

Type II Staff Report and Decision Notice to Parties of Record

Project Name: Shierman Short Plat

Case Number: PLD-2020-00063

The attached decision is final unless an appeal is filed with the Department of Community Development.

An **appeal** of any aspect of this decision may be appealed to the Clark County Hearing Examiner by a party of record only. A Party of Record includes the applicant and those individuals who submitted written testimony or a written request to be a "party of record," prior to the issuance of the decision.

The appeal shall be filed with the Department of Community Development within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record.

Any appeal of the final land use decisions shall be in writing and contain the following:

- 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 40.510.030(H);
 - The specific aspect(s) of the decision being appealed;
 - The reasons why each aspect is in error as a matter of fact or law;
 - The evidence relied on to prove the error; and,
- The appeal fee.

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

Mailed on: October 14, 2020

DS1334

Revised 7/15/13



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



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

Type II Staff Report and Decision

Project Name: Shierman Short Plat

Case Number(s): PLD-2020-00063

Request: The applicant is requesting a short plat approval to divide 10.07 acres into two 5 acre lots in the R-5 zoning district.

Address: South of NE 259th Street

Parcel number(s): 227632-000

Applicant: James Shierman
24407 NE 37th Avenue
Ridgefield, WA 98642
360.887.8886
shiermanconstruction@gmail.com

Owner: Same as applicant

Contact Person: Wolfe Project Management
Mason Wolfe
2401 W Main Street. Ste 210
Battle Ground WA 98604
360.907.9588
mason@wolfepm.com

Staff contact: Melissa Curtis
564.397.5870
Melissa.curtis@clark.wa.gov

Decision
Approved subject to Conditions of Approval

Land Use Review manager's initials: *SE* Date issued: **October 14, 2020**



County Review Staff

Department/Program	Name	Phone	Email Address
Community Development			
Land Use Review Manager	Susan Ellinger	564.397.5122	susan.ellinger@clark.wa.gov
Land Use Review Planner	Melissa Curtis	564.397.5870	melissa.curtis@clark.wa.gov
Fire Marshal's Office	Donna Goddard	564.397.3323	donna.goddard@clark.wa.gov
Public Works			
Transportation and Stormwater Engineering Supervisor	Greg Shafer P.E.	564.397.4064	greg.shafer@clark.wa.gov
Engineering Team Leader	Ali Safayi P.E.	564.397.4102	ali.safayi@clark.wa.gov
Engineer	Michelle Dawson, EIT	564.397.4568	michelle.dawson@clark.wa.gov
Concurrency Engineer	David Jardin	564.397.4354	david.jardin@clark.wa.gov

Comp Plan Designation: Rural-5

Parcel Number(s): 227632-000

Applicable Laws

Clark County Code: Title 14 (Building Safety), Title 15 (Fire Prevention), Chapter 40.200 (General Provisions), Section 40.210.020 (Rural Residential Zoning District); Chapter 40.320 (Landscaping), Chapter 40.330 (Crime Prevention and Safety), Chapter 40.350 (Transportation & Circulation), Section 40.350.020 (Transportation Concurrency), Chapter 40.370 (Sewer and Water), Chapter 40.386 (Storm Water & Erosion Control), Chapters 40.500 and 40.510 (Procedures), Section 40.520.010 (Legal Lot Determination), Chapter 40.540 (Boundary Line Adjustments & Land Divisions), Chapter 40.610 (Impact Fees), Title 24 (Public Health), RCW 58.17, and the Clark County Comprehensive Plan.

Neighborhood Association and Contact

Not located within a Neighborhood Association

Stephan Abramson, Chair

abramson@lifescipartners.net

360.574.3363

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 June 27, 2019. The pre-application was determined not contingently vested.

The fully complete application was submitted on June 3, 2020 and determined to be fully complete on June 24, 2020. Given these facts, the application is vested on June 3, 2020. This vesting does not apply to stormwater or concurrency standards.

There are no disputes regarding vesting.

Time Limits

The application was determined to be fully complete on June 24, 2020. The applicant was asked to submit additional information which extended the deadline by 30 days. Therefore, the code requirement for issuing a decision within 78 days lapsed on October 10, 2020. The State code requirement for issuing a decision within 120 days lapses on November 21, 2020.

