

## Type III Land Division and Environmental Review Staff Report and Recommendation

**Project Name:** GOSHAWK HOLLOW SUBDIVISION

**Case Number:** PLD2015-00030; SEP2015-00046; EVR2015-00033

**Location:** 4910 NE 66<sup>th</sup> Avenue, Tax Lot 67 (160769) in the Northeast quarter of Section 18, Township 2 North, Range 2 East of the Willamette Meridian

**Request:** Subdivision approval to divide roughly 4 acres into 29 single-family residential lots located in the R-12 zone district

**Applicant/Owner:** Songbird Homes Inc.  
Attn: Dan Wisner  
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Vancouver, WA 98661  
**Phone** - (360) 607-7849  
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**Contact:** PLS Engineering  
Attn: Andrew Gunther  
2008 C Street  
Vancouver, WA 98663  
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### Recommendation

Approval, subject to conditions

**Land Use Review manager's initials:**  **Date issued:** 10/28/15

**Public Hearing date:** November 12, 2015

### County Review Staff

Department/Program	Name		
Community Development			
Permit Manager	Chuck Crider	4667	<a href="mailto:chuck.crider@clark.wa.gov">chuck.crider@clark.wa.gov</a>
Land Use Planner	Richard Daviau	4895	<a href="mailto:richard.daviau@clark.wa.gov">richard.daviau@clark.wa.gov</a>

Revised 5/9/13



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For an alternate format,  
contact the Clark County  
ADA Compliance Office.  
Phone: (360)397-2322  
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Public Works			
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Engineer/Concurrency	David Jardin	4354	david.jardin@clark.wa.gov

### Applicable Laws

Clark County Code Chapter: 15.12 (Fire), 40.220.020 (Urban Residential Districts), 40.260.155 (Narrow Lots), 40.350 (Transportation), 40.350.020 (Concurrency), 40.370 (Sewer & Water), 40.385 (Stormwater & Erosion Control), 40.540.040 (Land Division), 40.500 (Process), 40.570.080 (SEPA), 40.610 (Impact Fees), and RCW 58.17 (State Land Division Laws)

### Neighborhood Association and Contact

Roads End, **Contact** - Barbara Murray (Vice president), 5513 NE 40<sup>th</sup> Street, Vancouver, WA 98661, **Phone** - (360) 694-1689, **E-mail** - [bemur@comcast.net](mailto:bemur@comcast.net)

### Vesting

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on September 25, 2014 (PAC2014-00088). The PAC information was sufficiently complete to qualify for contingent vesting, but a fully complete application submittal was not received within the required 180 days from issuance of the Pre-Application Conference Report. Therefore, the application is vested on the fully complete submittal date of August 31, 2015. The application is vested for transportation concurrency on the August 31, 2015.

### Time Limits

The application was determined to be fully complete on September 1, 2015. Therefore, the County Code requirement for issuing a decision within 92 days lapses on December 2, 2015.

### Public Notice

Notice of application and Likely SEPA determination was mailed to the applicant, the neighborhood association, and property owners within 300 feet of the site, and SEPA Agencies on September 28, 2015

### Public Comments

The County has received many written public comments on the proposed subdivision all concerned that the density proposed is significantly higher than the surrounding existing development. While staff agrees that the proposed densities will be higher, it's within the required density range. No lots proposed will be less than 40 feet in width which means the county code narrow lots standards will not apply. (See Finding 1 and 2)

## Project Overview

The applicant proposes to divide the subject site into 29 single-family residential lots located in the R-12 zone district and requests the flexibility to provide a mix of single-family detached and attached residences. The subject site is located on the west side of NE 66<sup>th</sup> Avenue at the 49<sup>th</sup> Street block. Access to all lots will be from the NE 49<sup>th</sup> Street, NE 63<sup>rd</sup> Avenue, and NE 64<sup>th</sup> Avenue. There will be no direct access to NE 66<sup>th</sup> Avenue. There does not appear to be environmentally sensitive areas on the site or within proximity of the property that would encumber the site with buffers.

The following is a comprehensive plan, zoning, and use chart of the area surrounding the site:

Compass	Comp Plan	Zoning	Current Land Use
Site	UM	R-12	Vacant
North	UM	R-12	Single-family/Vacant
South	UL	R1-6	Single-family residential
East	UH	R-30	Single-family residential
West	UM	R-12	Vacant

## 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 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 - Density

The applicant proposes 29 lots on 3.92 acres and the R-12 zone only allows a density range between 8 and 12 units per acre. Densities are calculated based on the gross site area minus roads (public or private).

The applicant has indicated that 1.16 acres of the site will be dedicated for roads. Based on a net site area of 2.76, a minimum of 23 lots are required and a maximum of 33 lots are required. Staff finds the proposed 29 lots comply with the required density of the R-12 zone.

#### Finding 2 - Lot Standards

CCC Table 40.220.020-4 and 40.220.020-5 contains standards for single-family attached and detached lots. Staff notes that all proposed lots are at least 3,340 square feet, 42 feet wide, and 83 feet deep. The smallest lot in the proposed plat is 3,340 square feet and the largest lot is 5,743 square feet with an average lot size of 3,886. Staff finds that all proposed lots comply with the lot standard requirements of CCC Table 40.220.020-4 and 40.220.020-5.

No lots in the proposed subdivision will be less than 40 feet in width; therefore, the Narrow Lots standards of CCC 40.260.155 will not apply.

#### Finding 3 - Setbacks

Although details of home construction on the proposed lots have not been provided or required, the following setbacks apply to the proposed lots. Building setbacks are defined as the minimum horizontal distance between the property line and the foundation wall, exclusive of other building elements:

- Ten foot front setback
- 18 foot to garage
- Ten foot street side setback
- Five foot side setback (0 setback for attached units)
- Five foot rear setback (0 setback for attached units)

#### Finding 4 - Landscape/Screening

The site's southern property line abuts four single-family zoned properties (R1-6) all with single-family homes. Under CCC Table 40.320.010-1, R-12 development abutting single-family requires an L3 Landscape buffer along the south property line and an L1 buffer along the other property lines. The applicant has submitted a landscape plan that shows the L3 buffer along the south property line and note that an F2 fence will be used. Staff notes that the required site-obscuring fence cannot be a chain link with slats. Typically, a solid cedar fence is used to meet this requirement. (See Condition A-6 and D-8)

#### Finding 5 - Manufactured Homes

The applicant has not indicated that manufactured homes would be placed on the lots in the proposed plat. Therefore, pursuant to CCC 40.260.130, manufactured homes are prohibited on any lot in this plat (see Condition D-7c).

