

Type III Land Division and Environmental Review Staff Report and Recommendation

Project Name: Felida SL Subdivision

Case Numbers: PLD-2020-00056; WHR-2020-00136

Location: Parcel 188972-000 located in the Northeast Quarter of Section 33, Township 3 North, Range 1 East of the Willamette Meridian

Request: Subdivide roughly 4.66 acres into 20 single family residential lots for detached homes in the R1-7.5 zoning district.

Contact: PLS Engineering
Travis Johnson, PE
604 W. Evergreen Blvd.
Vancouver, WA 98660
(360) 944-6519
travis@plsengineering.com

Applicant/Owner: Songbird Homes, Inc.
Nick Zodrow
10013 NE Hazel Dell Ave.
PMB #504
Vancouver, WA 98685
Contact: Zach Wisner
(360) 901-1024
nick@songbirdhomes.com

Recommendation

Approval, with conditions



Land Use Review Manager's Initials:

Date issued: August 26, 2020

Public Hearing date: September 10, 2020

Revised 12/5/2019



Community Development
1300 Franklin Street, Vancouver, Washington
Phone: 564.397.2375 Fax: 564.397-2011
www.clark.wa.gov/development



For an alternate format,
contact the Clark County
ADA Compliance Office.
Phone: 564.397.2322
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County Review Staff

Department/Program	Name	Ext.	Email Address
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Engineer	Michelle Dawson	4568	michelle.dawson@clark.wa.gov
Concurrency Engineer	David Jardin	4354	david.jardin@clark.wa.gov

Comp Plan Designation: UL

Applicable Law

Clark County Code: Title 15 (Fire), 40.100 (Definitions), 40.200 (General Provisions), 40.220.010 (Single-family Districts), 40.320 (Landscaping), 40.350 (Transportation), 40.350.020 (Transportation Concurrency), 40.370 (Sewer & Water), 40.386 (Storm Water & Erosion Control), 40.410 (Critical Aquifer Recharge Area); 40.430 (Geologic Hazard areas); 40.440 (Habitat); 40.450 (Wetland); 40.500 and 40.510 (Procedures), 40.540.040 (Subdivision), 40.550 (Road Modifications), 40.570 (SEPA), 40.570.080 (SEPA Archaeological), 40.610 (Impact Fees), Title 24 (Public Health), RCW 58.17, and the Clark County Comprehensive Plan

Neighborhood Association and Contact

Felida, **Contact** – Milada Allen (president)

Phone – 360.573.4030, **E-mail** – timberline713@gmail.com

Vesting

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report. Contingent vesting does not apply to stormwater standards.

A pre-application conference (PAC) on this matter was held on September 19, 2020. Therefore, the application is vested on the application Fully Complete submittal date of June 5, 2020. Vesting does not apply to stormwater standards. There are no known disputes regarding vesting.

Time Limits

The application was determined to be fully complete on June 16, 2020. The code requirement for issuing a decision within 92 days lapses on September 16, 2020.

Public Notice

Notice of application, public hearing, and likely SEPA determination was mailed to the applicant, Felida Neighborhood Association and the property owners within 300 feet of the site, and SEPA Agencies on August 7, 2020. The applicant posted one sign on the subject property on August 10, 2020.

Public Comments

Exhibit 19, Doris Fisher, dated August 19, 2020, has several concerns related to this application. 1) property lines off on the southern line. Has the property line changed? 2) Digging in the drainage easement area. How much digging will be done directly behind my fence? How deep? And how close? 3) Tree Removal. Who pays for repair to her property due to digging on the Songbird Side?

Exhibit 20, Carl Wilson, dated August 20, 2020, has concerns regarding the proposed entry point to the site, school bus location, mailbox location, and NW 110th Street Curb-area parking.

Exhibit 23, Julie Bohn, dated August 22, 2020, has concerns for the northeast corner of the site with the landslide hazard area, it will remove invaluable green space to diverse wildlife habitat, and they value the existing green space area.

Exhibit 24, Department of Ecology, dated August 24, 2020. Conditions have been placed within this report.

Exhibit 25, Michelle Lowry, dated August 24, 2020, has concerns on zoning change and possible negative impacts on home value and safety. Ms. Lowry also has concerns on surrounding streets that will be used for daily travel and can't handle pedestrians or cyclist as it stands with no sidewalks and lastly please consider roads, schools, first responders and storm and drainage issues.

Exhibit 26, Jeanine Hendricks, date August 24, 2020 has concerns on the increase in traffic.

Exhibit 27, James Hermerding, dated August 24, 2020 has concerns on the proposed stormwater, stormwater easement, and geo hazard risks.

Exhibits 28-48, (Kerry and Melissa Cummings, Matt and Heather Wiege, Oliver Hickman, Jennifer Phillips, Oleg and Nicole Timofeyev, Darrell Rhodes, Sharleen and Mike Rainville, Gerry and Amy Aadland, Michelle Lowry, Jennifer Mihaljcic, Claire and Clauis Nickleberry, Stephanie Bisch, Ryan and Diana Brouwer, Vincent Madhavan, Gretchen, Clair and Grant Hatton, Demra and Jeff Dage, Jonna Arledge, Dave and Michelle Oury, Allen Huang, and Margo Bryant, dated August 24, 2020 have the same concerns relating to density, additional traffic, safety, direct access off of NW 109th Street and speed bumps.

Staff:

Zoning, Geo Hazard, Stormwater, traffic and sidewalks issues will be addressed below.

Project Overview

The applicant is proposing to subdivide one existing parcel, zoned R1-7.5 at approximately 4.66 acres into twenty (20) lots for single family residential development. There is an existing dwelling on site and will remain on proposed lot 9, and an existing outbuilding that is proposed to be removed with this development. The site is located north of NW 109th Street and NW 11th Avenue. Access to the proposed development will be provided via county road NW 110th Street.

The County GIS systems identify the site as having steep slopes to the northeast portion of the site, priority habitat or species areas and classified wetlands. The site is served by Fire District #6, Clark Regional Wastewater for public sewer and Clark Public Utilities potable water service, and Vancouver Public Schools.

The following is a land use table of the site and surrounding properties:

Compass	Comp Plan	Zoning	Current Land Use
Site	UL	R1-7.5	Single-family residence
North	UL	R1-7.5	Single-family residence
East	UL	R1-7.5	Single-family residence
South	UL	R1-7.5	Single-family residence
West	UL	R1-7.5	Single-family residence

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts could be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposal not discussed below comply with the applicable code requirements.

Land Use

Finding 1 - Uses

Under Table 40.220.010-1, single-family detached dwellings are permitted in the R1-7.5 zone subject to this review.

