

Land Use Application for Holley Park Subdivision

Date: March 2019

Submitted to: City of La Center
305 NW Pacific Highway
La Center, WA 98629

Applicant: Compass Group, LLC
1904 SE 6th Place
Battle Ground, WA 98604



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Land Use Application for a Type III Subdivision

Submitted to: City of La Center
305 NW Pacific Highway
La Center, WA 98629

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Site Location: City of La Center
Parcel Serial Numbers:
62965242, 209055-000, and 209059-000

Site Size: Total Area: 14.54 acres (633,340 square feet)
62965242: 1.95 acres (84,938 square feet)
209055-000: 0.56 acres (24,196 square feet)
209059-000: 12.03 acres (524,206 square feet)

Zoning District: Low Density Residential (LDR-7.5)
Urban Holding (UH-10)
Parks/Open Space (P/OS)
Single-Family Residential (R1-7.5)

I. Executive Summary

Through this application, Compass Group, LLC (Applicant) requests approval from the City of La Center (City) to subdivide the subject site (described below) into a 39-lot subdivision for the future construction of 39 detached single-family homes. The development will gain access from the extension of E 2nd Street on the east boundary of the site. All proposed lots will be served from three internal roads that will be developed with the subdivision. Each lot is proposed to be served by sanitary sewer, storm sewer, and water service, as well as utilities such as electric, gas, phone, cable, etc. As described in further detail through this written narrative, and as detailed in the Preliminary Plans, the subdivision will include all streets, sidewalks, utilities, and other public improvements necessary to support the proposed community.

This written narrative includes findings of fact demonstrating that the application complies with all applicable approval criteria. These findings are supported by substantial evidence, including the Preliminary Plans and other written documentation. This information, which is included in this application package, provides the basis for the City of La Center to approve the application.

II. Site Description/Setting

The subject site is comprised of three parcels totaling approximately 14.54 acres in the City of La Center. The site is addressed as 33105 NE Ivy Avenue, La Center, WA 98629. The individual parcels are identified as numbers 62965242, 209055-000, and 209059-000. The subject site is located along the east side of E Ivy Avenue (private), approximately 600 feet south of NE Lockwood Creek Road. The private right-of-way for Ivy Avenue ends approximately 264 feet from the northwest corner of the site. The properties north of the site are developed as Holley Park and a City public works facility. The properties to the east are developed as single-family residential. The properties to the south are vacant and undeveloped. One property to the west is vacant and undeveloped, and the other is developed as a public elementary and middle school.

The existing site topography slopes generally from northeast to southwest. There are areas of steep slopes across the north and south portions of the site. Slopes range between 1% and 4% over a majority of the site, with slopes up to 60% in the steep slope areas. There are streams on site, identified as Water 1, Water 2, and Water 3. Water 1 runs from the northeast corner to the west along the north portion of the site. Water 2 begins in the south-central portion of the site and flows to the south off site. Water 3 begins in the southeast corner of the site and flows to the south off site. The existing vegetation consists of dense evergreen and deciduous trees along the streams, with less dense trees around the existing residence and associated buildings. There are shrubs and turf grass near the residence. The remainder of the site is open grass field.

Parcels 209055-000 and 209059-000 are currently located in Clark County and are zoned Parks/Open Space (P/OS) and Single-Family Residential (R1-7.5) respectively. Parcel 62965242 is zoned P/OS in the City. The two parcels in Clark County are currently under application for annexation to the City. Once annexation is complete, Parcel 209055-000 will remain zoned P/OS and Parcel 209059-000 will become Low Density Residential (LDR-7.5) Properties to the north are zoned, P/OS; properties to the east are zoned LDR-7.5; properties to the south are zoned Agriculture-20 (AG-20); and properties to the west are zoned R1-7.5 and Urban Public Facilities (UP).

III. Applicable Review Criteria

LA CENTER MUNICIPAL CODE

Title 3 REVENUE AND FINANCE

Chapter 3.35 Impact Fees

3.35.160 Impact fee credits.

- (1) The developer shall be entitled to a credit against the applicable impact fee component for any dedication of land for, improvement to, or new construction of any system improvements provided by the developer (or the developer's predecessor in interest) to facilities that are/were identified in the La Center CFP and that either (a) are required by the city as a condition of approval for the immediate development proposal, or (b) were undertaken subsequent to April 1, 1997, pursuant to a contract with the city or a condition of development approval if such prior dedication, improvement or construction is located within the same service area as the immediate development proposal and application for credit recognition is submitted no later than January 1, 1998.

Response: The Applicant is constructing a public trail in Tract A that will connect to and become part of Trail 11, identified on the City of La Center Trails and Pathways Plan in the City's 2016 Comprehensive Plan. The Applicant proposes that after construction and platting, Tract A will be transferred to the City in exchange for park impact fee credits.

