

Type III Development and Environmental Review Staff Report and Recommendation

Project Name:	OALC Lewisville Cemetery
Case Number(s):	PSR-2020-00097
Request:	The applicant proposes to plat 3,281 cemetery plots, make revisions to the existing parking lot, and construct a new stormwater pond.
Address:	32320 NE Lewisville Highway
Parcel number(s):	221537-000
Applicant:	Old Apostolic Lutheran Church (OALC) Dave Halme, contact PO Box 1510 Battle Ground, WA 98604 360.607.5595 dave@hficonsultants.com
Owner:	Same as applicant
Contact Person:	AKS Engineering & Forestry Seth Halling, contact 9600 NE 126 th Avenue, Suite 2520 Vancouver, WWA 98682 360.882.0419 sethh@aks-eng.com
Staff contact:	Amy Wooten, Planner III 564.397.5683 amy.wooten@clark.wa.gov

Recommendation

Approved subject to Conditions

Land Use Review manager's initials:

Date issued: August 26, 2020

Revised 8/26/2020



Community Development
1300 Franklin Street, Vancouver, Washington
Phone: 564.397.2375 Fax: 360.397.2011
www.clark.wa.gov/development



For an alternate format,
contact the Clark County
ADA Compliance Office.
Phone: 564.397.2322
Relay: 711 or 800.833.6384
E-mail: ADA@clark.wa.gov

Public Hearing date: September 10, 2020

County Review Staff

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Concurrency Engineer	David Jardin	564.397.4354	david.jardin@clark.wa.gov

Comp Plan Designation: R-5

Applicable Laws

Clark County Code: Title 15 (Fire Prevention), Chapter 40.200 (General Provisions), Section 40.210.020 (Rural Residential Zoning District), Chapter 40.320 (Landscaping), Chapter 40.340 (Parking & Loading), Chapter 40.350 (Transportation & Circulation), Section 40.350.020 (Transportation Concurrency), Chapter 40.370 (Sewer & Water), Chapter 40.386 (Storm Water & Erosion Control), Chapter 40.440 (Habitat Conservation), Chapter 40.450 (Wetland Protection), Chapters 40.500 and 40.510 (Procedures), Section 40.520.030 (Conditional Use Permits), Section 40.520.040 (Site Plan Review), Chapter 40.540 (Boundary Line Adjustments & Land Divisions), Chapter 40.570 (SEPA), Section 40.570.080 (SEPA Archaeological), Title 24 (Public Health), RCW 58.17, RCW 68.20.

Neighborhood Association/Contact:

Neighborhood Associations Council of Clark County
Stephan Abramson, Chair
abramson@lifescipartners.net

Vesting

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier

contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report. Contingent vesting does not apply to stormwater or concurrency standards.

A pre-application conference on this matter was held on August 8, 2019. The pre-application was determined contingently vested as of June 17, 2019, the date the fully complete pre-application was submitted, if a fully complete application for a substantially similar project was received by February 11, 2020.

The fully complete application was submitted on May 29, 2020 and determined to be fully complete on June 19, 2020. Given these facts, the application is vested on May 29, 2020. This vesting does not apply to stormwater standards.

There are no disputes regarding vesting.

Time Limits

The application was determined to be fully complete on June 19, 2020. Therefore, the code requirement for issuing a decision within 92 days lapses on September 19, 2020. The state requirement for issuing a decision within 120 calendar days, lapses on October 17, 2020.

Public Notice

Notice of application and public hearing was mailed to the applicant, the Neighborhood Associations Council of Clark County and property owners within 500 feet of the site on August 5, 2020. One sign was posted on the subject property on August 7, 2020.

(Note: This site is not located within the boundaries of a recognized neighborhood association.)

Public Comments

Comment letters were received from two neighbors: Donovan Nigg Jr. who resides at 14202 NE 326th Street; and, Dorothy Clawson who resides at 14205 NE 326th Street.

Mr. Nigg shared concerns about the effects of the development on local water sources, effects on local wetlands and a seasonal creek that crosses the northwest corner of the subject property, an increase in traffic on the Lewisville Highway and the occurrence of vehicle accidents at the Churches existing entrance. Ms. Clawson's primary concern related to the accuracy of the applicant's survey as it related to their shared property line.