Finding 2 - Lot Standards

The R1-7.5 zone requires an average minimum lot size of 7,500 square feet and an average maximum lot size of 10,500. The R1-7.5 zone also requires an average lot width of 50 feet and an average lot depth of 90 feet. The average lot size in the proposed plat is 8,116 square feet. In addition, all lots meet the average minimum lot width and depth requirements.

Finding 3 - Setbacks

The following minimum setbacks apply to the proposed lots (see CCC 40.220.010):

- Ten-foot front setback
- Eighteen-foot garage setback
- Ten-foot street side setback
- Five-foot side setback
- Ten-foot rear setback

Finding 4 - Existing Residential Structures

There is an existing dwelling with an approved adult family care facility that will remain on proposed lot 9. The existing outbuilding will be removed with the construction of the proposed subdivision. This outbuilding shall be removed prior to construction plan approval complying with Clark County Building Division, state/federal requirements. (See Condition A-12)

Finding 5 - Landscaping in Public Rights-of-Way

CCC40.320.020 applies to landscaping in public rights-of-way, and street trees and landscaping are required along the frontage on NW 109th Street. Trees with a mature height greater than twenty-five (25) feet shall not be sited under or adjacent to utility lines or overhead structures. Landscaping used shall not compromise sight distance requirements as defined in Section [40.350.030](#). Hard surface, including permeable pavement, may be allowed for a portion of the area to be landscaped per Table 40.350.015-1.

In order to ensure that the landscape has been installed in conformance with the approved landscape plan(s) the applicant shall provide verification in accordance with Section [40.320.030](#)(B). A copy of the approved landscape plan(s) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site. Any substituted plants shall be no smaller than those shown on the approved plan(s) and shall have similar characteristics in terms of height, drought tolerance and suitability for screening. (See Conditions A-13 and D-7)

Finding 6 - Fence Encroachment

The Clark County Surveyor's Office has identified a minor fence encroachment on the southeastern portion of the site. If the encroachment reduces the average minimum lot size below the standard if the property is lost; the applicant shall address the resolution prior to final plat. (See Condition D-5)

1. The applicant can give the property to the neighboring property owner(s);
2. Record a document signed by the neighboring property owner(s) stating that they realize there is an encroachment and that the fence was never erected as a boundary, and relocate the fence; or,
3. If the neighbor will not accept a quit claim and will not sign an agreement to relinquish any claim, the final plat may show the gross area (to the deed line) and show the net area (to the fence or other encroached area) with the provision that the net area will meet minimum lot size and dimensions in the event of loss of the disputed area. A plat alteration process could still be required if platted property is lost.

Finding 7 - State Platting Standards (RCW 58.17)

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

The site is located within the Vancouver School District. The applicant has provided a letter from the School District indicating that students will be bussed to all three schools from this development (see Tab 22 of application packet). Staff finds this satisfies safe walking conditions for students who only walk to school (see RCW 58.17.050)

Conclusion (Land Use)

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

Archaeology**Finding 8 - Archaeology**

The development site is located within a high probability area for archaeological resources, as designated on the Archaeological Predictive Model Map of the Clark County. The applicant submitted an archaeological pre-determination to the Washington State Department of Archaeology and Historic Preservation (DAHP) prior to submittal of the application that indicates no archaeological resources were affected and no further archaeological work is necessary at this time. DAHP received public notice and a copy of the SEPA checklist and has not provided comment.

A note on the final construction plans will be required that in the event that archaeological or historic materials are discovered during project activities, work in the immediate vicinity must stop and the area secured. The concerned tribe's cultural staff, cultural committee, and DAHP

shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines. (See Conditions A-10 and D-2.a)

Wetland and Habitat Review

Finding 1 - Staff Review

Staff visited the site on August 5th, 2020 and concurs with the Critical Areas Report prepared by Ecological Land Services dated February 28th, 2020. The site does not contain any wetlands. Staff additionally concur that there are no priority habitats located within the proposed development area. Therefore, no further wetland or habitat review is required.

Transportation Concurrency

Finding 1 - Trip Generation

Concurrency staff has reviewed the proposed Felida SL Subdivision traffic study dated February 2020 prepared by Charbonneau Engineering. The traffic study submitted indicates that the proposed development will divide 4.66 acres into 19 single family residential lots and one assisted living facility with 6 beds. The applicant's traffic study has estimated the total a.m. peak hour trip generation at 15, the p.m. peak-hour trip generation at 21 trips and an average daily trip generation (ADT) of 195 trips. The trip generation was estimated using the nationally accepted data published by the *Institute of Transportation Engineers 10th Edition*. The proposed development site is located at 1104 NW 109th Street in Vancouver.

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

Finding 2 - Site Access

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences an LOS A condition would expect little delay. A driver who experiences an LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences an LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The applicant's plan shows that access to the development site will come from an extension of NW 110th Street, a public local residential access road, from the western property line into the development. The applicant's plan shows that NW 110th Street will be private within the proposed development.

The applicant's plan shows the construction of an interior private road will serve as access for the dwelling units and the assisted living facility within the proposed development. The interior private road will be constructed as an Urban Private Road (Clark County Standard Drawing 15),

this private road network is identified on the submitted plans as NW 110th Street, NW 11th Place, and NW 11th Circle

The applicant's study evaluated the level of service and found that the site access onto the larger public road network, NW 109th Street/NW 13th Place, will have an estimated LOS A in the 2023 build-out horizon. The study also shows that the LOS was evaluated during the a.m. and p.m. peak hour traffic conditions in existing and build-out scenarios. County Staff concurs with the traffic study findings.

Finding 3 - Clark County Concurrency

The proposed development is required to meet the standards established in CCC 40.350.020(G) for corridors and intersections of regional significance within 1 mile of the proposed development.

Signalized Intersections

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

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

Unsignalized Intersections

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

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

Concurrency Corridors

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

Summary

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

SAFETY:

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

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

Mitigation for off-site safety deficiencies may only be a condition of approval on development in

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

Finding 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 engineer’s evaluation reported that turn lanes were not warranted at the public road intersections entering the proposed development. Staff concurs with the applicant’s findings.

Finding 5 - Historical Accident Situation

The applicant’s traffic study analyzed the crash history as obtained from Washington State Department of Transportation (WSDOT) for the period January 2014 through December 2018.

The intersection crash rates, for the study intersections do not exceed thresholds that would warrant additional analysis. The applicant’s study did not recommend any safety mitigations as a part of this development. Staff concurs with the applicant’s finding.

