

Notice of Type III Application, Optional SEPA Determination of Non-Significance, and Public Hearing

The Clark County Department of Community Development has received an application for development review, as described below. Based on a review of the submitted application materials, the county expects to issue a **Determination of Non-Significance (DNS)** for the proposal allowed by state law and Clark County Code (CCC), Section 40.570.040(E) – Optional DNS Process. As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review.

Comments received within the deadline will be considered in the review of the proposal. **Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal.** No additional comment period will be provided unless probable significant environmental impacts are identified during the review process, which would require additional study or special mitigation. The proposal may include mitigation under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared.

Closing date for public comments: September 18, 2015

Hearing date, time, and location

The Clark County Hearing Examiner will conduct the public hearing on November 12 at 6:00 p.m., at the Public Service Center, 1300 Franklin Street, Vancouver, Washington, 98660, on the sixth floor, Room 680 (see attached map).

The doors to the Public Service Center will open between 5:45 and 7:00 p.m. for those attending the hearing on this matter. Parking is available in the parking garage on the north side of the Public Service Center, access off Franklin Street.

At the hearing, the Hearing Examiner will consider the following:

Project Name: DANI DOWNS SUBDIVISION

Case Number: PLD2015-00027; SEP2015-00042

Request: The applicant is requesting Subdivision approval to

Revised 7/15/13



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
E-mail: ADA@clark.wa.gov

divide approximately 19.55 acres into 83 single-family residential lots located in the R1-6 & R1-7.5 zone districts.

Location: 16702, 16900, & 16906 NE 78th Avenue

Applicant: Krippner Homes, LLC
6715 NE 63rd Street, Suite 166
Vancouver, WA 98661
(360)907-9588
mason@krippnerhomes.com

Contact person: Mason Wolfe
6715 NE 63rd Street, Suite 166
Vancouver, WA 98661
(360)907-9588
mason@krippnerhomes.com

Property owner: Myron & Debra Smokey
16702 NE 78th Street
Vancouver, WA 98682

Thousand Hills Management, LLC
6012 NW 169th Street
Ridgefield, WA 98642

Jesse & Linda Hurley
16906 NW 78th Street
Vancouver, WA 98682

Hearing Examiner: Daniel Kearns

Staff contact: Jan Bazala
(360) 397-2375 ext. 4499
Jan.bazala@clark.wa.gov

Neighborhood contact: Heritage Neighborhood Association
Christie BrownSilva
13504 NE 84th Street
Suite 103-141
Vancouver, WA 98682
(360) 326-4353
Email: heritageneighborhood@gmail.com

Date this Public Notice issued: September 3, 2015

Legal description of property: SE ¼ of Section 1, T2N, R2E; parcel numbers 153933-000, 104180-000 and 104182-000

Approval Standards/Applicable Laws:

Clark County Code: Title 15 (Fire Prevention), Section 40.220.010 (Single-Family Residential District), Section 40.320 (Landscaping), Section 40.350, (Transportation), Section 40.350.020 (Transportation Concurrency), Chapter 40.385 (Storm Water Drainage and Erosion Control), Sections 40.500 and 40.510 (Procedures), Section 40.540 (Land Division Ordinance), Section 40.570 (SEPA), Section 40.570 (SEPA Archaeological), Section 40.610 (Impact Fees), Title 24 (Public Health), RCW 58.17, and the Clark County Comprehensive Plan.

Application and Fully Complete Date

Application date: July 31, 2015
Fully Complete date: August 21, 2015

Public Comment

The public is encouraged to comment on this proposal. Comments received by the closing date noted above will be considered in the staff report. This notice is intended to inform potentially interested parties about the application and invite written comments regarding any concerns.

Closing date for public comments: September 18, 2015

An accurate mailing address for those mailing comments must be included or they will *not* qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision.

In Person: The Community Development is located in the Public Service Center, first and third floors, 1300 Franklin Street, Vancouver, Washington 98660.

Mail: Attn: Jan Bazala
Department of Community Development
P.O. Box 9810
Vancouver, WA. 98666-9810

Email: jan.bazala@clark.wa.gov

Staff Report Timelines/Process

Staff reports, agendas, and/or SEPA reviews and determinations will be available for review at least fifteen (15) calendar days before the hearing date. Decisions on Type III applications are made within 92 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information.

