

1) Per TIA, NE Lockwood Creek Rd at NE Highland Ave = LOS E in AM w site trips?
(LOS D without site) – Is LOS E allowed by Code?

La Center Public Works and Engineering are considering appropriate mitigation strategies.

2) Does City want to delete condn 10 based on applicant's revised narrative?
No.

3) SR P 6, re 18.210.040(1)(c) requires findings that, “(c) *The subdivision makes appropriate provision for parks, trails, potable water supplies and disposal of sanitary wastes*”

Finding says, “The City development standards do not require dedication or install of parks and trails and the Applicant has elected to forgo public recreational amenities. For these reasons staff suggests the *subdivision makes appropriate provision for parks, trails...*” = “Subdivision makes adequate provisions for parks because the Code doesn't require parks and the applicant chose not to provide them?”

- Not a valid finding. Applicant WILL pay PIFs, which will make provision for parks, so is met. But should note PIF payment in finding.

Revised staff report:

Response

Clark Public Utilities provides potable water service to La Center. The Developer will construct a new 10” water line, connecting at the end of the existing 8” water in the easterly cul-de-sac of E. 24th Circle, extending easterly and connecting to the north end of the existing 8” water line in NE 14th Avenue. Any existing wells located on the site will be properly decommissioned. The City of La Center provides sanitary sewer service. The City Engineer has provided several recommendations and conditions to ensure that the sanitary service is consistent with City policies and standards. Therefore, the proposed subdivision, as described and conditioned herein, can make adequate provisions for potable water and disposal of sanitary wastes.

The City development standards do not require dedication or install of parks and trails and the Applicant has elected to forgo public recreational amenities. In lieu of on-site recreational facilities and services, as a Condition of Approval, the builders shall pay park system development fees (PIF) in effect at the time of building permit application. The payment of PIFs satisfies the requirement to make adequate provisions for parks and trails.

RCW 58.17.110(1) requires a local jurisdiction to inquire into the public use and interest proposed to be served by the subdivision. The jurisdiction shall consider whether “*appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) whether the public interest will be served by the subdivision and dedication.*”

The City regulates open space through the Critical Areas Ordinance, LCMC 18.30. The proposed preliminary plat does not impact critical areas; therefore, the City does not require preservation of additional open space. This criterion is met. The Applicant provided a preliminary stormwater

management plan consistent with City standards. Therefore, adequate provisions have been made for drainage. The applicant [provided a preliminary sanitary sewer disposal plan consistent with City standards and a preliminary water service delivery system plan consistent with Clark Public Utilities requirements. Therefore, the proposal makes adequate provisions for sanitary waster and potable water. There are no transit services within the project area. The builder shall pay school and park impact fees in effect at the time of building permit application. Therefore, adequate provisions have been made for schools, school grounds, parks and recreation facilities. The Developer shall provide sidewalks along all public frontages including NE 339th Street thereby helping to assure safe walking conditions, proportionate to the subdivision, for students who walk to and from the nearby high school. The applicant has provided a preliminary plan for internal streets and shall be required to make partial frontage improvements along public right-of-ways abutting the project perimeter (NE 339th, NE Lockwood Creek Road and NE 24th Avenue). The builders shall pay Traffic Impact Fees (TIFS) in effect at the time of building permit application for each dwelling unit. Therefore the proposal can make adequate provisions for streets and roads. For these reasons, the proposed preliminary plat, as conditioned, can make *appropriate provisions the public health, safety, and general welfare consistent with the requirements of RCW 58.17.110(1).*

- 4) SR p 6, last sentence of first paragraph, “For these reasons staff suggests the subdivision makes appropriate provision for parks, trails, potable water supplies and disposal of sanitary wastes recommends ?? (emphasis added).
- WHAT does staff recommend?
 - Should “recommends” be replaced with a period and finding revised to say, “Staff finds the subdivision makes appropriate provision...”?

See response above.