#### Finding 6 - 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 and the applicant has provided a letter from the district which indicates that students attending all three schools will be bussed. This addresses safe walking conditions for students who would only walk to school.

### **Conclusion (Land Use)**

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

### **Archeological:**

#### Finding 7

The proposal is located within a moderate to high probability area for containing cultural resources. The applicant has submitted a predetermination report to The Washington State Department of Archaeology and Historic Preservation (DAHP). DAHP agrees that no further archaeological work is necessary at this time. 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 tribes 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-7 and D-7d)

### **Transportation Concurrency:**

#### Finding 8 - Trip Generation

In the review of the applicant's traffic study and the submitted plan and narrative, Staff found a discrepancy between the number of lots analyzed in the traffic study and the number of lots indicated on the plan and narrative. The applicant's plan and narrative indicates that the development will consist of 29 lots. The applicant's narrative further explains that the proposed 29 lots is within the allowed density requirements of 21 to 31 lots. It appears that the applicant's traffic study analyzed this development for the maximum allowable density according to the submitted calculation. Therefore, for the purposes of this review, Staff will use the submitted traffic analysis, showing a 31 lot development, for evaluation. The submitted traffic study would constitute a worst case trip generation impact scenario.

County concurrency staff has reviewed the proposed Goshawk Hollow Subdivision. The traffic study submitted indicates that the proposed development will divide 3.92 acres, into 31 single family residences.

The applicant's traffic study has estimated the a.m. peak-hour trip generation at 23, p.m. peak-hour trip generation at 31 trips and an average daily trip generation (ADT) of 295 trips. The trip generation was estimated using the nationally accepted data published by the *Institute of Transportation Engineers Ninth Addition*. The proposed development site is located at 4910 NE 66<sup>th</sup> Avenue in Vancouver.

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

#### Finding 9 - 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 the construction of an interior public road network to serve as access for the proposed subdivision. The traffic study indicates that the proposed subdivision will extend roadways that are currently stubbed at to the southern property line. The applicant's study also indicates that access for the proposed development, to the larger street network, will come from the extension of these existing roadways.

NE 63<sup>rd</sup> Avenue will be extended to the north along the western property line. NE 63<sup>rd</sup> Avenue will be constructed as a half-street improvement that will facilitate the completion of a full width road with the development of adjacent properties west of the site. NE 64<sup>th</sup> Avenue will be extended north into the site and will intersect with a proposed east/west roadway, NE 49<sup>th</sup> Street. NE 49<sup>th</sup> Street will extend from NE 63<sup>rd</sup> Street, east through the middle of the development, and terminate in a cul-de-sac near the east property line. The applicant's narrative indicates that these streets, NE 63<sup>rd</sup> Avenue, NE 64<sup>th</sup> Avenue and NE 49<sup>th</sup> Street, will be constructed to Clark County's Urban Local Residential Access standards.

This interior public road network also includes frontage improvements on NE 66<sup>th</sup> Avenue along the east property line. NE 66<sup>th</sup> Avenue is classified as an Urban Collector (C-2). The applicant is proposing to construct frontage improvements, on NE 66<sup>th</sup> Avenue, that are consistent with the County's C-2 road standard. The applicant's plan also shows that no access is proposed directly onto NE 66<sup>th</sup> Avenue.

The applicant's study evaluated the level of service and found that the intersections analyzed will have an estimated LOS B or better, in the 2018 build-out horizon. The study also shows that the LOS was evaluated during am and pm peak hour traffic conditions in existing and build-out scenarios. County Staff concurs with the traffic study findings.

#### Finding 10 - Clark County Concurrency

The proposed development is required to meet the standards established in CCC 41.350.020(G) for corridors and intersections of regional significance within 1 mile of the proposed development. Typically, the County's transportation model is used to determine what urban area developments are currently being reviewed, approved, or are under construction and in the vicinity of the proposed development. The traffic these developments generate is referred to as "*in-process traffic*" and will ultimately contribute to the same roadway facilities as the proposed development. This "*in-process traffic*" is used to evaluate and anticipate area growth and its impact on intersection and roadway operating levels with and without the proposed development, helping to determine if roadway mitigation necessary to reduce transportation impacts.

### Signalized Intersections

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

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

### Unsignalized Intersections

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

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

### Concurrency Corridors

Evaluation of the concurrency corridor operating levels and travel speeds represented in the County's model yielded operating levels and travel speeds with an acceptable level of service.

### Summary

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

### Finding 11 - City of Vancouver - Concurrency Corridors

The City of Vancouver has submitted findings and conditions for the proposed Goshawk Hollow Subdivision. The City of Vancouver Staff Report & Recommendation was received by the County on October 20, 2015. (See Attached Exhibit 12)

The City of Vancouver has incurred costs to analyze the proposed development's impacts; therefore, the applicant shall reimburse the City for costs incurred in running their concurrency model in the amount of \$791.86. This reimbursement should be paid to the City with evidence of payment presented to Clark County prior to final construction plan approval. (See Condition A-2a)

The City incurs costs for performing a review of, and preparing a staff report for, the project's submitted traffic report and impacts to the City's transportation system. The applicant shall be required to reimburse the City for the normal traffic review fee for this activity. The applicant shall reimburse the City for the normal traffic review fee of \$315.00. This reimbursement should be paid to the City with evidence of payment presented to Clark County prior to final construction plan approval. (See Condition A-2b)

The City incurs costs for performing a review of, and preparing a staff report for, the project's public transportation improvements. The applicant shall be required to reimburse the City for the transportation plan review in the amount of \$3,221. This reimbursement should be paid to the City with evidence of payment presented to Clark County prior to final construction plan approval. (See Condition A-2c)

**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 12 - 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.

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

Finding 13 -Historical Accident Situation

The applicant’s traffic study analyzed the crash history as obtained from Clark County for the period January 1, 2010 through December 31, 2014.