Title 12 STREETS, SIDEWALKS, AND PUBLIC WAYS

Chapter 12.05 Sidewalks

12.05.010 Construction – Expense borne by property owners.

In the city of La Center the burden and expense of constructing sidewalks along the side of any street or other public places shall devolve upon and be borne by the property directly abutting therein.

Response: Sidewalks are proposed and will be paid for and constructed by the contractor with the construction of each home. This standard will be met.

12.05.020 Construction – Order by resolution – Notice to property owner.

Whenever the officer having the care and superintendence of streets and public places in the city of La Center shall report to the city council that the public convenience or safety requires that a sidewalk be constructed along either side of any street or other public place in said city, and if the city council shall deem the construction of such sidewalk necessary or convenient for the public, it shall by resolution order such sidewalk constructed and shall cause notice in writing to be served upon the owner of each lot, block or parcel of land immediately abutting upon that portion and side of such street or public place where said sidewalk in accordance with such resolution.

Response: As shown on the plans included with this narrative, sidewalks are proposed along both sides of all streets to be constructed with the development. This standard is met.

Chapter 12.10 Public and Private Road Standards

12.10.060 Public roads – Plans for construction of roads and utilities.

Response: Preliminary Engineering Plans are included with this application. Final Engineering Plans meeting the requirements of this section will be submitted for final engineering review following land use approval. This standard will be met.

12.10.070 Public roads – General specifications.

Response: As shown on the plans included in this application, all proposed roads for the development will be constructed to the Local Access standard following Standard Drawing ST-15. Final Engineering Plans will include all required details and specifications for construction. This standard is or will be met.

12.10.090 Public roads – General roadway and right-of-way standards.

- (1) The minimum right-of-way and roadway widths for all city roads shall be as required in the engineering standards. Additional right-of-way may be required where necessary to accommodate slopes.

Response: All roads proposed for the development meet the Local Access standard. Road will include 50-foot right-of-way, 32-foot pavement width, and 6-foot attached sidewalks. This standard is met.

- (2) The location, width and grade of proposed streets shall be considered in relation to: existing and planned streets, topographical conditions, public convenience and safety for all modes of travel, existing and identified future transit routes and pedestrian/bicycle accessways, and the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain. To the extent possible, proposed streets shall connect to all existing or approved stub streets that abut the development site. Where location is not shown in the development plan, the arrangement of streets shall either:

Response: The proposed roads are designed to meet the requirements of the Local Access road as shown in Plan ST-15 of the City standard plans. The streets have been laid out to account for existing steep slopes and on-site streams. No circulation is provided to the north or south of the development due to the presence of critical areas. All streets will have sidewalks along both sides and carry traffic volumes that allow bicycles to share the roadway, allowing for all modes of travel. The development extends E 2nd Street from the east into the development, connecting the site to the existing street system to the east for circulation. This standard is met.

- (6) Intersection spacing for new streets within all new developments and to the limits of the entire parcel of property being developed will be from 100 to 500 feet. The spacing is measured as the distance of intersections with other public roads from centerline to centerline of the intersecting public roads. Locations of arterial streets are determined by the city's transportation capital facility plan.

Response: The proposed development provides a minimum intersection spacing of 205 feet and a maximum spacing exceeding 500 feet. As discussed later, under Section 12.10.210, this longer intersection spacing is required due to critical areas. A road modification application addressing the intersection spacing is included with this application. This standard is met.

12.10.170 Developments – Access road – General.

Dedicated rights-of-way providing access to a parcel being developed shall have a minimum right-of-way width as specified in the design criteria contained in the engineering standards; private road easements providing access to a parcel being developed shall have a minimum easement width of 60 feet unless a lesser width would be permitted by the engineering standards if the road were public; provided, that in situations where the property being developed does not permit full public or private roads, half roads having a minimum right-of-way or easement width of one-half of the design width may be permitted when placed adjacent to adjoining property so long as there is no physical obstruction or development constraint prohibiting the completion of the road on such adjoining property; and provided further, that no more than five actual parcels or units may be served by a half-width public road unless the minimum roadway width is at least 25 feet.

Response: The subject site currently gains access from E Ivy Avenue (private) along the west boundary. The private right-of-way for Ivy Avenue ends approximately 264 feet from the northwest corner of the site. Upon completion of the development, access to E Ivy Avenue will be prohibited. Access to the development will be gained from the extension of E 2nd Street (public) into the site from the east. The stub of E 2nd Street is a fully developed Local Access road with a 50-foot right-of-way, 32-foot paved width, and 6-foot attached sidewalks. This standard is met.

12.10.180 Developments – Access road – Right-of-way.

- (1) No development shall occur on any parcel which does not abut a public road right-of-way or private road easement which meets the minimum right-of-way or easement standards set out in LCMC 12.10.170; provided, that this prohibition shall not apply to the construction of any accessory residential structure, to any sign, or to the structural addition, alteration or repair to any existing structure within any 12-month period which neither exceeds 25 percent of the value of the existing structure nor increases the total floor space of the structure by more than 10 percent.

