Type II Staff Report and Decision

Project Name:	**BURBACK CLUSTER SHORT PLAT**
Case Number:	**PLD2015-00024; EVR2015-00027; GEO2015-00014**
Location:	**14810 NW Seward Road**
Request:	**The applicant is request Cluster Short Plat approval to divide 15 acres into 3 single-family residential lots and one remainder lot located in the R-5 zone district.**
Applicant:	**Burback Family, LLC** **1405 SE 75th Court** **Vancouver, WA 98664** **(503)313-0791** **larryburback@gmail.com**
Contact Person:	**PLS Engineering** **Travis Johnson** **2008 C Street** **Vancouver, WA 98663** **(360)944-6519; (360)944-6539 fax** **travis@plsengineering.com**
Property Owner:	**Same as applicant**

Decision

Approved, subject to Conditions

Land Use Review manager's initials: SE **Date issued:** 11/20/15

County Review Staff

Department/Program	Name	Phone Ext.	Email Address
Community Development			
Land Use Review Manager	Susan Ellinger	5122	Susan.ellinger@clark.wa.gov
Land Use Review Planner	Jan Bazala	4499	Jan.bazala@clark.wa.gov

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

For an alternate format, contact the Clark County ADA Compliance Office.
Phone: (360)397-2322
Relay: 711 or (800) 833-6384
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Fire Marshal's Office	Curtis Eavenson	3321	Curtis.eavenson@clark.wa.gov
Environmental Services			
Biologist	Lance Watt	5601	Lance.watt@clark.wa.gov
Public Works			
Transportation and Stormwater Engineering Supervisor	Greg Shafer	4064	Greg.shafer@clark.wa.gov
Engineering Team Leader	Ali Safayi P.E.	4102	ali.safayi@clark.wa.gov
Engineer	David Bottamini	4881	David.bottamini@clark.wa.gov
Concurrency Engineer	David Jardin	4354	david.jardin@clark.wa.gov

Comp Plan Designation: R-5

Parcel Number(s): APNs 184719-000 and 986036-584

Applicable Laws
Clark County Code: Title 15 (Fire Prevention), Section 40.210.020 (Rural Residential Zoning District), Section 40.320 (Landscaping), Section 40.350, (Transportation), Section 40.350.020 (Transportation Concurrency), Chapter 40.385 (Storm Water Drainage and Erosion Control), Section 40.430 (Geologic Hazard Areas), Section 40.440 (Habitat Conservation), Sections 40.500 and 40.510 (Procedures), Section 40.540 (Land Division Ordinance), Section 40.550.010 (Road Modifications), Section 40.610 (Impact Fees), Title 24 (Public Health), RCW 58.17, and the Clark County Comprehensive Plan.

Neighborhood Association and Contact

North Salmon Creek Neighborhood Association
North Salmon Creek Neighborhood Council divides administrative duties
Jennifer Hickel, President (503) 960-8904
or Ann Foster, Council member (360) 524-2624
800 NE Tenney Rd. PMB 110-329
Vancouver, WA 98685
Email: nscna+president@salmoncreeklive.com

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 November 25, 2015. The pre-application was determined not contingently vested.

The fully complete application was submitted on July 24, 2015, and determined to be fully complete on August 6, 2015. Given these facts, the application is vested on July 24, 2015. There are no disputes regarding vesting.

Time Limits
The application was determined to be fully complete on August 6, 2015. Therefore, the code requirement for issuing a decision within 78 days lapses on October 23, 2015.

Public Notice

Notice of application was mailed to the applicant, the North Salmon Creek Neighborhood Association and property owners within 500 feet of the site on August 27, 2015.

Public Comments
None

Project Overview
The site consists of two tax lots, 184719-000 and 986036-584, totaling approximately 15.5 acres in the R-5 zone. Taxlot 986036-584 is an "island" within the larger lot and not considered part of the plat. The "horn" at the northwest tip of the site was deemed a separate legal lot and that legal lot was adjusted as the island within the larger lot under BLA2015-00019. This adjustment transferred the horn into taxlot 184719-000.

The site slopes gently, but steadily to the south. Steeper slopes associated with the valley of Salmon Creek occur near the southern boundary. The southwest corner of the property is designated as non-riparian habitat and priority habitat buffer. The interior of the site has been used for agriculture in the past.

A number of existing farmstead buildings were removed shortly before the short plat application was submitted. Two residences are under construction, one on each taxlot. The shared driveway for the lots is already rocked in, ostensibly in connection with the two houses under construction.