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

- NE Andresen Road/NE 58<sup>th</sup> Street
- NE Andresen Road/NE 42<sup>nd</sup> Street
- NE Andresen Road/NE 40<sup>th</sup> Street
- NE 66<sup>th</sup> Avenue/NE 58<sup>th</sup> Street
- NE 66<sup>th</sup> Avenue/NE 47<sup>th</sup> Street
- NE 66<sup>th</sup> Avenue/NE 42<sup>nd</sup> Street
- NE 66<sup>th</sup> Avenue/NE 40<sup>th</sup> Street
- NE 64<sup>th</sup> Avenue/NE 47<sup>th</sup> Street
- NE 63<sup>rd</sup> Avenue/NE 47<sup>th</sup> Street

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

Finding 14 - Roadside Safety (Clear Zone) Evaluation

The *Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6<sup>th</sup> Edition*, states that “The *clear roadside concept*...is applied to improve safety by providing an unencumbered roadside recovery area that is as wide as practical...”.

Further, this concept “allows for errant vehicles leaving the roadway for whatever reason and supports a roadside designed to minimize the serious consequences of roadway departures.”

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

“For managed access state highways within an urban area, it might not be practicable to provide the Design Clear Zone distances shown in Exhibit 1600-2. Roadways within an urban area generally have curbs and sidewalks and might have objects such as trees, poles, benches, 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 Transportation Concurrency A-2e)

#### Finding 15 - Vehicle Turning Movements

The applicant’s narrative does not indicate the types of vehicles that may serve the proposed development. Curb return radii will need to comply with County requirements.

It shall be noted that, the curb return radii listed in the Clark County Code 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 without swinging into opposing or adjacent travel lanes, which may result in no on-street parking areas on local residential access roads, at/near the NE 63<sup>rd</sup> Avenue/NE 49<sup>th</sup> Street, NE 63<sup>rd</sup> Avenue/NE 47<sup>th</sup> Street and NE 64<sup>th</sup> Avenue/NE 47<sup>th</sup> Street intersections. (See Transportation Concurrency A-2f).

#### **Conclusion (Concurrency)**

In summary, Concurrency staff recommends conditional approval of the development application.

#### **Transportation:**

##### Finding 16 - Pedestrian/Bicycle Circulation Plan

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act are required in accordance with the provisions of Section CCC 40.350.010. In addition to the sidewalks along the public roads, the applicant proposed a 6-foot sidewalk the proposed internal cul-de-sac and NE 66<sup>th</sup> Avenue. The proposed sidewalk shall be within a public easement. (See Condition A-1a)

Finding 17 - Cross Circulation Standards

The applicant's proposed road network does not comply with the roadway circulation requirements of section CCC 40.350.030(B)(2). The applicant has requested a minor deviation road modification. (See Road Modification Finding 19 below)

Finding 18 - Roads

NE 66<sup>th</sup> Avenue is classified as an Urban Collector roadway, C-2. The applicant is responsible for 30 feet of half-width right-of-way dedication and construction of a 19-foot half-width roadway with curb/gutter and sidewalk per Standard Drawing 6. The existing half-width right-of-way is 30 feet per the applicant's engineering drawings. The applicant is also responsible for the off-site south bound taper on NE 66<sup>th</sup> Avenue. (See Condition A-1b)

NE 49<sup>th</sup> Street and NE 64<sup>th</sup> Avenue are classified as Urban Local Residential Access roadways. The applicant is responsible for 46 feet of full width right-of-way dedication and construction of a 28-foot full-width roadway with curb/gutter and sidewalk on both sides of the roadway per Standard Drawing 13. (See Condition A-1c)

NE 63<sup>rd</sup> Avenue is classified as Urban Local Residential Access roadway. The applicant is responsible for a minimum 29 feet of half-width right-of-way dedication and construction of a 20-foot half-width roadway with curb/gutter and sidewalk per Standard Drawing 13. (See Condition A-1d)

Finding 19 - Minor Deviation Road Modification (EVR2015-00033)

The applicant is asking for relief from the cross-circulation standards found in CCC 40.350.030B(2)(c) with regard to both block length and block perimeter through the minor road modification process.

Approval Criteria

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

- 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 letter that states: "This letter is being written to request a modification to the road standards of Clark County Code (CCC) follow the procedures found in CCC Section 40.550 for the proposed Goshawk Hollow Subdivision located at 4910 NE 66<sup>th</sup> Avenue.

The applicant is requesting relief from the cross-circulation standards found in CCC 40.350.030B(2)(c) with regard to both block length and block perimeter through the Minor Road Modification process. CCC 40.350.030B(2)(c) indicates that block lengths between public road intersections should be between 100 and 800 feet and that the block perimeter should not exceed 3,200 feet unless access ways for pedestrian or bicycle circulation are provided or where topographic or other physical constraints preclude achieving the block length standard. As proposed, this project will provide for adequate north-south roadway corridors by extending NE 63<sup>rd</sup> Avenue along the site's west property boundary. The distance between existing NE 66<sup>th</sup> Avenue and proposed NE 63<sup>rd</sup> Avenue will be approximately 800 feet. However, the layout does not provide for the desired maximum 800' roadway spacing in the east-west direction. Currently the spacing between NE 47<sup>th</sup> Street and NE 52<sup>nd</sup> Street, the two nearest east-west roadway corridors north and south of the site that provide connectivity between NE 63<sup>rd</sup> Avenue and NE 66<sup>th</sup> Avenue, is approximately 1,350 feet. When including NE 48<sup>th</sup> Circle to the south of the site (which is not a through road), spacing between east-west roadways are approximately 950 feet.

