



**TECHNICALLY COMPLETE REVIEW:
Riverside Phase IV Park Type II
Site Plan and Critical Areas Review**
(2020-025-SPR/CAR/SEPA) – November 17, 2020

Owner	ECM Riverside LLC
Applicant	Luke Sasse, 9317 LLC. 9321 NE 72 nd Ave. Building C #7, Vancouver, WA 98665; Phone: (360).449.0099
Applicant’s Representative	PLS Engineering: Contact: Travis Johnson. 604 W. Evergreen Blvd., Vancouver, WA 98660. Phone: 360.944-6519, PM@PLSEngineering.com
Address/Legal Description	34512 NW Pacific Highway, La Center, WA 98629. SE ¼ Section 33, Township 5N, Range 1E, WM
Parcel No(s).	986028825
Date of Receipt of Application	October 28, 2020
Finding	Complete
La Center City Engineer La Center Planning Consultant	Anthony Cooper, P.E. Ethan Spoo, WSP USA

PROPERTY IDENTIFICATION AND PROPOSAL

The applicant is proposing to develop a public, neighborhood park on the subject parcel and dedicate it to the City once complete. The park would fulfill the obligation to provide neighborhood park space for Phases 1-3 of the Riverside Estates Subdivision (previously approved) under La Center Municipal Code (LCMC) Chapter 18.147. A total of 2.08 acres of park space are required for the 326 units in Riverside. The total size of the property is 5.19 acres of which 2.64 acres would be developed as a park. The developed portion of the park would include play equipment, an-8-foot wide asphalt path, a basketball court, picnic tables, benches, an open field, six parking stalls, and stormwater infrastructure. The site is proposed to be accessed from NW Pacific Highway via a 24-foot wide driveway.

The existing site is undeveloped and includes a Category III wetland located in the western half of the site. The City’s critical areas ordinance requires a 110-foot buffer for medium intensity uses. The proposed park improvements and associated grading would be developed in the buffer extending to the edge of the wetland. The applicant is proposing to purchase wetland credits at the East Fork Lewis River Mitigation Bank (EFLMB) to offset the buffer impacts. The project will require a Type II Site Plan Review for the park improvements a Critical Areas Permit for impacts to the wetland buffer.

The property is zoned “Medium Density Residential” (MDR-16) and public parks are permitted outright in this zone.

REVIEW FOR TECHNICALLY COMPLETE STATUS

Type II applications require that the City conduct a review for technical completeness (LCMC 18.30.050). The City has 28 days to notify the applicant whether the application is complete or incomplete from the time of submittal. The application must contain the information in LCMC 18.30.050, 18.215(Site Plan Review), and 18.300 (Critical Areas).

STANDARDS FOR TECHNICAL COMPLETENESS

The review for technical completeness is based upon the applicant’s materials provided at the time of this review. The following tables list the application requirements and whether they are complete or incomplete.

Criteria	Completeness & Location
A. §18.30.050 LCMC, Review for technically complete status	
a) A completed application form provided by the city clerk for that purpose;	Complete.
b) The name, mailing address, and telephone number of the owner/s, engineer, surveyor, planner, and/or attorney and the person with whom official contact should be made regarding the application;	Complete.
c) An environmental checklist or EIS, if applicable under Chapter 18.310 LCMC;	Complete.
d) A preliminary plan at a scale of no more than one inch equals 200 feet, with north arrow, date, graphic scale, existing and proposed lots, tracts, easements, rights-of-way and structures on the site, and existing lots, tracts, easements, rights-of-way and structures abutting the site; provided, information about off-site structures and other features may be approximate if such information is not in the public record. The applicant shall provide one copy of the plan reduced to fit on an eight-and-one-half-inch by 11-inch page. Principal features of the plan shall be dimensioned;	Complete. See further notes under Site Plan Review.
e) Proposed easements or dedications to the city or other agency, if applicable;	Complete. However, there needs to be a note on the plans indicating the park will be dedicated to the City.
f) Written authorization to file the application signed by the owner of the property that is the subject of the application, if the applicant is not the same as the owner as listed by the Clark County assessor;	Complete.
g) Proof of ownership document, such as copies of deeds and/or a policy or satisfactory commitment for title insurance;	Complete.
h) A legal description of the site;	Complete.
i) A copy of the pre-application conference summary, if the application was subject to pre-application review, and a description of information submitted in response to the issues, comments and concerns in the summary;	N/A. The applicant signed a pre-application waiver.