Districts include the following:
Water-Clark Public Utilities
Schools-Vancouver
Transportation-Rural 1

Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	R-5	R-5	Two homes under construction
North	R-5	R-5	Residential/light ag
East	R-5	R-5	Residential/light ag
South	R-5 & P/OS	R-5 & P/WL	Residential & Salmon Creek Greenway

West	R-5	R-5	Residential/forest

Staff Analysis

Staff reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues

Only the major issues, errors in the development proposal, or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements and, therefore, are not discussed below.

Land Use

Land Use Finding 1 – Lots and Density

The application proposes three new cluster lots and a non-developable remainder. What appears to be a fifth lot is actually an adjusted island lot within taxlot 184719-000. The island lot (taxlot 986036-584) was approved under BLA2015-00019, and is not considered one of the cluster lots, and is not included in the plat or density calculations.

The main lot, taxlot 184719-000 (which does not include the adjusted lot), is shown to be 13.639 acres. Per the rural cluster provisions (CCC 40.210.020.D.3.a), density is based on 110% of the gross site area; 13.639 acres multiplied by 110% equals 15.0 acres. Therefore, the site's R-5 zoning allows taxlot 184719-000 to be divided into three new lots eligible for dwellings, in addition to the island taxlot 986036-584 which is not a part of the plat. The remainder lot will be allowed no development. See condition D-4.g.

Land Use Finding 2 - Remainder Lot Requirements

Per Table 40.210.020-4 the remainder lot must be at least 65% of the parent parcel. The proposed remainder (Lot 3) is 397,804 square feet, or 66.95 % of the sites gross area of 594,097 square feet (13.630 acres).

The remainder lot is shown as Lot 3 on the preliminary plat. A cluster lot has the same number. The lots shall be renumbered to avoid having duplicate numbers. See Condition D-5.

Per 40.210.020.D.3.c, *the remainder parcel shall be contiguous. Fragmentation of the parcel by public or private road easements and/or building sites shall not occur unless no other reasonable alternative exists.*

The remainder parcel has two main areas, connected by a 15 foot wide strip. This meets the definition of contiguous, and thus the letter of the code, if not the intent.

The remainder lot will contain all critical areas and their buffers, as required.

The applicant's narrative includes a management plan for the remainder parcel. The plan is to mow hay in areas that have been farmed in the past, and to maintain the rest of the remainder to control non-native vegetation. No structures are proposed in the remainder, and no farming or impacts are proposed in the southwest corner of the site within the priority habitat buffer.

A covenant which outlines the management of the remainder which is in substantial conformance with the application narrative is required per 40.210.020.D.3.c (2)(a)(ii). A note that references the covenant shall be required on the final plat. See conditions D-1, D-3.c and D-4.g, D-4.h, and D-4.i.

If the remainder parcels are designated for commercial timber or agricultural activities, notice of the potential impacts shall be recorded as part of the Developer Covenants to Clark County for each parcel within the cluster. See condition D-3.c.

The final plat shall designate the limits of habitats and their buffers as indicated on the preliminary plat and a note shall be required on the plat as follows:

> "No clearing, development, or expansion of existing agricultural activities shall occur within habitat areas or buffers as shown on the face of this plat without prior approval from the responsible official under CCC 40.440 or 40.450." See conditions D-4.h and D-11.

Land Use Finding 3 Cluster Lots

The applicable setbacks for structures in cluster developments in the R-5 zone, in accordance with Table 40.210.020-5, are as follows:

- Front – 20 feet (50 feet for agriculture buildings)
- Side – 20 feet (50 feet for agriculture buildings)
- Rear – 50 feet (all other situations)

The preliminary plat identifies building envelopes that correctly show the 20-foot setback lines. Twenty foot setbacks are also shown on the preliminary plat for the adjusted lot; however, since this is not a cluster lot, it does not qualify for a 20 foot front setback, and should be designated as "not a part of this plat." See condition D-6.

Land Use Finding 4 – Design requirements

40.210.020.D.5.states the design requirements for cluster subdivisions, which are to be recorded on the plat:

a. No entryway treatments, monument or other permanent development signs are permitted. This shall not be construed to prohibit landscaping.

b. Sight-obscuring fences of any height are not permitted within fifty (50) feet of the public right-of-way, nor along cluster lot lines adjacent to the remainder lot. Sight-obscuring fences are at least fifty percent (50%) opaque.

Both "a" and "b" above shall be placed on the final plat. See conditions D-4.j and D-4.k .

c. To the maximum practicable extent, existing historic rural features shall be preserved as part of the cluster development. These features include but are not limited to rock walls, fences, functional and structurally safe farm buildings, monuments and landscape features.