Staff response: The subject application was reviewed by the county's development engineering, concurrency engineering and biologist staff all of whom have recommended approval or conditional approval of the development. See findings below for additional information. Shared property corners are established on the short plat recorded as Bk 3 Page 891.

Project Overview

The applicant is proposing to the addition of 3,281 cemetery plots on the existing Lewisville Old Apostolic Lutheran church campus. Improvements include a new stormwater facility, and the reconfiguration of the parking lot that will ultimately result in a net reduction of 98 parking spaces. All existing church facilities will remain in use.

County GIS systems identify the site as having habitat and wetlands, and is served by Clark County Fire, Clark Public Utilities, private on-site septic systems.

Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	R-5	R-5	OALC Lewisville Church
North	R-5	R-5	Single family residences
East	R-5	R-5	Single family residences
South	R-5	R-5	Single family residences
West	R-5	R-5	Single family residences

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.

Finding 1 - Uses

According to Table 40.210.020-1, cemeteries are permitted by Conditional Use Permit in the R-5 zone.

Finding 2 – Conditional Use Permits

In order to make a recommendation for approval of the proposed CUP, staff must find that the establishment, maintenance or operation of the use applied for will not be significantly detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to the property and

improvements in the neighborhood or to the general welfare of the county; and, does so through the imposition of additional conditions. These additional conditions include:

- a. Increasing the required lot size or setback dimensions;
- b. Increasing street widths;
- c. Controlling the location and number of vehicular access points to the property;
- d. Increasing the number of off-street parking or loading spaces required;
- e. Limiting the number of signs;
- f. Limiting the lot coverage or height of buildings because of obstructions to view and reduction of light and air to adjacent property;
- g. Limiting building area and intensity of the use;
- h. Limiting or prohibiting openings in sides of buildings or structures or requiring screening and landscaping where necessary to reduce noise and glare and maintain the property in a character in keeping with the surrounding area;
- i. Establishing hours of operation;
- j. Establishing maintenance standards; and
- k. Establishing standards under which any future enlargement or alteration of the use shall be reviewed by the county and new conditions imposed.

The project will not obstruct any views or cast light or glare onto neighboring properties, does not proposed any new signage, and any impacts from additional traffic or new impervious surfaces are addressed through the application of the county’s development standards.

Finding 2 - Setbacks

Setbacks to structures are put forth in Table 40.210.020-3, as follows:

R-5 Zone Setbacks, Lot Coverage and Building Height Standards					
Minimum Setbacks (feet)				Maximum Lot Coverage	Maximum Building Height
Front	Side		Rear		
	Street	Interior			
50	25	20/50	20/50	50%	50 feet

There are no new structures proposed with this application. Therefore, no new setback conditions are warranted.

Finding 3 - Landscaping

Pursuant to Table 40.320.010-1, landscape buffers are not required for this project. The applicant has provided a landscape plan that indicates buffers along the northerly and westerly site boundaries. The buffers will contain Arborvitae evergreen and Greenspire Littleleaf Linden deciduous trees. Landscaping shall be provided as proposed. (See Conditions A-1 & C-1)

Finding 4 - Parking

The applicant proposes the reconfiguration of the existing parking lot, which will result in the phased reduction of 98paces (See “Parking Statistics” on Sheet P3.0).

In accordance with Table 40.340.010-4(3), churches are required to provide one (1) space for every four (4) seats provided in the main auditorium. Based on historical records, the main auditorium can accommodate up to 2,000 parishioners, requiring 500 parking spaces. The applicant's site plan indicates a total of 638 on-site parking spaces, which meets this numerical standard.

A parking lot that provides between 501 and 1,000 parking spaces is required to provide a minimum of 2% of the total parking provided. For this development, 13 ADA spaces are required. The applicant's plan does not propose any new ADA spaces, however, the 16 ADA spaces approved with the original development will remain. This standard is met.

Pursuant to Section 40.340.010(A)(11), required parking and loading spaces and associated access and maneuvering drives shall be maintained in good repair at all times. (*See Condition H-2*)

Finding 5 – Platting

Pursuant to Section 40.540.020(B)(4), cemeteries and burial plots are exempt from platting.

Conclusion (Land Use)

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

Archaeology

Finding 1 - Applicability

The development site is located within a moderate-high to high probability area for the discovery of archaeological resources, as designated on the Archaeological Predictive Model Map of the Clark County. Therefore, an Archaeological Predetermination is required.