Information regarding this application can be obtained by calling (360) 397-2375 ext. 4499, visiting Community Development, 1300 Franklin Street, Vancouver, Washington 98660, or checking the status online at www.clark.wa.gov/development.

Community Development Web site - www.clark.wa.gov/development

- Weekly Preliminary Plan Review Status Report - includes current applications

- Pre-Application Conferences and Land Use Hearing agendas
- Applications and handouts for each type of land use permit

SEPA Options

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS - Determination of Significance:** The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- **MDNS - Mitigated Determination of Non-Significance:** The impacts can be addressed through conditions of approval, or;
- **DNS - Determination of Non-Significance:** The impacts can be addressed by applying the Clark County Code.

SEPA Appeal

A **procedural SEPA appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance).

A **substantive SEPA appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing Clark County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

A **procedural or substantive appeal** must be filed within fourteen (14) calendar days of this determination, together with the appeal fee. Such appeals will be considered at a scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and should contain the following information:

- Case number designated by the county
- Name of the applicant
- Name of each petitioner
- Signature of each petitioner or his or her duly authorized representative
- A statement showing the following:
 - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.020(H) or 40.510.030(H)
 - The reasons why the SEPA determination is in error
- The appeal fee

Please refer to the *Appeals* handout for more information and fees.

The appeal request and fee shall be submitted in person to the Department of Community Development at the address listed below:

Public Service Center
Community Development Permit Center
1300 Franklin Street, first floor
Vancouver, WA 98660

Public Testimony

Faxed, mailed or delivered testimony must be received at the Community Development Permit Center by 12:00 noon the day of the hearing. Other written or verbal testimony may be presented and considered at the public hearing.

Testifying in person

Any person wishing to present testimony at the Public Hearing should arrive by 6:00 p.m. at the Public Service Center, sixth floor, 1300 Franklin Street, Vancouver, Washington.

For more information, see *The land use hearing process and how to provide effective testimony* handout on the Web site at www.clark.wa.gov/development/how.html

Written testimony

Written testimony must arrive by 12:00 noon on the day of the hearing.

Hand-deliver: Community Development
Public Service Center
1300 Franklin, first and third floors
Vancouver WA 98660

Mail: Land Use Review, Community Development
PO Box 9810
Vancouver, WA 98666-9810.

Fax: (360) 397-2011, Attn: Jan Bazala

Accommodation of physical impairments

The Public Service Center is wheelchair accessible. If you need auxiliary aids or services in order to attend, contact the Clark County ADA Office. Voice (360) 397-2322; Relay 711 or (800) 833-6384; Email ADA@clark.wa.gov.