Public Notice

Notice of application Non SEPA was mailed to the applicant, NACCC (Neighborhood Association of Clark County) and property owners within 500 feet of the site on August 6, 2020.

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

Public Comments

No public comments received

Project Overview

This vacant site has a gross site area of 10.17 acres and is located within the R-5 zone allowing for a two-lot short plat. Surrounding parcels are also in the R-5 zone. This site is flat with grass and scattered trees mainly to the west of the property. The subject site is located south of NE 256th Street. Both lots are proposed to take access from an existing access off of NE 256th street via a 35-foot paved approach.

The site is located within the Battle Ground School District, Clark County Fire District and the Rural Transportation Impact Fee Area. New lots will be served by individual on-site septic systems and private wells.

Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	R-5	R-5	Vacant
North	R-5	R-5	Single Family Residential
East	R-5	R-5	Single Family Residential
South	R-5	R-5	Single Family Residential
West	R-5	R-5	Single Family Residential

Staff Analysis

Staff reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will 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, or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements and, therefore, are not discussed below.

Land Use

Finding 1 - Lot Standards

The proposed plat is located within an R-5 zone district. Per Table 40.210.020-2, this zone requires a minimum lot area of 5 acres. The zone specifies that each lot shall have a minimum lot width of 140 feet, unless a greater width shall be required by the Clark County fire code. There is no minimum lot depth requirement.

Based on a review of the revised preliminary plat [Exhibit 9], both proposed lots contain at least 5 acres to the center of the road and have an average lot width of 140 feet.

Finding 2 - Setbacks

Setbacks prescribed by the R-5 zone are as follows:

Front – 50 feet from the public right-of-way

Street Side – 25 feet

Side – 30 feet and 50 feet for agricultural structures

Rear – 30 feet and 50 feet for agricultural structures

Where fire flow is not provided in the full amount by a public water system, the side and rear setbacks for all buildings shall be increased to 30 feet. (See Fire Protection Finding 2 and Condition D-4.g)

Finding 3 - Safe Walking Conditions

According to state platting laws RCW 58.17.110, appropriate provisions shall be made to assure safe walking conditions for students who only walk to and from school.

The subject site is located within the Battle Ground School District and Daybreak Elementary, Daybreak Middle School, and Prairie Ground High School areas. According to available GIS information, there are no schools located within one (1) mile of the subject site. Therefore, no "safe-walking" conditions are warranted.

Finding 4 - County/State Platting Standards

With conditions of approval, staff finds the proposed short plat will make appropriate provisions for public health, safety and general welfare of the community. The site will be connected to well and septic facilities, as well as treatment of any future stormwater runoff will be provided to protect groundwater supply and integrity. Impact fees will also be required to ensure that the

development will contribute a proportionate share toward the costs of school and transportation facilities, maintenance and services.

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

Archaeology

Finding 1- Condition

A note on the final construction plans will require that if resources are discovered during ground disturbance, work shall stop and DAHP and the county will be contacted. (See Condition D-4.e)

Conclusion

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

Transportation Concurrency

Finding 1 - Review

Concurrency has reviewed the Land Use Review application for the Shierman Short Plat. The traffic information submitted indicates that this application seeks to divide 9.7 acres into 2 single-family residential lots. The applicant's traffic information suggests an AM peak hour trip generation at 1, PM peak hour trips at 2 and an ADT at 18. The proposed development site is located on parcel number 227632 in Battle Ground.

The applicant has submitted traffic information under the provisions of Clark County Code section 40.350.020. Staff concurs with the applicant's findings.

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.

Transportation

Finding 1 – Roads

Road improvements and design are required to comply with Table 40.350.030-2.

NE 259th Street

NE 259th Street is classified as a Rural Major Collector (R-2); half-width right-of-way dedication is required in the rural area if found to be substandard and is required to be 30 feet measured from the historic centerline per Standard Detail Drawing 19. Right-of-way dedication to achieve a 30-foot half- shall be conveyed to the county with the final plat. (See Condition D-1)

Finding 2 – 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. 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 submitted a sight distance certification letter prepared by Lancaster Mobley dated June 1, 2020. This letter reported that the existing access has sight distance to the west and east in excess of the required 500 feet per the unposted statutory speed limit of 50 MPH on NE 259th Street.

