



## NOTICE OF DECISION FOR RIVERVIEW APARTMENTS (FILE #SPRV15-03)

CONSOLIDATED SITE PLAN REVIEW, BOUNDARY LINE ADJUSTMENTS  
& CRITICAL AREA REVIEW

**Decision Issued:** May 4, 2016  
**Staff Contact:** Sarah Fox, Senior Planner   
**Phone:** (360) 817-1568  
**Email:** communitydevelopment@cityofcamas.us  
**Applicant/Owner:** Dennis Pavlina  
**Location:** 3009 NE 3<sup>rd</sup> Ave. **Zoning:** MF-24  
**Parcels:** 73134-168, 73134-176, 73134-049

**THIS IS TO SERVE AS NOTICE** that a decision of **APPROVAL** has been rendered for the consolidated Site Plan Review application of a 120-unit senior housing development, named Riverview Apartments (City file #SPRV15-03) on a combined 5.03 acre site.

The consolidated decision for Site Plan Review (SPRV15-03) includes the following conditions of approval. Unless otherwise waived or modified in the decision, the development must comply with the minimum requirements of Camas Municipal Code.

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### CONDITIONS OF APPROVAL

1. Prior to issuance of occupancy permits, the applicant shall record a resale restriction that runs with the property and shall be binding on current and subsequent property owners, which ensures that the new development is age-restricted to seniors.
2. Final engineering drawings will include two parcels, which will include the land area necessary to comply with zoning density for both the existing and proposed apartment developments.
3. Prior to final acceptance of infrastructure improvements and issuance of Certificate of Occupancy permits, the applicant shall upgrade the Lacamas Creek Pump Station by replacing the 18 horsepower pump with a new 23 horsepower pump rated at 484 gpm. The upgrades shall include any necessary piping replacements, electrical work and other work necessary for the new pump to operate.
4. The applicant shall provide conditions, covenants, and restrictions (CC&R's) or a perpetual maintenance agreement acceptable to the city for the maintenance of the onsite stormwater treatment and detention facilities.
5. The applicant shall provide conditions, covenants, and restrictions (CC&R's) acceptable to the city that establishes age restrictions to senior residency.
6. The applicant shall show the size and location of all water lines, including domestic lines, fire lines, meter locations, backflow devices locations, double detector check valve vault locations and all other water system appurtenances prior to final engineering approval.
7. The applicant shall install an irrigation system to ensure successful establishment of landscaping.
8. The applicant shall grant and record acceptable access and utility easements to the City over the public water and sewer systems serving the site.
9. Private streets require a plan for access obstruction per CMC, 17.19.040.A.9, such as posted "No parking" signs, or other method approved by the city, which will be noted on final site drawings.
10. Landscaping in the parking lot shall include minimum planter width of five feet at perimeters. Shrubs in lieu of trees at required tree planting ratios under the BPA easement are allowed.
11. The applicant shall provide a conservation easement, which is consistent with the preliminary drawings, for preservation of the existing forested area. Provisions for maintenance shall be included in the CC&R's to maintain forest health.

12. The applicant shall record a conservation covenant acceptable to the City for the wetlands, critical area buffers, and Oregon White Oaks. A copy of the conservation covenant will be provided to the city prior to issuance of engineering site construction approval (CMC§ 16.51.240).
13. The applicant shall provide off-site wetland mitigation at the Columbia River Mitigation Bank for approved impacts of 0.242 acres. The minimum mitigation ratios required per CMC§ 16.53.050-1, must be met with off-site mitigation. The applicant shall provide the city a copy of the final contract with the wetland bank, prior to final engineering approval.
14. Tree protection fencing for (retained) Oregon White Oaks must be in place prior to any earth moving activities, and remain in place until site improvements are completed (e.g. parking lot paving, sidewalks, pathways).
15. Wetlands A and C, and Oregon White Oak conservation area shall have temporary construction fencing installed prior to any earth disturbing activities, and maintained until occupancy permit is issued.
16. Wetlands A and C shall be fenced with permanent and continuous fencing at a minimum height of 4-feet. Signs regarding wetland protection and permanent fencing shall be installed prior to occupancy permit is issued.
17. A Final Mitigation Plan consistent with CMC§ 16.53.050(E) (3) shall be submitted prior to final engineering approval. The final plan will include (at a minimum) detailed construction plans, maintenance, monitoring, and contingency plans for Wetland A, Wetland C, and Oregon White Oaks.
18. The applicant shall provide financial assurances for mitigation in accordance with of CMC§ 16.51.180 (D) and CMC§ 16.53.050(J) prior to earth disturbing activities.
19. The applicant shall provide on-site mitigation for the removal of Oregon White Oaks at a ratio of 6:1 for each removed. Replacement Oregon White Oak trees must be a minimum of 2" caliper at planting, and installed within the protected habitat area prior to issuance of building permit.
20. A financial guarantee for monitoring and implementation of critical area contingency plans per CMC§ 16.51.1080 (D, E, and F) shall be submitted for approval prior final engineering plan approval.
21. Prior to any earthmoving activities, the applicant shall provide the Community Development Department a copy of approved permits from the Department of Archaeology & Historic Preservation and the US Corps of Engineers.
22. During site construction an archaeologist will monitor activities consistent with the monitoring plan as approved by DAHP and USACE.
23. The proposed development is subject to Design Review permit approval in accordance with CMC Chapter 18.19, and the applicable standards at time of application submittal. Design review approval is required prior to building permit issuance. It is advisable that design review approval be issued prior to building permit applications are submitted to the city.
24. The development is subject to multiple permits from the Fire Department. Three copies of the approved site plan and building set must be submitted for review and approval to the Fire Marshal's office.
25. As a Flexible Development, the project may utilize a height bonus of 10-feet above the zoning standard or one story, whichever is less per CMC§ 18.26.090 Development bonuses.