Finding 6 - Roadside Safety (Clear Zone) Evaluation

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

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

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

The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. (See Condition A-1.b)

Finding 7 - Vehicle Turning Movements

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

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. The plans will also need to show that all applicable design vehicles have the ability to enter and exit the 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 Condition A-1.c)

Finding 8 - Sight Distance

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

Conclusion (Concurrency)

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

Transportation

Finding 1 - Pedestrian/Bicycle Circulation

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act (ADA) are required for this development. Bike lanes are not required along the streets of the development.

The proposed plan includes 5-foot sidewalks along the internal private roads and frontage roads. The plan also includes a pedestrian access from the internal dead-end road, NW 11th Place, to the frontage improvements on NW 109th Street. (See Condition A-2.a & A-2.b)

Finding 2 - Road Circulation Plan

Cross-circulation is required by CCC 40.350.030(B)(2). The applicant has submitted a road modification to address cross-circulation. (See Finding 6)

Finding 3 - Roads

Road improvements and design are required to comply with CCC Table 40.350.

NW 109th Street

NW 109th Street is classified as an Urban Collector (C-2), half-width improvements include a half-width right-of-way of 30 feet, a paved roadway half-width of 19 feet, curb & gutter, and a 5-foot detached sidewalk per Clark County Standard Detail Drawing #6. The proposal includes half-width improvements in compliance with Drawing #6. (See Condition D-8)

NW 110th Street, NW 11th Place, & NW 11th Circle

NW 110th Street, NW 11th Place, & NW 11th Circle are proposed as Urban Private Roads with parking lane. The proposal includes a 30-foot to 40-foot Tract, a paved roadway width of 24 feet, curb & gutter, and a 5-foot sidewalk on one side per Clark County Standard Detail Drawing #16. (See Condition A-2.c and D-1.a)

Where frontage improvements are required, the county will perform pavement deflection testing to determine the adequacy of the existing pavement. Where remaining life of the pavement is less than 5 years, the developer shall construct the roadway to current standards to the centerline or 22 feet, whichever is less. If remaining life is greater than five (5) years, the road shall be cut back to a location where the structure is sound, and the widening constructed. However, in no case shall the reconstruction be less than 4 feet in width from the existing edge of pavement to the new edge of pavement or face of curb. The county may require reconstruction to the centerline or 22 feet, whichever is less, if the review authority determines the geometrics or other existing features are inadequate. (See Condition A-2.d)

It should be noted that Clark County GIS shows a 15-foot wide strip of right-of-way along the east property line of the development. However, this property is not right-of-way but is real property owned by Clark County.

Finding 4 - Sight Distance

The approval criteria for sight distances are found in CCC 40.350.030(B)(8). This section establishes minimum sight distances at intersections and driveways. Additional building setbacks may be required for corner lots in order to maintain adequate sight distance. The final engineering plans shall show sight distance triangles for driveways that are proposed to remain. 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 has submitted a traffic study prepared by Charbonneau Engineering LLC dated February 3rd, 2020. This traffic study has reported that the proposed access to this development at NW 12th Avenue/NW 110th Street meets the sight distance requirements.

Finding 5 - Access Management

The proposal includes an Urban Cul-de-sac at the end of NW 11th Circle, the proposal includes a 70-foot diameter paved bulb, rolled curb & gutter, and 5-foot thickened sidewalk per Clark County Standard Detail Drawing #23. A permanent cul-de-sac shall not be longer than 600 feet measured along the centerline from curb line of intersecting street, NW 12th Avenue, to the center of the bulb section. The applicant shall show the distance from the center of the bulb to the curb line of the intersecting street on the Final Engineering Plans. No parking will be allowed within the Cul-de-sac. (See Condition A-2.e)

The proposal includes an Urban Dead-end Hammerhead at the end of NW 110th Street, the proposal includes a paved roadway width of 24 feet, curb & gutter, and a 5-foot sidewalk per Clark County Standard Detail Drawing #28. No parking will be allowed within the hammerhead. (See Condition A-2.e)

Per the applicant's preliminary plat, Lots 9 & 13 will be served by a joint driveway. The shared driveway shall be located within a minimum of a 20-foot access easement. (See Condition D-1.c)

Finding 6 - Road Modifications

The applicant is requesting the following road modification:

Request relief from cross-circulation requirements – block length and block perimeter.

40.550.010(C)(2) Approval Criteria:

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

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

Applicant's Discussion

The applicant has submitted a technical road modification narrative [Exhibit 1, Tab 16] prepared by PLS Engineering dated May 5th, 2020 providing justification for the request.

Staff's Evaluation**Road Modification: Cross-Circulation.**

Per CCC 40.350.030(B)(2), the purpose of this section is to ensure adequate cross-circulation in a manner which allows subsequent developments to meet the County's block length and perimeter standards, and to provide a mechanism for integrating various streets into an efficient and safe transport network.

Lots abutting the site are either already developed or have access to the public road network. Additionally, the existence of environmental constraints east of the site makes the continuation of a through road impractical. Staff believes this meets approval criterion CCC 40.550.010(C)(2)(a). (See Condition A-2.f)

Road Modification Recommendations

Staff recommends **Approval**, subject to a condition identified above. The Development Engineering Division Manager has concurred with the staff's recommendations. [See Exhibit 21]

Conclusion (Transportation)

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

StormwaterFinding 6 - Applicability

The provisions of Clark County Code Chapter 40.386 shall apply to all new development, redevelopment, land disturbing activities and drainage projects consistent with the Stormwater Management Manual for Western Washington (SMMWW) and the Clark County Stormwater Manual (2015). The project adds more than 5,000 square feet of new impervious surface and therefore the applicant shall comply with Minimum Requirements 1 through 9. (See Condition A-4.a)

No new development shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. (See Condition A-4.b)

Finding 7 - Stormwater Proposal

The existing site improvements consist of a senior living home and a driveway, the majority of the site is lightly treed with large areas of lawn and landscape, the north east corner is forested and contains slopes of 15%. The site slopes form west to east, with the high point being in the middle of the west property line. Mapped soil types include Hillsboro Silt Loam (HoB), which have a hydrologic soil group classification of "B" and a Clark County WWHM Soil Group classification of "SG-3", Hillsboro Silt Loam (HoC), which have a hydrologic soil group classification of "B" and a Clark County WWHM Soil Group classification of "SG-3", and Hillsboro Silt Loam (HoE), which have a hydrologic soil group classification of "B" and a Clark County WWHM Soil Group classification of "SG-3". The applicant submitted a Geotechnical Report prepared by Earth Engineering; Inc dated January 8th, 2020. Groundwater was not encountered during the site explorations, and piezometers were installed to monitor groundwater. The piezometers did not encounter groundwater to a depth of 17 feet below ground surface from December 2018 through January 2020. Infiltration testing resulted in a coefficient of permeability of 65 and 32 inches per hour (iph). The report also discusses the presence of slopes exceeding 15%, see Geological Hazard Findings. (See Condition A-4.c, C-1 and C-2)

The applicant provided a Preliminary Technical Information Report prepared by PLS Engineering dated May 18, 2020. Proposed site improvements include 20 single family lots, with the existing senior living home to remain on Lot 9, internal private roads and frontage improvements. This will result in 2.58 acres of proposed new hard surface.