Finding 3 – Access

The location and construction of the existing driveway approach onto NE 259th Street to serve both lots was approved and constructed under APS-2019-00194. The applicant shall delineate an access easement over any portion of the joint driveway that will be accessed by both lots. (See Conditions D-2 & D-3.a)

All new driveways longer than 300 feet shall be provided with an approved turnaround at the terminus. There shall also be approved turnouts constructed such that the maximum distance from turnout to turnout, or from turnout to turnarounds, does not exceed 500 feet. Turnouts and turnarounds shall comply with the Standard Details Manual. (See Condition E-2)

Conclusion (Transportation)

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

Stormwater

Finding 4 - 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 (MR) 1 through 9.

No new development shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots.

Finding 5 - Stormwater Proposal

The site consists of grassy field and generally slopes to the north with the high point being along the south property line. Mapped soil types include Hillsboro Sandy Loam (H1A) & Washougal Gravelly Loam (WgB), which have a hydrologic soil group classification of “B” and a Clark County WWHM Soil Group classification of “SG-2”.

The applicant provided a Preliminary Technical Information Report prepared by AKS Engineering & Forestry dated May 22, 2020. Proposed site improvements include single family residences and associated improvements on 2 lots. This will result in 0.643 acres of proposed new hard surface and 1.0 acre of vegetation conversion.

On-site Stormwater Management (MR#5), Runoff Treatment (MR#6) & Flow Control (MR#7) will be met with Full Dispersion (BMP T5.30A) for all hard surfaces, and Post-Construction Soil Quality and Depth (BMP T5.13) for all land disturbing activities to meet the LID Performance Standard.

Wetlands Protection (MR#8) is not triggered as site runoff will not discharge directly or indirectly to a wetland.

Stormwater facilities located on individual lots shall be owned and maintained by the homeowners. (See Conditions E-3 and Plat Notes D-4.d)

Conclusion (Stormwater)

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

Fire Protection

Finding 1 – 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 500 gallons per minute supplied for 30 minutes duration is required for this application. Prior to final approval submit proof from the water purveyor indicating if fire flow is available at the site. (See Condition D-8.a)

If fire flow is available within 1000 feet of the property line a fire hydrant will be required. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. (See Condition D-8.b)

Where fire flow is not provided in the full amount by a public water system, the side and rear setbacks for all buildings shall be increased to thirty (30) feet. Class "B" or better rated roof and noncombustible siding shall be required. (See Conditions D-4.g and D-8.c)

Finding 3 – Fire Apparatus Access

The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standards. Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all-weather driving surface capable of supporting the imposed loads of fire apparatus. (See Conditions F-2.a and H-1.a)

New private driveways in excess of three hundred (300) feet in length shall be provided with an approved turnaround at the terminus. Turnouts shall be provide at intervals five hundred (500) feet or less, such that no portion of the driveway is in excess of three hundred (300) feet from an approved turnaround or turnout. (See Conditions D-8.d, F-2.b and H-1.b)

Finding 4 – Fire Sprinkler System

Homes exceeding 3600 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 E-5 and G-3.c)

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.

Water and Sewer Service**Finding 1 - Water and Sewer Service**

The use of water wells and septic systems are proposed to serve the site. A Public Health Evaluation Letter has been submitted that confirms Public Health staff conducted an evaluation of the site and determined that no existing wells or septic systems are located on the site.

Finding 2 – On-site Septic

The applicant submitted a Public Health Evaluation Letter as part of the fully complete review. The proposed new lots have satisfactory soil evaluations approved. (SR33142 and SR33143); Site evaluations are valid 5 years.

A current soil and site evaluation or installation permit is required at the time of final plat. Each on-site sewage system shall be on the same lot it serves. (See Condition D-7.d and D-7.i)

The test hole locations corresponding to the designated on-site sewage system sites shall be surveyed and indicated on the final plat. (See Condition D-7.e)

A note shall be required on the plat stating: “The approved initial, reserve, and/or existing sewage system sites shall be protected from damage due to development”. These sites shall be maintained so they are free from encroachment by buildings, roads and other structures. These areas shall not be covered by any impervious material and not be subject to vehicular traffic or other activity which would adversely affect the soil. Provisions shall be made to prevent flow or accumulation of surface water over the area where an on-site sewage system is located (WAC 246-272-14(6)).” (See Condition D-4.f)