The application proposes no entryway treatments or sight obscuring fences. No buildings exist, having been removed under DMO2015-00007 prior to the application submittal.

Land Use Finding 5 – Landscaping

The rural cluster provision in 40.210.020.D.6 requires:

6. *Landscaping Standards. Cluster developments shall be landscaped within the developed portion of cluster lots, so as to reduce views of the development from the public right(s)-of-way so that a filtered view is provided of the cluster and the cluster does not dominate the landscape.*

   a. *At a minimum, proposed or existing landscaping and vegetation shall be of sufficient size and type to provide a buffer of vegetation six (6) feet in height and fifty percent (50%) opaque year round within three (3) years of planting. New landscaping materials shall consist of native vegetation as identified by the Clark Conservation District. A combination of trees and shrubs must be used.*

40.210.020.D.6.a requires the use of native landscape materials to provide 50% opacity screening of cluster lots. The landscape plan proposes Leyland Cypress (a non-native) along the east property line of Lot 3 with no shrubs.

A revised landscape plan is required using native plants; native shrubs shall also be required on the plan.

The development will be visible from the north part of the remainder lot as well, so additional landscaping needs to extend along Seward road to the northwest tip of the site. Existing trees can be used as part of the screening requirements. Any existing trees to be retained shall be identified on the landscape plan.

The sight distance letter notes that between 4 and 8 of the existing cedars that currently provide screening along Seward Road will need to be removed. The landscape plan shall show which trees will be removed. If other existing trees are to be used for screening in their stead, they must be shown on the landscape plan. See conditions A-7.a, A-7.b and D-10.

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

Archaeology

The short plat application is exempt from SEPA; thus no archaeological pre-determination was required. Regardless a standard note regarding the inadvertent discovery of archaeological resources will be required. See condition A-6.

Conclusion

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

Habitat

The existing habitat areas and buffers are located within the remainder lot. A note on the plat will prohibit activities within habitat areas or their buffers without further review. See condition D-4.h and D-11.

Conclusion
Environmental Services concludes that the proposed preliminary plan, subject to conditions meets habitat requirements of the Clark County Code.

Transportation

Transportation Finding 1 - Roads
NW Seward Rd. is classified as a "Rural Major Collector", R-2, and is subject to 30 feet of half-width frontage dedication. Per the applicant, the existing half-width right-of-way is 30 feet in width.

The applicant has proposed a joint driveway which can provide access for 4 lots per CCC 40.350.030(B)(11). Joint use driveways are to be within a minimum 20-foot wide easement per CCC 40.350.030(B)(4)(b)(2); the applicant has proposed a 22-foot wide easement.

Driveways longer than 300 feet shall be constructed with an approved turnaround at the terminus and approved turnouts at maximum 500-foot intervals (see the Standard Details Manual, Drawings #27 and #29). See condition E-1.

Transportation Finding 2 – Minor Deviation Road Modification (EVR2015-00027)
The applicant has requested relief from the 230-foot driveway spacing requirement as a result of driveway spacing being 60 feet to the north and 130 feet to the south with respect to the existing driveways located on the opposite side of the road.

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 indicates that the applicable criterion is (a) above, and that sight distance requirements are best met at the proposed location and that the driveways across Seward Road will not create a turning conflict.

Staff's Evaluation
Staff is of the opinion that the request can be approved per criterion (a).

Staff's recommendation is Approval of the road modification request.

Transportation Finding 3 – Sight Distance
The approval criteria for sight distances are found in CCC 40.350.030(B)(8). This section establishes minimum sight distances at intersections and driveways. Landscaping, trees, utility poles, and miscellaneous structures will not be allowed to impede required sight distance requirements. Per the applicant's sight distance analysis, dated March 25, 2015, 500 feet of sight distance will be met the north. To the south, a posted 40 mph speed limit requires 400 feet of sight distance which is impeded by a row of evergreen trees. Per the applicant, approximately 4 to 8 of the trees need to be removed in order to achieve the minimum 400 feet of sight distance to the south. See condition A-1.

Conclusion (Transportation):
Staff concludes that the proposed preliminary plan meets the transportation requirements of the Clark County Code, subject to the conditions above.

Transportation Concurrency

County concurrency staff has reviewed the proposed Burback cluster short plat. The submitted plan indicates that the proposed development will divide 13.6 acres into 3 single family residential lots with one remainder lot. The applicant's traffic profile has estimated the a.m. peak hour trip generation at 1 new trip, the p.m. peak hour at 1 new trip and a net new average daily trip generation of 19 at buildout. The applicant's traffic profile indicates that the proposed development will create 3 single family residential lots.