## APPEALS

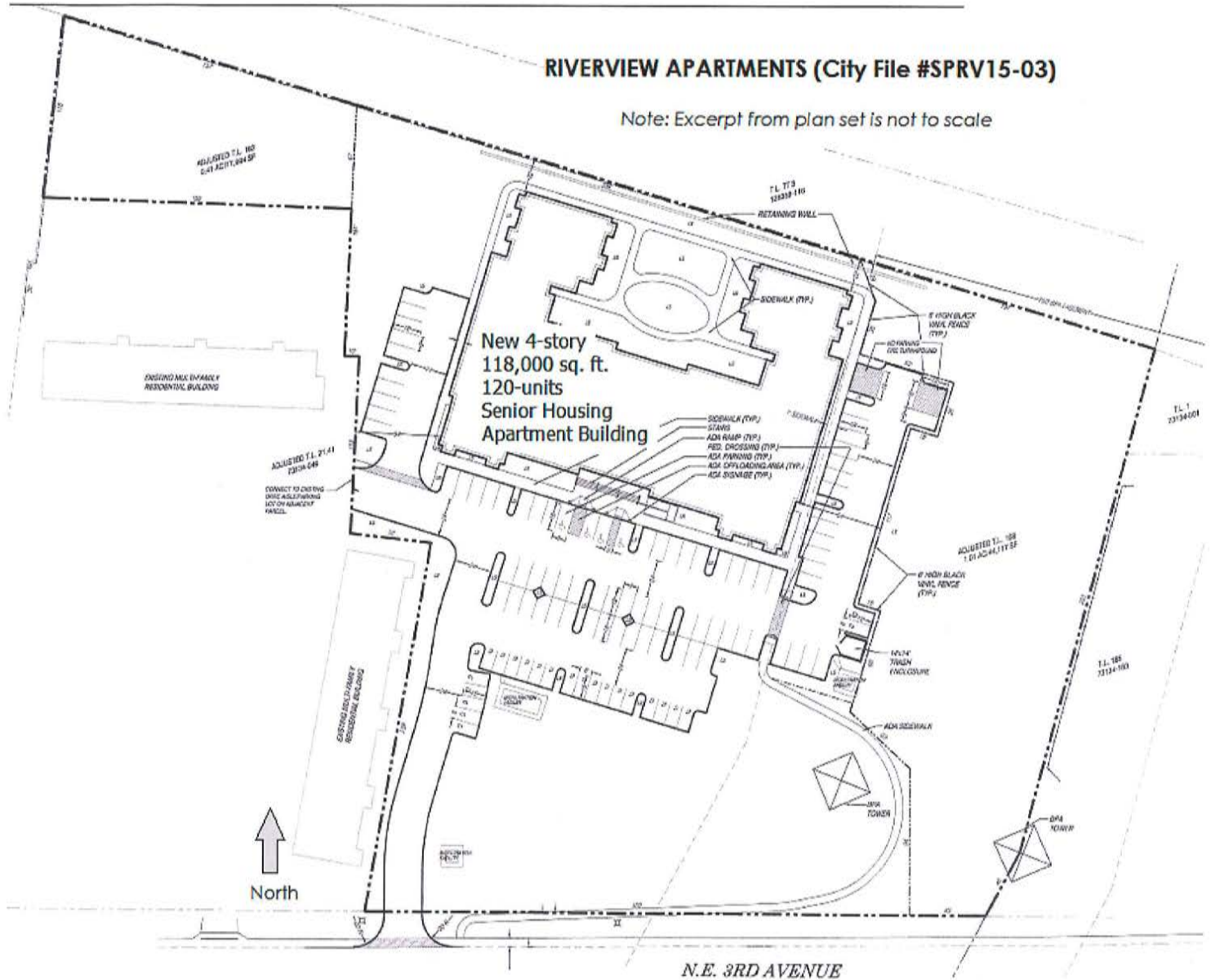
The Type II, consolidated Site Plan Review Decision may be appealed to the city's hearings examiner. Appeal procedures are set forth in CMC§ 18.55.200 Appeals – Generally. All appeals are initiated by filing a notice of appeal with the director within fourteen days of issuance of the decision being appealed.

The notice of appeal shall be in writing, include the fee of \$350 and contain the following information:

- (1) Appellant's name, address and phone number;
- (2) Appellant's statement describing his or other standing to appeal;
- (3) Identification of the application which is the subject of the appeal;
- (4) Appellant's statement of grounds for the appeal and the facts upon which the appeal is based;
- (5) The relief sought, including the specific nature and extent;
- (6) A statement that the appellant has read the notice of appeal and believes the content to be true, followed by the appellant's signature.

**RIVERVIEW APARTMENTS (City File #SPRV15-03)**

Note: Excerpt from plan set is not to scale





**STAFF REPORT AND CONSOLIDATED DECISION FOR  
RIVERVIEW APARTMENTS (FILE #SPRV15-03)**  
SITE PLAN REVIEW, BOUNDARY LINE ADJUSTMENTS &  
CRITICAL AREA REVIEW

Decision Issued: May 4, 2016  
Applicant/Owner: Dennis Pavlina  
Location: 3009 NE 3<sup>rd</sup> Ave. Zoning: MF-24  
Parcels: 73134-168, 73134-176, 73134-049

**APPLICABLE LAW:** The application was submitted on June 5, 2015, and the applicable codes are those that were in effect on the date of application. Camas Municipal Code (CMC) Titles 16, 17, and 18, specifically (but not limited to): Chapter 16.01 General Provisions; Chapter 16.03 Definitions; Chapter 16.07; Chapter 16.13 SEPA; Chapter 16.31 Archaeological; Chapter 16.51 General Provisions; Chapter 17.01 General Provisions; Chapter 17.07 Boundary Line Adjustments; Chapter 18.07 Use Authorization; Chapter 18.11 Parking; Chapter 18.13 Landscaping; Chapter 18.18 Site Plan Review; and Chapter 18.55 Administrative Procedures. **Please note: Citations for the Camas Municipal Code (CMC) are provided in *italics* throughout this report.**

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**SUMMARY**

- The applicant proposes to construct a new apartment building with 120 units for seniors on a 5.03 acre consolidated site.
- The subject property fronts SE 3<sup>rd</sup> Avenue and will utilize the existing driveway. A new sidewalk is proposed to wind uphill from SE 3<sup>rd</sup> to connect to the on-site parking area.
- The property contains critical areas —steep slopes, critical aquifer recharge zones, wetlands, and habitat conservation areas. The application included technical reports for all critical areas.

A consolidated decision for Site Plan Review (SPRV15-03), Boundary Line Adjustments, Archaeological Review and Critical Area Review is approved based on the applicant's narrative, drawings, and supporting technical reports except as otherwise clarified or modified through the conditions of approval stated herein. Further, unless otherwise waived or modified in this decision, the development must comply with the minimum requirements of Camas Municipal Code.

**APPROVAL** OF SPRV15-03, A SENIOR HOUSING DEVELOPMENT, IS BASED ON THE FOLLOWING FINDINGS OF FACT AND CONCLUSIONS OF LAW:



## FINDINGS OF FACT

### SITE PLAN REVIEW

CMC§ 18.18.060 - *Criteria for approval. The city shall consider approval of the site plans with specific attention to the following (A through F):*

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#### A. COMPATIBILITY WITH THE CITY'S COMPREHENSIVE PLAN;

**Staff:** The application specifies that the new apartment building will be restricted to senior residents. The proposed land use of an apartment building is consistent with the comprehensive plan designation for the property, which is multifamily. Limiting residency to seniors will complement the city's desire for special needs housing. The special needs goal of the Housing Element (page V-7) states, "To encourage and support a variety of housing opportunities for those with special needs, particularly those with challenges relating to age, health, or disability."

Several development standards differ whether the building is open to all ages or if it is restricted to senior residents. The land use definition at CMC§ 18.03.020 (in part), states, "Assisted living communities go by a variety of names: adult homes, personal care homes, retirement residences, etc." The applicant stated that the development will be an unassisted, apartment building for the elderly.

