LOT SUBDIVISION

SITE AREA

17.03 AC (741,950 SF)

GENERAL NOTES

1. ACCORDING TO WETLAND DETERMINATION COMPLETED BY AKS ENGINEERING AND FORESTRY ON JANUARY 31, 2020, NO WETLANDS EXIST ON SITE.
2. ACCORDING TO CLARK COUNTY GIS, THERE ARE NO KNOWN WATER BODIES/COURSES ON SITE, NO AREAS WITHIN THE 100-YEAR FLOODPLAIN, NO AREAS OF SIGNIFICANT WILDLIFE HABITAT OR VEGETATION, NO UNSTABLE SLOPES OR LANDSLIDE HAZARD AREAS ON SITE, AND NO KNOWN SIGNIFICANT HISTORIC RESOURCES.
3. NO ENVIRONMENTAL BUFFER/PROTECTED AREAS OR ENHANCEMENT AREAS ARE PROPOSED.
4. THERE ARE NO EXISTING BUILDINGS TO REMAIN ON SITE.
5. ACCORDING TO C-TRAN, THERE ARE NO EXISTING TRANSIT ROUTES OR STOPS ON SITE OR WITHIN 600 FEET OF THE SITE.
6. THERE ARE NO EXISTING BICYCLE FACILITIES LOCATED ON OR WITHIN 100 FEET OF THE SITE.
7. THERE ARE NO PEDESTRIAN OR BICYCLE IMPROVEMENTS PROPOSED OUTSIDE OF THE RIGHT-OF-WAY.
8. THE DEVELOPMENT PROPOSES FRONTAGE IMPROVEMENTS TO NE 129TH ST, NE 124TH STREET, AND NE 61ST PLACE, AND CONSTRUCTION OF FIVE INTERNAL LOCAL RESIDENTIAL ACCESS STREETS (NE 63RD AVENUE, NE 65TH AVENUE, NE 125TH STREET, NE 126TH STREET, AND NE 127TH STREET). ALL PROPOSED STREETS AND FRONTAGE IMPROVEMENTS ARE TO BE PAVED WITH ASPHALT.
9. NO STREETS IN EXCESS OF 15 PERCENT GRADE ARE EITHER ON THE SITE OR WITHIN 500 FEET OF THE SITE.
10. ALL OFF-SITE ROADS (NE 124TH ST AND NE 66TH AVE) THAT PROVIDE ACCESS TO THE SITE WITHIN 500 FEET OF THE SITE ARE ASPHALT. NE 66TH AVE HAS A PAVED WIDTH OF ±25 FEET. THE EXISTING PAVED WIDTH ALONG NE 124TH ST IS ±20 FEET.
11. PROPOSED DRIVEWAYS ON THE CORNER LOTS WILL BE LOCATED A MINIMUM 5' FROM THE PROPERTY LINES FURTHEST FROM THE INTERSECTION AND ARE 20' WIDE.
12. THERE IS NO HARD LANDSCAPING FEATURES PROPOSED.
13. SEE SHEET P3.1 FOR TYPICAL STREET CROSS SECTIONS.
14. ALL ONE-STORY AND TWO-STORY HOMES WILL BE WOOD FRAMED.

STATISTICS

TOTAL GROSS AREA:	741,950 SF (17.03 AC)
TOTAL RIGHT-OF-WAY AREA:	181,070 SF (4.16 AC)
TOTAL NET AREA:	560,880 SF (12.87 AC)
MINIMUM AVERAGE LOT AREA ZONE R1-6:	6,000 SF
MAXIMUM AVERAGE LOT AREA ZONE R1-6:	8,500 SF
PROPOSED AVERAGE LOT AREA:	6,522 SF
MINIMUM DENSITY:	66 DU
MAXIMUM DENSITY:	94 DU
PROPOSED LOTS:	86 LOTS

THE PURPOSE OF THIS PRELIMINARY PLAT IS TO SHOW THE PROPOSED LOT DIMENSIONS AND AREAS FOR PLANNING PURPOSES. THIS IS NOT AN OFFICIAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES.

SANITARY SEWER EASEMENT NOTE

1. LOT 9 SHALL CONTAIN A EASEMENT TO CLARK REGIONAL WASTEWATER DISTRICT FOR A TEMPORARY SANITARY SEWER PUMP STATION. UPON REMOVAL OF THE TEMPORARY SANITARY SEWER PUMP STATION, THE EASEMENT SHALL BE RELINQUISHED.

AKS ENGINEERING & FORESTRY, LLC
9600 NE 126TH AVE, STE 2520
VANCOUVER, WA 98682
360.882.0419
WWW.AKS-ENG.COM

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

AHO CONSTRUCTION

PROPOSED DEVELOPMENT PLAN
124TH ST PROPERTIES SUBDIVISION
AHO CONSTRUCTION, INC
CLARK COUNTY, WA

SETH MICHAEL HALLING
STATE OF WASHINGTON
40813
REGISTERED PROFESSIONAL ENGINEER
PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER:	7670
DATE:	5/13/2020
DESIGNED BY:	KWA
DRAWN BY:	MRS
CHECKED BY:	SMH