Conclusion
Transportation Concurrency staff concludes that the proposed preliminary plan, subject to conditions identified in their attached report, meets transportation concurrency requirements of the Clark County Code.

Stormwater

Stormwater Finding 1 - 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 property is located in the rural area of the county and, therefore, the applicable minimum requirements must be determined per CCC 40.385.020(A)(5).

Stormwater Finding 2 – Stormwater Proposal

The applicant has submitted a technical information report dated July 15, 2015. The applicant has proposed stormwater mitigation consisting of dispersion as part of addressing minimum requirements 1 – 10 which are applicable. The applicant has submitted a grading and drainage review for the existing lot (ENG2015-00092). See condition A-3.

For each individual lot, a single-family residential stormwater review will be necessary with each building permit application. The future owners of each lot are responsible for obtaining approval of a stormwater plan with each building permit and constructing the individual onsite stormwater systems. See conditions D-4.c and E-2.

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.

Geologic Hazards

Geology Finding 1 - Applicability:
All development activities in or adjacent (within 100 feet) to geologic hazard areas shall comply with the provisions of CCC 40.430. The provisions of CCC 40.430, therefore, apply to this development. The applicant submitted a preliminary geotechnical report that is dated January 26, 2015, prepared by Daniel Redmond, P.E., G.E. who recommended that the homes are constructed at least 50 feet from an existing steep slope. However, the revised supplemental geotechnical evaluation dated November 3, 2015, states: "20-foot setback from the westerly lot line and/or the 35-foot setback from the original westerly property boundary and/or top of the existing moderately steep slope is suitable for the proposed new single-family residential home and or Lot No. 2." The proposed project shall implement the recommendations identified in the preliminary and supplemental geotechnical report unless further studies present new or different facts. The setback from the slope shall be delineated on the plat. See condition D-2.

A building permit is required for retaining walls greater than 4 feet tall or when the wall is surcharged. All retaining walls shall be shown in sufficient detail on the engineering plans for staff to assess their impact on adjacent roads, structures, and public and private utilities. See condition A-2.

Conclusion (Geologic Hazard Area):
Based upon the development site characteristics, the proposed geotechnical plan, the requirements of the County's geologic hazard area ordinance, and findings above, staff concludes that the proposed preliminary geotechnical engineering plan, subject to conditions identified above, is feasible. Therefore, the requirements of the preliminary plan review criteria are satisfied.

Fire Protection

Fire Protection Finding 1 – Fire Marshal Review
This application was reviewed by Curtis Eavenson in the Fire Marshal's Office. Curtis can be reached at (360) 397-2186 x3321, or e-mail at curtis.eavenson@clark.wa.gov. Information can be faxed to curtis at (360) 397-2076. Where there are difficulties in meeting these conditions or if additional information is required, contact Susan in the Fire Marshal's Office immediately.

Fire Protection Finding 2 – Building Construction
Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. See Condition E-4.

Fire Protection Finding 3 – Fire Flow
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 if 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. Required fire flow is based upon a single family home with up to 3,600 sq. ft. of inhabitable area. One and two family homes over 3,600 square feet (excluding attached garages) will have additional fire protection requirements. See conditions A-8.a and D-8.a.

Fire Protection Finding 4 – Fire Hydrants
Fire hydrants are required for this application. 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. Existing hydrants located on the opposite side of a road classified as an arterial **cannot** be considered for supplying the required fire flow.

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 Clark Fire District 6 at 360-576-1195 for approval. See Conditions A-8 and D-8.a.

Fire Protection Finding 5 – Fire Apparatus Access
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.

Parking is prohibited on 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 A-8.d, A-8.e and D-8.b.

Gates that obstruct fire apparatus access roads require permits and approval by the Fire Marshal prior to their installation. See condition A-8.f.

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

Water and Sewer Service

Water and Sewer Finding 1 – Public water to the site will be provided by Clark Public Utilities. A letter from the above district confirms that water is available to the site.

A final acceptance letter from Clark Public Utilities will be required prior to final plat approval. See Condition D-12.

Water and Sewer Finding 2
On-site sewage systems are proposed. A Public Health Evaluation Letter has been submitted that confirms Public Health staff conducted an evaluation of the site. The letter notes conditions of approval. Public Health staff must sign the final plat prior to submittal to the county for final plat review and recording. See Condition D-7.e.

Water and Sewer Finding 3 – On Site Sewage
A current site evaluation or permit will be required for all lots at the time of final plat approval. Each on-site sewage system shall be on the same lot it serves. See Conditions D-7.a and D-7.e.