5) SR P 6, re 18.210.040(2) requires findings that:

(2) *If phases are proposed, then the subdivision also complies with the following:*

- (a) *The preliminary plat identifies the boundaries of each phase and sequence of phases;*
- (b) *Each phase includes open space and other required public and/or private infrastructure at least in proportion to the number of lots in the phase;*
- (c) *The sequence and timing of phases maintains compliance with applicable standards throughout the development of the subdivision; and*
- (d) *The applicant completes or assures completion of public improvements consistent with LCMC [18.210.090](#).*

- Are no findings regarding (2)(a), (b)(re open space), (c), and (d) (appear to be met, but no findings to that effect)

Response in revised staff report:

Response

Sunrise Terrace is divided into four phase. (See Figure 3 of this report.) Phase 1 will accommodate the stormwater facilities (Tract A and Tract B) for the entire development. Parks are not required and the proposal does not impact critical areas, however for each phase of the project, the builders shall pay PIFs in effect at the time of building permit application. The preliminary sanitary sewer and potable water system ensures that adequate public facilities and services are available for each phase of the development. Public right-of-way shall be

dedicated and public streets and frontage improvements shall be installed at each phase of the development proportionate to the subdivisions impacts and to the extent necessary to ensure adequate circulation and mobility consistent with the City's level of service standards. Therefore, staff concludes that each phase will provide *required public and/or private infrastructure proportionate to the number of lots in each phase; the sequence and timing of phases maintains compliance with applicable standards throughout the development; and the application as proposed and as conditioned assures completion of public improvements consistent with LCMC 18.210.090.*

6) SR P 6, re 18.210.040(3) provides, "*Flag lots are discouraged.*" - then why are they being allowed here? Need a finding.

Revised response in staff report:

Response

Lots 30 (10,948 sq. ft.) and 32 (10,848 sq. ft.) meet the technical definition of a "flag lot", a narrow-throated lot. The "pole" of the flag of each lot is 30 feet, exceeding the 20-foot minimum pole width. **The City does not prohibit flag lots, it merely discourages them, recognizing that there may be conditions on the ground which necessitate a flag lot.** In this case the proposed flag lots are located on a cul de sac, Circle D. Because of the slope of NE 24th Avenue the City did not encourage at through connection to NE 24th Avenue at this location, a cul de sac was acceptable. The maximum lot size allowed is 11,000 S.F. (LCMC 18.130.020(1).) The minimum density allowed in the R1-7.5 zone is 4 units/acre (LCMC Table 18.130.080) and Sunrise Terrace proposes to build-out at 4.6 units per acre. The City, as a jurisdiction fully planning under RCW 36.70A encourages densities above the minimum standard when possible. Therefore, in consideration of the slope on NE 24th Avenue, the large size of lots 30 and 32 and the need to encourage more than the minimum density, **the City does not object to lots 30 and 32 being flag lots.** The "pole" of each lot is less than 150 feet; therefore, the City does not require a fire turnaround or sprinkling of the dwellings on lots 30 and 32. As a **Condition of Approval**, the driveways of pole lots 30 and 32 shall be improved with an all-weather surface with an unobstructed vertical clearance of at least 13 feet, six inches. Therefore, the City allows lots 30 and 32 as flag lots and finds that the proposed lots are consistent with LCMC 18.210.040(3).

Condition of Approval:

13. The driveways of the pole lots, lots 30 and 32, shall be improved with an all-weather surface with an unobstructed vertical clearance of at least 13 feet, six inches.

7) SR P 6, re 18.210.040(3) further provides:

- (a) *The flag "pole" shall be at least 20 feet wide instead of the frontage regulations of the zone.*
- (b) *The flag "pole" shall be improved with an all-weather surface with an unobstructed vertical clearance of at least 13 feet, six inches. The improved surface shall be at least 20 feet wide and shall be marked and signed as a fire lane.*

- (c) *The pole portion of the flag lot shall not be counted toward the minimum lot size.*
- (d) *If the length of the flag pole is more than 150 feet, an approved turn-around in conformance with the current adopted edition of the International Fire Code shall be provided at the end of the driveway, and structures on the lot shall incorporate a fire-hazard warning, including a hard-wired, back-up smoke detector, and a sprinkler system.*
- (e) *Where flag lots are not provided but access easements across abutting properties to public or private rights-of-way are provided, the standards of LCMC [12.10.220](#) shall apply.*

- No findings (or conditions) re (b) (pole improved with an all-weather surface with an unobstructed vertical clearance of at least 13 feet, six inches. The improved surface shall be at least 20 feet wide and shall be marked and signed as a fire lane), and (c) (minimum lot size)

See Response above.