On-site Stormwater Management (MR#5) & Flow Control (MR #7) are proposed to be met by infiltration of 100% of the stormwater generated by all impervious surfaces. Infiltration Trenches (BMP R5.11) preceded by treatment will infiltrate all runoff from public and private street improvements and driveways. Shared roof infiltration trenches (BMP R5.11) will be located in rear yards as joint systems. The report states that coefficient of permeability of 16 iph and 33 iph after applying factor of safety of 2 to the tested rates were used to design infiltration trenches. (See Condition A-4.d)

Runoff Treatment (MR#6) will be met for all pollution generating surfaces by utilizing Contech StormFilter catch basins. Catch basins will collect and treat stormwater before discharging to infiltration trenches. The applicant shall provide documentation from the stormwater treatment manufacturer confirming that their facilities were cited and sized correctly for any proprietary devices. (See Condition A-4.e)

Wetlands Protection (MR#8) is not triggered as runoff from the project site will not directly or indirectly discharge to any downstream wetlands.

Conclusion (Stormwater)

Staff concludes that the proposed preliminary stormwater plan, subject to the conditions above, is feasible. Therefore, the requirements of the preliminary plan review criteria are (are not) satisfied.

Geologic Hazard Area**Finding 8 - Geological Hazard Applicability**

Clark County GIS indicates that portions of the site are located in a regulated geologic hazard area. All development activities in or adjacent (within 100 feet) to geologic hazard areas shall comply with the provisions of CCC 40.430.

Finding 9 - Geotechnical Assessment

The applicant provided a Geotechnical Report prepared by Earth Engineering; Inc. dated January 8th, 2020 to address the presence of slopes exceeding 15% on-site. The report found that the slopes that exceed 15% do not meet the criteria for a landslide hazard as defined in CCC 40.430. (See Condition A-6)

Conclusion (Geologic Hazard Area)

Based upon the development site characteristics, the proposed geotechnical plan, the requirements of the County's geologic hazard area ordinance, and the findings above, staff concludes that the proposed preliminary geotechnical engineering plans is feasible subject to conditions.

Fire Protection**Finding 1 - Building Construction**

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (See Condition G-3)

Finding 2 - Fire Flow

Fire flow in the amount of 1000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this application. Prior to final approval submit proof from the water purveyor indicating that the required fire flow is available at the site. (See Condition D-3.e) Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. A letter from Clark Public Utilities dated June 5, 2020 indicates there is 2,672 gpm available in the area. (See Condition D-3.a)

Finding 3 - Fire Hydrants

Fire hydrants are required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads. (See Conditions A11.a and D-3.b)

The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact Fire District # 6 at (360) 576-1195 to arrange for location approval. Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. Provide and maintain a three-foot clear space around the entirety of each fire hydrant. (See Conditions A-11.b, E-3.a and H-1.a)

Finding 4 - Fire Apparatus

Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access. Provide fire

apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, with an all-weather driving surface and capable of supporting the imposed loads of fire apparatus. (See Conditions A-11.c and H-1.b)

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

Finding 5 - Fire Sprinklers

Homes exceeding 3,600 square feet including attached garages will 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 Conditions A-11.d and E-3.b)

Finding 6 - Gates

No gate may be installed across a required fire department access road or driveway without first obtaining a permit from the fire marshal's office. Inspection and testing of the gate will be required. Split gates with a divided entry and exit side will need 15 feet on either side for a total gate width of 30 feet. (See Conditions A-11.e and D-3.c)

Finding 7 - Parking

Parking is prohibited on access roads that are less than twenty-four (24) feet wide. Roads that are less than twenty-four (24) feet wide shall be posted "NO PARKING-FIRE LANE". (See Conditions A-11.f and D-3.d)

Conclusion (Fire Protection)

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

Water and Sewer Service

Finding 1 - Water and Sewer Service

The site will be served by Clark Regional Waster Water for public sewer and Clark Public Utilities public water. Letters from both purveyors confirms that potable water and public sewer services are available to the site. Therefore, prior to final plat approval, documentation shall be provided from the water and sewer purveyor that all water and sewer connections have been installed and approved. (See Condition D-4)

Finding 2 - Health Department

Clark County Public Health currently documents an existing operational on-site sewage system. The existing system is located immediately north of the residence.

All on-site sewage systems located during development of this plat must be properly abandoned with documentation submitted to CCPH prior to final plat approval. (See Condition A-14)

Proper abandonment of the systems requires tank pumping by a licensed pumper, breaking in the tank lids, filling the cavities with compacted soil. Any cesspools, drywells or pump chambers discovered on the site must also be abandoned in this manner. The proposed development must connect to an approved public sewer system and the existing on-site sewage system must be property abandoned. A copy of the final acceptance letter from the sanitary sewer purveyor must be submitted with the Mylar (final plat). (See Condition D-4)

Impact Fees

Finding 1 - Impact Fees

All residential lots created by this plat will produce impacts on schools, parks, and traffic, and are subject to School (SIF), and Traffic Impact Fees (TIF) in accordance with CCC 40.610. The plat will be subject to an impact fee reduction due to the existing residence. The proposed lots will pay the following impact fees:

- Hazel Dell sub-area with a TIF of \$3,940.80 per dwelling
- Vancouver School District, with a SIF of \$2,880.75 per dwelling
- Park District 9, with a PIF of \$5,500.00 per dwelling

The amounts listed above are an estimate using the current impact fee rates and are subject to change. As found in CCC40.610.040, impact fees are calculated using the rates in effect at the time of building permit issuance. (See Conditions D-1.g, D-2.i and E-2)

SEPA Determination

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

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

The likely SEPA Determination of Non-Significance (DNS) in the Notice of Development Review Application issued on August 7, 2020 is hereby final.

SEPA Appeal Process

An appeal of this SEPA determination and any required mitigations, must be filed with the Department of Community Development within fourteen (14) calendar days from the date this notice. The hearing examiner shall hear appeals in a public hearing. Notice of the appeal hearing shall be mailed to parties of record but shall not be posted or published.