The approved initial, reserve, and/or existing sewage system sites shall be protected from damage and maintained so they are free from encroachment by buildings, roads and other structures. These areas shall not be covered by any impervious material and not be subject to vehicular traffic or other activity which would adversely affect the soil. A plat note to this effect shall be required. See Condition D-4.f.

Provisions shall be made to prevent flow or accumulation of surface water over the area where the on-site sewage system is located. The Health Department must review a copy of the final drainage plan which has been signed off by engineering staff prior to final plat approval. Test hole locations shall be included in the drainage plans so that it can be determined that the required setbacks can be maintained. If no drainage plan is required, the Health Department requires written confirmation prior to signing the final plat. See Conditions D-7.d.and D-7.e.

Water and Sewer Finding 4–Existing Wells
There may be existing wells and septic systems from the old residences that must be properly abandoned. All wells must be properly decommissioned by a licensed well driller. See condition D-7.f.

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

Impact Fees

Finding 1 – Impact Fees
The additional residential lots created by this plat will produce impacts on schools, parks, and traffic, and are subject to School (SIF) and Traffic Impact Fees (TIF) in accordance with CCC 40.610.

❑Rural 1 sub-area with a TIF of $2,562.37 per dwelling
❑ Vancouver School District, with a SIF of $1,523 per dwelling

See conditions D-4.m and E-3.

Decision

Based upon the proposed plan known as Exhibit 1, and the findings and conclusions stated above and within the attached reports and decisions, the Community Development Director hereby **APPROVES** this request, subject to the following conditions of approval.

Conditions of Approval

A	**Final Construction Review for Land Division** **Review and Approval Authority: Development Engineering**

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 **Sight Distance** - The applicant shall submit a sight distance certification letter stamped by a licensed engineer in the state of Washington after trees are removed to the south of the driveway approach to NE Seward Road. (See Transportation Finding 3)

A-2 **Retaining Walls** - A building permit is required for retaining walls greater than 4 feet tall or when a wall is surcharged. See Geohazard Finding.

A-3 The applicant's engineer shall submit a grading and associated drainage plan for the joint driveway in compliance with applicable stormwater minimum requirements per CCC 40.385. (See Stormwater Finding 2)

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 A note shall be placed on the face of the final construction plans as follows:
"If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia shall be notified. Failure to comply with these state requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

A-7 **Final Landscape Plan** - The applicant shall submit and obtain county approval of final landscape plan and conditions listed below (CCC 40.320).

a. The landscape plan shall meet the requirements in CCC40.210.220.D.6.
b. Existing landscaping used to fulfill screening requirements shall be shown on the landscape plan. (See Land Use Finding 5)

A-8 **Fire Marshal Requirements**

a. Fire Flow in the amount of 1000 gallons per minute supplied for 60 minutes duration is required for this application. Additions to water mains supplying fire

flow and fire hydrants shall be installed, approved and operational prior to final plat approval. (See Fire Protection Finding 3)

b. Fire hydrants are required for this application. 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. Existing hydrants located on the opposite side of a road classified as an arterial **cannot** be considered for supplying the required fire flow. (See Fire Protection Finding 4)

c. 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 Clark Fire District 6 at 360-576-1195 for approval. (See Fire Protection Finding 4)

d. Fire Apparatus 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 Standards. The applicant shall provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface capable of supporting the imposed loads of fire apparatus. (See Fire Protection Finding 5)

e. Parking is prohibited on 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 Fire Protection Finding 5)

f. Gates that obstruct fire apparatus access roads require permits and approval by the Fire Marshal prior to their installation. (See Fire Protection Finding 5)

B	**Prior to Construction of Development** **Review and Approval Authority: Development Inspection**

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.

C	**Provisional Acceptance of Development** **Review and Approval Authority: Development Inspection**

Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction plans and the following conditions of approval:

C-1 None

D	**Final Plat Review & Recording** **Review and Approval Authority: Development Engineering**

Prior to final plat approval and recording, the following conditions shall be met:

D-1 Management Plan – A management plan in substantial conformance with the preliminary plat application narrative shall be submitted for review, and shall be recorded in a covenant.

D-2 Geohazard Area - Setback from existing slopes as recommended in the supplemental geotechnical evaluation report prepared by Redmond Geotechnical Services, dated November 3, 2015, shall be delineated on the final plat for Lot #2. The proposed project shall implement the recommendations identified in the preliminary and supplemental geotechnical reports unless further studies present new or different facts. No grading, development, or building activities shall take place on Lot #2 prior to the recording of the final plat and approval of the building permit for Lot #2. (See Geohazard Finding)

D-3 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. If the remainder parcels are designated for commercial timber or agricultural activities the following notice shall be recorded as part of the Developer Covenants to Clark County for each parcel within the cluster:

"The subject property is adjacent to commercial agricultural or forest lands on which a variety of commercial activities may occur that are not compatible with residential development. Potential discomforts or inconvenience may include, but are not limited to: Noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) during any twenty-four (24) hour period, storage

and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. See Land Use Finding 2.