8) What is the DNR “FPARS” website?

Revised response in staff report:

The Washington Department of Natural Resources (DNR) Forest Practices Application Review System (FPARS) mapping tool indicates the possibility of a class N seasonal stream traversing the southeast corner and northeast corner of tax lot 98027-189. Clark County GIS indicates a mapped National Wetland Inventory (NWI) and the presence of hydric soils (Odne) on tax lot 986027-189.

9) SR P 9, 3rd paragraph, notes, “Since a planter strip with detached sidewalk is not a current city standard, the applicant will need to submit a road modification request describing how the modification meets the “Criteria for Modification of Standards” per the City Engineering standards.” – Did applicant propose a planter strip with detached sidewalk?

- Is a condition needed, or can the applicant simply comply with the Code OR submit a modification application?

Engineering response:

This paragraph could be eliminated. The applicant requested using a planter strip after the Pre-App. However I believe they decided against it after we told them they have to have 6-foot sidewalks per city standards. They wanted to use only 5-foot wide sidewalks.

10) SR p 9 re 18.280 notes “Each dwelling unit shall be provided with two off-street parking spaces per Table 18.280.010.” – Need condition and plat note?

Revised in conditions of approval: 12. Each dwelling unit shall be provided with two off-street parking spaces per Table 18.280.010.12.

11) SR p 9, last paragraph, provides, “General roadway and right-of-way standards shall apply and provide for the continuation or appropriate projection of existing Lockwood Creek Road and on adjacent parcels” – Typo? As written it doesn’t make sense.

Yes.

12) SR p 10, 2nd paragraph, provides, “In addition to the interior street improvements, street lights, street trees and stormwater improvements per LCMC 12.10.190.” – SHOULD this say, “In addition to the interior street improvements, *the applicant shall provide* street lights, street trees and stormwater improvements per LCMC 12.10.190.”? – Need a condition to that effect?

Yes. Corrected in SR and in Conditions of Approval

13) SR p 10, 1st paragraph under “Streets and circulation,” - Lot 112 is listed twice. Intent to list Lot 113?

Yes, Corrected in staff report

14) SR p 10, under “Streets and circulation,” it appears Avenue A is intended to be extended in the future. The cul-de-sac is only needed on a temporary basis until that street is extended. Does Code allow temporary cul de sacs that can be removed when the road is extended? Is so, is it necessary to provide sidewalk around cul-de-sac now, or provide in future when road extended?

Engineering response:

The Engineering standards do not discuss temporary cul-de-sacs. The applicant will need to dedicate ROW to build the cul-de-sac shown on Avenue “A”. If this street is never extended and a sidewalk is not built, there will never be a sidewalk. A sidewalk or walking surface is also required to meet ADA requirements. The applicant will be required to build a sidewalk, and install a sign at the end of the street stating that the road will be extended in the future. If the road is extended, the sidewalk around the bulb can remain.

15) SR p 13, under “Maint of SW Facility”, provides:

When the HOA assumes responsibility of the facility, they will establish monetary funding of a reserve fund, for maintenance of the stormwater facility, when at least *50% of development of the housing units has occurred* or at minimum 2-years after completion and acceptance of the subdivision by the City, whichever is more.

- Should this say occupancy permits issued for homes on 50% of lots on the site? Not sure what “50% of development of the housing units” means.
- Is a condition needed?

Changed condition to read 50% of housing units are built or at a minimum 2-years after completion and acceptance of subdivision...

This condition is needed to ensure that there is sufficient houses contributing to maintain the facility. In previous subdivisions this has been a problem when there are not enough houses to support the maintenance cost and the developer has left.

16) Condition 14 requires payment of impact fees at time of building permit application - Should this be a plat note too, so future buyers/builders are aware?

Yes

- 17) Almost all of the public works and engineering findings (Section III.f of the SR) appear to warrant conditions to ensure compliance/completion - Is Condition 1 adequate to ensure compliance with those engineer requirements?

Added condition requiring, the applicant comply with staff conditions and City of La Center Engineering Standards. *The applicant, at time of engineering approval, shall comply with all applicable City of La Center Engineering Standards for Construction, unless modified by the Director (LCMC 12.10.040), all engineering recommendations contained in the final staff report, and applicable La Center land use regulations, goals and policies.*