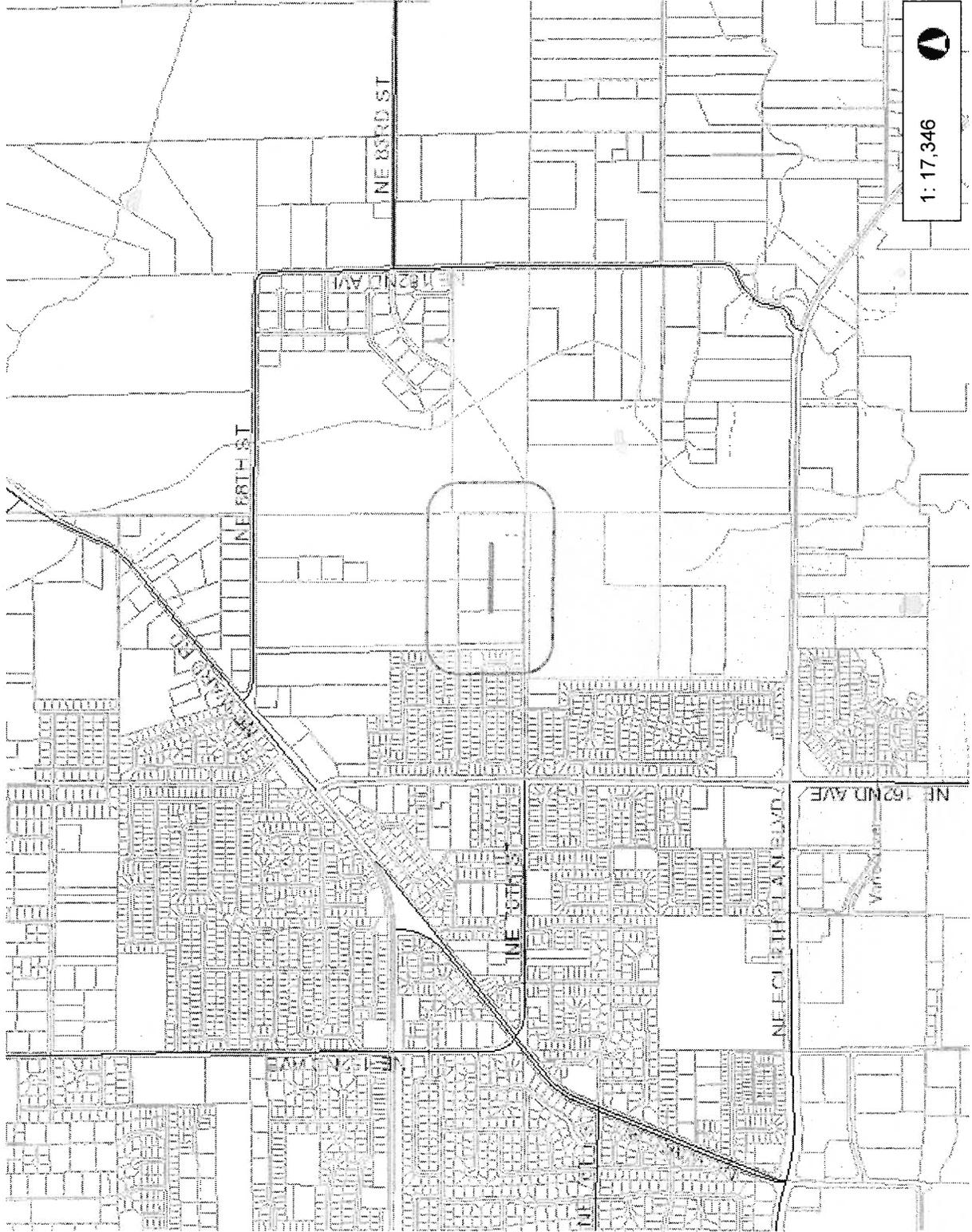
Appeal of Hearing Examiner Decision

The Hearing Examiner normally issues a decision within two weeks of the public hearing. The decision of the Hearing Examiner is final unless:

- A motion for reconsideration is filed within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 2.51.160; or,
- An appeal is filed with Clark County Superior Court.

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

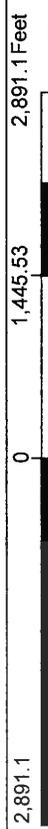
Dani Downs 300' List



- Legend**
- Taxlots
 - Cities Boundaries
 - Urban Growth Boundaries

Notes:

1: 17,346



This map was generated by Clark County's "MapsOnline" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information.

A. Background

1. Name of proposed project, if applicable: Dani Downs
2. Name of applicant: Krippner Homes, LLC
3. Address and phone number of applicant and contact person: Mason Wolfe
6715 NE 63rd St Suite 166 Vancouver WA 98661 360.907.9588
4. Date checklist prepared: July 30, 2015
5. Agency requesting checklist: Clark County
6. Proposed timing or schedule (including phasing, if applicable):
Subdivision construction: spring or summer 2016
7. Do you have any plans for future additions, expansion, or further activity related to this proposal? If yes, explain. No
8. List any environmental information that has been or will be prepared related to this proposal. None necessary
9. Are other applications pending for governmental approvals affecting the property covered by your proposal? If yes, please explain.
Yes, proposed Fifth Plain Creek subdivision adjacent to the east
10. List any government approvals or permits needed for your proposal:
Preliminary & Final Plats, Final Civil Engineering Plans, Grading Permit
11. Give a brief, complete description of your proposal, including the proposed uses and size of the project and site. There are several questions addressed later in this checklist asking you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) Subdivide 18.7 acres into 83 residential lots
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including street address, section, township, and range. If this proposal occurs over a wide area, please provide the range or boundaries of the site. Also, give a legal description, site plan, vicinity map, and topographic map. You are required to submit any plans required by the agency, but not required to submit duplicate maps or plans submitted with permit applications related to this checklist.
16900, 16902 & 16906 NE 78 th St Vancouver WA 98682 SE Sec 1, T2N, R2E