Response: All proposed lots in the development will have access to public rights-of-way. Lots 6, 23, 38, and 39 gain access through easements across adjacent lots. All other lots have direct access to public right-of-way. This standard is met.

- (2) If the lot abuts an existing publicly maintained road, the requirements of this section shall be deemed satisfied if the half-width of the entire abutting portion of such public road meets the minimum right-of-way standards set forth herein. If the lot abuts a private easement or road, such private easement or road shall meet the minimum standards set forth herein along the entire frontage of such lot and along the full length of the private easement or road from such lot to an opened, constructed and maintained public road;

provided, that a half-width private easement or road may be approved pursuant to LCMC 12.10.170.

Response: The subject site does not abut any publicly maintained road. E 2nd Street terminates at the east boundary of the site and will be extended into the site to provide access to this development. This standard does not apply.

12.10.190 Developments – Access road – Frontage improvements.

Response: This application does not propose any frontage improvements. E Ivy Avenue along the east boundary is a private road and no access will be gained from E Ivy Avenue with the proposed development. The site has no other existing road frontages.

12.10.210 Developments – Crossroads.

On all dedicated rights-of-way exceeding 500 feet in length, cross streets shall be provided at intervals not greater than 500 feet in the urban or city area; provided, in order to minimize through traffic in residential neighborhoods, an overall development plan providing longer intersection intervals may be approved so long as it provides adequate vehicular circulation in the vicinity of the development; and provided further, that when cross street spacing exceeds 500 feet, pedestrian walkways connecting streets may be required. The cross street shall extend the full depth of the property at approximate right angles to the dedicated right-of-way and shall provide for a minimum width as specified in LCMC 12.10.090 or 12.10.140. Cross streets shall be aligned to join the existing streets at the terminal points for developing circulation of traffic.

Response: This application proposes a cross street interval that is approximately 512 feet between E Juniper Avenue and E Knobcone Pine Avenue. This spacing is required due to the presence of critical areas. Vehicular circulation is provided through the development's connection to E 2nd Street. A pedestrian pathway is proposed to run north from the intersection of E 3rd Street and E Knobcone Pine Avenue and connect to trail (Trail 11) in Holley Park. This standard is met.

12.10.250 Street extensions.

Where a public or private road has been constructed or created in such a manner as to be able to be extended or widened in accordance with adopted road plans or this chapter, then:

- (1) All residences, buildings, or structures shall be constructed in such a position on the property that they will not interfere with the extension or widening of the roadway to adjacent areas and shall be so situated that such extension will make orderly and planned development for additional road installations to meet the reasonable minimum requirements of good and safe traffic circulation; and
- (2) Right-of-way or private easements necessary to such extension or widening and falling within parcels being developed shall be granted or created as a condition of development approval.

Response: The proposed development will extend existing E 2nd Street from its termination point at the east boundary of the site. E 2nd Street is a fully developed Local Access road. All streets within the development will be constructed to the full Local Access standards. This standard is met.

12.10.310 Modifications.

Response: This application is requesting the approval for three road modifications. The 90-degree intersection of E Knobcone Pine Avenue and E 3rd Street is proposed with a 50-foot horizontal centerline radius. The city requires horizontal centerline radius for local access streets to be 150 feet. Due to the critical areas on site, circulation to the north and south cannot be provided. Therefore, the intersection spacing within the development exceeds the allowed 500-foot maximum spacing. The cul-de-sacs on E Juniper Avenue and E Knobcone Pine Avenue are proposed to have a paved centerline radius of 38.50 feet of asphalt, two feet of rolled curb, and 5.5 feet of reinforced sidewalk, and a right-of-way centerline radius of 46.00 feet. The City requires a paved centerline radius of 45 feet and right-of-way radius of 54 feet. A road modification is included as part of this application package describing how the City can approve the requested modifications. This standard is met.

12.10.350 Street trees and landscaping.

When desired by the city, street trees and landscaping shall be incorporated into the design of any road improvement. Existing trees and landscaping should be preserved where desirable, and placement of new trees should be compatible with other features of the environment. In particular, maximum heights and spacing should not conflict unduly with overhead utilities. Trees shall be of the type that roots will not damage sidewalks, etc. If street trees are planted, they should conform reasonably to city standards. Maintenance of street trees, planter strips, and other landscaping within the right-of-way is the responsibility of the abutting property owner. More information on landscaping can be found in the engineering standards.

Response: Street trees are proposed to be installed with the development and will be planted at the time of home construction for each adjacent lot. There is also a trail proposed in Tract A; however, as this trail will be in an area that is remaining natural, no additional landscaping is proposed with the trail. There will also be mitigation trees planted in Tracts A, B, and C to mitigate for the exiting trees being removed with the development. See the Landscape Plan included with this application for more information. This standard is met.

12.10.360 Street lighting.

An applicant for approval of a subdivision shall install a complete street lighting system, including conduits, wiring, concrete bases, poles, junction boxes, meter bases, service cabinets and luminaires, on all roads improved as part of a subdivision at the developer's expense. More information on street lighting can be found in the engineering standards.