P3.0

AKS DRAWING FILE: 7670 P3.0 SITE.DWG | LAYOUT: P3.0

Role	Company Name	Name	Address 1	Address 2	City	State	Zip Code	Email Address
Planner	Clark County	Bryan Mattson						
Applicant	Aho Construction, Inc.	Grace Thuy Nguyen	5512 NE 109th Ct		Vancouver	WA	98662	gracen@ahoconstruction.com
Owner		Byron & Neomi Hegstad	6330 NE 124th St		Vancouver	WA	98686	spiderr351@gmail.com
Owner		Marie Schaeffer	PO Box 23		North Bonneville	WA	98639	leekennyq@gmail.com
Owner		Evelyn Reese	3600 NE 124th St		Vancouver	WA	98686	Reesesteve2@gmail.com
N/H Association	Pleasant Highlands Nbhd Assoc							abramson@lifescipartners.net
Contact Person	AKS Engineering	Seth Halling	9600 NE 126th Ave	Ste 2520	Vancouver	WA	98682	sethh@aks-eng.com
	Clark County	Desiree de Monye						desiree.demonye@clark.wa.gov
	City of Vancouver	Kristin Lehto						Kristin.Lehto@cityofvancouver.us
		Nicole Daltoso						nicole.daltoso@vansd.org
		Jeff Roberts						jeff@crandallgroup.com
Public Comments		Brenda & Chester Tallent	6502 NE 124th Street		Vancouver	WA	98686	bl.tallent@yahoo.com
		Jim Crouch	6614 NE 129th Street		Vancouver	WA	98686	crouchjw@msn.com
		Dave Galanter	15640 NE Fourth Plan Blvd Ste.106		Vancouver	WA	98682	timbergroveservices@gmail.com
		Katherine Twiss	13009 NE 66th Avenue		Vancouver	WA	98686	kathtwiss@gmail.com
		Connie & Roland Cobb	12621 NE 66th Avenue		Vancouver	WA	98686	rocoraco2@gmail.com
		Cassie Crawford	PO Box 61488		Vancouver	WA	98666	cassie@vancouverlandlaw.com
		Chuck Rabitoy	6307 NE 129th Street		Vancouver	WA	98686	ChuckR@patriotfire.com
		Jill Hill	12512 NE 61st Place		Vancouver	WA	98686	jhil269@wgu.edu
		John Hooghkirk	12609 NE 61st Place		Vancouver	WA	98686	pvanhooghkirk@hotmail.com

EXHIBIT LIST

Project Name: **124th Street Properties**
Case Number: **PLD-2020-00045**

EXHIBIT NUMBER	DATE	SUBMITTED BY	DESCRIPTION
1	4/22/20	Applicant	Application Package
2	6/1/20	CC Land Use	Fully Complete
3	6/9/20	CC Surveyor's Office	Survey Corrections
4	7/10/20	CC Land Use	Early Issues Memo
5	6/12/20	CC Wetland & Habitat Review	No wetlands onsite per CC Biologist
6	7/7/20	Applicant	Sign Posting Affidavit
7	7/8/20	CC Land Use	Notice of Type III Application
8	7/8/20	CC Land Use	Affidavit of Mailing - Exhibit 7
9	7/15/20	Applicant	Responses to Early Issues Memo
10	7/15/20	Applicant	Sight Distance Letter
11	7/15/20	Applicant	Revised Prelminary Survey
12	7/15/20	Applicant	Fire Flow Test Results
13	7/20/20	CC Land Use	REVISED Notice of Type III Application
14	7/20/20	CC Land Use	Affidavit of Mailing - Exhibit 13
15	7/20/20	Brenda & Chester Tallent	Public Comments
16	7/20/20	SWCAA	SWCAA Comments
17	7/22/20	Ecology	Ecology Comments
18	7/22/20	Public Works	Transportation Concurrency Comments
19	7/22/20	Jim Crouch	Public Comments
20	7/23/20	CC Development Engineering	Development Engineering Staff Report and Recommendation
21	7/23/20	CC Public Works	Techncial Road Modification Report and Recommendation
22	7/23/20	CC Wetland and Forestry Staff	Wetland and Forestry Findings and Conditions
23	7/23/20	Applicant	Additional Technical Road Modification Request
24	7/24/20	Applicant	Response to Public Comments
25	7/24/20	Dave Galanter	Public Comments
26	7/29/20	Katherine Twiss	Public Comments
27	8/3/20	CC Land Use	Staff Report and Recommendation
28	8/3/20	CC Land Use	Affidavit of Mailout - Exhibit 27
29	8/4/20	Connie & Roland Cobb	Public Comments
30	8/4/20	Cassie Crawford	Public Comments
31	8/4/20	Chuck Rabitoy	Public Comments
32	8/6/20	CC Public Works	Technical Road Mod Report and Recommendation
33	8/6/20	CC Development Engineering	Additional Comments and Revisions from Development Engineering
34	8/12/20	Jill Hill	Public Comments
35	8/13/20	CC Land Use	Copy of Webex comments sent during the Hearing
36	8/19/20	CC Development Engineering	Additional Sight Distance info from CC Development Engineering
37	8/20/20	CC Land Use	Hearing Transcript
38	8/26/20	Jill Hill	Additional Public Comments
39	9/1/20	Applicant	Response to additional Public Comments from Jill Hill
40	9/1/20	Applicant	Request to close the record
41	9/9/20	CC Land Use	Hearing Examiner Decision
42	9/9/20	CC Land Use	Affidavit of Mailing - Exhibit 41

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