B. Environmental Elements

Agency use only

1. Earth

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other slight slope.
- b. What is the steepest slope on the site and the approximate percentage of the slope? 4%, 1% of the site. Slope from northwest corner to southeast corner of the site is approx. 1%.
- c. What general types of soils are found on the site (e.g., clay, sand, gravel, peat, muck)? Please specify the classification of agricultural soils and note any prime farmland.
Lauren gravelly loam. No prime farmland
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, please describe. No
- e. Describe the purpose, type, and approximate quantities of any filling or proposed grading. Also, indicate the source of fill. Normal grading for subdivision. Earth work will balance on site. No import anticipated.
- f. Could erosion occur as a result of clearing, construction, or use? If so, please describe. Erosion could occur during clearing and grading
- g. What percentage of the site will be covered with impervious surfaces after the project construction (e.g., asphalt or buildings)? Approx 35%
- h. Proposed measures to reduce or control erosion, or other impacts to the earth include: Contractor to comply with approved Engineering Plans & Clark County erosion control measures & standards

2. Air

- a. What types of emissions to the air would result from this proposal (e.g., dust, automobile, odors, industrial wood smoke) during construction and after completion? Please describe and give approximate quantities.
During construction: some emissions from construction equipment
After completion: some emissions from automotive vehicles
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, please describe. No
- c. Proposed measures to reduce or control emissions or other impacts to air: None proposed

3. Water

Agency use only

a. Surface:

- 1) Is there any surface water body on or in the vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, and wetlands)? If yes, describe the type and provide names and into which stream or river it flows into. No
- 2) Will the project require any work within 200 feet of the described waters? If yes, please describe and attach available plans. N.A.
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. None
- 4) Will the proposal require surface water withdrawals or diversions? Please provide description, purpose, and approximate quantities: No
- 5) Does the proposal lie within a 100-year floodplain? If so, please note the location on the site plan. No
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. No

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Please give description, purpose, and approximate quantities. No
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources; (e.g., domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the size and number of the systems, houses to be served; or, the number of animals or humans the systems are expected to serve. None

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal. Include quantities, if known. Describe where water will flow, and if it will flow into other water. Roofs will be infiltrated on each lot. Street runoff will be collected in catch basins, treated by swales or vaults, and infiltrated through perforated pipes located in the streets.

Agency use only

- 2) Could waste materials enter ground or surface waters? If so, please describe. No
- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any: Refer to c. 1) above

4. Plants

- a. Check or circle types of vegetation found on the site
- Deciduous tree: alder, maple, aspen, other
 - Evergreen tree: (fir), cedar, pine, other (spruce)
 - (Shrubs)
 - (Grass)
 - Pasture
 - Crop or grain
 - Wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
 - Water plants: water lily, eelgrass, milfoil, other
 - Other types of vegetation
- b. What kind and amount of vegetation will be removed or altered?
All existing vegetation will be removed
- c. List threatened or endangered species on or near the site. None known
- d. List proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site: Each new homeowner will provide landscaping for each lot

5. Animals

- a. Circle any birds and animals which have been observed on or near the site:
- Birds: hawk, heron, eagle, (songbirds), other;
 - Mammals: deer, bear, elk, beaver, other; and,
 - Fish: bass, salmon, trout, herring, shellfish, other.
- b. List any threatened or endangered species known to be on or near the site. None known Agency use only
- c. Is the site part of a migration route? If so, please explain.
Yes, Pacific Flyway
- d. List proposed measures to preserve or enhance wildlife: None

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
Electricity and natural gas for general household uses
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, please describe. No
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts: None, plat approval only

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, please describe.
No
 - 1) Describe special emergency services that might be required.
None
 - 2) Proposed measures to reduce or control environmental health hazards, if any: None
- b. Noise
 - 1) What types of noise exist in the area which may affect your project (e.g., traffic, equipment, operation, other)? None
 - 2) What types and levels of noise are associated with the project on a short-term or a long-term basis (e.g., traffic, construction, operation, other)? Indicate what hours the noise would come from the site. Short term: some noise from construction equipment during daytime hours.
Long term: some noise from automotive vehicles
 - 3) Proposed measures to reduce or control noise impacts:
Construction equipment to operate during allowed hours per code