Although the definition section combines both assisted housing (e.g. personal care homes) and unassisted (e.g. retirement residences) under one definition, other regulations within the city's development codes make clear distinctions between the types. For example, a project that is characterized as "housing for the elderly" is required to have less off-street parking than a conventional apartment, and traffic impacts are less intense. Building code standards differ as well.

**[Development character]** A new owner may contemplate a change to the age restriction of the property at some point in the future, which would not only change the character of the development but would require (at a minimum) more off-street parking. For this site, an increase to parking would likely impact open spaces. Major Amendments per CMC§ 18.18.090 must be approved by the city when there is a *substantial change to the character* of the development, or a reduction to open space, among other triggers. For these reasons, the city must be made aware of changes to the occupancy type from senior housing. A condition requiring a resale restriction is warranted and is included with this decision.

**Findings: The character of the development as an age-restricted apartment development compliments the city's Special Needs housing goal. A resale restriction in regard to senior housing is warranted.**

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#### B. COMPLIANCE WITH ALL APPLICABLE DESIGN AND DEVELOPMENT STANDARDS CONTAINED IN THIS TITLE AND OTHER APPLICABLE REGULATIONS;

**Staff:** Site development standards for multi-family housing include (among other standards) lot size, building height, setbacks from property lines, landscaping, parking, and unit density. The application also includes a request for approval as a "flexible development" per CMC Chapter 18.26 Flexible Development.

**[Density]** The city requires that the unit density be within the minimum and the maximum of the zone. The MF-24 zone has a minimum density of six dwelling units per acre and a limit of 24 dwelling units per acre. Developments can comply with the standards when the unit count is between the minimum and maximum densities. The proposed 120-unit development reached the maximum density of the zoning of 24 units per acre, when the combined site area is 5.03 acres. Any less than a 5.00 acre parcel would not comply with this criterion.

**[Lot size and setbacks]** The minimum lot size within the MF-24 is 20 feet wide and 60 feet deep per CMC 18.09.050 Table 3-Density and dimensions for multifamily residential zones. There is not a maximum lot size in multifamily zones. The existing and proposed apartment sites will exceed the minimum dimensions, given the area required to meet the density requirements. It is feasible for the minimum setbacks for the existing and new structures are

to be in compliance. The minimum front setback is ten feet, side yard is three feet, side yard flanking a street is fifteen feet, and rear yard is ten feet. The new apartment building will be set back approximately 240 feet from NE 3<sup>rd</sup> Avenue, with parking areas flanking the front and sides of the building, which exceed the three feet minimum.

[Height] The proposed building will be four stories and 55-feet high, which exceeds the height limit of the MF-24 zone of 45 feet. Approval as a "Flexible development" has several incentives, to include a waiver to the zoning height limit to allow for an additional story "*or ten feet, whichever is less*" per CMC§ 18.26.090(B)(4). Flexible development criteria of approval requires that the project meet the following (in brief): (1) Purpose and intent of CMC Chapter 18.26 Flexible Developments; (2) Score the minimum of 0.3 on the flexible development score sheet; and (3) Conform to the comprehensive plan.

Conformance with the city's comprehensive plan was addressed at Criterion "A" of this report. The applicant's score sheet indicates that the project achieves a 0.335 score, which meets criterion #2. In general, the project meets flex score for the retention of the wooded area at the northwest corner of the property and the open spaces under the power lines on the east side of the property.

Flex code approval criteria #1, "purpose and intent" is detailed at CMC§ 18.26.010. Subsections B, C, and D, are applicable to this project. Consistent with criterion "B", the project achieves the maximum residential density with less impacts to critical areas due to the ability to utilize the exception to the height standards. Sustainable design features are the focus of Criterion "D" that states, "*To promote construction and redevelopment that implements the most current sustainable features.*" Although the applicant has not proposed the sustainable features as intended in this chapter of CMC, such as a green roof or solar power—the code does not require that the applicant meet all of the purposes of the chapter for approval. Given that the applicant has not submitted for Design Review approval to date, some of these sustainable features could still be incorporated into the building design. The sustainable features would not need to modify the site layout.

[Architectural Design] Design Review approval is required for all new developments within multifamily zones, per CMC§ 18.19.020 Scope. The design review standards within the city's Design Review Manual include mandatory elements in regard to site and building design. A condition of approval in regard to Design Review approval is included with this decision.

[Parking] The off-street parking required for elderly "unassisted" housing is 0.33 per unit (40 spaces). If the apartment building was not restricted to seniors, then more parking would be required than is proposed. The proposal includes 83 standard stalls (18' x 9') and 23 compact stalls (15' x 8'). CMC§ 18.11.020(D) states that a "maximum of thirty percent of the total required parking" may be compact. The development exceeds the minimum parking required. As noted earlier, a resale restriction will be required to ensure that the apartment is used for senior housing, and not converted without creating additional parking and complying with other code requirements.

[Landscaping] The landscape standards in CMC Chapter 18.13 require ten percent of the site to be landscaped with shrubs and trees. The landscaped areas exceed the minimum standard. However, CMC§ 18.13.060, requires that parking lots include specific landscaping treatments. Those specific requirements include: perimeter landscaping within a curbed area that is at least five feet wide, interior planting islands with trees, and wheel stops. The perimeter areas on Sheet LS1 appear to be less than five-feet wide, which should be verified as five-feet and amended prior to final plan approval. Trees are required to be planted throughout parking area based on the number of parking stalls. The applicant has included trees at the required ratios throughout the parking lot, except under the BPA easement, as the BPA prohibits vegetation over ten feet high. The proposal indicates that groundcover plantings will be under the easement. Given that most shrubs do not exceed 10-feet in height, a species could be selected for use under the easement, which could also provide some shade. For this reason, under the BPA easement, shrub plantings in lieu of trees will be a condition of this approval.

The final landscaping plan must include a watering system, or other measure, acceptable to the city to ensure the success of the plantings. Note 2 on the Landscape plan refers to installation of an irrigation system. A condition in regard to installation of the proposed irrigation system is included.



**Findings:** The application generally meets the Flexible Development standards of CMC Chapter 18.26, and may utilize the building height bonus. Parking standards are met. Landscaping requirements can be conditioned to meet the standards. The development must receive Design Review permit approval, which is required for new multifamily developments per CMC§18.19.020.

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C. AVAILABILITY AND ACCESSIBILITY OF ADEQUATE PUBLIC SERVICES SUCH AS ROADS, SANITARY AND STORM SEWER, AND WATER TO SERVE THE SITE AT THE TIME DEVELOPMENT IS TO OCCUR, UNLESS OTHERWISE PROVIDED FOR BY THE APPLICABLE REGULATIONS;

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### ROADS

**STAFF:** The subject property is located on the north side of NE 3rd Avenue which is designated as an arterial street in the City's Comprehensive Plan. NE 3rd Avenue currently consists of a 100 foot wide right of way with a 44 foot paved width. There are currently 5 foot wide curb tight sidewalks on both sides of NE 3rd Avenue. There are no bike lanes, left turn pockets or two-way center left turn lanes along this section of NE 3rd Avenue.