Finding 2 - Pre-determination

The Department of Archaeology confirmed receipt of an archaeological pre-determination to on January 13, 2020. The DAHP was mailed the public notice and a copy of the SEPA checklist and has not provided comment. A note on the final construction plans will require that if resources are discovered during construction, work shall stop and DAHP and the county will be contacted. A note on the final plans will require that if resources are discovered during construction, work shall stop and DAHP and the county will be contacted. (*See Condition A-2*)

Habitat & Wetlands

Finding 1 - Applicability

There are no wetland or habitat issues with the proposed development. Staff completed a site visit for wetland and habitat determination (WHR-2019-00202) and concurs with the wetland and habitat report (Exhibit 25) submitted by Ecological Land Services. The area meets the description of a pre-developed area and is not a functional buffer area. No wetland permitting is required for the proposed development.

Conclusion (Habitat & Wetlands)

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

TransportationFinding 1 - Proposal

The applicant is proposing a multi-phased plan to develop a cemetery and new parking associated with an existing church.

Finding 2 - Roads/Frontage Improvements

SR 503, NE Lewisville Highway, is under the jurisdiction of the Washington Department of Transportation. The applicant shall provide written approval of the plan from WSDOT as it relates to the frontage of SR 503 and access to SR 503. *(See Condition A-3.a)*

Finding 3 - Access and Internal Circulation

New and replaced parking areas are proposed. The applicant shall submit diagrams of sufficient on-site turning movement opportunities for prevalent vehicles. *(See Condition A-3.b)*

Finding 4 - Sight Distance

Sight distance analysis, dated May 28, 2020, indicates that sight distance of greater than 600 feet can be achieved at the proposed driveway approach both to the north and south along SR-503.

Finding 5 - Transportation Phasing

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

Conclusion (Transportation)

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

Transportation ConcurrencyFinding 1 – Trip Accounting

This proposed development is not expected to generate more than 10 new peak hour trips; therefore, Concurrency has no further comments. The proposed development site is located at 32320 NE Lewisville Highway in Battle Ground.

Conclusion (Concurrency)

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

StormwaterFinding 1 - Stormwater Applicability

The provisions of Clark County Code Chapter 40.386 shall apply to all new development, redevelopment, and drainage projects consistent with the 2015 Clark County Stormwater Manual. Since the applicant proposes more than 5,000 square feet of impervious surface, quantity and quality control for the runoff generated shall comply with minimum requirements 1 through 9 per the manual.

Finding 2 - Stormwater Proposal

The applicant provided a stormwater technical information report dated May 27, 2020 which proposes to comply with On-site Stormwater Management (MR#5), Runoff Treatment (MR#6), and Flow Control (MR#7) standards. The applicant proposes to meet the requirements of the LID Performance Standard of the 2015 Clark County Stormwater Manual. The applicant has proposed private facilities consisting of PerkFilters (Old Castle), bioswales, and a detention facility. Fish bearing streams are located downstream, therefore, enhanced treatment is required. *(See Stormwater Conditions A-4.a, A-4.b, & A-4.c)*

The plan proposes to utilize existing bioswales on the site while modifying one of the existing bioswales. All bioswales shall adhere to the design criteria of BMP T9.10 of Chapter 4 of Book 2 of the 2015 Clark County Stormwater Manual. *(See Condition A-4.d)*

Detention facilities shall comply with the design criteria of Chapter 6 of Book 2 of the Clark County Stormwater Manual. Additionally, an offsite analysis shall be performed. *(See Conditions A-4.e & A-4.f)*

Finding 3 - Stormwater Phasing

The applicant is responsible for providing all necessary stormwater improvements required for each individual phase. The required stormwater improvements for each proposed phase will be reviewed during final engineering review. *(See Condition A-4.g)*

Conclusion (Stormwater)

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

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.

Finding 2 - Fire Flow

Fire flow in the amount of 1500 gallons per minute supplied for 120 minutes duration is required for this application. Prior to obtaining building permits, submit proof from the water purveyor indicating that the required fire flow is available at the site. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to the commencement of combustible building construction. *(See Conditions A-9.a, C-2.a, & C-2.b)*

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 300 feet and such that no portion of the building exterior is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads. *(See Condition A-9.b)*

The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact Clark County Fire & Rescue at (360) 887-4609 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-9.c, A-9.d, & H-3)

Finding 4 - Fire Apparatus Access

Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access. Provide fire apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, with an all-weather driving surface and capable of supporting the imposed loads of fire apparatus.