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

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

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

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

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

- Case number designated by the county
- Name of the applicant
- Name of each petitioner
- Signature of each petitioner or his or her duly authorized representative
- A statement showing the following:
 - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.020(H) or 40.510.030(H)
 - The reasons why the SEPA determination is in error
- The appeal fee

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

The decision of the Hearing Examiner is final unless:

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

Staff Contact Person: Melissa Curtis, 564.397.5870

Responsible Official: Dan Young, Community Development Director

Recommendation

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

Conditions of Approval

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

A-1 Final Transportation Plan/Off Site (Concurrency) – The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

- a. The applicant shall submit a signing and striping plan for review and approval. This plan shall show signing and striping and all related features for required frontage improvements and any off-site improvements, if necessary. The applicant shall obtain

a work order with Clark County to reimburse the County for required signing and striping.

- b. The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. (See Concurrency Finding 6)
- c. The applicant shall submit construction plans that show all applicable design vehicles have the ability 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 Concurrency Finding 7)

A-2 Final Transportation Plan/On-Site - The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

- a. The applicant shall show sidewalks and all curb ramps will be constructed in compliance with ADA Standards. (See Transportation Finding 1)
- b. A 10-foot non-exclusive access easement shall be provided for the pedestrian path between NW 109th Street and NW 11th Place. (See Transportation Finding 1)
- c. “No Parking” signs shall be placed on one side of all roads 24 feet in width. (See Transportation Finding 3)
- d. The result of pavement deflection testing performed by the county will be used to determine the adequacy of the existing pavement for NW 109th Street along the development’s frontage. (See Transportation Finding 3)
- e. “No Parking” signs shall be placed within the proposed Dead-End Hammerhead Turnaround and Urban Cul-de-sac (See Transportation Finding 5)
- f. Pedestrian circulation to NW 109th Street shall be provided and placed in a non-exclusive access easement. (See Transportation Finding 6)

A-3 Transportation:

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

A-4 Final Stormwater Plan - The applicant shall submit and obtain County approval of a final stormwater plan designed in conformance to CCC 40.386 and the following conditions of approval:

- a. The applicant shall submit final construction plan and a final Technical Information Report that addresses Minimum Requirements #1 through #9. (See Stormwater Finding 6)

- b. The applicant 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 6)
- c. The unfactored and design infiltration rates used to size any infiltration facility shall be identified on the final construction plans. (See Stormwater Finding 7)
- d. Stormwater easements shall be shown on all private/joint stormwater facilities not in the public right-of-way. (See Stormwater Finding 7)
- e. The applicant shall submit documentation from the stormwater treatment system manufacturer indicating that any proprietary stormwater treatment devices were cited and sized appropriately. (See Stormwater Finding 7)

A-5 Erosion Control Plan - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.386 and the following conditions of approval.

A-6 Geologic Hazard Area – The applicant shall submit and obtain County approval of a final geotechnical engineering plan designed in accordance with the following conditions of approval:

- a. The applicant shall adhere to the recommendations of the Geotechnical Report prepared by Earth Engineering, Inc dated January 8th, 2020, unless further studies present new or different facts. (See Geologic Hazard Area Finding 9)
- b. Retaining Wall: A building permit is required for retaining walls greater than 4 feet tall or when the wall is surcharged. All retaining walls shall be shown in sufficient detail on the engineering plans for staff to assess their impact on adjacent roads, structures, and public and private utilities.

A-7 Other Required Documents – The following documents shall be submitted with the Final Construction/Site Plan:

- a. Developer's Covenant: - A “Developer Covenant to Clark County” shall be submitted for recording that specifies the following Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. An access easement to the private facilities for the purpose of inspection shall be granted to the county. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement

action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.

- b. **Private Road Maintenance Covenant** - A private road 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 under 40.350.030(C)(4)(g).

A-8 Excavation and Grading - Excavation/grading shall be performed in compliance with CCC14.07.

A-9 Retaining Walls - A building permit is required for retaining walls greater than 4 feet tall or when the wall is surcharged. All retaining walls shall be shown in sufficient detail on the engineering plans for staff to assess their impact on adjacent roads, structures, and public and private utilities.

A-10 Archaeology - The following note shall be placed on the construction plans "Should archaeological materials (e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) be observed during project activities, all work in the immediate vicinity should stop and the State Department of Archaeology and Historic Preservation (360-586-3065), the County planning office, and the affected Tribe(s) should be contacted immediately. If any human remains are observed, all work should cease and the immediate area secured. Local law enforcement, the county medical examiner (360-397-8405), State Physical Anthropologist, Department of Archaeology and Historic Preservation (360-586-3534), the County planning office, and the affected Tribe(s) should be contacted immediately. Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) and human remains (RCW 68.50) is required. Failure to comply with this requirement could constitute a Class C Felony."

A-11 Fire Protection Requirements:

- a. Fire hydrants are required for this application. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads. (See Fire Protection Finding 3)
- b. Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact Fire District #6 at (360) 576-1195 to arrange for location approval. Provide and maintain a three-foot clear space completely around every fire hydrant. (See Fire Protection Finding 3)
- c. 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 Fire Protection Finding 4)

- d. Homes exceeding 3,600 square feet (excluding attached garages) will require additional fire protection features possibly including fire sprinkler systems. (See Fire Protection Finding 5)
- e. No gate may be installed across a required fire department access road or driveway without first obtaining a permit from the fire marshal's office. Inspection and testing of the gate will be required. Split gates with a divided entry and exit side will need 15 feet on either side for a total gate width of 30 feet. (See Fire Protection Finding 6)
- f. Parking is prohibited on access roads that are less than twenty-four (24) feet wide. Roads that are less than twenty-four (24) feet wide shall be posted "NO PARKING-FIRE LANE". (See Fire Protection Finding 7)

A-12 Land Use - All structures on the site shall be removed prior to construction plan approval complying with Clark County Building Division, state/federal requirements. (See Land Use Finding 4)

A-13 Final Landscape Plan - The applicant shall submit and obtain county approval of final landscape plan consistent with the approved preliminary landscape plan and conditions listed below (CCC 40.320). The landscape plan shall include landscaping within the public rights-of-way and on-site.