No public or private easement or rights-of-way shall be through the approved initial, reserve, or existing on-site sewage system sites. (See Condition D-7.f)

Where use of wells or septic systems are proposed, Public Health staff must sign the final plat prior to submittal to the county for final plat review and recording. (See Condition D-5)

Finding 3 – Private Well

Individual wells are proposed, and no existing wells are identified at this site. No application for Well Site Evaluation or Water Adequacy Verification Evaluation haven been received at CCPH. Clark Public Utilities reports service is not available to the current property line. The project is outside of the Urban Growth Boundary and public water connection is not required. Therefore, CCPH determines shared wells or individual wells are appropriate for this proposed land division.

Prior to final plat approval, each lot must have legal and physical access to a drilled well with a current satisfactory Water Adequacy Verification Evaluation (WAVE). Two-Party shared wells

are subject to approval under Group B standards for small public water systems. Well site evaluation from Clark County Public Health is required for all new wells prior to drilling.

The 100' radius of any water well must be entirely contained within the current property line of the proposed parcel. A restrictive covenant is required for any existing wells with a 100' radius located outside the current property lines of the proposed parcel. The actual locations of all wells must be indicated on the final plat along with a 100' radius zone of protection. Each individual well must be located on the lot it serves. (See Condition D-7.b)

This land division is proposed without a Washington State Department of Ecology water rights permit or certificate. Revised Code of Washington (RCW) 90.44.050 provides a ground water permit exemption. Usually when they include this language, they also include this condition:

A note shall be required on the plat stating: "This land division was approved without water rights and is therefore required to meet ground water permit exemption requirements within RCW 90.44.050. Unless water rights are obtained, the total combined water use by the lots in this land division is limited to five thousand gallons per day. The watering of lawns or of noncommercial gardens is limited to a total not to exceed one-half acre." The water supply portion of the signature block on the final plat must refer to this note. (See Condition D-4-i)

Finding 4 - Drainage plan

CCPH must review a copy of the final drainage plan, which has been signed off by the Engineering staff, prior to final plat approval. The on-site sewage system test hole locations shall be included in the drainage plans. If no drainage plan is required, written confirmation by Engineering staff stating so is required prior to signing the final plat. (See Condition D-7.h)

Conclusion Water and Sewer Services

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

Impact Fees

Impact Fee Finding 1 - Applicability & Assessment

The new residential lot created by this plat will produce impacts on schools and traffic and are subject to School (SIF) and Traffic Impact Fees (TIF) in accordance with CCC 40.610. (See Conditions D-3.d, D-4.h, and E-4)

Finding 2 - TIF Estimate

The proposed lot will pay the following impact fees:

- Rural sub-area with a TIF of \$2,848.38 per dwelling
- Battle Ground School District, with a SIF of \$6,397.00 per dwelling

Finding 3 - Assessment

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.

Decision

Based upon the proposed plan known as Exhibit 9, and the findings and conclusions stated above and within the attached reports and decisions, the Community Development Director hereby **APPROVES** this request, subject to the following conditions of approval.

Conditions of Approval

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

A-1 None

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 None

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 plans and the following conditions of approval:

C-1 None

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 Right-of-Way** - The required right-of-way dedication needed along the frontage of NE 259th Street to achieve a 30-foot half-width shall be conveyed to the county with the final plat. (See Transportation Finding 1)
- D-2 Joint Driveway Access Easement** – The applicant shall delineate on the final plat an access easement over any portion of the joint driveway that will serve both of the lots. (See Transportation Finding 3)
- D-3 Developer Covenant** – A “Developer Covenant to Clark County” shall be submitted for recording to include the following:

- a. Joint Driveway Maintenance Covenant - A 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).
- b. 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."
- c. Erosion Control - "Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."
- d. Impact Fees: "In accordance with CCC 40.610, impact fees for each dwelling in this short plat shall be assessed for impacts on schools, parks and transportation facilities based for the following districts: Battle Ground School District (SIF) and Rural 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-4 Plat Notes - The following notes shall be placed on the final plat:

- a. 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."
- b. Driveways: "All new driveways longer than three hundred (300) feet shall be provided with an approved turnaround at the terminus. There shall also be approved turnouts constructed such that the maximum distance from turnout to turnout, or from turnout to turnaround, does not exceed five hundred (500) feet."
- c. Driveways: "All residential driveway approaches entering public roads are required to comply with CCC 40.350."
- d. On-site Drainage System: "The owner of each lot is responsible for obtaining approval of a stormwater plan with the building permit and constructing individual onsite stormwater systems. The homeowner is responsible for long term maintenance of the drainage system serving the lot."