The traffic impact analysis (TIA) submitted by Charbonneau Engineering, LLC, dated March, 2015 provided a capacity analysis of the existing roadway system and an evaluation of adjacent offsite intersections near the proposed development. The analysis included both the existing Riverview (Phase 1) site access location as well as the proposed Phase 2 site access location. The analysis included intersection level of service, queuing analysis, sight distance evaluations, left turn warrants, signal warrants and accident history.

The traffic study concluded that there will essentially be no queuing in the east bound direction for vehicles turning left into either phase of the project. Additionally, left turn warrants, signal warrants, etcetera, were not met at the existing or proposed site access locations or the other offsite intersections that were studied. No traffic mitigation measures were identified or recommended in the TIA.

The site frontage along NE 3rd Avenue is approximately 400 feet in length. The easterly 100 feet of the site frontage contains a basalt bluff approximately 10 to 15 feet in height that provides no reasonable location for a driveway to access the site. The driveway location as proposed is approximately 120 feet east of the existing Riverview Apartment (Phase I) site access to NE 3rd Avenue. Staff finds the 120 foot spacing does not meet the 660 foot minimum spacing standards required in the 2012 Traffic Impact Fee (TIF) Update.

The applicant has submitted an exception request to the minimum spacing requirements of the TIF Update (Attachment A).

The exception request discusses the physical circumstances of the property and the inability to meet the required spacing of 660 feet. The request also identifies that by locating the site access at the location of a historic driveway, the applicant can better preserve the existing Oregon White Oak trees on site as required by the CMC.

**FINDINGS:** Staff finds that based on the submitted TIA and the applicant's exception request that the site access location on NE 3rd Avenue as proposed will be safe. Staff further finds that the granting of this exception request will not be detrimental to the public welfare or injurious to other property owners in the vicinity.

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### SANITARY SEWAGE DISPOSAL

**Staff:** The project site is located at the easterly terminus of an existing gravity sewer system that serves this area of the City. Sewer from the project will flow east through the existing gravity mains to the Lacamas Creek Pump Station (LCPS) located approximately 3,600 feet east of the site near the intersection of E 1st Avenue and NE 3rd Avenue. The LCPS manages flows from "Basin 7" and the "Gregg Annexation area" as identified in the City's 2010 General Sewer Plan. The LCPS has an older 18 horsepower pump rated at 297 gallons per minute (gpm) and a newer 23 horsepower pump rated at 484 gpm.



The LCPS has been identified in the City's 2010 General Sewer Plan Amendment as in need of replacement due to continued growth and increased sewer flows, primarily coming from the Gregg Annexation area. As such, the City has been analyzing the rated capacity of the existing LCPS and its ability to handle existing sanitary flows plus future sanitary flows allocated to in-process developments in the sewer basin. There are several in-process developments that have received preliminary plat approval that are in some phase of development or currently on hold that will ultimately contribute additional flow to LCPS.

Sanitary sewer flows are often times discussed in terms of "equivalent residential units" (ERUs), and pump station capacity is typically based on the "peak hour flow". Currently, with the exception of extreme wet weather conditions the station is operating well under the maximum peak hour flow conditions throughout the year and at all times the flows have not exceeded the available storage and pumping capacity of the station. However, the City's recent analysis of the LCPS indicates that with existing flows, in-process developments, and this proposed multi-family project, the number of ERUs assigned to the LCPS will be greater than the rated capacity of the pump station. The City currently has plans to replace the LCPS and currently envisions completing the project in the next three to five years. Staff finds that the LCPS could serve the proposed development on an interim basis provided the Applicant upgrades the older 18 horsepower pump with a new 23 horsepower pump rated at 484 gpm as a temporary measure until a new pump station is constructed by the City. A condition to this effect is warranted.

**Findings: The development can meet the minimum sanitary sewage requirements as conditioned.**

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### STORM DRAINAGE

**Staff:** The applicant is proposing to install three separate bio retention facilities on site in order to comply with the water quality treatment requirements of the 2012 Stormwater Management Manual for Western Washington (SMMWW). The bio retention facilities will provide pollutant removal for the stormwater flows from the pollution generating areas of the site (proposed parking areas and travel lanes). The stormwater runoff from the roof area of the apartment building will be combined with the treated stormwater from the bio retention facilities and conveyed to the proposed underground stormwater detention facility. This detention facility will consist of 100 lineal feet of 60 inch diameter corrugated metal pipe (CMP). The detention facility will release stormwater flows from the site at or below the predeveloped peak runoff rates to the existing city storm system in accordance with the requirements of the 2012 SMMWW.

CMC§ 17.19.040 (C 3) requires that the stormwater facilities are to be located within the development and should be privately owned and maintained, therefore, the applicant will need to provide for the perpetual maintenance of this underground detention facility as well as the three proposed bio retention facilities. A condition of approval to this effect is warranted.

**Findings: The development can meet the storm drainage requirements of the 2012 SMMWW and CMC§17.19.040(C 3) as conditioned.**

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### WATER

**Staff:** The submitted preliminary utility plan shows the proposed extension of an 8 inch diameter water main to serve the site from the existing 8" cast iron water main located on the south side of NE 3rd Avenue.

The plan does not identify domestic service lines, fire lines, sizes, meter locations or where the lines enter the proposed building. The plan does not indicate if there will be a dedicated fire line, an irrigation meter or system, backflow devices or double detector check valves.

Staff finds that there is adequate water capacity to serve the proposed use. Staff further finds that the applicant will be conditioned to show the size and location of all water lines necessary to serve the proposed use, including domestic lines, fire lines, meter locations, backflow device locations, double detector check valve vault locations, etc. prior to final engineering plan approval. A condition of approval to this effect is warranted.

There is existing and adequate water, and storm sewer utilities adjacent to the subject property located within NE 3rd Avenue. The applicant is proposing to extend said utilities into the site to serve the proposed development. The applicant is proposing to record public utility and access easements to the city for access



to and maintenance of the public portions of the water and sanitary sewer systems. The proposed storm sewer system and roadway systems onsite will be privately owned and maintained by the Riverview Apartment's owner. A condition of approval is warranted to ensure future access and maintenance rights are granted to the city for the water and sanitary sewer utilities.

**Findings: The development can meet the water utility requirements of the Camas Design Standard Manual as conditioned.**

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*D. ADEQUATE PROVISIONS ARE MADE FOR OTHER PUBLIC AND PRIVATE SERVICES AND UTILITIES, PARKS AND TRAILS (E.G., PROVIDE COPIES OF PRIVATE COVENANT DOCUMENTS);*

**Staff:** The city does not have any trails stubbed to the property, and the adjacent jurisdiction of Washougal did not request any trail connections either. There is a public trail and park directly across the street from the project site.