A new intersection with NE 66<sup>th</sup> Avenue is not proposed for reasons described in this road modification request. The applicant has communicated extensively with County staff regarding our proposal and the County has discussed the issue with the City of Vancouver because of their jurisdiction over properties to the east of 66<sup>th</sup> Avenue. Those communications have resulted in the proposed site layout which includes some mitigation to help limit the impacts of not providing a new east-west connection to NE 66<sup>th</sup> Avenue.

In order to review and approve the Road Modification request, the applicant must satisfy at least one of the following approval criteria from CCC 40.550.010 (Road Modifications):

*A2. Modifications to the standards contained within Chapter 40.350 may be granted when the applicant demonstrates at least one of the following:*

- 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.*

Our request for a modification from the cross-circulation standards is based primarily on satisfying criterion **a** above. However, to a lesser extent, our proposed modification request also satisfies criterion **b** since compliance with the standards would enact an unusual hardship on us due to circumstances beyond our control.

The City of Vancouver has planned an extension of Vancouver Mall Drive between Andresen Road and NE 66<sup>th</sup> Avenue to the east of the Goshawk Hollow site.

The planned alignment for this roadway is the sole reason that proposed NE 49<sup>th</sup> Street in the Goshawk Hollow site is not planned to extend fully to NE 66<sup>th</sup> Avenue. Although the City has not yet started construction of the Vancouver Mall Drive extension, it has acquired the right-of-way and fully completed the construction drawings for the project and construction is anticipated to proceed in 2015. The roadway will have a 70' wide right-of-way and 46' paved width. The alignment for this roadway will place the centerline of Vancouver Mall Drive approximately 26.6' north of the south property line of Goshawk Hollow where it intersects NE 66<sup>th</sup> Avenue.

Because NE 66<sup>th</sup> Avenue is classified as an urban 2-lane collector roadway, if Goshawk Hollow were to provide an intersection with NE 66<sup>th</sup> Avenue, it would be required to either line up with the alignment of Van Mall Drive to the east with a maximum offset of 5' or the new intersection would have to have a minimum 275' spacing from Van Mall Drive. As a result, the City's plan to create a new intersection with NE 66<sup>th</sup> Avenue on the east side of the roadway creates a situation that results in geographic conditions that make compliance with the County's circulation standards impractical without creating an undue hardship on the developer of Goshawk Hollow. The Goshawk Hollow property is approximately 217' in width in the north-south direction. Based on this site width, it is not possible to create a new intersection with NE 66<sup>th</sup> Avenue along the site frontage unless it aligns with the proposed new Van Mall Drive extension because there is no other alternative that would comply with County intersection spacing requirements. Further, based on the dimensions of the site, there is a single clear layout option that would allow the site to be developed most efficiently, and that is to have a single east-west roadway running through the approximate center of the site as is proposed with the alignment of NE 49<sup>th</sup> Street. The 217' property width logically allows for a single row of lots on the north and south sides of the east-west roadway.

An alternate approach to construct an east-west roadway along the south property line with an intersection aligned with the proposed Vancouver Mall Drive extension would be extremely inefficient as it would create a single row of very deep lots on the north side of the roadway. In order to comply with minimum required densities for the site's R12 zoning, these lots would necessarily be extremely narrow. The applicant is sensitive to sending site traffic through the existing NE 64<sup>th</sup> Avenue and NE 63<sup>rd</sup> Avenue south of the site and, as a result, considered a number of layout alternatives that would comply with County standards while not resulting in a significant impact on the development potential of the Goshawk Hollow site. However, each layout considered had undesired results for both the applicant and the County. If the applicant were to construct a new road intersection with NE 66<sup>th</sup> Avenue, it would result in the need to either construct full width roadway improvements along the south boundary line of the site or construct a half-width roadway that would likely never be fully improved. If the applicant was required to construct a full-width roadway along the south property boundary, this would be unduly burdensome on the applicant as the County code provides that partial width roadways are allowed along a site boundary. Conversely, if the Goshawk Hollow project only constructed a half-width roadway for that section abutting the south property line, it is extremely unlikely that the full width would ever be completed. Although the lot to the south of the east end of the project is underdeveloped, the existing home on this lot is quite substantial with an assessed building value (excluding land value) of more than \$400,000. As a result, it is fairly likely that this lot will not be further developed. Additionally, if the parcel were ever further divided, the additional lots would most likely take access from NE 48<sup>th</sup> Circle on their south side and, as a result, the development would not be burdened with completing the full width improvements to a roadway on their north side.

Another layout alternative that was considered during the preliminary design process was to construct a new intersection at the south end of the site and then immediately realign the new roadway to follow the proposed alignment of NE 49<sup>th</sup> Street through the center of the project by constructing reverse “S” curves. This would result in the least impact on the proposed project in terms of number of potential lots and the quality of those lots. However, the presence of the reverse curves in close proximity to the new 66<sup>th</sup> Avenue intersection is not desirable from a traffic perspective. This layout alternative was not well-received by County engineering staff.

In addition to the above described challenges of creating a new intersection aligned with the proposed Vancouver Mall Drive extension to the east, creation of a new intersection at the south end of Goshawk Hollow would also result in non-compliant intersection spacing between intersections due to the location of existing NE 48<sup>th</sup> Circle to the south. As mentioned previously, County code requires 275’ full intersection spacing along NE 66<sup>th</sup> Avenue based on the road classification. NE 48<sup>th</sup> Circle is located slightly less than 200 feet south of Goshawk Hollow.

Because the applicant’s proposal does not comply with the block length standards of the Clark County Code, they are proposing some mitigation to partially offset the impacts of this substandard condition by providing a pedestrian access between the proposed 49<sup>th</sup> Street cul-de-sac and NE 66<sup>th</sup> Avenue. This will create direct pedestrian access for all lots in the new subdivision to 66<sup>th</sup> Avenue and once Vancouver Mall Drive has been extended from Andresen Road to 66<sup>th</sup>, it will result in pedestrian access to the existing bus routes on Andresen Road. This will create a significant improvement in the area’s pedestrian opportunities.