- e. Archaeological (all plats): "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."
- f. Septic Systems: "The approved, initial, reserve, and/or existing sewage system sites shall be protected from damage due to development. All sites shall be maintained so they are free from encroachment by buildings and not be subject to vehicular traffic or other activity which would adversely affect the site or system function."
- g. Fire Protection: "Where fire flow is not provided in the full amount by a public water system, the side and rear setbacks for all buildings shall be increased to thirty (30) feet. Class "B" or better rated roof and noncombustible siding shall be required." (See Fire Protection Finding 2)
- h. Impact Fees: "In accordance with CCC 40.610, impact fees for each dwelling in this short plat shall be assessed for impacts on schools, parks and transportation facilities based for the following districts: Battle Ground School District (SIF) and Rural 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."
- i. Health Department: A note shall be required on the plat stating: "This land division was approved without water rights and is therefore required to meet ground water permit exemption requirements within RCW 90.44.050. Unless water rights are obtained, the total combined water use by the lots in this land division is limited to five thousand gallons per day. The watering of lawns or of noncommercial gardens is limited to a total not to exceed one-half acre." The water supply portion of the signature block on the final plat must refer to this note.

D-5 Public Health Signature Requirement – Public Health is required to sign the final plat, because the use of well or septic systems is proposed.

D-6 Abandonment of On-Site Water Wells and Sewage Systems - The location of abandoned septic tanks and decommissioned wells shall be shown on the face of the final plat.

D-7 On-Site Water Wells and Sewage System Requirements - For on-site water wells and sewage system, the following requirements shall be completed:

- a. Small public water systems shall be drilled and approved by Public Health prior to final plat approval;
- b. A 100-foot radius of protection for any wells shall be shown on the final plat map and be located within the boundaries of the land division;

- c. The location of all existing wells (in use, not in use, or abandoned) shall be indicated on the final plat map;
- d. Each on-site sewage system shall be on the same lot it serves;
- e. Test hole locations corresponding to the designated treatment sites shall be surveyed and indicated on the final plat map;
- f. No public or private easements or rights-of-way shall be extended through the approved, reserve or existing on-site sewage system sites;
- g. Provisions shall be made to prevent flow or accumulation of surface water over the area where an on-site sewage system is located;
- h. A copy of the county approved final drainage plan shall be submitted for review; and,
- i. All proposed lots shall have a current approved septic system site evaluation or septic system permit. Should either be allowed to expire, subsequent approval of an on-site sewage treatment system cannot be assured and, therefore, Public Health will not sign the final plat.

D-8 Fire Marshal Requirements

- a. The applicant shall submit proof from the water purveyor indicating that fire flow is available at the site. (See Fire Protection Finding 3)
- b. If fire flow is available within 1000 feet of the property line a fire hydrant will be required. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval (See Fire Protection Finding 2)
- c. Where fire flow is not provided in the full amount by a public water system, the side and rear setbacks for all buildings shall be increased to thirty (30) feet. Class "B" or better rated roof and noncombustible siding shall be required. (See Fire Protection Finding 2)
- d. New private driveways in excess of three hundred (300) feet in length shall be provided with an approved turnaround at the terminus. Turnouts shall be provide at intervals five hundred (500) feet or less, such that no portion of the driveway is in excess of three hundred (300) feet from an approved turnaround or turnout. (See Fire Protection 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 Excavation and Grading** - Excavation/grading shall be performed in compliance with CCC 14.07.
- E-2 Driveways** – The owners of each lot are responsible for constructing their on-site driveways, and ensuring they include appropriate turnouts and turnarounds: driveways longer than 300 feet shall be provided with an approved turnaround at the terminus and approved turnouts at maximum 500-foot intervals in accordance with the Clark County Standard Details. (See Transportation Finding 3)