D-4 Plat Notes - The following notes shall be placed on the final plat:

a. No direct driveway access onto NW Seward Road is permitted.

b. 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."

c. "Unless the onsite drainage system for each lot is approved with the final construction plans, the owners of each of the lots are responsible for obtaining approval of stormwater plan with the building permit and constructing the individual onsite stormwater system. These drainage systems will be owned and maintained by the property owner on whose lot the system is located."

d. Mobile Homes: "Mobile homes are not permitted on all lots subject to the requirements of CCC 40.260.130."

e. Archaeological: "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

f. Septic Systems: "The approved, initial, reserve, and/or existing sewage system sites shall be protected from damage due to development. All sites shall be maintained so they are free from encroachment by buildings and not be subject to vehicular traffic or other activity which would adversely affect the site or system function."

g. "The remainder parcel shall be used for agricultural uses except for the areas within habitat areas or buffers as shown on the plat. Uses on the remainder parcel shall be consistent with the management plan covenant filed at _____. Changes to the management plan shall require County review and approval consistent with CCC 40.210.020. Residential development is prohibited." See Land Use Finding 2.

h. "No clearing, development, or expansion of existing agricultural activities shall occur within habitat areas or buffers as shown on the face of this plat without prior approval from the responsible official under CCC 40.440 or 40.450." See Land Use Finding 2.

i. "The remainder lot in this rural cluster subdivision/short plat shall not be further subdivided until the property is rezoned and brought into an urban growth area (UGA)."

j. "No entryway treatments, monument or other permanent development signs are permitted. This shall not be construed to prohibit landscaping. "

k. "Sight-obscuring fences of any height are not permitted within fifty (50) feet of the public right-of-way, nor along cluster lot lines adjacent to the remainder lot. Sight-obscuring fences are at least fifty percent (50%) opaque."

l. If the remainder parcels are designated for commercial timber or agricultural activities the following notice shall be recorded as part of the Developer Covenants to Clark County for each parcel within the cluster:

"The subject property is adjacent to commercial agricultural or forest lands on which a variety of commercial activities may occur that are not compatible with residential development. Potential discomforts or inconvenience may include, but are not limited to: Noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) during any twenty-four (24) hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides."

m. Impact Fees: "In accordance with CCC 40.610, the School and Traffic Impact Fees for each dwelling in this subdivision are: $ 1,523 (Vancouver School District), and $ 2,562.37 (Rural 1 TIF sub-area) 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-5 The lots shall be renumbered to avoid having duplicate numbers. See Land Use Finding 2.

D-6 Taxlot 986036-584 shall be labeled "not a part of this plat". See Land Use Finding 3.

D-7 **On-Site Sewage System and Well Abandonment Requirements** - For on-site sewage and well systems, the following is required:

a. Each on-site sewage system shall be on the same lot it serves.

b. No public or private easements or rights-of-way shall be extended through the approved, reserve or existing on-site sewage system sites.

c. Provisions shall be made to prevent flow or accumulation of surface water over the area where an on-site sewage system is located.

d. A copy of the county approved final drainage plan shall be submitted for review

e. All proposed lots shall have a current approved septic system site evaluation or valid septic system permit. Should either be allowed to expire, subsequent approval of an on-site sewage treatment system cannot be assured and, therefore, Public Health will not sign the final plat.

f. All wells must be properly decommissioned by a licensed well driller.

D-8 Fire Marshal Requirements

a. 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 plat approval submit proof from the water purveyor indicating if 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. Required fire flow is based upon a single family home with up to 3,600 sq. ft. of inhabitable area.

b. Roads that are less than twenty-four (24) feet wide shall be posted "NO PARKING-FIRE LANE".

D-9 Addressing - At the time of final plat, existing residence(s) that will remain may be subject to an address change.

D-10 Verification of Landscape Installation - The applicant shall provide verification in accordance with CCC 40.320.030(B) that the required landscape has been installed in accordance with the approved landscape plan.

D-11 The final plat shall designate the limits of habitats and their buffers as indicated on the preliminary plat. (See Land Use Finding 2)

D-12 A final acceptance letter from Clark Public Utilities will be required prior to final plat approval.