An additional fact that should be considered when reviewing this road modification request is that the area of substandard block lengths and perimeters in the vicinity of this development will likely be limited to only the blocks immediately west of NE 66<sup>th</sup> Avenue. There are significant areas to the north and west of the site that are currently undeveloped where there is ample opportunity to develop a road system that would comply with the County’s desired 800 foot maximum block length and 3,200 foot block perimeter. The Circulation Plan submitted as part of the Goshawk Hollow subdivision application shows a partial potential road layout for the area that would comply with those County standards.

In summary, the applicant believes the above evidence warrants the approval of a road modification for relief from the block length and block perimeter standards for the Goshawk Hollow Subdivision. In order to comply with these standards, the developer would be required to construct a new intersection with NE 66<sup>th</sup> Avenue aligned with the City’s proposed new intersection of Vancouver Mall Drive and NE 66<sup>th</sup> Avenue near the south property line of Goshawk Hollow. This intersection location would either unfairly obligate the Goshawk Hollow to construct full-width roadway improvements along his south property line or would result in a half-width roadway at the south end of the site that would almost certainly never be fully improved. The new intersection would create an undue hardship on the applicant because it would be poorly located on the site and would result in an inefficient and illogical layout for the development. A new intersection at the south end of the project would also violate the County’s intersection spacing standards. As mitigation for the substandard conditions, the applicant proposes a new pedestrian access between NE 49<sup>th</sup> Street and NE 66<sup>th</sup> Avenue.

The impacts of the substandard block length and perimeter conditions will be minor as there are substantial undeveloped areas to the north and west of the site where a well-developed street system can be developed that will provide for adequate vehicle circulation in the region.”

#### Staff's Evaluation

Staff is of the opinion that the applicant has met road modification criteria (a) and (b). Staff's recommendation is Approval of the road modification request.

#### Finding 20 - 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 at all intersections. Landscaping, trees, utility poles, and miscellaneous structures will not be allowed to impede required sight distance requirements at all proposed driveway approaches and intersections. The applicant shall submit a sight distance analysis and show the sight distance triangles on final construction plans. (See Condition A-1e)

#### **Conclusion (Transportation)**

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

#### **Stormwater:**

##### Finding 21 - Stormwater Applicability

The provisions of Clark County Code Chapter 40.385 shall apply to all new development, redevelopment, and drainage projects consistent with the Stormwater Management Manual for Western Washington (SMMWW) as modified by CCC 40.385 and the county's stormwater manual. The project adds more than 5,000 square feet or more of new impervious surface and therefore the applicant shall comply with Minimum Requirements 1 through 10 per CCC 40.385.020(A)(4). (See Condition A-3a)

##### Finding 22 - Stormwater Proposal

The applicant provided a preliminary stormwater technical information report dated August 10, 2015, prepared by PLS Engineering. Water quality is proposed to be managed through the use of a combination of Bioretention Facility's and Stormwater Filter treatment catch basins. Water quantity control will be managed via a combination of the proposed bioretention facilities and infiltration systems consisting of drywells and/or drain rock trenches under the site's roadways. Tested infiltration rate was approximately 30 inches per hour. (See Condition C-1)

In compliance with CCC 40.385.020 (C)(3)(c), the applicant is required to demonstrate that the seasonal high groundwater level is at least 15 feet below the bottom of proposed infiltration systems. The applicant has submitted a ground water monitoring report prepared by GE Services Inc. dated August 3<sup>rd</sup>, 2015, that indicates ground water is 17 feet below the surface of the ground. (See Condition C-2)

Per CCC 40.385.020(C)(1)(a), no new development or redevelopment shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. (See Condition A-3b)

The proposed bioretention facilities and the public roadway stormwater systems will be publicly owned and maintained. The homeowner's roof infiltration system will be privately owned and maintained.

### **Conclusion (Stormwater)**

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

### **Fire Protection:**

#### Finding 23 - Fire Flow/Hydrants

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. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. Fire flow and hydrant requirements are based upon a type V-B constructed residential structure with up to 3,600 sq. ft. of inhabitable space.

Fire hydrants are required for this application. The hydrants as indicated in the plans are not adequate. 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.

Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. A 3-foot clear space shall be maintained around the circumference of all fire hydrants. The local district fire chief approves the exact locations of fire hydrants. Contact the Vancouver Fire Department at (360) 487-7260 for approval. (See Conditions D-1 and D-2)

#### Finding 24 - Fire Apparatus Access/Turnaround

Fire department access is required for this application. The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. Provide 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.

An approved fire department turnaround is required for NE 64<sup>th</sup> Avenue and shall comply with the Clark County Road Standards. The turnaround shall be posted "NO PARKING –FIRE LANE". Parking is prohibited on fire department 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 D-3)

### **Conclusion (Fire Protection):**

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

**Water & Sewer Service:**Finding 25

The applicant has submitted a utility review from the City of Vancouver indicating that public water and sewer are available to the subject site. All lots in the proposed plat must connect to public water and sewer.

A copy of the final acceptance letter from the sewer and water purveyor should be submitted to the Health Department with the final plat mylar. The applicant needs to comply with all requirements of the purveyor. (See Condition D-4 and D-5)

**Impact Fees:**Finding 26

All residential lots created by this plat will produce impacts on schools, parks, and traffic, and will be subject to School (SIF), Park (PIF), and Traffic Impact Fees (TIF) per dwelling. The site is within the Vancouver School District with a SIF of \$1,523.00, Park District 7 with a PIF of \$1,445.00 (acquisition) + \$440.00 (Development), and the South Orchards Transportation Subarea with a TIF of \$3,164.32 (\$1,921.08 for Townhomes).

Impact fees shall be paid prior to issuance of a building permit for each lot. If a building permit application is made more than three years following the date of preliminary plat approval, the impact fees will be recalculated according to the then-current ordinance rate. Impact fees will be waived for two lots in the proposed plat due to the two existing residences and a note shall be added to the face of the plat which state which lots impact fees will not apply. (See Condition D-6c & E-1)

**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 September 28, 2015, is now 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:** Richard Daviau, (360) 397-2375, ext. 4895.