- E-3 Stormwater** - The applicable stormwater minimum requirements must be determined in accordance with CCC 40.386. The owners of each lot are responsible for obtaining approval of individual stormwater plans with the building permit and constructing the individual on-site stormwater systems. The homeowner is responsible for long term maintenance of the drainage system serving their lot. (See Stormwater Finding 5)
- E-4 Impact Fees:** Impact fees shall be assessed for impacts on schools, parks and transportation facilities based for the following districts: Battle Ground School District (SIF) and Rural 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.”
- E-5 Fire Protection** - Homes exceeding 3600 square feet will require additional fire protection features up to and including a residential fire sprinkler system when adequate public water and hydrants are not within required distances. (See Fire Protection Finding 4)

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 Land Use and Critical Areas**
- a. **Verification of the Installation of Required Individual Street Trees:**
Where street trees are required on individual residential lots, 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.
- F- 2 Fire Protection:**
- a. **Fire Apparatus Access** - The applicant shall provide 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 3)
- b. **Driveways** - New private driveways in excess of three hundred (300) feet in length shall be provided with an approved turnaround at the terminus. Turnouts shall be provided at intervals five hundred (500) feet or less, such that no portion of the driveway is in excess of three hundred (300) feet from an approved turnaround or turnout. (See Fire Protection Finding 3)

G	Development Review Timelines & Advisory Information Review and Approval Authority: None - Advisory to Applicant
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- G-1 Land Division** - Within seven (7) years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.
- G-2 Department of Ecology Permit for Construction Stormwater** - A permit from the Department of Ecology (DOE) is required if:

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

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

G-3 Fire Protection:

- a. **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.
- b. **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.
- c. **Sprinkler System** - Homes exceeding 3600 square feet will require additional fire protection features up to and including a residential fire sprinkler system when adequate public water and hydrants are not within required distances. (See Fire Protection Finding 4)

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

H-1 Fire Protection:

- a. **Fire Apparatus Access** - The applicant shall maintain 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 3)
- b. **Driveways** - New private driveways in excess of three hundred (300) feet in length shall be maintained with an approved turnaround at the terminus. Turnouts shall be maintained at intervals five hundred (500) feet or less, such that no portion of the driveway is in excess of three hundred (300) feet from an approved turnaround or turnout. (See Fire Protection Finding 3)

Note: The Community Development Director reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

Appeal Process

An **appeal** of any aspect of this decision may be appealed to the Clark County Hearing Examiner by a party of record only. A Party of Record includes the applicant and those individuals who submitted written testimony or a written request to be a “party of record,” prior to the issuance of the decision.

The appeal shall be filed with the Department of Community Development within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on October 14, 2020. Therefore, any appeal must be received in this office by the close of business on October 28, 2020.

Any appeal of the final land use decisions shall be in writing and contain the following:

- 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 40.510.030(H);
 - The specific aspect(s) of the decision being appealed;
 - The reasons why each aspect is in error as a matter of fact or law;
 - The evidence relied on to prove the error; and,
- The appeal fees.