Response: A Preliminary Street Lighting Plan has been completed and is included in the development plans submitted with this application. A Final Street Lighting Plan will be completed by a licensed electrical engineer and submitted with the Final Engineering Plans. This standard is met.

Title 13 PUBLIC UTILITIES

Chapter 13.10 Sewer System Rules and Regulations

13.10.110 Side sewers and connections.

- (2) A separate and independent side sewer shall be provided for every building. If one building stands at the rear of another on an interior lot under the same ownership and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, yard, or driveway, the side sewer from the front building may be extended to the rear building and the whole considered as one building sewer, with prior approval of the administrative authority. If the administrative authority finds that it may be necessary or beneficial to allow two adjacent buildings to connect to the public sewer through a common side sewer, such side sewer shall have a diameter of six inches or greater. When such connection is made under one owner, then later sold to multiple owners, it shall be the responsibility of the property owner(s) to provide proof of the recorded easement to the wastewater utility. Penalty for noncompliance after certified mail notice to the owner giving 60 days to remedy the situation.

Response: All lots are proposed to be served by public sewer. Each lot will have an individual sewer service from the home to the public sewer main in the right-of-way. The sewer main will connect to the existing main located in E 2nd Avenue at the east boundary of the site. This standard is met.

- (4) Any building required to connect to a public sewer shall also disconnect from existing cesspool(s) or septic tank(s). Procedures for abandoning cesspools and septic tanks shall be in accordance with the regulations and standards enforced by the Clark County health department. Failure to properly abandon may result in the termination of sewer service, at the discretion of the administrative authority and/or on the advice of the Clark County health department.

Response: The existing septic system on site will be abandoned and removed per Clark County Environmental Health requirements. This standard will be met.

- (5) Any residential, commercial or industrial user requesting connection with the public sewer shall first install or have installed an approved water meter, if such meter is not already installed. If the user obtains or can obtain water from sources other than the municipal supply, the meter shall measure the incoming flow from all such sources, and the installation and maintenance of the meter shall be at the user's expense. In circumstances where the wastewater flow is not generated through a metered water supply, the wastewater discharge must be metered directly. The meter shall be installed and maintained at the property owner's expense. Such a meter must be located to allow easy accessibility to city staff. If either type of meter is found to be defective or otherwise inoperative, usage shall be estimated by the city to be at the highest monthly level recorded for the preceding 12 months. Such meter shall be repaired within 60 days of notification from the administrative authority.

Response: This application proposes to install a water meter for each lot. The water meter and sanitary sewer will be installed prior to occupancy of any structure associated with each service. This standard is met.

13.10.180 Connections to public sewer.

Response: All lots are proposed to be served by public sewer. Each lot will have an individual sewer service from the home to the public sewer main in the right-of-way. The sewer main will connect to the existing main located in E 2nd Avenue at the east boundary of the site. Preliminarily Lots 1-2, 14-28, and 34-39 will require grinder pump systems. This standard is met.

Title 15 BUILDINGS AND CONSTRUCTION

Chapter 15.05 Building Code and Specialty Codes

Response: All buildings will be designed, reviewed, and constructed to meet the requirements of this section. This standard will be met.

15.35.030 Assessment of impact fees.

(3) International Fire Code

(c) Fire Sprinklers

Response: Per Appendix D Section D107 of the International Fire Code, a single access road may serve a maximum of 30 residences. The developments proposed access, E 2nd Street, currently serves 14 existing off-site lots. Thus, the proposed development is required to install fire sprinklers on 23 of the proposed 39 lots/future homes. As part of the 23 required sprinklered homes, this application proposes that all future homes built on E Juniper Avenue and E Knobcone Pine Avenue (dead-end streets) and on lots with shared driveways have fire sprinklers. The remaining lots that will have fire sprinklers will be selected by the developer after land use approval.

Chapter 15.35 School Impact Fees

15.35.030 Assessment of impact fees.

- (1) The city shall collect impact fees from any applicant seeking residential development approval from the city for any development activity within the city, where such development activity requires the issuance of a building permit as defined in this chapter. Impact fees shall be assessed for each dwelling unit created which may include the expansion of existing uses which creates a demand for additional school facilities.
- (2) Impact fees shall be assessed at the time a sufficiently complete building application that complies with existing zoning ordinances and building codes is submitted for each unit in the development. Impact fees shall be collected from the feepayer at the time the building permit is issued for each unit in the development.
- (3) Except if otherwise exempt, the city shall not issue the required building permit unless and until the impact fees have been paid.

Response: This application is subject to impact fees for 38 of the 39 lots proposed. The applicant requests an impact fee credit for the existing residence. The impact fees for this proposal will be calculated and imposed at the time of building permit issuance. This criterion will be satisfied at the building stage of this development.