Approved fire apparatus turnarounds are required for this project. The indicated provisions for turning around fire apparatus are adequate. (See condition A-9b)

Conclusion (Fire Protection)

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

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 5, 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: Amy Wooten, 564.397.5683

Responsible Official: Dan Young, Community Development Director

Recommendation

Based upon the proposed plan known as Exhibit 13, and the findings and conclusions stated above, staff recommends the Hearing Examiner **APPROVES** this request, subject to the understanding that the application is required to adhere to all applicable codes and laws, and is subject to the following conditions of approval.

Conditions of Approval

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

- A-1 Final Landscape Plan** - A landscape plan shall be included with the civil plans for final approval. *(See Land Use Finding 3)*
- A-2 Final Site Plan** - The applicant shall submit and obtain county approval of a final construction plan with the following note (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 shall be notified. Failure to comply with these state requirements may constitute a Class C Felony, subject to imprisonment and/or fines."
- A-3 Final Transportation Plan/On-Site** - The applicant shall obtain county approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:
- a. The applicant shall provide written approval of the plan from WSDOT as it relates to the frontage of SR 503 and access to SR 503. *(See Transportation Finding 2)*
 - b. The applicant shall submit diagrams of sufficient on-site turning movement opportunities for prevalent vehicles. *(See Transportation Finding #3)*
 - c. The applicant is responsible for providing all necessary transportation improvements required for each individual phase. *(See Transportation Finding 5)*
- A-4 Final Stormwater Plan** - The applicant shall obtain county approval of a final stormwater plan designed in conformance to CCC 40.386 and the following conditions of approval:
- a. The applicant proposes to meet the requirements of the LID Performance Standard of the 2015 Clark County Stormwater Manual. *(See Stormwater Finding 2)*
 - b. The applicant shall submit documentation from the stormwater treatment system manufacturer indicating that the stormwater treatment devices were sited and sized appropriately. *(See Stormwater Finding 2)*
 - c. Fish bearing streams are located downstream, therefore, enhanced treatment is required. *(See Stormwater Finding 2)*
 - d. All bioswales shall adhere to the design criteria of BMP T9.10 of Chapter 4 of Book 2 of the 2015 Clark County Stormwater Manual. *(See Stormwater Finding 2)*
 - e. Detention facilities shall comply with the design criteria of Chapter 6 of Book 2 of the Clark County Stormwater Manual. *(See Stormwater Finding 2)*
 - f. An offsite analysis shall be performed as a result of the detention proposal. *(See Stormwater Finding 2)*

- g. The applicant is responsible for providing all necessary stormwater improvements required for each individual phase. (*See Stormwater Finding 2*)
- 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.
- A-6 Excavation and Grading** - Excavation/grading shall be performed in compliance with CCC14.07.
- 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.
- A-8 Public Health Review** - Submittal of a *Public Health Evaluation Letter* is required as part of the Final Construction Plan Review or early grading application. If the evaluation letter specifies that certain actions are required, the evaluation letter will specify the timing of when those activities must be completed, such as prior to Final Construction Plan Review, construction, Provisional Acceptance, Final Plat Review, building permit issuance, or occupancy, and approved by Public Health.
- A-9 Fire Marshal Requirements** -
- a. Fire Flow in the amount of 1500 gallons per minute supplied for 120 minutes duration is required for this application. Plans showing location of waterlines shall be submitted for review and approval at time of final construction plan. (*See Fire Protection Finding 2*)
- b. Fire hydrants are required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no portion of the building exterior is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads. (*See Fire Protection Finding 3*)

- c. The fire district chief shall sign the engineering construction mylar indicating fire hydrant location has been reviewed and approved. Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. *(See Fire Protection Finding 3)*
- d. Plans showing a 3-foot clear space around the circumference of all fire hydrants shall be submitted for review and approval. *(See Fire Protection Finding 3)*

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

- B-1 Pre-Construction Conference** - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the county; and,
 - a. Prior to construction, demarcation of existing septic and water well systems, and underground tanks shall be established.
- B-2 Erosion Control** - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.
- B-3 Erosion Control** - Erosion control facilities shall **not** be removed without County approval.