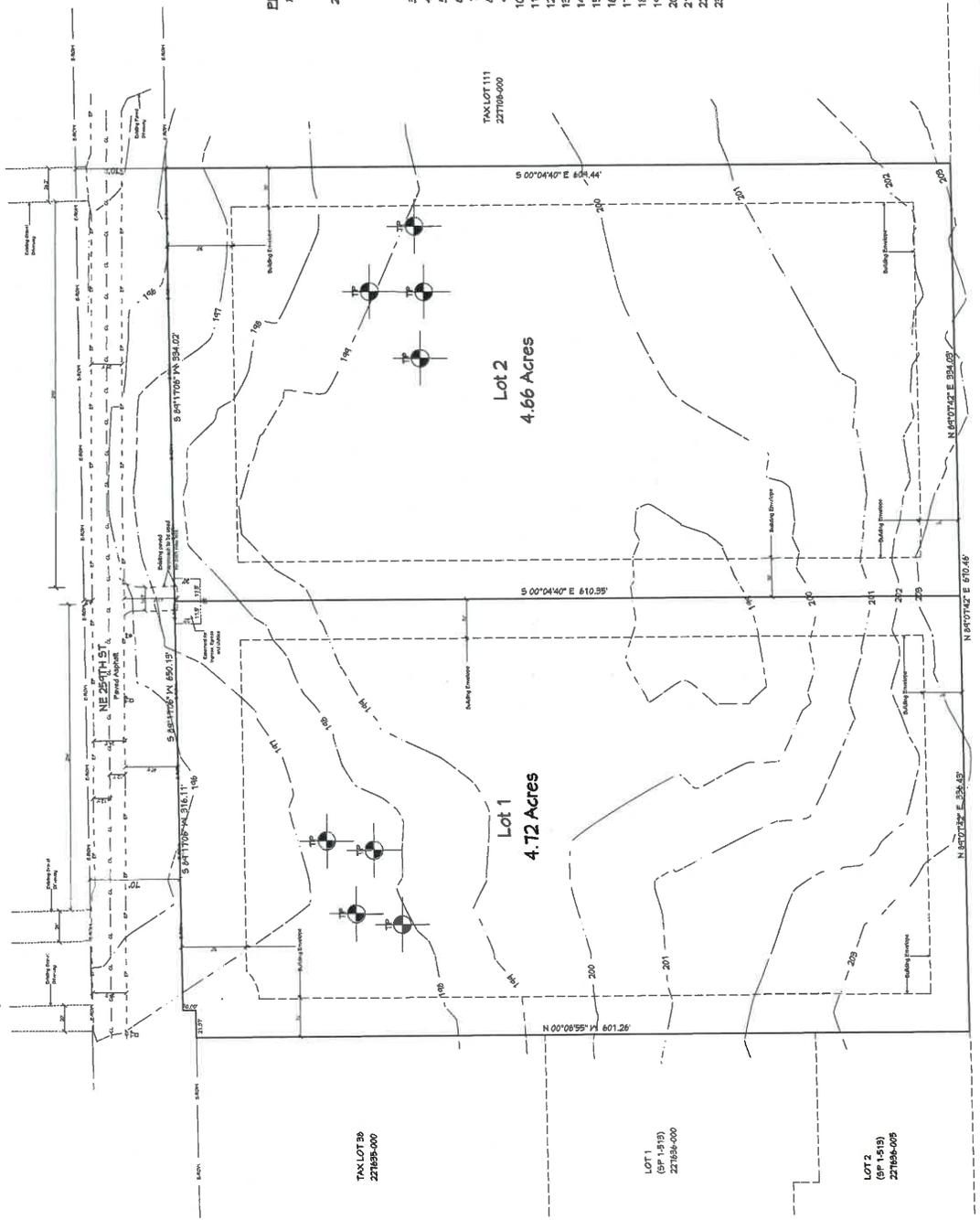
An appeal of any aspect of the Hearing Examiner's decision, except the SEPA determination (i.e., procedural issues), may be appealed to the Superior Court or reconsidered by the Hearing Examiner only by a party of record.

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

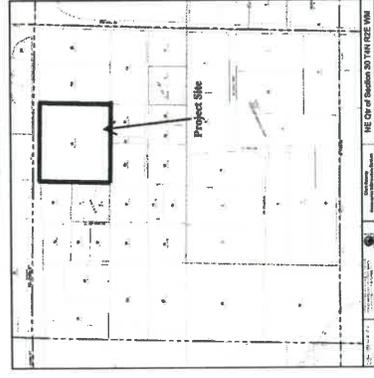
Attachments

- Copy of Proposed Preliminary Plan

Shierman Short Plat
 A Rural Residential Land Division
 In the NE ¼ of Section 30, T4N R2E WM
 County Parcel #: 227632000
 Not Site Address NE 259th Street
 Battle Ground, WA 98604



VICINITY MAP



PLAT NOTES:

- 1.) Total Gross Area:
 - 1.1) Gross area after RCM = 494,201 SF / 4.56 acres.
 - 1.2) Gross area to Quarter Section Line = 442,694 SF / 10.17 Acres.
- 2.) Density Allowances:
 - 2.1) 8.5 Rural Acres zoning allows calculations before RCM uses removed from original parcels which for this project is 10.17 Acres.
 - 2.2) Density allowed is 1 residential lot per 5 acres for a total of 2 residential lots.
 - 2.3) This short plat proposes 2 residential lots.
- 3.) Lot 1 = 203,447 SF / 4.72 Acres, (5.17 Acres to Quarter Section Line in RCM).
- 4.) Lot 2 = 203,704 SF / 4.66 Acres, (5.06 Acres to Quarter Section Line in RCM).
- 5.) Lots 1 and 2 will take access to NE 259th Street via shared driveway approach.
- 6.) Lot 2 can independently access the road approach as depicted on this plat.
- 7.) Lot 1 can independently access the road approach as depicted on this plat.
- 8.) Each lot will install a well for water. New wells to be shown on Final Plat.
- 9.) Each lot will install a septic system at time of building permit.
- 10.) There are no existing structures.
- 11.) There are no existing driveways on site except existing approach shown.
- 12.) There are no existing wells.
- 13.) There are no existing septic systems.
- 14.) There are no above ground tanks or known underground tanks.
- 15.) There are no adjacent roads.
- 16.) No bodies of water.
- 17.) No environmental critical areas on or within 100' of site.
- 18.) There are no transit stops at or near the site.
- 19.) There are no existing or proposed pedestrian or bicycle facilities on or near the site.
- 20.) No new roads or improvements proposed for this project.
- 21.) No grading activities proposed prior to final plat.
- 22.) 30' side and rear setbacks are shown to meet the code.
- 23.) There is no required or proposed landscape screening.

LEGEND:

- E-ROW Existing Right-of-Way
- EP Existing Edge of Paving
- Test Pit for Septic Perc

Exhibit 9

REVISION TABLE
NUMBER DATE REVISION BY
1 03-20

Shierman Short Plat
 A Rural Residential Land Division
 In the NE ¼ of Section 30, T4N R2E WM
 County Parcel #: 227632000
 Not Site Address NE 259th Street
 Battle Ground, WA 98604

PRELIMINARY PLAT
 Existing Conditions Plan
 Proposed Development Plan
 Transportation and Utility Plan
 Landscape Plan

OWNER/APPLICANT:
 Lantz and Pugh's Shierman
 2407 NE 37th Avenue
 Ridgefield, Washington 98642
 360-671-0555
 shiermanlantzandpugh@gmail.com

DRAWINGS PROVIDED BY:
 Wolfe Project Management, LLC
 Drafting and Design
 360-907-5588
 mason@wolfepp.com

DATE: 6/3/20
 SCALE: 1" = 40'
 SHEET: P-1

Role	Company Name	Name	Address 1	Address 2	City	State	Zip Code	Email Address
Planner	Clark County							
Applicant	James Shierman	Melissa Curtis	24407 NE 37th Ave		Ridgefield	WA	98642	shiermanconstruction@gmail.com
Owner	Same as applicant							
N/H Association	Not located within a Neighborhood Association	Stephan Abramson						abramson@lifescipartners.net
Contact Person	Wolfe Project Management	Mason Wolfe	2401 W Main St	Ste 210	Battle Groun	WA	98604	
Utility Contact								
	Clark County	Desiree de Monye						desiree.demonye@clark.wa.gov
	City of Vancouver	Kristin Lehto						Kristin.Lehto@cityofvancouver.us
		Nicole Daitoso						nicole.daitoso@vansd.org
		Jeff Roberts						jeff@crandallgroup.com



EXHIBIT LIST

Project Name:	Shierman Short Plat
Case Number:	PLD-2020-00063

EXHIBIT NUMBER	DATE	SUBMITTED BY	DESCRIPTION
1		Applicant	Application Package
2		CC Land Use	Legal Lot Determination
3		CC Land Use	Fully Complete
4	8/6/20	CC Land Use	Notice of Type II Application
5	8/6/20	CC Land Use	Affidavit - Exhibit 4
6	8/24/20	CC Land Use	Early Issues
7	8/26/20	Applicant	Email Comments to Survey
7a	8/26/20	Applicant	Comments on early issues to survey
8	9/10/20	Applicant	Response to Early issues
9	9/10/20	Applicant	Revised Proposed plan
10	9/10/20	Applicant	Revised Stormwater
11	9/10/20	Applicant	Revised Boundary Survey
12	9/15/20	CC Survey	Comments to Revised Boundary Survey
13	9/28/20	CC Transportation	Comments for staff report
14	10/14/20	CC Land Use	Staff Report and Decision
15	10/14/20	CC Land Use	Affidavit - Exhibit 14

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