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*E. ADEQUATE PROVISIONS ARE MADE FOR MAINTENANCE OF PUBLIC UTILITIES; AND*

**Staff:** There are existing water, transportation and storm sewer utilities adjacent to the subject property located within NE 3rd Avenue. The applicant is proposing to extend said utilities into the site to serve the proposed development. The applicant is proposing to record public utility and access easements to the city for access to and maintenance of the public portions of the water and sanitary sewer systems. The proposed onsite storm sewer system and roadway/parking improvements onsite will be privately owned and maintained by the Riverview Apartment's owner. A condition of approval is warranted to ensure future access and maintenance rights are granted to the city for the water and sanitary sewer utilities.

**Findings: The development has proposed adequate utilities to serve the subject site and has proposed public access easements to the city. A condition of approval to clarify that future access and maintenance is provided.**

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*F. ALL RELEVANT STATUTORY CODES, REGULATIONS, ORDINANCES AND COMPLIANCE WITH THE SAME. THE REVIEW AND DECISION OF THE CITY SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF CMC CHAPTER 18.55 ADMINISTRATION AND PROCEDURES.*

**Staff:** The city describes procedures for Type II permits at CMC§ 18.55.100 to 18.55.130, and for decision issuance at CMC§ 18.55.230. The application was initially received June 5, 2015. Staff provided comments to the applicant regarding missing information in emails, meetings with the applicant, and in letters dated July 2, 2015 and October 21, 2015. The applicant submitted revised materials for the city to review on January 28, 2016. The city received comments from state agencies that are on file with the project to include USACE, Ecology, and DAHP in February and March of 2016. After review and analysis was concluded, the City issued a SEPA Determination of Non-significance (DNS) on April 19, 2016, as the impacts to the project were minimized to a level that could be mitigated under the city's codes and regulations as discussed in this staff report and decision.

**Findings: The review and decision are in accordance with the provisions of CMC Chapter 18.55 Administration and Procedures.**

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*18.18.070 - IMPROVEMENTS FOR RESIDENTIAL DEVELOPMENT.*

*A. Public. Prior to the issuance of a building permit for residential construction, all public improvements required to adequately service that portion of the plat for which the building permit will be issued shall be installed, or the developer shall provide financial surety acceptable to the city pursuant to CMC§ 17.21.050 Bonds and Other Financial Agreements.*

*B. Private. Prior to issuance of final occupancy permits all public and private improvements shall be completed in accordance with CMC§ 17.21.070 Final Acceptance.*



**Findings: As provided in the conditions of approval, public improvements will be required to be completed prior to issuance of occupancy permits.**

## TITLE 16 CRITICAL AREA REVIEW

### CRITICAL AQUIFER RECHARGE AREA

**Staff:** According to the city's maps, the property lies within a critical aquifer recharge area (CARA). Developments proposed within a CARA zone must provide a Level One hydrogeological assessment and comply with performance standards of CMC Chapter 16.55 Critical Aquifer Recharge Areas. The applicant provided a hydrogeological assessment dated August 26, 2015. In the assessment, the applicant provided evidence to support a conclusion that the soils at the site are relatively impermeable, and for that reason no additional measures are needed to protect the ground water within the CARA zone. Chris Wonderly, P.E. stated, "Based on the impermeable nature of the subsurface soils due to clay and bedrock, there is no connection from surface water to the underlying aquifers. Therefore there is no potential for contamination to occur between the surface runoff and drinking water supply."

**Findings: Staff concurs with the findings of the project engineers that the development will not impact the city's drinking water supply.**

### STEEP SLOPES

**Staff:** Portions of the site are identified as steep slope areas on the city's critical areas map. A geotechnical report must analyze the steep slope areas of the site as to the potential for erosion hazards per CMC§16.59.090. The applicant provided a "Geotechnical Site Investigation Report" (February 26, 2015) and an "Addendum to Geotechnical Site Investigation Report Riverview Addition" (July 28, 2015). The addendum addressed the potential erosion hazard areas at the north portion of the site where a walking path was proposed with the initial drawings. Daniel Lehto, PE, GE, stated, "*The potential for erosion in this area is considered to be low if disturbance is limited to the minimum amount required for construction of the path.*" The report did not evaluate the area for more intensive development, and the current site plan (January 2016) indicates that the area will remain as a forested area. A conservation easement over that portion of the site is warranted and will be included as a condition of this decision.

**Findings: Development is not proposed on the steep portions of the site, and therefore the potential for erosion hazards will be effectively mitigated in conjunction with recording a conservation easement over the steep slope area.**

### WETLANDS

**Staff:** Principally, the city must determine whether the development conforms to the purposes and performance standards of the critical areas ordinance, and assess whether the potential impacts are necessary and unavoidable (CMC§16.51.130).

The initial site plan for this development proposed five buildings, which would have impacted more wetland areas, and eliminated the habitat areas, to include removal of all thirteen Oregon White Oaks. The initial CARs (May 18, 2015 and July 13, 2015) did not include the mitigation sequencing criteria for impacts to each critical area. Rather, the initial reports stated, "To avoid the wetlands would have jeopardized the feasibility of the project". A similar argument was provided for removing all Oregon White Oaks. The applicant provided a letter regarding the proposed impacts on August 26, 2015 (Attachment C). The staff response opined that the analysis did not support infeasibility in accordance with the "Reasonable Use" provisions of CMC§16.51.110.

Since that time, the applicant revised the preliminary site plan, and provided more evidence to support the (lesser) proposed impacts. Refer to the email from Jim Barnes to Dennis Pavlina (Attachment N), December 9, 2015) wherein Barnes defends the revised site plan with reduced impacts, and the infeasibility of mitigating all impacts on-site.

The wetland delineation (July 13, 2015) and Critical Areas Report ("CAR") (January 19, 2016), identified three wetlands within the subject property. The current proposal will fill Wetland B, and retain Wetlands A and C.



The applicant did not submit a preliminary wetland mitigation plan, although a portion of the required mitigation is proposed at the wetland mitigation bank, which is addressed on page 10 of the CAR. Mitigation for protection of the remainder of Wetlands A and C was not discussed nor included in the CAR, however it is feasible as the current site layout avoids Wetlands A and C, and eleven Oregon White Oaks. The city's critical area ordinance provides options for protecting critical areas and reasonable measures can be implemented. Given the demonstrated feasibility, a condition requiring approval of a Final Mitigation is included with this decision, and is warranted. Final Mitigation Plans must be consistent with CMC§ 16.53.050(E)(3) Final Mitigation Plan.

The final mitigation plan must include critical area protection measures consistent with CMC§ 16.53.040(C). The type of permanent demarcation must be approved by the city. Typically the city requires four foot high, continuous fencing along the boundaries of critical areas, since a fence will better protect those areas from future encroachment, and from standard landscaping practices (e.g. lawn mowing). Staff supports the applicant's proposal of a black vinyl fence at the perimeter of Wetland A. However, there isn't any fencing proposed at the perimeter of Wetland C. A condition to require fencing at Wetland C is warranted.