Title 18 DEVELOPMENT CODE

Chapter 18.130 Low Density Residential District (LDR-7.5)

18.130.020 Locational criteria.

- (1) The city shall zone land designated for low density residential use on the La Center comprehensive plan map within the La Center corporate limits as follows:
 - (a) LDR-7.5 (7,500-square-foot lots). Ninety percent of all new parcels in this district must average within 10 percent of 7,500 square feet as a total development and any phase within the development. The remaining 10 percent of lots may be reduced to 6,000 square feet as a result of density transfer per LCMC 18.300.130. Individual parcels may not be smaller than 6,000 square feet nor larger than 11,000 square feet.

Response: This application proposes to construct 39 single-family lots in the LDR-7.5 Zone. Due to critical areas being located on site, three lots are allowed to be less than 7,500 square feet, but not less than 6,000 square feet. Lot 25 is proposed at 6,024 square feet and Lot 36 is 6,513 square feet. This standard is met.

18.130.080 Density requirements.

- (1) New lots and structures and additions to structures subject to this chapter shall comply with the applicable standards for minimum and maximum density in Table 18.130.080.

Lots created for drainage facilities, parks, open space, wetlands, critical areas and buffers or utilities shall not be subject to maximum lot size requirements.
- (2) An accessory building or structure shall not be erected unless there exists a residence and/or other primary and permissible use on the lot.

Table 18.130.080 – Density Requirements

Zoning District	Minimum Lot Area ¹ (sq. ft.)	Minimum Lot Area When Critical Areas Are Present (sq. ft.) ²	Maximum Lot Area (sq. ft.) ³	Minimum Net Density per Acre ⁴
LDR-7.5	7,500	6,000	11,000	4

¹ Duplexes (structures containing two separate dwelling units) require a minimum lot area of 10,000 square feet.

² The city may permit a minimum lot area of 6,000 square feet when critical areas are present and a transfer of density is proposed per LCMC 18.300.130. Under no circumstances may lots of less than 6,000 square feet be permitted.

³ The maximum lot area of a lot abutting the urban growth area boundary may exceed 11,000 square feet pursuant to this section. A border lot also is subject to different setbacks. The maximum lot area also can be exceeded for multifamily development.

⁴ Densities shall be calculated based on the gross area of the site minus any public rights-of-way.

Response: This application proposes to construct 39 single-family lots in the LDR-7.5 Zone. As previously discussed, Lots 25 and 36 are less than 7,500 square feet, as allowed through density transfer due to critical areas on site. All other lots are at least 7,500 square feet in size. Lot 39 is greater than 11,000 square feet, as allowed in Table 18.130.080, due to the lot abutting the urban growth area boundary.

Parcels 62965242 and 209055-000 are remaining in Parks/Open Space Zoning and are not allowed to have any residential density. Therefore, these properties will not be considered when calculating the minimum density required for the development. Parcel 209059-000 is 12.03 acres in size with 1.67 acres of right-of-way proposed with the development. The parcel also contains 1.83 acres of critical areas (steep slopes and stream buffers). Due to the critical areas, the site cannot meet the minimum density without removing the critical areas from the net site acreage. The Applicant is requesting a variance to remove the critical areas from the net acreage as permitted in the City's Comprehensive Plan. Therefore, the required minimum density for the site is 34 (8.53 acres x 4), based on net acres when removing right-of-way and critical areas.

18.130.090 Lot coverage and dimensions.

- (1) Maximum building lot coverage shall not exceed 35 percent. Maximum impervious surface area shall not exceed 50 percent.
- (2) Setbacks shall be measured from the nearest edge of the applicable property line to the nearest vertical wall or other element of the building or structure.
- (3) Side yard setbacks shall be consistent with Table 18.130.090, unless otherwise expressly allowed by this title.

Table 18.130.090 – Lot Coverage and Dimensions

District	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Front Yard Setback (feet) ^{1, 2}	Minimum Side Yard Setback (feet) ²	Minimum Street Side Yard Setback (feet) ²	Minimum Rear Yard (feet) ^{2, 3}
LDR-7.5	60	90	20	7.5	10	20

¹ If there are dwellings on both adjoining lots with front yard setbacks less than the required depth for the district, the minimum front setback for the lot is the average of the front setbacks of the adjoining dwellings. If there is a dwelling on only one adjoining lot with a front yard setback less than the required depth for the district, the minimum front setback for the lot in question is the average of the adjoining front yard setback and 15 feet.

² Cornices, eaves, belt courses, sills, canopies, or other similar architectural features (not including bay windows or vertical projections) may extend or project into a required yard not more than 30 inches. Chimneys may not project into a required yard more than 24 inches. A deck not more than 30 inches in height (measured from the lowest grade in the setback to the deck surface) and not covered by a roof or canopy may extend up to 10 feet into a front yard setback, seven and one-half feet into a street side yard setback and is permitted in a side or rear yard regardless of the setback requirements.