**Responsible Official:** Marty Snell, Community Development Director

### **Recommendation**

Based upon the proposed plan 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.

<b>A</b>	<b>Final Construction Review for Land Division Review and Approval Authority: Development Engineering</b>
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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/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 proposed sidewalk connection between NE 49<sup>th</sup> Street cul-de-sac and NE 66<sup>th</sup> Avenue shall be within a 10-foot public easement (see Finding 16).
  - b. NE 66<sup>th</sup> Avenue - The applicant shall construct a 19-foot half-width roadway with curb/gutter and sidewalk per Standard Drawing 6. The applicant shall construct the south bound off site taper on NE 66<sup>th</sup> Avenue according to AASHTO guidelines. (See Finding 18)
  - c. NE 49<sup>th</sup> Street and NE 64<sup>th</sup> Avenue - The applicant shall dedicate 46-foot width right-of-way and construct a 28-foot width roadway with curb/gutter and sidewalk on both sides of the roadway per Standard Drawing 13 (see Finding 18).
  - d. NE 63<sup>rd</sup> Avenue - The applicant shall dedicate a minimum 29-foot half-width right-of-way and construct a 20-foot width roadway with curb/gutter and sidewalk on the east side of the road per Standard Drawing 13 (see Finding 18).
  - e. The applicant shall submit a sight distance analysis and show the sight distance triangles on the final construction plans for all public road intersections (see Finding 20).
- A-2 **Transportation Concurrency:**
- a. Final Transportation Plan/Off Site (City of Vancouver Concurrency) - The applicant shall reimburse the City for costs incurred in running their concurrency model in the amount of \$1,500. This reimbursement shall be paid to the City with evidence of payment presented to Clark County. (See Finding 11)
  - b. Final Transportation Plan/Off Site (City of Vancouver Concurrency) - The applicant shall reimburse the City for the normal traffic review fee of \$315.00. This reimbursement shall be paid to the City with evidence of payment presented to Clark County. (See Finding 11)
  - c. Final Transportation Plan/Off Site (City of Vancouver Concurrency) - The applicant shall be required to reimburse the City for the transportation plan review in the amount of \$3,221. This reimbursement shall be paid to the City with evidence of payment presented to Clark County. (See Finding 11)
  - d. Final Transportation Plan/Off Site (County Concurrency) - The applicant shall submit a signing and striping plan for review and approval. This plan shall show signing and striping and all related features for required frontage improvements and any off-site improvements. The applicant shall obtain a work order with Clark County to reimburse the County for required signing and striping.

- e. Final Transportation Plan/Off Site (County Concurrency) - The applicant shall consider the WSDOT Design Manual - Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. (See Finding 14)
  - f. Final Transportation Plan/Off Site (County Concurrency) - The applicant shall submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval, unless modified by the County Engineer. The plans will also need to show that all applicable design vehicles have the ability to enter and exit the development without swinging into opposing travel lanes, which may result in no on-street parking areas on the local residential access road, at/near the NE 78<sup>th</sup> Street/NE 69<sup>th</sup> Place; NE 78<sup>th</sup> Street/NE 167<sup>th</sup> Avenue; NE 78<sup>th</sup> Street/NE 171<sup>st</sup> Avenue intersections. (See Finding 15).
- A-3 **Final Stormwater Plan** - The applicant shall submit and obtain County approval of a final stormwater plan designed in conformance to CCC 40.385 and the following conditions of approval (See Findings 21 and 22):
- a. The applicant shall comply with the Clark County Stormwater Manual minimum requirements 1-10.
  - b. Per CCC 40.385.020(C)(1)(a), no new development or redevelopment shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots.
- A-4 **Erosion Control Plan** - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.385.
- A-5 **Excavation and Grading** - Excavation/grading shall be performed in compliance with CCC14.07.
- A-6 **Landscape/Screening** - The proposed L3 buffer along the south property line cannot include a chain link with slats. Typically, a site-obscuring solid cedar fence is used to meet this requirement. (See Finding 4)
- A-7 **Archaeology** - A note shall be placed on the face of the final construction plans as follows: "In the event that archaeological or historic materials (e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) are 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 these requirements could constitute a Class C Felony."

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

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

<b>C</b>	<b>Provisional Acceptance of Development Review and Approval Authority: Development Inspection</b>
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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 CCC 40.385.020(C)(3)(i), before acceptance of any infiltration facility by the county, the completed facility must be tested and monitored to demonstrate that the facility performs as designed. If the tested coefficient of permeability determined at the time of construction is at least ninety-five percent (95%) of the uncorrected coefficient of permeability used to determine the design rate, construction shall be allowed to proceed. If the tested rate does not meet this requirement, the applicant shall submit an additional testing plan to Clark County that follows the requirements in Chapter 2 of the Stormwater Manual. This plan shall address steps to correct the problem, including additional testing and/or resizing of the facility to ensure that the system complies with the provisions of this chapter.
- C-2 **Stormwater** - During installation of the infiltration facility, the applicant shall demonstrate that groundwater table is at least 5 feet below the designed elevation of the bottom of the proposed infiltration facility. The system shall be redesigned if the required separation is not achieved.

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

- D-1 Water mains supplying fire flow and fire hydrants shall be installed, approved and operational.

D-2 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. Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection.

A 3-foot clear space shall be maintained around the circumference of all fire hydrants. The local district fire chief approves the exact locations of fire hydrants. Contact the Vancouver Fire Department at (360) 487-7260 for approval.

D-3 The applicant shall provide 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. An approved fire department turnaround is required for NE 64<sup>th</sup> Avenue and shall comply with the Clark County Road Standards. The turnaround shall be posted "NO PARKING –FIRE LANE". Parking is prohibited on fire department 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"

D-4 All lots in the proposed plat must connect to an approved public sewer and water systems. A copy of the final acceptance letter from the sewer and water purveyor shall be submitted to the Health Department with the final plat mylar. The applicant shall comply with all requirements of the purveyor.