Agency use only

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?
Site: 3 single family homes, 3 outbuildings & vacant; South: school;
West: single family homes; North & East: vacant
- b. Has the site been used for agriculture? If so, please describe. No
- c. Describe any structures on the site. 3 houses & 3 outbuildings
- d. Will any structures be demolished? If so, please describe.
Yes, all structures will be removed
- e. What is the current zoning classification of the site?
West 326' is R1-6 East 971' is R1-7.5
- f. What is the current comprehensive plan designation of the site? UL
- g. What is the current shoreline master program designation of the site?
Not applicable
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, please specify. No
- i. How many people would reside or work in the completed project?
Approx 224 people will reside in the project
- j. How many people would the completed project displace? 6
- k. Please list proposed measures to avoid or reduce displacement impacts: None
- l. List proposed measures to ensure the proposal is compatible with existing and projected land uses and plans: Project will comply with all County and City codes and regulations.

9. Housing

Agency use only

- a. Approximately how many units would be provided? Indicate whether it's high, middle, or low-income housing.
82 new homes & 1 existing home will be retained on a new lot
- b. Approximately how many units, if any, would be eliminated? Indicate whether it's high, middle, or low-income housing. 2
- c. List proposed measures to reduce or control housing impacts: None

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas? What is proposed as the principal exterior building materials? Assumed homes will be 1 & 2 stories in height.
Building materials are unknown.
- b. What views in the immediate vicinity would be altered or obstructed?
None
- c. Proposed measures to reduce or control aesthetic impacts: None

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? Some glare could occur from street lights during evening hours.
- b. Could light or glare from the finished project be a safety hazard or interfere with views? No
- c. What existing off-site sources of light or glare may affect your proposal? None
- d. Proposed measures to reduce or control light and glare impacts:
None

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? Pioneer Elementary & Frontier Middle Schools
- b. Would the project displace any existing recreational uses? If so, please describe. No Agency use only
- c. Proposed measures to reduce or control impacts on recreation, including recreational opportunities to be provided by the project or applicant: None

13. Historic and cultural preservation

- a. Are there any places or objects on or near the site which are listed or proposed for national, state, or local preservation registers. If so, please describe. None known
- b. Please describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.
Findings of an Archaeological Pre-Determination and survey are on file with DAHR.
- c. Proposed measures to reduce or control impacts:
Applicant will comply with recommendations of Archaeological Investigations Northwest, Inc

14. Transportation

- a. Identify the public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any. Existing NE 78th Street & Ne 167th Avenue, Refer to Preliminary Plat for new street layout.
- b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
No, nearest C-trans route is 1,300' to the west.
- c. How many parking spaces would the completed project have? How many would the project eliminate? Each new home will have 2 or 3 car garages, driveway parking, plus street parking. 6 spaces eliminated.
- d. Will the proposal require new roads or streets, or improvements to existing roads or streets, not including driveways? If so, please describe and indicate whether it's public or private. The project proposes new improved public streets, and improvements to existing public streets.
- e. Will the project use water, rail, or air transportation? If so, please describe. No

Agency use only

- f. How many vehicular trips per day would be generated by the completed project? Indicate when peak traffic volumes would occur.
82 new homes x 10 trips per day = 820 ADT
- g. Proposed measures to reduce or control transportation impacts:
Builder will pay Traffic Impact Fees

15. Public services

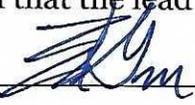
- a. Would the project result in an increased need for public services (e.g., fire protection, police protection, health care, schools, other)? If so, please describe. Yes, a slight increase in all services
- b. Proposed measures to reduce or control direct impacts on public services: Builder will pay appropriate impact fees

16. Utilities

- a. Circle the utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer septic system, other.
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on or near the site: Water & sewer: City of Vancouver; Electricity: Clark Public Utilities, Natural Gas: Northwest Natural Gas

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:  Date Submitted: 7.31.15

Ed Greer, Land Use Planner