<p>j) A written description of how the application does or can comply with each applicable approval criterion, and basic facts and other substantial evidence that supports the description;</p>	<p>Complete. Please note that staff have questions about adequate mitigation for the critical area impacts for the critical areas narrative and bank use plan. See notes below under critical areas.</p>
<p>k) The names and addresses of owners of land within a radius of 150 feet of the site for an application subject to Type II review. Owner names and addresses shall be printed on mailing labels.</p> <p>i. The applicant shall submit a statement by the assessor’s office or a title company certifying that the list is complete and accurate, based on the records of the Clark County assessor within 30 days of when the list is submitted.</p> <p>ii. If the applicant owns property adjoining or across a right-of-way or easement from the property that is the subject of the application, then notice shall be mailed to owners of property within a 150-foot radius, as provided above, of the edge of the property owned by the applicant adjoining or across a right-of-way or easement from the property that is the subject of the application;</p>	<p>Complete. The applicant submitted 300-foot radius labels as required by LCMC 18.215.</p>
<p>l) Applications necessarily associated with the proposal, such as applications for exceptions, adjustments or variances to dimensional requirements of the base or overlay zones or for modifications to the road standards in Chapter 12.10 LCMC that are required to approve the proposal;</p>	<p>Complete. The applicant submitted both a site plan review and critical areas permit application.</p>
<p>m) A wetlands delineation and assessment if required by Chapter 18.300 LCMC, and an application for a wetland permit and associated preliminary plan, if required;</p>	<p>Complete. The applicant submitted a wetlands delineation as an appendix to the Bank Use Plan.</p>
<p>n) A geotechnical study, prepared by a geotechnical engineer or geologist, licensed in the state of Washington if:</p> <p>(i) The site contains substantial fill, or the applicant proposes to place substantial fill on the site; or</p> <p>(ii) The site contains land identified by the city, Clark County or the state of Washington as having slopes in excess of 25 percent or as being subject to instability, unless the applicant will not develop or otherwise significantly affect such lands or shows that the site does not contain unstable soils or steep slopes;</p>	<p>Complete.</p>
<p>o) An archaeological predetermination if the area proposed for development contains lands classified as having moderate or higher probability of containing archaeological resources;</p>	<p>Complete.</p>
<p>p) Preliminary grading, erosion control and drainage plans may be required for Type I applications. Type II and Type III applications shall include such a plan and it shall be consistent with applicable provisions of Division 4, Critical Lands;</p>	<p>Complete.</p>

q) Information about proposed utilities, including water and sanitary waste.	Complete. Please show the wastewater connection for the drinking fountain.
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In addition to the items listed above, applications for Type II site plan review require the following items:

Criteria	Completeness & Location
A. §18.215.050 LCMC, Site Plan Review Application Contents	
(2) For Type II site plan review applications, the applicant shall submit the information required for a Type II application as set forth in LCMC 18.30.090, as well as the following: (a) Written narrative description of uses, types of structures proposed, hours of operation, abutting properties, proposed access, frequency of deliveries and construction schedule including project phasing, if known;	Complete. See note below about the critical areas and bank use narrative.
(b) Current list of names and addresses of all property owners within a 300-foot radius as shown upon the Clark County assessor’s records. The list shall be no older than 90 days and shall be dated and certified as being a complete list of adjacent owners by the assessor’s office, surveyor, or title company. This list shall also be provided on self-adhesive mailing labels;	Complete.
(c) Developer’s GIS packet (can be obtained from the Clark County planning department);	Complete.

(d) Ten copies of an existing conditions plan drawn to a minimum scale of one inch equals 200 feet on a sheet no larger than 24 inches by 36 inches and including one reduced 11-inch by 17-inch copy. The existing conditions plan shall at a minimum indicate the following:

- (i) Vicinity map showing location of subject site within the city of La Center and the surrounding existing street system;
- (ii) Property boundaries, dimensions and size of the subject site;
- (iii) Graphic scale of the drawing and the direction of true north;
- (iv) Zoning and uses of subject site and of properties within 100 feet of the subject site;
- (v) Current structural or landscaped setbacks;
- (vi) Location of on-site driveways and access points within 100 feet of the subject site;
- (vii) Location of existing on-site structures and the approximate location of existing structures within 100 feet of the site;
- (viii) Location of existing aboveground electrical, telephone or utility poles and traffic control poles;
- (ix) Location of existing fire hydrants;
- (x) Location of existing structures within 100 feet of the site;
- (xi) Location, centerline and dimensions of existing public rights-of-way and easements on-site and within 100 feet of the site;
- (xii) Location, centerline and dimensions of existing private streets on-site and within 100 feet of the site;
- (xiii) Approximate on-site slopes and grades within 100 feet of the site;
- (xiv) Approximate location of significant natural conditions such as rock outcroppings, floodplain, drainage patterns and courses, slopes in excess of 25 percent, unstable ground, high seasonal water table or impermeable soils, areas of severe erosion potential, areas of weak foundation soils, areas of significant wildlife habitat, areas of known or suspected historic, cultural or archaeological resources and the location of trees or clusters of trees having a diameter of six or more inches measured four feet above grade;

Complete.