D-5 Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Final Approval Letter" must be submitted, the Evaluation Letter will specify the timing of when the Final Approval Letter must be submitted to the county (e.g., at Final Construction Plan Review, Final Plat Review or prior to occupancy). The Evaluation Letter will serve as confirmation that the Health Department conducted an evaluation of the site to determine if existing wells or septic systems are on the site, and whether any structures on the site have been/are hooked up to water and/or sewer.

D-6 **Developer Covenant** - A "Developer Covenant to Clark County" shall be submitted for recording to include the following:

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

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

- c. Impact Fees: "In accordance with CCC 40.610, the School, Park, and Traffic Impact Fees for each dwelling in this subdivision are: \$1,523.00 (Vancouver School District), \$1,885.00 (\$1,445.00 - Acquisition; \$440.00 - Development for Park District 7), and \$3,164.32 (\$1,921.08 for Townhomes - South Orchards TIF subarea) respectively.

The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated \_\_\_\_\_, and expiring on \_\_\_\_\_. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule."

D-7 **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 residential driveway approaches entering public roads are required to comply with CCC 40.350. Direct driveway access to NE 66<sup>th</sup> Avenue is not allowed"
- c. Mobile Homes: "Mobile homes are not permitted on any lots of the proposed subdivision."
- d. Archaeological (all plats): "In the event that archaeological or historic materials (e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) are 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 these requirements could constitute a Class C Felony."
- e. 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."

- D-8 The required L1 and L3 Landscape buffers shall be installed per submitted Landscape plan and Condition A-6.

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

- E-1 Impact Fees - The applicant shall pay impact fees for the proposed lots as follows:
- a. \$1,523.00 per dwelling for School Impact Fees (Vancouver School Dist.)
  - b. \$1,885.00 per dwelling for Park Impact Fees (\$1,445.00 - Acquisition; \$440.00 - Development for Park District 7)
  - c. \$3,164.32 (\$1,921.08 for Townhomes) per dwelling for Traffic Impact Fees (South Orchards TIF Sub-area)

If the building permit application is made more than three years following the date of preliminary site plan approval, the impact fees shall be recalculated according to the then-current rate.

<b>F</b>	<b>Development Review Timelines &amp; Advisory Information Review &amp; Approval Authority: None - Advisory to Applicant</b>
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- F-1 **Land Division** - Within 7 years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.
- F-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 the DOE for further information.**

- F-3 **Building and Fire Safety**  
Building and Fire, Life, and Safety requirements must be addressed through specific approvals and permits. This decision may reference general and specific items related to structures and fire, life, and safety conditions, but they are only for reference in regards to land use conditions. It is the responsibility of the owner, agent, tenant, or applicant to insure that Building Safety and Fire Marshal requirements are in compliance or brought into compliance. Land use decisions do not waive any building or fire code requirements.

**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**

- Proposed Plot Plan

# Goshawk Hollow Subdivision

Located in the NE 1/4 of Section 18 T2N, R2E, W1M,  
Clark County, Washington

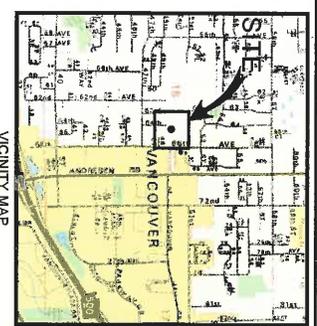
**GENERAL INFORMATION**  
 Applicant: Andrew Gantner  
 6204 NE 77th Court  
 Vancouver, WA 98681  
 Email: andrew@afengineering.com

**PROJECT DESIGNER**  
 Andrew Gantner  
 2008 C Street  
 Vancouver, WA 98683  
 Fax: (509) 944-6539  
 Email: andrew@afengineering.com