Also, the landscape plans indicate that the area adjacent to, or within the buffers of Wetland C will be landscaped with "native plants". However, the landscape plan and preliminary site plan do not provide the locations of the wetlands. The landscape plan does not provide information regarding whether the proposed plantings would be consistent with BMPs for wetland buffer enhancement. The landscape drawings do not propose "native plants" adjacent to Wetland A. It is feasible to assume that the Final Mitigation plan could provide a mitigation planting plan that will work in concert with the overall site and landscape plans. A condition to this effect is warranted and is included.

Offsite mitigation is proposed for the bulk of the wetland impacts. The development proposes 0.242 acres of impacts to Type IV wetlands and buffers. The minimum ratios required per CMC§ 16.53.050-1, requires a minimum of 1.5:1 for reestablishment, 3:1 for rehabilitation, and 6:1 for enhancement. The mitigation area for these impacts ranges from 0.363 acres to 1.452 acres depending on the type of mitigation proposed. The conversion of wetland bank credits from wetland acreage was explained in an email from Zach Woodward of the Columbia River Habitat Bank, "Each acre of Category 4 impact using the bank translates to approximately 1.78 acres of wetlands at the bank project." In summary, every 0.85 acre of impact is one (1) bank credit. At page 11 of the CAR, there is a summary of the credits required from the wetland bank and the financial assurances that will be implemented. A condition in regard to providing evidence to the city of off-site wetland mitigation is warranted and provided with this decision.

**Findings: Staff finds that the applicant demonstrated that the proposed impacts to critical areas could be minimized with a combination of on-site preservation and off-site wetland bank credits. Conditions of approval are consistent with achieving this compliance.**

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### FISH AND WILDLIFE CONSERVATION AREAS

**Staff:** The subject site includes a stand of Oregon White Oaks, which is considered a Habitat of Local Importance, per CMC§ 16.61.010(A)(3). The initial site plan proposed to remove all of thirteen Oregon White Oaks in order to use the area for a building and parking. As required, the initial critical area report did not include an "evaluation by the Department of Fish and Wildlife or qualified expert regarding the applicant's analysis and effectiveness of any proposed mitigating measures or programs." CMC§ 16.61.020(D)(1). The initial CAR did not provide an analysis for retaining significant trees on site or mitigation for tree removal. The revised plans provide a demonstration of avoidance, and a practical plan of retention, in compliance with CMC§ 18.31.080(B). The Tree Evaluation (August 12, 2015) indicated that all but two of the Oregon White Oaks were healthy. The Tree Evaluation does not reflect the current site plan, and the avoidance of the oak grove. A condition to revise the tree mitigation plan is warranted.

Staff met with Emelie Mckain, DFW, for a site evaluation in accordance with CMC§ 16.61.020. The evaluation was summarized in an email to Staff on October 21, 2015 (Attachment Q). Mckain stated, "The Oregon White Oak should remain on site and unharvested". The January 2016 preliminary site plans retain the Oregon White Oaks, except those that were identified as diseased. DFW opinioned that on site mitigation is possible and preferred. "On site mitigation is possible and therefore should be utilized instead of a mitigation bank. On site



mitigation opportunities exist in the Eastern wetland on the BPA easement, as well as within the Oregon White Oak stand. Within the wetland, habitat enhancement could occur as well as borderline plantings to increase functionality and create a natural buffer from development. Within the white oak stand, mitigation could be in the form of invasive plant removal, as well as oak and other proper native understory plantings." DFW recommends mitigation of significant trees at a ratio of 2:1 and 6:1 for Oregon White Oaks. For these reasons, a condition in regard to on-site Oregon White Oak mitigation will be included as supported by DFW.

**Findings: The applicant demonstrated that healthy trees will be retained to the extent practical per CMC§18.31.080 and as conditioned, Oregon White Oaks will be included in a revised mitigation plan.**

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### ARCHAEOLOGICAL RESOURCE PRESERVATION

**Staff:** The predetermination report from April 2007, which is included in the application materials, was determined by the Department of Archaeology and Historic Preservation ("DAHP") to be invalid and insufficient (Attachment D). The applicant was provided information for submittal of the archaeological reports in letters from staff (Attachments I and K).

An archaeological report meeting the standards of CMC§16.31.030(D) and CMC§16.31.120 was received by the city on November 19, 2015, titled, "Cultural Resources Survey of the Camas Riverview Project Area, Clark County, WA" (October 13, 2015). The applicant provided the tribes with a copy of the report and all supporting materials by certified mail on March 3, 2016. The city did not receive any comments from the tribes by the fourteenth day from the date notification was mailed, pursuant to CMC§16.31.160. The city received confirmation from DAHP (Attachments G and H) that the archaeological resources monitoring plan was approved. The plan includes provisions that must be followed during construction, which includes a site monitor. The applicant will be required to follow the permit requirements with DAHP and the USACE, but all archaeological permit requirements from the city have been fulfilled.

**Findings: The applicant has provided complete and adequate archaeological resources information in fulfillment of CMC§16.31.140. Monitoring for historically significant artifacts will be required through DAHP.**

### BOUNDARY LINE ADJUSTMENTS

CMC§17.07.040 - Approval criteria.

*The approval authority shall approve, approve with conditions, or deny a request for a boundary line adjustment in writing based on findings addressing the following criteria:*


---

#### A. NO ADDITIONAL LOTS, SITES, PARCELS, TRACTS, OR DIVISIONS ARE CREATED.

**Staff:** The project area of the new development is comprised of two parcels, Numbered 73134-168 and 73134-176. In order to have enough land area for the proposed density of 120 units, the adjacent and existing apartment complex on Parcel Number 73134-049 was added to the application. The parcels are owned by the same owner. The application included a Legal Description (labeled "Exhibit A" in the binder), which describes the perimeter of two parcels. A parcel encompassing the existing apartment complex is described, along with a description of a second parcel encompassing the new development.

To achieve the desired residential density, the applicant proposed a boundary line adjustment between the existing development's parcel and the new development. In sum, the combined land area was necessary to avoid exceeding the density limit of the MF-24 zone.

The application included Line Move Drawings, which propose moving the boundaries of four tax lots to create four newly configured tax lots. The city does not have the authority to modify tax lots, as these are created and modified for tax purposes, which is the domain of Clark County.

**Findings: The BLA application proposed modifying tax lot boundaries not parcel boundary lines. The city does process tax lot boundary adjustments.** 



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B. THE ADJUSTMENT WILL NOT CREATE NONCONFORMING LOTS, WITH RESPECT TO ZONING DIMENSION AND AREA STANDARDS, ZONING SETBACKS AND LOT AREA COVERAGE STANDARDS IDENTIFIED IN CMC CHAPTER 18.09 OR TO FIRE, BUILDING, OTHER APPLICABLE CODES.

**Staff:** The city defines "Lot" at CMC§18.03.040, as, "(A) fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include parcels." The city's definition is consistent with RCW 58.17.020(9). Tax lots are not necessarily created from a subdivision process as recognized within RCW Chapter 58.17, and are typically created through a county process for taxing purposes, such as differentiating the tax rate of a portion of a property as residential and another portion as forest lands. In this example, the tax lots were not created through legal land division.