A-14 Health Department - All on-site sewage systems located during development of this plat must be properly abandoned with documentation submitted to CCPH prior to final plat approval. (See Water and Sewer Service Finding 2)

B	Prior to Construction of Development Review and Approval Authority: Development Inspection
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Prior to construction, the following conditions shall be met:

- B-1 Traffic Control Plan** – Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant’s Traffic Control Plan (TCP). The TCP shall govern work within or impacting the public transportation system.
- B-2 Pre-Construction Conference** - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County; and,
 - a. Prior to construction, demarcation of wetland and/or buffer boundaries shall be established prior to construction (i.e. sediment fence)
- B-3 Erosion Control** - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

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

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

- C-1 Stormwater** - In accordance with Book 2, Section 5.1.2, of the Clark County Stormwater Manual, if the tested coefficient of permeability determined at the time of construction is at least 95 percent of the uncorrected coefficient of permeability used to determine the design rate, construction may proceed. If the tested rate does not meet this requirement, the applicant shall submit a plan to the county that follows the requirements in Book 1, Section 1.8.5. This plan shall address steps to correct the problem, including additional testing and/or resizing of the facility to ensure that the system will meet the minimum requirements of the manual. (See Stormwater Finding 7)
- C-2 Stormwater** - During installation of the infiltration facilities, the applicant shall demonstrate that the seasonal high groundwater table is at least 5 feet below the designed elevation of the bottom of the infiltration trenches receiving water from pollution generating surfaces and 1-foot below the bottom of shared roof infiltration trenches. The system shall be redesigned if the required separation is not achieved. (See Stormwater Findings 7)

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

- D-1 Developer Covenant** - A "Developer Covenant to Clark County" shall be submitted for recording to include the following:
- a. Private Road Maintenance Covenant - A private road 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 under 40.350.030(C)(4)(g).
 - b. Private Roads: "Clark County has no responsibility to improve or maintain the private roads contained within or private roads providing access to the property described in this development. Any private access street shall remain a private street unless it is upgraded to public street standards at the expense of the developer or abutting lot owners to include hard surface paving and is accepted by the county for public ownership and maintenance."

- c. 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 under 40.350.030(C)(4)(g).
- d. 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."
- e. 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."
- f. Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. Final plats shall specify the party(s) responsible for long-term maintenance of stormwater facilities within the Developer Covenants to Clark County. 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.
- g. Impact Fees - "In accordance with CCC 40.610 impact fees for each dwelling in this subdivision shall be assessed for impacts on schools, parks and transportation facilities based for the following districts: Vancouver School District (SIF), Park District #9 (PIF), and hazel Dell Sub-area (TIF). As found in CCC40.610.040, impact fees are calculated using the rates in effect at the time of building permit issuance."

D-2 Plat Notes - The following notes shall be placed on the final plat:

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

- 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 six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."
- d. Driveways: "No direct access is allowed onto the following streets: NW 109th Street."
- e. Driveways: "All residential driveway approaches entering public roads are required to comply with CCC 40.350."
- f. Sight Distance: "All sight distance triangles shall be maintained."
- 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."
- h. Privately Owned Stormwater Facilities: "The following party(s) is responsible for long-term maintenance of the privately-owned stormwater facilities: _____."
- i. Impact Fees - "In accordance with CCC 40.610 impact fees for each dwelling in this subdivision shall be assessed for impacts on schools, parks and transportation facilities based for the following districts: Vancouver School District (SIF), Park District #9 (PIF), and hazel Dell Sub-area (TIF). As found in CCC40.610.040, impact fees are calculated using the rates in effect at the time of building permit issuance."

D-3 Fire Protection:

- a. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational. (See Fire Protection Finding 2)
- b. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads. (See Fire Protection Finding 3)
- c. No gate may be installed across a required fire department access road or driveway without first obtaining a permit from the fire marshal's office. Inspection and testing of the gate will be required. Split gates with a divided entry and exit side will need 15 feet on either side for a total gate width of 30 feet. (See Fire Protection Finding 6)
- d. Parking is prohibited on access roads that are less than twenty-four (24) feet wide. Roads that are less than twenty-four (24) feet wide shall be posted "NO PARKING-FIRE LANE". (See Fire Protection Finding 7)

- e. Prior to final approval submit proof from the water purveyor indicating that the required fire flow is available at the site. (See Fire Protection Finding 2)
- D-4 Water and Sewer** - The applicant shall provide documentation from the water and sewer purveyor that all water and sewer connections have been installed and approved. (See Water and Sewer Service Finding 1)
- D-5 Fence Encroachment**-The Clark County Surveyor’s Office has identified a fence encroachment on the southeastern portion of the site. The applicant shall address the encroachments as outlined in finding 6 or a method acceptable to the Clark County Prosecuting Attorney’s Office. (See Land Use Finding 6)
- D-6 Addressing** - At the time of final plat, existing residence(s) that will remain may be subject to an address change. Addressing will be determined based on point of access.
- D-7 Verification of Landscape Installation** - The applicant shall provide verification in accordance with CCC 40.320.030(B) that the required landscape has been installed in accordance with the approved landscape plan. Note: Verification of required right-of-way landscape is listed under “Provisional Acceptance” above (See Condition A-13).
- D-8 Right-Of-Way Dedication** – The required right-of-way along all roadways fronting the development must be conveyed to the county with the final plat. (See Transportation Finding 3)

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

E-1 Engineering Requirements:

- a. Excavation and Grading: Excavation/grading shall be performed in compliance with CCC 14.07.
- b. 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.

E-2 Impact Fees - Impact fees shall be assessed for impacts on schools, parks and transportation facilities based for the following districts: Vancouver School District (SIF), Park District #9 (PIF) and Hazel Dell Sub-area (TIF) (see Impact Finding 1). As found in CCC40.610.040, impact fees are calculated using the rates in effect at the time of building permit issuance.”

E-3 Fire Protection:

- a. Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection prior to combustible building construction. (See Fire Protection Finding 3)
- b. Homes exceeding 3,600 square feet (including attached garages) will require additional fire protection features possibly including fire sprinkler systems. (See Fire Protection Finding 5)

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

F-1 None

G	Development Review Timelines & Advisory Information Review and Approval Authority: Advisory to Applicant
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G-1 Land Division - Within seven (7) years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

G-2 Department of Ecology Permit for Construction Stormwater - A permit from the Department of Ecology (DOE) is required for any land disturbing activities such as clearing, grading, excavating, stockpiling of fill material, and/or demolition that:

- Disturbs one or more acres of land.; **OR**
- Are part of a common plan of development or sale that will ultimately disturb one or more acres of land. A common plan of development or sale is an area where multiple, separate, and distinct construction activities may be taking place on different schedules under one plan. In a common plan of development, the disturbed area of the entire plan is used to determine if a permit is required.; **AND**
- Discharge stormwater from the site into surface water(s) of the state or into storm drainage systems, including ditches, which discharge to state surface waters. Surface waters of the state: Include wetlands, ditches, rivers, unnamed creeks, rivers, lakes, estuaries, and saltwater.

The applicant shall Contact the DOE for further information.
<https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Stormwater-general-permits/Construction-stormwater-permit>

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

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

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

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

Hearing Examiner Decision and Appeal Process

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

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

Motion for Reconsideration

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

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

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

- The decision is contrary to law.