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

- C-1 Verification of the Installation of Required Landscape** - Prior to the issuance of an approval of occupancy for a site plan, the applicant shall provide verification in accordance with CCC 40.320.030(B) that the required landscaping has been installed in accordance with the approved landscape plan. *(See Land Use Finding 3)*
- C-2 Fire Marshal Requirements** -
 - a. The applicant shall demonstrate that water mains supplying fire flow have been installed, approved and operational prior to the commencement of combustible building construction. *(See Fire Protection Finding 2)*
 - b. The applicant shall submit a current utility review letter from the water purveyor indicating required fire flow is available at the site. *(See Fire Protection Finding 2)*

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

D-1 None

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 None

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

F-1 None

G	Development Review Timelines & Advisory Information Review and Approval Authority: None - Advisory to Applicant
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G-1 Site Plans and other land use approvals - Within five (5) years of preliminary plan approval, a Fully Complete application for a building permit shall be submitted.

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

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

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

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

- G-4 Building Elevation Approvals** - Approval of building elevations submitted for preliminary plan review does not ensure compliance with other requirements (such as building setbacks) under other construction codes. Compliance with other construction codes is the responsibility of the applicant at the time of building permit issuance.

H	Post Development Requirements Review and Approval Authority: As specified below
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- H-1 Outdoor Lighting** - Exterior lighting shall be located, shielded, and directed to prevent significant off-site glare, in accordance with CCC 40.340.010(A)(7) and RCW 47.36.180.
- H-2 Parking Lot Maintenance** - Pursuant to Section 40.340.010(A)(11), required parking and loading spaces and associated access and maneuvering drives shall be maintained in good repair at all times. *(See Land Use Finding 4)*
- H-3 Fire Protection** - A 3-foot clear space shall be maintained around the circumference of all fire hydrants. *(See Fire Protection Finding 3)*

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.
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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.