The city does not recognize tax lots as prima facie evidence of lots that were created through a legal land division process. The application did not provide records of previous subdivision or short plats. The four tax lots as proposed on the page 5 of the Line Move Drawing sheets, do not conform to the zoning standards, as the area of the new tax lots would not be sufficient to allow the number of residential units proposed.

[DENSITY] The density of the MF-24 zone has a maximum allowance of 24 units per acre. There are currently 60 units on within the area of land described as parcel 73134-049 and described by the applicant as combined Tax Lots 49 and 182 with a current size of 3.16 acres (max units of 75). The boundary around the area of the existing development is 2.50 acres with a maximum allowed units of 60.

The proposed 120-unit development needs 5.0 acres of land to comply with the density standards of the zone. This is feasible by combining the land area within Tax Lots 182, 176 and 168. The area of adjusted tax lot 176, where the new apartment building would be located, is 3.52 acres. This acreage would allow a maximum of 84 residential units, not the proposed 120 units. The proposed four tax lots do not have sufficient area to comply, unless combined.

The applicant can meet the density requirements of code with two parcels, one for the existing development at 2.50 acres and one parcel for the new development at 5.03 acres. A condition to ensure that the final parcel configuration includes the minimum amount of land area to comply with zoning density is necessary.

[LOT AREAS] According to CMC§18.09.040-Table 2, Multifamily zones do not have maximum lot sizes, only minimum lot sizes. The minimum lot size within the MF-24 is 20 feet wide and 60 feet deep. It is feasible for the development to meet the lot area standard with two parcels.

[SETBACKS] It is also feasible for the development to be in compliance with CMC§18.09.040-Table 2, as the minimum front setback is ten feet, side yard is three feet, side yard flanking a street is fifteen feet, and rear yard is ten feet.

**Findings: The applicant has proposed the maximum density of the MF-24 zoning over the combined site area. The development can comply with the density standards of the zone with a final configuration of two parcels.**

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C. THE DEGREE OF NONCONFORMANCE ON EXISTING NONCONFORMING LOTS WITH RESPECT TO ZONING DIMENSION AND AREA STANDARDS, ZONING SETBACKS, AND FLOOR AREA RATIO ARE NOT INCREASED, EXCEPT THAT A ONE TIME EXCEPTION MAY BE ALLOWED TO CREATE A LOT THAT EXCEEDS THE MAXIMUM LOT SIZE PERMITTED IN THE UNDERLYING ZONE. ANY FUTURE PARTITIONING/REDUCTION OF THE OVERSIZED LOT MUST COMPLY WITH THE LOT SIZE REQUIREMENTS OF THE UNDERLYING ZONE.

**Findings: As noted above, parcels 73134-176, 73134-168, and 73134-049 exceed the minimum lot sizes of the zone, and there isn't a maximum size limit.**

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D. ALL LOTS HAVE LEGAL ACCESS TO A PUBLIC ROAD. EXISTING REQUIRED PRIVATE ROAD IMPROVEMENTS AND EASEMENTS ARE NOT DIMINISHED BELOW CITY STREET STANDARDS FOR LOTS



THAT ARE SERVED BY A PRIVATE ROAD, AND SHALL NOT CREATE UNREASONABLY RESTRICTIVE OR HAZARDOUS ACCESS TO A PROPERTY;

**Staff:** The existing three parcels have access to a public road. The final configuration of the tax lots would render the adjusted tax lots 182 and 168 inaccessible from a public road, without the establishment of access easements. In the narrative, an access easement to tax lot 168 was proposed, but not to 182. The site plan drawings did not propose an easement to the reconfigured tax lot.



**Findings:** As noted earlier, the city does process tax lot boundary adjustments.

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E. THE BOUNDARY LINE ADJUSTMENT WILL NOT RESULT IN A LOT THAT CONTAINS AREA IN TWO ZONE DESIGNATIONS.

**Findings:** The entire property is in the multi-family zone of MF-24.

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F. BOUNDARY LINE ADJUSTMENTS THAT ARE USED TO CIRCUMVENT SUBDIVISION OR SHORT SUBDIVISION PROCEDURES SET FORTH IN THIS TITLE ARE NOT ALLOWED. FACTORS WHICH INDICATE THAT THE BOUNDARY LINE ADJUSTMENT PROCESS IS BEING USED IN A MANNER INCONSISTENT WITH STATUTORY INTENT INCLUDE: NUMEROUS AND FREQUENT ADJUSTMENTS TO EXISTING CONTIGUOUS LOT BOUNDARIES, AND/OR A LARGE NUMBER OF CONTIGUOUS LOTS BEING PROPOSED FOR BOUNDARY LINE ADJUSTMENTS AT THE SAME TIME.

**Findings:** On page 5 of the narrative, the applicant states that the boundary line adjustment is not intended to circumvent subdivision or short plat procedures.

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G. APPROVAL OF A BOUNDARY LINE ADJUSTMENT SHALL NOT RESULT IN THE NEED FOR A REASONABLE USE EXCEPTION AS DEFINED IN CMC 16.51.

**Staff:** The existing parcels have buildable areas that are outside critical areas, and have access to a public right-of way. The current configuration of Tax Lot 182 is shown as narrow strip of land at the northern edge of the project area. It is unclear what purpose the tax lot served given the shape of the area, and whether it has buildable land within those boundaries.

Currently Tax Lots 168 and 182 include land that is outside critical areas. However, the proposed area of land within tax lot 168 would be fully within a BPA easement and wetland area. The adjustment to Tax Lot 182 would encompass the entirety of a steep wooded area. Neither proposed tax lots, if legal lots, would be buildable.

The criteria of approval for a Reasonable Use Exception, states, "The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant after the effective date of these provisions or its predecessor." The actions to render any of the proposed tax lots as un-buildable would be the result of actions taken by the applicant.

**Findings:** As noted earlier, the city does process tax lot boundary adjustments. Also, the proposed adjustments would render certain Tax Lots unbuildable.

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H. EXISTING EASEMENTS FOR UTILITIES CONFORM TO ADOPTED STANDARDS FOR THEIR INTENDED FUNCTION, OR THEY ARE EXTENDED, MOVED OR OTHERWISE ALTERED TO AN APPROVED LOCATION. THE APPLICANT SHALL BE RESPONSIBLE FOR THE RELOCATION OF ANY INSTALLED UTILITIES.

**Findings:** There are no utilities affected by the development, and the BPA easement will remain in the current location.



## CONCLUSIONS OF LAW

The following conclusions of law are based on the findings of facts as discussed throughout this report and decision.