E	**Building Permits** **Review and Approval Authority: Permit Services**

Prior to issuance of a building permit, the following conditions shall be met:

E-1 Driveways shall have a minimum width of 12 feet of clear, unobstructed driving surface. Driveways longer than 300 feet shall be provided with an approved turnaround at the terminus. There shall also be approved turnouts constructed such that the maximum distance from turnout to turnout or from turnout to turnarounds does not exceed 500 feet. (See Transportation Finding 1)

E-2 "Unless the onsite drainage system for each lot is approved with the final construction plans, the owners of each of the lots are responsible for obtaining approval of stormwater plan with the building permit and constructing the individual on-site stormwater system. (See Stormwater Finding 2)

E-3 **Impact Fees** - The applicant shall pay impact fees based on the number of dwelling units in the building, as follows:

a. $1,523 per dwelling for School Impact Fees (Vancouver School Dist.)
b. $2,562.37 per dwelling for Traffic Impact Fees (Rural 1 TIF Sub-area)

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

E-4 Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process.

F	**Occupancy Permits** **Review and Approval Authority: Building**

Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 **None**

G	**Development Review Timelines & Advisory Information** **Review and Approval Authority: None - Advisory to Applicant**

G-1 **Land Division** - Within seven (7) years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

G-2 **Department of Ecology Permit for Construction Stormwater** - A permit from the Department of Ecology (DOE) is required if:

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

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

G-3 **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.

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

H-1 none

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

Appeal Process

An **appeal** of any aspect of this decision may be appealed to the Clark County Hearing Examiner by a party of record only. A Party of Record includes the applicant and those individuals who submitted written testimony to the Community Development Director within the designated comment period.

The appeal shall be filed with the Department of Community Development within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on November 20, 2015. Therefore any appeal must be received in this office by the close of business on December 4, 2015.

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

- Case number designated by the county;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
  - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
  - The specific aspect(s) of the decision being appealed;
  - The reasons why each aspect is in error as a matter of fact or law;
  - The evidence relied on to prove the error; and,
- The appeal fee.

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

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

Attachments

- Copy of Proposed Preliminary Plan

Burback CSP

Located in a Portion of the S 1/2 of the NE 1/4 and the N 1/2 OF THE SE 1/4 OF
Section 20, T. 3 N., R. 1 E., W.M., Clark County, Washington

GENERAL NOTES

PROPERTY OWNER:
Burback Family, LLC
1405 SE 75th Court
Vancouver, WA 98664
(503) 313-0791
larryburback@gmail.com

PROJECT ENGINEER:
PLS Engineering
Contact: Travis G. Johnson, PE
2008 C Street
Vancouver, WA 98663
PH: (360) 944-6519
Fax: (360) 944-6539
travis@plsengineering.com

SITE ADDRESS:
Parcel Number: 184719-000
14810 NW Seward Road
Vancouver, WA 98685

PRESENT USE:
The site has (2) homes and several outbuildings that will be removed.

EXISTING STREETS:
The site will access from NW Seward Road via a 20' wide shared driveway. Shared driveway will terminate in a rural cul-de-sac.

EXISTING ZONING:
R-5 (Rural Residential District)

SANITARY SEWER SERVICE:
Septic (Private)