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

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

Appeal Rights

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

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

Attachments

- Copy of Proposed Preliminary Plan

Felida SL Subdivision

Located in the NE 1/4 of Section 33, Township 3N, Range 1E, W.M.,
Clark County, Washington



Scale 1" = 30'

EXISTING LINETYPE & SYMBOL LEGEND

LINETYPES		SYMBOLS	
---	SEWER LINE	○	WATER VALVE
---	OVERHEAD POWER LINE	○	WATER MAIN
---	WATER LINE LOCATE	○	STORM MANHOLE
---	UNDERGROUND PIPE	○	CURB INLET
---	TELECOMMUNICATION	○	FIRE HYDRANT
---	UNDERGROUND ELECTRIC	○	WATER VALVE
---	FENCE	○	SAW SEWER/SM
---	CENTERLINE	○	UTILITY POLE
---	EDGE OF PAVEMENT	○	EXTD WELL
---	CURB LINE	○	TEL PERESTAL
---	SEWER MANHOLE	○	CUT WIRE
---	SEWER MANHOLE	○	MAILBOX
---	PAVEMENT STRIPING	○	EXTD TREES
---	LOFT LINE	○	
---	PROPERTY LINE	○	
---	CONTOUR LINE	○	

APPLICANT/OWNER:
Sorghfield Holdings LLC
Miss. Zofrow
10015 NE Hazel Dell Ave.,
Vancouver, WA 98685
Ph: (360) 801-1024
nls@sorghfield.com

PROJECT CONTACT:
PLS Engineering
Trevie G. Johnson, PE
304 W. Stewart Blvd
Vancouver, WA 98661
Ph: (360) 944-6519
Fax: (360) 944-6539
trve@plsengineering.com

HORIZONTAL DATUM:
NAD 83 (2011)
Washington State Plane Coordinates System
South Zone, US Survey Foot, based on real time kinematic
corrections from the Washington State reference network

BENCHMARK:
Clark County Benchmark ID: 132
Benchmark Name: Hazel-25
Elevation: 103.59 Clark County datum

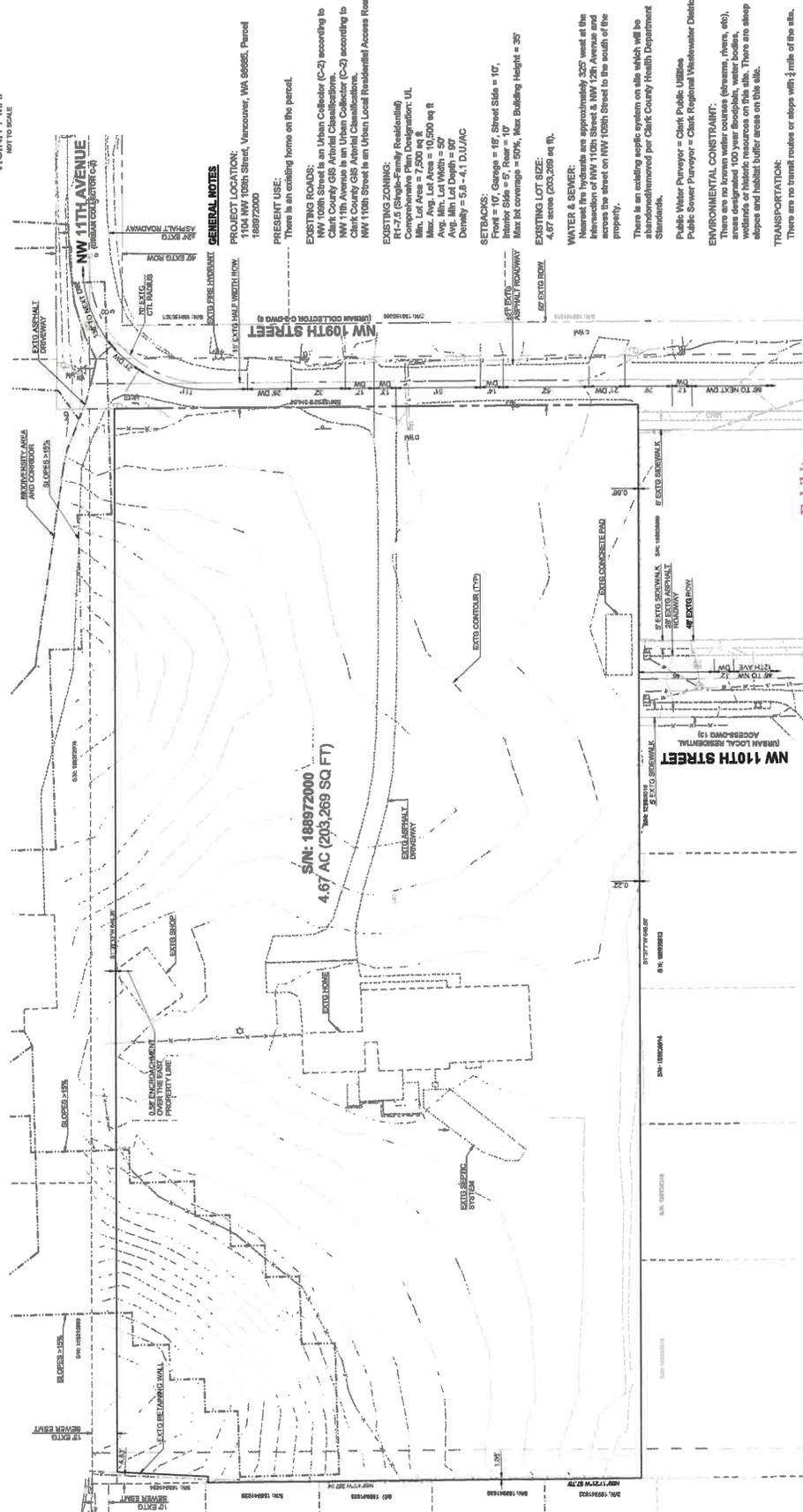
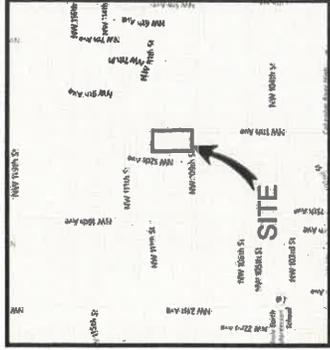


Exhibit 11

There is an existing home on the parcel.
 There are no known water courses (streams, rivers, etc),
 streams designated 100 year floodplain, water bodies,
 wetlands or historic resources on this site. There are steep
 slopes and habitat buffer areas on this site.
 TRANSPORTATION:
 There are no transit routes or stops within 1/4 mile of the site.
 Boundary data shown on the plan was prepared by PLS
 Engineering.