³ A detached accessory structure, other than a garage or carport, may be situated in a rear and/or side yard provided it is at least six feet from the primary structure on a lot or parcel and it is set back from interior side and rear lot lines by at least five feet and from street side lot lines by at least 10 feet. A garage or carport may be situated in a rear and/or side yard provided it is at least 20 feet from the front and street side lot lines, seven and one-half feet from an interior side lot line, 15 feet from a rear lot line; provided, further, if there is direct vehicular access from a garage or carport to the street abutting the street side lot line, then the garage or carport shall be set back at least 20 feet from that street side lot line.

Response: As shown on the Proposed Development Plan included in this application, the minimum proposed lot width is 60 feet, and the minimum proposed lot depth is 105.09 feet. All lots can meet the setback requirements as shown on the Preliminary Plans. This standard is met.

Chapter 18.147 Parks and Open Spaces

Response: As previously stated, once the annexation of Parcels 209059-000 and 209055-000 is completed, Parcel 209059-000 will be zoned LDR-7.5. The proposed development will contain 39 lots; therefore, no parks are required. The Applicant is proposing to construct pedestrian pathway in Tract A and transfer ownership of Tract A to the City in exchange for park impact fee credits. The trail connects to the development on the north side of the intersection of E 3rd Street and E Knobcone Pine Avenue. The proposed pathway will run north and connect to the existing trail (Trail 11) in Holley Park. The trail also run east in Tract A, connecting to E Ivy Avenue. This standard is met.

Chapter 18.210 Subdivision Provisions

18.210.010 Pre-application review.

(1) A preliminary plat is subject to pre-application review.

Response: A pre-application for the project was submitted on September 7, 2018, and the pre-application conference was held on October 9, 2018. The pre-application project number is 2018-02-PAC, and the report was issued on October 25, 2018. This standard is met.

Chapter 18.245 Supplementary Development Standards

18.245.020 Height of fences and hedges.

Response: No fences or hedges are proposed as part of this application. Any fences or hedges installed related to this development will meet the requirements of this section. This standard can be met.

18.245.030 Solid waste.

If refuse containers are used by more than one unit for temporary storage of solid wastes, the container(s) shall be screened from view from off-site by a sight-obscuring fence and/or evergreen landscaping and the area kept clean of all litter.

Response: Each proposed unit will have individual temporary storage for solid waste. This standard does not apply.

18.245.040 Lighting.

Response: The Applicant proposes street lighting with this project. A Preliminary Street Lighting Plan is included in this application showing that all requirements for lighting are met. A Final Street Lighting Plan prepared by an electrical engineer will be submitted with the Final Engineering Plans. This standard is met.

18.245.050 Noise.

Response: The proposed development will be able to comply will all applicable standards in Chapter 173-60 o the Washington Administrative Code (WAC). This standard will be met.

18.245.060 Landscaping.

Response: A Landscape Plan is included with this application. The zoning of the proposed development is LDR-7.5 and P/OS. Adjacent properties are zoned R1-7.5, LDR-7.5, P/OS, PF, and AG-20. Per Table 18.245.060 of the La Center Municipal Code (LCMC), no landscaping or screening for the development is required. Irrigation will be provided as needed for street trees and mitigation trees. More detailed information will be provided with the Landscape Plan submitted with the Final Engineering Plans This standard is met.

Chapter 18.260 Variances

Response: The Applicant is proposing a variance to the calculation of net site area as it relates to determining the minimum density requirement for the site.

Table 18.130.080 – Density Requirements, requires minimum density to be calculated by multiplying minimum net density per acre by the net site acreage. The net site acreage is determined by subtracting the proposed right-of-way dedication from the overall site area. Using this standard, the development is required to meet a minimum density of 41 lots (10.36 x 4).

Due to the presence of approximately 1.83 acres of critical areas (steep slopes and stream buffers) on site, the development is unable to meet minimum density when all other lot standards are met. Therefore, the Applicant is proposing to remove the 1.83 acres of critical areas from the density calculation, requiring the development to provide a minimum of 34 lots (8.47 x 4), consistent with the City’s Comprehensive Plan.

The variance can be approved since the large amount of on-site critical areas creates an unusual circumstance that would deprive the owner of the subject property rights and privileges enjoyed by owners of other properties within the vicinity of the same zone. The variance will also not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the property is situated, since it will allow for a development that meets all other code requirements for a subdivision in the LDR-7.5 Zone and density requirements of the City’s Comprehensive Plan.

Chapter 18.280 Off-Street Parking and Loading Requirements

Response: LCMC Table 18.280.010 requires two parking spaces per dwelling unit. Each lot is proposed to have a two-car garage, as well as two parking spaces in the driveway for each house, providing four parking spaces for each unit. This standard is met.