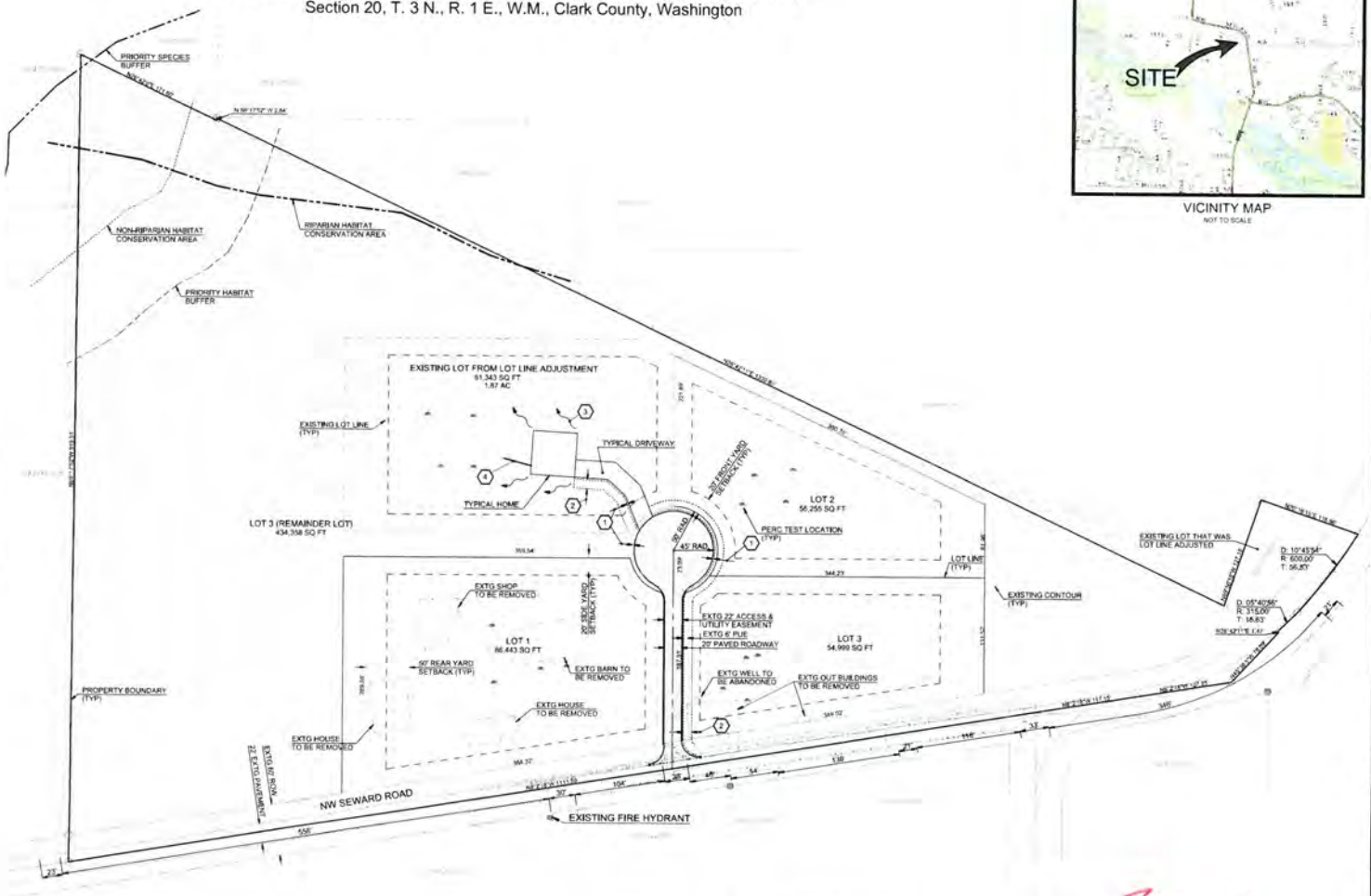
WATER SERVICE:
Clark PUD

ELECTRICAL SERVICE:
Clark PUD

EXISTING LOT SIZE (AFTER LOT LINE ADJUSTMENT):
594,157 SQ FT

SETBACKS:
Front = 20'
Side = 20'
Rear = 50'

WELLS OR SEPTICS:
The health department notes that there are two wells within the development that will need to be properly abandoned. The health department also notes that there may be 1-2 septic systems that will also need to be properly abandoned.



VICINITY MAP
NOT TO SCALE

Notes:

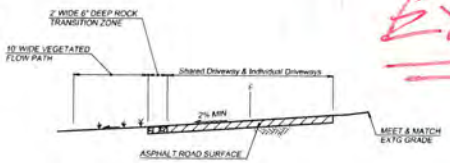
1. A backflow preventer shall be installed within the crawl space on the low point crawl space drain.
2. Contractor shall grade around the entire home 5% for 10' min to create positive drainage away from home.

(1) 2' WIDE ROCK TRANSITION ZONE.

(2) STORMWATER TO BE DISPERSED THROUGH NATURAL VEGETATION CONTRACTOR TO PREVENT LOW SPOTS AND MAINTAIN POSITIVE GRADE AWAY FROM DRIVEWAY - PER BMP T5.12

(3) NO MORE THAN 700 SQ FT TO A ROOF DOWNSPOUT - OUTFALL PROTECTION SUCH AS SOD AT EACH OUTFALL

(4) LOW POINT CRAWL SPACE DRAIN TO OUTFALL INTO VEGETATION INSTALL 1/4 INCH GALVANIZED SCREEN WITH STAINLESS STEEL CLAMPS TO SECURE SCREEN WITH BACKFLOW



Shared Driveway & Individual Driveways
NTS

Ex. 1

Scale 1" = 60'

PLS ENGINEERING

Development Plan For:
Burback CSP
A Site Located in Clark County

Revisions		
A	3-25-13	Submitted for Review
B		
C		
D		
E		
F		

Project No.	2424
SCALE:	H: 1" = 60' V: N/A
DESIGNED BY:	TGJ
DRAFTED BY:	TGJ
REVIEWED BY:	AJG

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