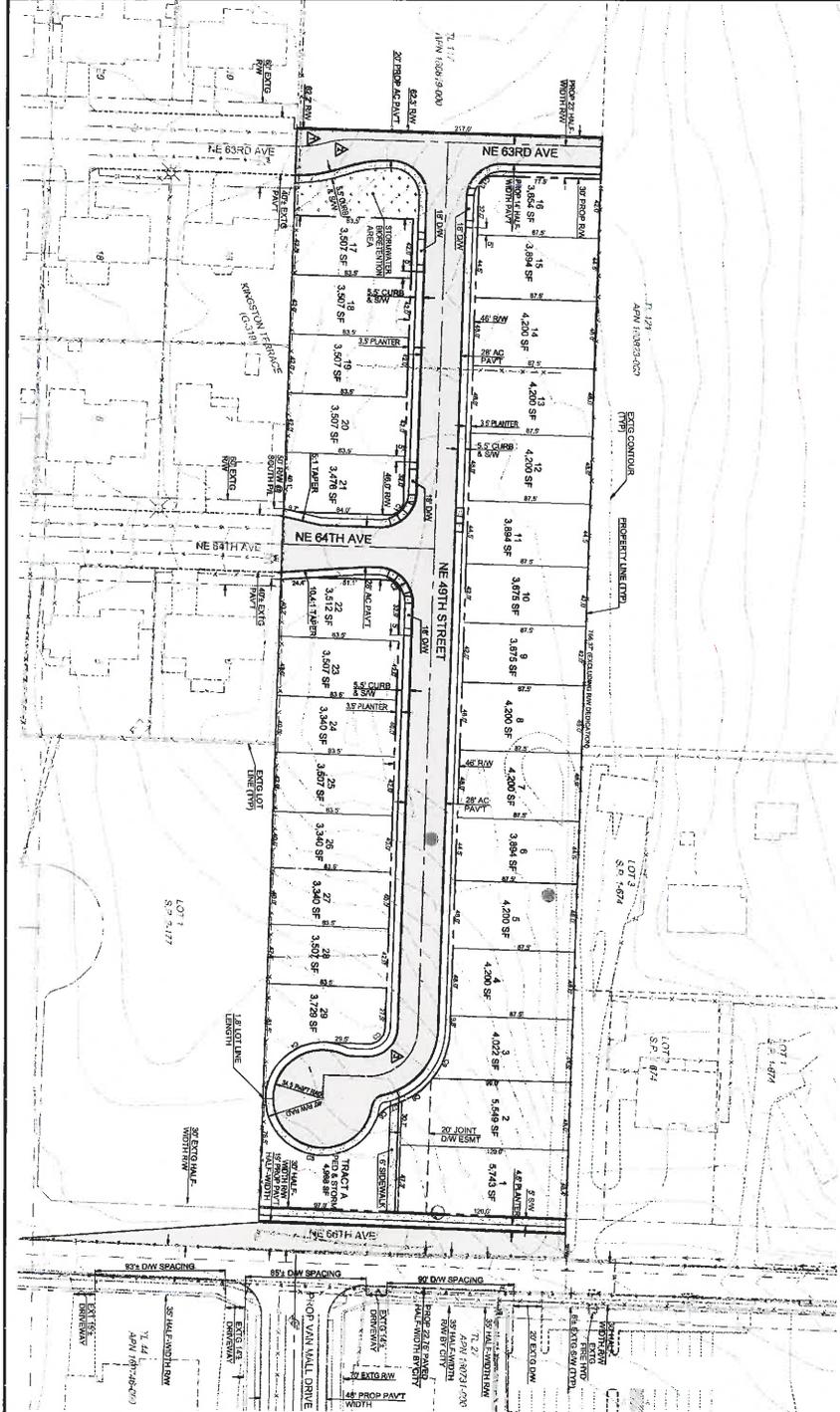
**Existing Condition Information:**  
 There may be a septic system on the site but there are no known wells on the property. The septic system on the site shall be properly abandoned in accordance with State and local regulations. The applicant shall search the area around the former house on the site prior to construction to attempt to locate the septic system unless they can locate documentation that the septic system has already been properly abandoned.  
 C-Traffic has service Road 32 runs south from Vancouver Mall Drive along NE Anderson Road and Route 78 runs north from Vancouver Mall Drive along Anderson Road. The intersection of Vancouver Mall Drive and Anderson Road is about 600 feet west of Government Hollow southeast property corner. The nearest stop for nearest stop for Route 78 is approximately 100 feet north of Vancouver Mall Drive on the east side of Anderson.  
 According to GIS data, there are no areas mapped for middle instellationation or shoreline status on the site. The property is not mapped in any Critical Aquifer Recharge Areas. There are no areas of severe erosion hazard or potential slope instability according to GIS mapping. The topography of the site is mapped having moderate-high probability. There are no areas outside of within 100 feet of the site containing 100 year flood plains, flood fringe footways, or areas prone to flooding based on County GIS mapping. There are no wetlands or stream bodies on the site.  
 Existing conditions shown are based on a topographic and boundary survey by KPF Surveying and of site information from City of Vancouver GIS data and previous surveys of the area.

Right-of-Way Curve Radius Data	Delta	R	L
C1	89°53'56"	14'	15.89'
C2	90°00'00"	14'	15.31'
C3	90°00'00"	17'	18.82'
C4	90°00'00"	14'	14.23'
C5	19°02'06"	24'	19.84'
C6	44°13'14"	49'	17.48'
C7	90°00'00"	56'	6.82'
C8	27°03'00"	56'	22.66'
C9	34°01'00"	56'	33.24'
C10	90°00'00"	14'	15.89'

Curve Radius Data	Delta	R	L
1	17°12'24"	70'	21.82'
2	14°03'00"	70'	20.84'
3	40°15'00"	35'	16.51'



- 1 Proposed Development Plan
- 2 Proposed Street and Utility Cross-sections
- 3 Typical Street Cross-sections



**Project Description:**  
 The project is within the R-12 zone of Clark County, a medium density residential zone that allows for both single family and multifamily units. The project is proposed to be constructed in one phase and will consist of a mix of single-family detached and single family detached lots.  
 Parcel number: 160788-000, Tax Lot 67.  
 Public Water Provider: City of Vancouver  
 Public Sewer Provider: City of Vancouver

**Project Area - 28,821 ac (108,278 sq ft) when including 688 ac, 108,278 sq ft (4,748,000 sq ft) (including 688 ac) (4,748,000 sq ft)**  
 Total Number of Lots = 48  
 Type of the proposed: Single-family detached and attached (townhouse)  
 Minimum Lot Size = 5,245 sq ft  
 Maximum Lot Size = 5,245 sq ft  
 Average Lot Size = 3,888 sq ft

**Proposed Right-of-Way (redaction to Clark County = 1.16 acres (50,597 sq ft))**  
 Single-Family Attached-Setback Requirements:  
 Min. Lot Area = 2,800 sq ft  
 Min. Lot Width = 18' Min. Lot Depth = 17'  
 Setback: Front = 10' Front Garage = 16' Street Side = 10' Side = 0-5'  
 Max. Lot Coverage = 60%, Max. Bldg. Height = 35'

Single-Family Detached-Setback Requirements:  
 Min. Lot Area = 2,800 sq ft  
 Min. Lot Width = 33' Min. Lot Depth = 30'  
 Setback: Front = 10' Front Garage = 16' Street Side = 10'  
 Max. Lot Coverage = 50%, Max. Bldg. Height = 35'

Min. allowable = 6 dwelling units/acre, max. allowable = 12 dwelling units per acre. Medium density based on the area excluding land devoted to public parks, public parks & trails, required drainage ways, streets, and other public uses. For density calculations, area used is 2.59 acres (112,687 square feet) which includes all proposed for street and includes all other areas that have been included in the map.  
 Min. allowable density = 8 DU/AC 2.59 AC = 21.64  
 Max. allowable density = 12 DU/AC 2.59 AC = 31.08

Revisions	Submitted for agency review.	DATE
A		7/25/15
B		
C		
D		
E		

## Proposed Development Plan for: Goshawk Hollow Subdivision A Subdivision in Clark County, Washington



PROJECT NO.	230
SCALE	N. 1/4" = 1'
DESIGNED BY	AG
EXAMINED BY	AG
APPROVED BY	AG
DATE	7/25/15