Chapter 18.300 Critical Areas

18.300.050 Allowed uses.

- (5) **Limited Uses.** Limited uses, as described in this section, shall avoid critical areas, to the greatest extent reasonable and practicable. Limited uses may be allowed within critical area buffers subject to the mitigation measures and implementation of a monitoring plan as described in LCMC 18.300.090(6)(I). Applications for development within critical areas or buffers shall demonstrate that all reasonable efforts have been examined with the intent to avoid and minimize impacts to critical areas and buffers. All limited uses shall be

consistent with the provisions of this chapter and shall be subject to SEPA review.

- (a) Subdivision or Short Plat. The subdivision or short plat process may be used when provisions are made (e.g., avoidance, mitigation, dedication of land or conservation easements) that substantially minimize adverse effects upon critical areas.

Response: The proposed subdivision is laid out to avoid impacts to all critical areas and minimize impacts to buffers. All buffer impacts will be mitigated for pre the Critical Areas Assessment included with this application. This standard is met.

18.300.090 Critical lands.

(2) Fish and Wildlife Habitat Conservation Areas.

Response: The site contains three intermittent Type Ns streams, identified as Water 1, 2, and 3. Water 1 flows from the northeast, off site, through the northwest corner of Parcel 209055-000 to the southwest corner of Parcel 62965242 and continues off site to the southwest. Water 2 begins in the south-central portion of the site and runs off site to the south. Water 3 begins in the southeast corner of the site and runs off site to the south. All three streams have a 75-foot riparian habitat buffer.

The site contains scattered Oregon white oak but does not meet the 25% canopy cover requirement to be considered a priority Oregon white oak woodland. According to the Critical Areas Assessment, there are six white oaks located on site that meet Washington Department of Fish and Wildlife's Priority Habitat and Species definition for habitat.

AKS Engineering & Forestry (AKS) has completed a Critical Areas Assessment that is included with this application. Refer to this report for more information.

(l) Buffer Reduction. The city may allow the reduction of Np and Ns stream buffers by no more than 50 percent of the required buffer width if the area proposed for buffer reduction:

- (i) Is currently adversely impacted by development such as roads, parking areas, buildings, or public facilities; or
- (ii) Has primarily nonnative vegetation, such as grass pasture; and
- (iii) The proposed reduction will not significantly reduce the water quality and habitat functions of the buffer;
- (iv) When buffer reduction is allowed, the applicant shall provide the city with a vegetative buffer enhancement plan for review and approval;
- (v) Stormwater facilities are not permitted in the remainder buffers reduced by operation of this buffer reduction provision.

Response: This application is proposing buffer reduction to the Type Ns stream buffers for Water 1 and 2. Buffer reduction for Water 1 is necessary to allow for an efficient lot layout to meet required densities, as well as to construct a trail to connect into the City's trail system.

This buffer reduction is allowed because a portion of the reduced buffer area is currently developed or in pasture habitat, the reduction will not significantly reduce the water quality and habitat functions of the buffer, the Applicant will implement the approved riparian buffer enhancement plan, and the stormwater facilities will not be constructed in these reduced buffer areas. In no case are the buffers reduced more than 50%. See the Critical Areas Assessment included with this application for more information. This standard is met.

- (m) **Vegetative Buffer Enhancement.** Where the city permits the use of buffer reduction opportunity described in this section, the following enhancement standards shall apply:

Response: This application proposes enhancement to a minimum of 0.34 acres of the remaining on-site riparian buffer for Water 1. The enhancement will remove non-native invasive vegetation and plant native trees and shrubs. These enhancements will result in no net loss to buffer, stream, or habitat function or quality. See the Critical Areas Assessment included with this application for more information. This standard is met.

- (4) **Geologically Hazardous Areas.**

- (a) **Erosion hazard areas are those areas containing soils that, according to the United States Department of Agriculture Soil Conservation Service Soil Classification System, may experience severe to very severe erosion.**

Response: A geotechnical report was complete by GeoDesign, Inc. According to the report, dated January 14, 2019, the soils in the development area have a low to moderate erosion potential and the soils in the areas with steep slopes are not a very severe erosion hazard as long a vegetation remains. During construction, erosion potential will increase in the development area where vegetation is removed. The Applicant will install erosion control measures during construction. The Applicant also proposes that no work will occur in steep slopes areas. Therefore, the development will have low future erosion hazard. This standard is met.

- (b) **Landslide hazard areas are areas potentially subject to risk of mass movement due to a combination of geologic, topographic, and hydrologic factors.**

Response: According to the geotechnical report, the site contains areas with slopes greater than 25%, which are considered landslide hazard areas. GeoDesign completed a stability analysis and determined that slopes in the north portion of the site shall have a setback buffer of 25 feet and slopes in the south shall have a setback buffer of 50 feet. No roads are structures will be build within the setbacks, therefore, slope stability will be maintained. This standard is met.

- (c) **Seismic hazard areas are areas subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement, or soil liquefaction.**

Response: According to the geotechnical report the site does not contain seismic hazard areas. This standard is met.