Felida SL Subdivision

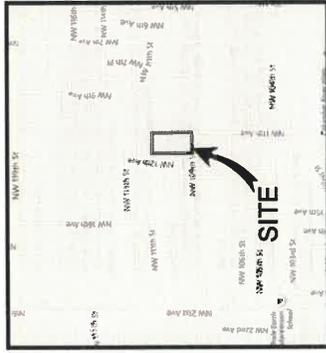
Located in the NE 1/4 of Section 33, Township 3N, Range 1E, W.M.,
Clark County, Washington



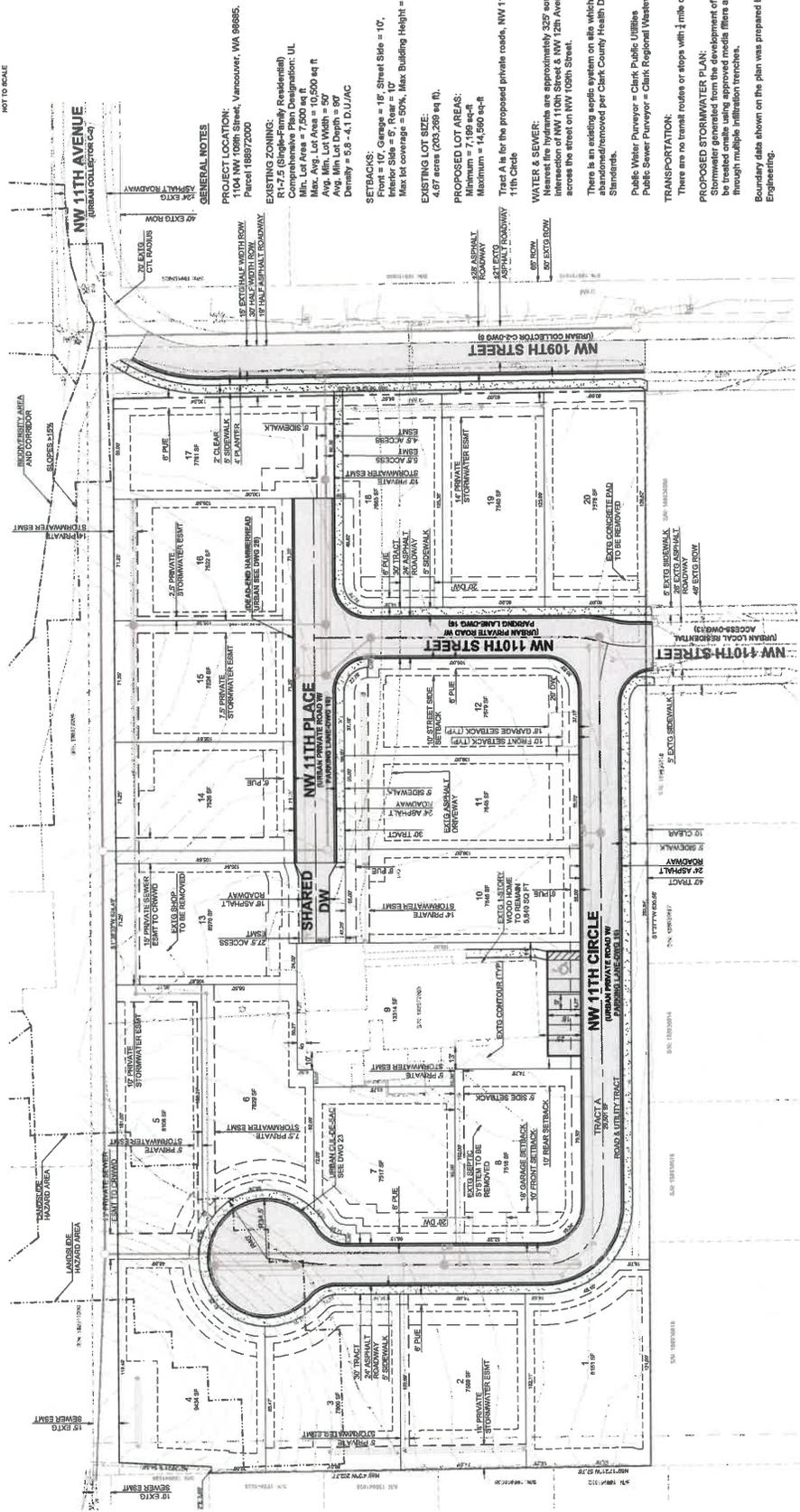
Scale 1" = 30'
0 15 30

PROJECT CONTACT:
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PMB 504
Hazel Dell, VA 22665
PH: (303) 544-6539
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travis@plsengineering.com

APPLICATION OWNER:
Socoh Holdings LLC
Nick Zadow
10015 NE Hazel Dell Ave.,
PMB 504
Hazel Dell, VA 22665
PH: (303) 544-6539
FAX: (303) 544-6538
nick@socohholdings.com



VICINITY MAP
NOT TO SCALE



GENERAL NOTES

PROJECT LOCATION:
NW 11th Street, Varnover, VA 22685.
Parcel 18897200

EXISTING ZONING:
R-2.5 (Single Family Residential)
County Department: UL
Min. Lot Area = 7,500 sq ft
Max. Avg. Lot Area = 10,500 sq ft
Avg. Min. Lot Width = 50'
Density = 5.8 - 4.1 D.U./AC

SETBACKS:
Overall = 15' Street Side = 10',
Front Side = 5', Rear = 10'
Max lot coverage = 50%, Max Building Height = 35'

EXISTING LOT SEES:
4.51 acres (20,258 sq ft).

PROPOSED LOT AREAS:
Minimum = 7,199 sq ft
Maximum = 14,300 sq ft
Tract A is for the proposed private roads, NW 110th St & NW 11th Circle

WATER & SEWER:
Nearest fire hydrants are approximately 325' south at the intersection of NW 110th Street & NW 12th Avenue and across the street on NW 109th Street.

There is an existing septic system on site which will be abandoned/removed per Clark County Health Department Standards.

Public Water Purveyor = Clark Public Utilities
Public Sewer Purveyor = Clark Regional Wastewater District

TRANSPORTATION:
There are no turnoff routes or stops within 1 mile of the site.

PROPOSED STORMWATER PLAN:
Stormwater generated from the development of this site will be collected in catchment basins and infiltrated through multiple infiltration trenches.

Boundary data shown on the plan was prepared by PLS Engineering.

NO.	DATE	BY	DESCRIPTION
1	06/03/2020	PLS Engineering	Final
2			
3			

Project No. 2019	SCALE: 1" = 30'	DATE: 06/03/2020
DESIGNED BY: JMM	DRAWN BY: JMM	CHECKED BY: JMM
APPROVED BY: JMM	DATE: 06/03/2020	PROJECT: FELIDA SL SUBDIVISION

Felida SL Subdivision

A Subdivision in Clark County, VA