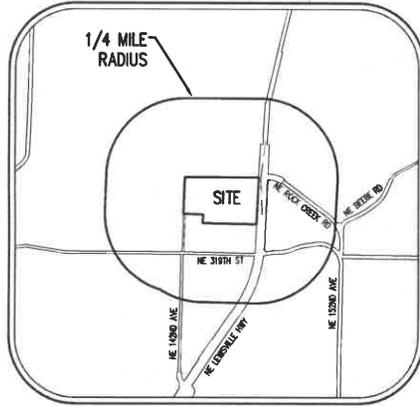
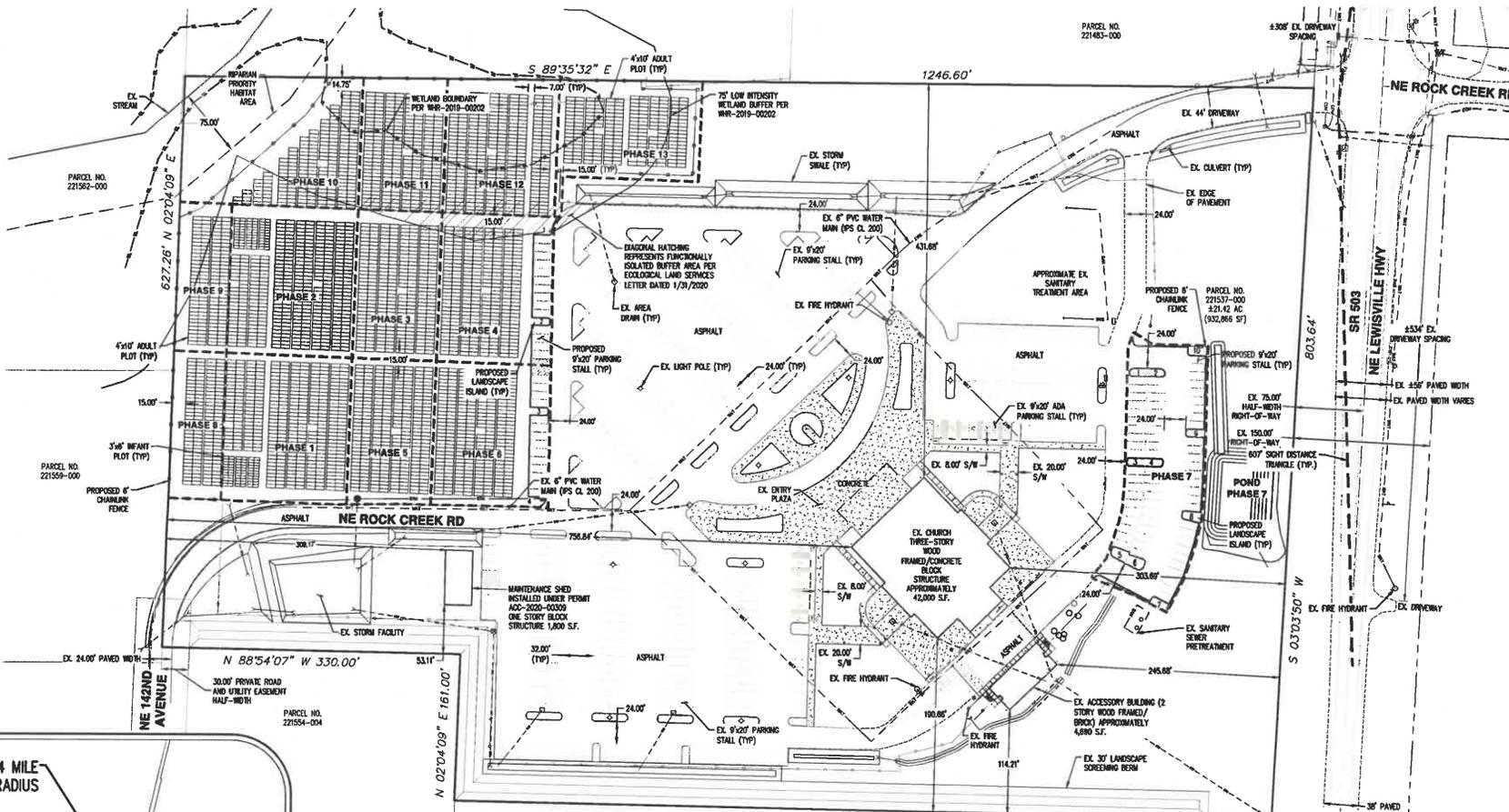
Appeal Rights

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

- Proposed Preliminary Plan



VICINITY MAP
 N.T.S.

STATISTICS PLOTS

PHASE 1 ADULT PLOTS	376
PHASE 1 INFANT PLOTS	68
PHASE 2 ADULT PLOTS	376
PHASE 2 INFANT PLOTS	68
PHASE 3 ADULT PLOTS	278
PHASE 4 ADULT PLOTS	278
PHASE 5 ADULT PLOTS	278
PHASE 6 ADULT PLOTS	278
PHASE 7 ADULT PLOTS	140
PHASE 8 ADULT PLOTS	140
PHASE 9 ADULT PLOTS	140
PHASE 10 ADULT PLOTS	207
PHASE 11 ADULT PLOTS	254
PHASE 12 ADULT PLOTS	328
PHASE 13 ADULT PLOTS	218
TOTAL ADULT PLOTS:	3,149
TOTAL INFANT PLOTS:	132
TOTAL PLOTS:	3,281

STATISTICS PARKING

PARKING STALLS REMOVED (PHASE 3):	29
PARKING STALLS REMOVED (PHASE 4):	64
PARKING STALLS REMOVED (PHASE 5):	27
PARKING STALLS REMOVED (PHASE 6):	65
PARKING STALLS REMOVED (PHASE 7):	8
TOTAL PARKING STALLS REMOVED:	193
PARKING STALLS ADDED (PHASE 4):	14
PARKING STALLS ADDED (PHASE 8):	14
PARKING STALLS ADDED (PHASE 7):	70
TOTAL PARKING STALLS ADDED:	98

SIGHT DISTANCE CERTIFICATION:

THE SHORT DISTANCE AT THE EXISTING DRIVEWAY MEETS OR EXCEEDS THE 607 FOOT SIGHT DISTANCE REQUIREMENT SET FORTH IN THE 2000 DESIGN MANUAL EXHIBIT 1310-19A.