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- (d) Development on lands classified as “erosion hazards,” “landslide hazards” or “seismic hazards” shall be prohibited unless the applicant provides a report, prepared and signed by a licensed engineer, specializing in geotechnical engineering, which provides construction methodologies, based upon best available science, and quality assurances that the site can be developed without significant risk to public safety.

Response: The applicant does not propose any development within areas classified as erosion, landslide, or seismic hazards. This standard is met.

- (5) Slopes with a Gradient of 25 Percent or Greater.

Response: According to the geotechnical report, the site contains areas with slopes greater than 25%. GeoDesign completed a stability analysis and determined that slopes in the north portion of the site shall have a setback buffer of 25 feet and slopes in the south shall have a setback buffer of 50 feet. The slope setbacks are shown on the Preliminary Plans included with this application. No road or structures will be built within the setbacks. This standard is met.

18.300.120 Mitigation.

- (1) Approval. City approval of a mitigation plan is a prerequisite for approval of any development activities on critical areas.

Response: A Critical Areas Assessment, including proposed mitigation measures, meeting the requirements of this section is included with this application for review by the City. A Final Mitigation Plan will be provided to the City for approval as part of the final review process following land use approval. This standard is met.

- (2) No Net Loss.

Response: This application proposes enhancement to a minimum of 2.05 acres of the remaining on-site riparian buffer for Water 1. The enhancement will remove non-native invasive vegetation and plant native trees and shrubs. These enhancements will result in no net loss to buffer, stream, or habitat function or quality. See the Critical Areas Assessment included with this application for more information. This standard is met.

- (3) Mitigation Plan. A mitigation plan shall provide for the design, implementation, maintenance, and monitoring of mitigation measures. A mitigation plan shall include but is not limited to the following:

Response: A mitigation plan meeting the requirements of this section is included in the Critical Areas Assessment. See the Critical Areas Assessment included with this application for more information. This standard is met.

- (5) Buffer Enhancement. Where a development avails itself of the buffer reduction opportunity described in this chapter, the following enhancement standards shall apply:

Response: An enhancement plan is included in the Critical Areas Assessment that is submitted with this application. This application proposes enhancement to a minimum of 2.05 acres of the remaining on-site riparian buffer for Water 1. The enhancement will remove non-

native invasive vegetation and plant native trees and shrubs. These enhancements will result in no net loss to buffer, stream, or habitat function or quality. No wetponds are constructed within the buffers, or buffer enhancement areas. See the Critical Areas Assessment included with this application for more information. This standard is met.

Chapter 18.310 Environmental Policy

Response: A State Environmental Review (SEPA) checklist has been prepared and is included with this application. This standard is met.

Chapter 18.320 Stormwater and Erosion Control

18.320.120 Applicability.

Response: The proposed development will meet all requirements of this section for erosion control and stormwater requirements. Final grading, erosion control, stormwater plans, and Stormwater Technical Information Report (TIR) will be included with the Final Engineering Plans. A Preliminary Grading and Stormwater Plan, and Preliminary Stormwater TIR are included with this application. This standard is met.

18.320.210 Water quality treatment.

Response: Stormwater runoff from proposed impervious surfaces will be collected on site and conveyed to the proposed stormwater wetpond, located in the south-central portion of the site, for treatment and detention. Treated stormwater will then be released to Water 2 at rates approved by the City of La Center. Runoff from the proposed trail in Tract A will sheet flow north and drain into Water 1. The trail will not be pollution generating, therefore, no treatment of the runoff is required. See the Preliminary Grading and Stormwater Plan and Preliminary Stormwater TIR included in this application for more information. This standard is met.

18.320.230 Maintenance and ownership.

Response: The proposed stormwater facility will be maintained by the homeowners' association. An easement or covenant will be provided to the City for access and inspection purposes. This standard is met.

Chapter 18.350 Tree Protection

Response: The application proposes the removal of 98 trees for the construction of the proposed development. Mitigation for the removed trees includes the planting of 43 street trees, and 55 on-site trees in Tracts A, B, and C. The Applicant will provide tree protection for all trees that are immediately adjacent to, or could be affected by, the construction. The Applicant proposes the use of high-visibility plastic construction fencing for tree protection, as the number and location of trees to be protected will make the cost of chain link fence unreasonable for the development and protection of the trees. A Final Tree Protection Plan will be provided with the Final Engineering Plans. See the Landscape Plan included with this application for proposed tree plantings. This standard is met.

IV. Conclusion

The Applicant is proposing a 39-lot, single-family subdivision meeting the requirements of the City of La Center LDR-7.5 zoning and other applicable portions of the City of La Center Municipal Code. The proposed development has avoided impacts to all critical areas. Impacts are proposed to the buffer of one on-site stream; however, on-site mitigation for these impacts will result in no net loss of function or quality.

The submittal requirements have been met, and the required findings made for all applicable approval criteria. These findings serve as the basis for the City to approve the application and are supported by substantial evidence in the application materials. Therefore, the Applicant respectfully requests approval of the proposed project (Holley Park Subdivision).