(e) Five copies of a site plan drawn to a minimum scale of one inch equals 200 feet on a sheet no larger than 24 inches by 36 inches and including one reduced 11-inch by 17-inch copy. The site plan shall at a minimum indicate the following:

- (i) Property boundaries, dimensions and size of the subject site;
- (ii) Location, dimensions and height of proposed buildings;
- (iii) Location of building accesses;
- (iv) Proposed building and landscape setbacks;
- (v) Proposed project-phasing boundaries, if applicable;
- (vi) Legend indicating total site area, the total square footage of proposed building or structures including percentage of total site area, the total square footage amount of impervious area square footage including percentage of total site area, the total square footage amount of on-site landscaping including percentage of total site area, the total amount of dedicated parking area including percentage of total site area, the proposed number of parking spaces including the number of standard parking spaces, the number of compact parking spaces and the number of handicapped-accessible parking spaces. The required number of parking spaces should also be indicated;
- (vii) Location of proposed access points including vehicular driveways and designated pedestrian access points including the proposed depth of the vehicular driveway throats;
- (viii) Location and dimensions of proposed on-site parking areas including required parking landscaping islands and indicating whether proposed parking is standard, compact or handicapped-accessible. Demonstrate compliance with applicable state and federal guidelines including, but not limited to, adequate sizing, the provision of handicapped access ramps and appropriate labeling and signing. On-site cross-aisles and circulation areas shall be indicated including their dimensions;
- (ix) Location and dimensions of proposed on-site pedestrian connections between the public street and buildings, between on-site buildings, between on-site buildings and on-site or off-site parking areas;
- (x) Location and size of off-site parking areas, if applicable, including details on the number and type of off-site parking spaces and existing or proposed cross-aisles and circulation areas including dimensions;
- (xi) Location, centerline and dimensions of proposed on-site public or private streets and public and private easements;
- (xii) Location, centerline and dimensions of proposed dedications, and identification of proposed frontage improvements including roadway improvements, curb and gutter installation, landscaped planter strip installation and public sidewalk installation;

Complete. Please note that the plans will need to be updated prior to a decision to indicate the park will be dedicated to the City.

(xiii) The location and dimensions of loading and service areas, recreational or open space features, aboveground utilities, existing structures to be retained on the site and their distance from the property line, proposed structures (including signs, fences, etc.) and their distance from property lines and the size and location of solid waste and recyclable storage areas; (xiv) Specialized site treatments including but not limited to pedestrian plazas, heavy duty paving, concrete score patterns, bicycle parking and outdoor seating areas;	
(f) Preliminary utilities plan indicating the proposed location, size, connection points to existing public systems, and terminus points for sanitary sewer, water and stormwater drainage and control. Stormwater information shall be provided in conformance with Chapter 18.320 LCMC and shall indicate compliance with all applicable standards of LCMC Titles 13 and 15. Public and private easements for sanitary sewer, water and stormwater shall also be indicated;	Complete. Wastewater connection to drinking fountain not shown.
(g) Preliminary grading and erosion control plan indicating proposed on-site excavation and fill activities, and within public rights-of-way, if applicable, including demonstration of conformance with city of La Center erosion control measures;	Complete.
(h) Landscape plan indicating the location of proposed vegetation, the common and botanical name of the proposed vegetation, the initial planting size (height or gallon) and the mature planting size, and proposed methods of irrigation, if any. Landscaping proposed in and around buildings, on the perimeter of the site and within proposed parking areas shall be indicated. In addition, street trees or other forms of landscaping within the public rights-of-way shall be indicated;	Complete.
(j) Lighting plan indicating the location, height and type of proposed exterior lighting fixtures (pole-mounted or wall-mounted); (k) Legal description for the parcel(s) in question; (l) Most recent conveyance document (deed) showing current ownership; (m) State Environmental Policy Act (SEPA) checklist, completely filled out in ink or type and signed, if applicable; (n) Traffic study, if applicable; (o) Sign plan(s) (if applicable);	Complete. Please note that all onsite lighting needs to meet LCMC 18.282 (Outdoor Lighting).

In addition to the items listed above, applications for Type II critical areas review for impacts to wetland buffers require the following items:

Criteria	Completeness & Location
A. §18.300.090 LCMC, Site Plan Review Application Contents	
(5)(g) A wetland delineation report containing all information outlined in this code section.	Complete.
A. §18.300.110 LCMC, Development Standards	