APPLICANT / OWNER

OLD APOSTOLIC LUTHERAN CHURCH LEWISVILLE
 CONTACT: DAVE HANKE
 PO BOX 520
 BATTLE GROUND, WA 98048
 PH: 360-607-5985
 E-MAIL: DAVEH@PROKSLAWFIRM.COM

CONTACT

ANS ENGINEERING & FORESTRY, LLC
 CONTACT: SEM HALLING, P.E.
 9000 NE 126TH AVENUE, SUITE 2520
 VANCOUVER, WA 98082
 PH: 360-892-0419
 FAX: 360-892-0408
 E-MAIL: SEM@ANS-ENG.COM

SITE AREA

221.42 AC (932,866 SF)

GENERAL NOTES

- NO CHANGES ARE PROPOSED TO THE EXISTING SANITARY SEWER SYSTEMS ON SITE.
- NO NEW SEPTIC SYSTEMS ARE PROPOSED WITH THIS DEVELOPMENT.
- NO NEW FIRE HYDRANTS ARE PROPOSED.
- SEE SHEET 100 FOR LANDSCAPE PLAN. FINAL LANDSCAPE PLAN WILL MEET CLARK COUNTY REQUIREMENTS.
- THERE ARE NO NEW BICYCLE FACILITIES PROPOSED WITH THIS DEVELOPMENT.
- EROSION CONTROL WILL BE ADDRESSED IN FINAL ENGINEERING PLANS AND THE PROJECT SPECIFIC STORMWATER POLLUTION PREVENTION PLAN. ACCORDING TO CLARK COUNTY GIS, THERE ARE NO WATER BODIES, 100-YEAR FLOODPLAINS, DESIGNATED SHORELINE AREAS, UNSTABLE SLOPES, LANDSCAPE HAZARD AREAS, OR SIGNIFICANT HISTORIC OR CULTURAL RESOURCES EXISTING ON THE SITE OR WITHIN 100-FEET OF THE SITE.
- ACCORDING TO CLARK COUNTY GIS, THERE IS A HIGH-FISH-BEARING STREAM THAT CROSSES THE NORTHWEST CORNER OF THE SITE.
- WETLAND BUFFER ENHANCEMENT/AVIGATION PERMITTING TO OCCUR PRIOR TO EACH INDIVIDUAL PHASE PLAT RECORDING.
- THERE ARE NO TRANSIT ROUTES OR STOPS WITHIN 800 FEET OF THE SITE.
- NO NEW ROADWAYS ARE PROPOSED WITH THIS DEVELOPMENT.
- ACCORDING TO CLARK COUNTY GIS, THERE ARE NO ROADS WITHIN 500 FEET PROVIDING ACCESS TO THE SITE THAT ARE IN EXCESS OF 15% GRADE.
- EXISTING SURFACE MATERIAL FOR NE LEWISVILLE HWY, NE ROCK CREEK ROAD, AND NE 142ND AVENUE IS ASPHALT.
- NO HARD LANDSCAPING FEATURES ARE PROPOSED WITH THIS DEVELOPMENT.
- NO LOADING AREAS ARE PROPOSED WITH THIS DEVELOPMENT.
- NO SOLID WASTE STORAGE OR RECYCLING AREAS ARE PROPOSED WITH THIS DEVELOPMENT.
- LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE.
- NO SIGNS ARE PROPOSED WITH THIS DEVELOPMENT.
- NO OUTDOOR LIGHTING IS PROPOSED WITH THIS DEVELOPMENT.
- THERE ARE NO NEW STRUCTURES PROPOSED WITH THE DEVELOPMENT.
- THE SITE WILL CONTAIN AN ACCESS AND INSPECTION EASEMENT TO CLARK COUNTY FOR STORMWATER PURPOSES.
- NO NEW TRANSIT FACILITIES ARE PROPOSED WITH THIS DEVELOPMENT.
- WETLANDS AND BUFFERS SHOWN PER WHR-2019-00202.

EXHIBIT #13



**PRELIMINARY DEVELOPMENT PLAN
 OALC LEWISVILLE CEMETERY
 OLD APOSTOLIC LUTHERAN CHURCH
 CLARK COUNTY, WASHINGTON**



DR NUMBER	7399
DATE	05/27/2020
DESIGNED BY	JFS
DRAWN BY	JFS
CHECKED BY	SMH

P3.0