<p>A critical areas permit narrative demonstrating compliance with this section, specifically the following:</p> <p>(2) In order to approve application for development on lands subject to this chapter, the mayor or his or her designee shall find that the following standards have been met:</p> <p>(a) All reasonable alternatives for locating the development activity in such a way so as to avoid critical areas have been considered and the development activity will be located in the least environmentally sensitive area as practicable and the purpose of this chapter, as described in LCMC 18.300.010, is fulfilled. If avoidance is not practicable, as determined by the city, development shall minimize adverse impacts to critical areas and buffers consistent with the mitigation sequencing measures and mitigation and enhancement measures prescribed in this chapter.</p> <p>(b) The city has approved the vegetation removal methods and the removal of native plants has been avoided.</p> <p>(c) All adverse impacts to all affected critical areas and buffers are either avoided or fully mitigated.</p> <p>(d) The plan minimizes cuts and fills.</p>	<p>Complete. The applicant provided a critical areas permit narrative, but it does not address all requirements in this code section in the left column.</p> <p>Staff have questions regarding adequate mitigation for buffer impacts. Please see further discussion about critical area impacts and mitigations at the end of this document in regards to criterion (a).</p> <p>(b) The critical areas narrative does not address vegetation removal in impacted portions of the site.</p> <p>(c) It isn't clear that all impacts to the wetland and buffer are accounted for and fully mitigated</p> <p>(d) The critical areas narrative does not explain how cuts and fills have been minimized only asserts they are.</p>
<p>A. §18.300.120 LCMC,</p>	
<p>(2) Mitigation Sequencing</p> <p>(a) Prior to authorizing impacts to critical areas or their buffers, the applicant shall demonstrate and the city shall verify that the applicant has met the following sequence in order of priority:</p> <p>(b) Development shall avoid critical areas and their buffers, and where avoidance is not practical, development shall minimize adverse impacts to critical areas and buffers, as determined by the city after review of a critical area report filed by the applicant and consistent with the provisions of this chapter. To determine whether avoidance is practical, the city shall consider issues such as:</p> <p>(iii) The nature and extent of mitigation and enhancement measures proposed to compensate for the proposed impact;</p> <p>(iv) Whether the impacts proposed are necessary to implement the city's capital facilities plan; and</p>	<p>Complete. Please see further notes below regarding mitigation for buffer mitigation.</p> <p>The applicant's avoidance and minimization narrative does not discuss why the grassy portion of the park couldn't be smaller and the improvements couldn't be closer to Pacific Highway to reduce the impact to the wetland buffer. Staff assume the slope prevents locating improvements closer to Pacific Highway, but this isn't discussed.</p> <p>Impacts may not be adequately accounted for and fully mitigated.</p> <p>The neighborhood park is listed in the City's Parks and Open Spaces plan</p>

Questions on Critical Areas Buffer Mitigation

Staff have questions about whether the mitigation for the wetland buffer impacts are adequate. The applicant indicates they are proposing 0.41 acres of indirect impacts to the wetland as a result of eliminating the buffer. Staff are consulting with Ecology as required by LCMC 18.300.120 regarding the impacts and mitigations to the wetland and its buffer. Key questions at this point in the process include:

- Indirect wetland impacts: should the impact area for indirect wetland impacts start from the nearest impact (closest edge of the fill slope) with the applicant receiving credit for onsite planting of the fill slope?
- Permanent, direct buffer impacts and mitigations: Should the buffer extend from the edge of the wetland upland within the park (see definition of buffer in the critical areas ordinance). As shown by the applicant, the buffer extends from within the wetland to the edge of the temporary impacts and doesn't capture the full extent of the buffer. It's unclear why the buffer is being measured this way. The applicant stated that the trail would functionally isolate the buffer. Functional isolation applies to existing improvements, not proposed improvements. If the buffer extends from the edge of the wetland, mitigation would be required for the permanent, direct impacts to the buffer as. Mitigation is required for buffer impacts per LCMC 18.300.110(2)(c).
- Onsite mitigation opportunities: There may be onsite mitigation opportunities to reduce the overall need and expense for offsite mitigation. On-site mitigation is preferred by the City's critical areas ordinance, but offsite mitigation may be approved.

Based on the questions, updates to the applicant's bank use plan, critical areas narrative, and plans may be necessary after discussion with Ecology and further review. If updates to submittal materials are required, the City will stop the review clock and request the applicant complete the updates.

CONCLUSION

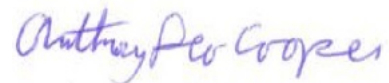
The City finds the application **complete**.

DISCLAIMER

The purpose of this checklist is solely to ascertain whether the application satisfies the minimum requirements for technical completeness consistent with LCMC 18.030.050 and with the conditional use permit conditions of approval (CUP 2018-027). Representations as to completeness or incompleteness of the application material refer solely to the presence or absence of materials and do not reflect the City's evaluation of the substance of the documents. The City, by finding the application complete, does not warrant the information presented by the applicant is accurate. The City does not imply or warrant the information the applicant submitted complies with all or any part of the LCMC, La Center plans, maps or standards; or state or federal statute, rule or regulation, beyond the completeness check. The City reserves the right to request additional information from the applicant.



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