- As proposed, SPRV15-03 compliments the city's comprehensive plan goal of increasing the availability of special needs housing.
- As conditioned, SPRV15-03 can comply with CMC§18.18.060 for Site Plan development.
- As proposed, SPRV15-03 complies with the Flexible Development standards of CMC§18.26.080, and may utilize the height bonus of 10-feet above the zoning standard or one story, whichever is less.
- As conditioned, SPRV15-03 can comply with the requirements of CMC§18.18.070 for completion of public improvements within a private residential development.
- SPRV15-03 will be subject to the standards adopted at the time of submittal for Design Review (CMC Ch.18.19) permit approval, and will be subject to any additional conditions for development approval.
- As conditioned, SPRV15-03 can comply with the requirements for wetland mitigation by submittal of a final wetland mitigation plan per CMC§ 16.53.050(H).
- As conditioned, SPRV15-03 can adequately protect on-site wetlands and Oregon White Oaks per CMC§16.51.210, CMC§16.51.220, CMC§16.51.240, and CMC§16.51.250.
- As conditioned, SPRV15-03 can comply with the mitigation requirements for Oregon White Oaks per the performance standards of CMC§16.61.030.
- As conditioned, SPRV15-03 can comply with the Boundary Line Adjustment criteria of approval per CMC§17.07.040 (refer to Condition #2).

## DECISION

**Approval** of the consolidated application for Site Plan Review (SPRV15-03), Boundary Line Adjustments, Archaeological Review and Critical Area Review is based on the applicant's narrative, drawings, and supporting technical reports except as otherwise clarified or modified through the following conditions of approval. **Further, unless otherwise waived in writing in this decision, the development must comply with the minimum requirements of Camas Municipal Code.**

## CONDITIONS OF APPROVAL

1. Prior to issuance of occupancy permits, the applicant shall record a resale restriction that runs with the property and shall be binding on current and subsequent property owners, which ensures that the new development is age-restricted to seniors.
2. Final engineering drawings will include two parcels, which will include the land area necessary to comply with zoning density for both the existing and proposed apartment developments.
3. Prior to final acceptance of infrastructure improvements and issuance of Certificate of Occupancy permits, the applicant shall upgrade the Lacamas Creek Pump Station by replacing the 18 horsepower pump with a new 23 horsepower pump rated at 484 gpm. The upgrades shall include any necessary piping replacements, electrical work and other work necessary for the new pump to operate.
4. The applicant shall provide conditions, covenants, and restrictions (CC&R's) or a perpetual maintenance agreement acceptable to the city for the maintenance of the onsite stormwater treatment and detention facilities.
5. The applicant shall provide conditions, covenants, and restrictions (CC&R's) acceptable to the city that establishes age restrictions to senior residency.

6. The applicant shall show the size and location of all water lines, including domestic lines, fire lines, meter locations, backflow devices locations, double detector check valve vault locations and all other water system appurtenances prior to final engineering approval.
7. The applicant shall install an irrigation system to ensure successful establishment of landscaping.
8. The applicant shall grant and record acceptable access and utility easements to the City over the public water and sewer systems serving the site.
9. Private streets require a plan for access obstruction per CMC, 17.19.040.A.9, such as posted "No parking" signs, or other method approved by the city, which will be noted on final site drawings.
10. Landscaping in the parking lot shall include minimum planter width of five feet at perimeters. Shrubs in lieu of trees at required tree planting ratios under the BPA easement are allowed.
11. The applicant shall provide a conservation easement, which is consistent with the preliminary drawings, for preservation of the existing forested area. Provisions for maintenance shall be included in the CC&R's to maintain forest health.
12. The applicant shall record a conservation covenant acceptable to the City for the wetlands, critical area buffers, and Oregon White Oaks. A copy of the conservation covenant will be provided to the city prior to issuance of engineering site construction approval (CMC§ 16.51.240).
13. The applicant shall provide off-site wetland mitigation at the Columbia River Mitigation Bank for approved impacts of 0.242 acres. The minimum mitigation ratios required per CMC§ 16.53.050-1, must be met with off-site mitigation. The applicant shall provide the city a copy of the final contract with the wetland bank, prior to final engineering approval.
14. Tree protection fencing for (retained) Oregon White Oaks must be in place prior to any earth moving activities, and remain in place until site improvements are completed (e.g. parking lot paving, sidewalks, pathways).
15. Wetlands A and C, and Oregon White Oak conservation area shall have temporary construction fencing installed prior to any earth disturbing activities, and maintained until occupancy permit is issued.
16. Wetlands A and C shall be fenced with permanent and continuous fencing at a minimum height of 4-feet. Signs regarding wetland protection and permanent fencing shall be installed prior to occupancy permit is issued.
17. A Final Mitigation Plan consistent with CMC§ 16.53.050(E)(3) shall be submitted prior to final engineering approval. The final plan will include (at a minimum) detailed construction plans, maintenance, monitoring, and contingency plans for Wetland A, Wetland C, and Oregon White Oaks.
18. The applicant shall provide financial assurances for mitigation in accordance with of CMC§ 16.51.180 (D) and CMC§ 16.53.050(J) prior to earth disturbing activities.
19. The applicant shall provide on-site mitigation for the removal of Oregon White Oaks at a ratio of 6:1 for each removed. Replacement Oregon White Oak trees must be a minimum of 2" caliper at planting, and installed within the protected habitat area prior to issuance of building permit.
20. A financial guarantee for monitoring and implementation of critical area contingency plans per CMC§ 16.51.1080 (D, E, and F) shall be submitted for approval prior final engineering plan approval.
21. Prior to any earthmoving activities, the applicant shall provide the Community Development Department a copy of approved permits from the Department of Archaeology & Historic Preservation and the US Corps of Engineers.
22. During site construction an archaeologist will monitor activities consistent with the monitoring plan as approved by DAHP and USACE.
23. The proposed development is subject to Design Review permit approval in accordance with CMC Chapter 18.19, and the applicable standards at time of application submittal. Design review approval is



required prior to building permit issuance. It is advisable that design review approval be issued prior to building permit applications are submitted to the city.

24. The development is subject to multiple permits from the Fire Department. Three copies of the approved site plan and building set must be submitted for review and approval to the Fire Marshal's office.
25. As a Flexible Development, the project may utilize a height bonus of 10-feet above the zoning standard or one story, whichever is less per CMC§ 18.26.090 Development bonuses.

**DATED this 4th day of May 2016**



**Sarah Fox, Senior Planner**

## APPEALS

The Type II, consolidated Site Plan Review Decision may be appealed to the city's hearings examiner. Appeal procedures are set forth in CMC§ 18.55.200 Appeals – Generally. All appeals are initiated by filing a notice of appeal with the director within fourteen days of issuance of the decision being appealed.

The notice of appeal shall be in writing, include the fee of \$350 and contain the following information:

- (1) Appellant's name, address and phone number;
- (2) Appellant's statement describing his or other standing to appeal;
- (3) Identification of the application which is the subject of the appeal;
- (4) Appellant's statement of grounds for the appeal and the facts upon which the appeal is based;
- (5) The relief sought, including the specific nature and extent;
- (6) A statement that the appellant has read the notice of appeal and believes the content to be true, followed by the appellant's signature.



## INDEX OF ATTACHMENTS

The following attachments are generally in the order that they are referenced in this decision, and not date order.

Description and document date	Number of pages
A. Exception request letter from Mike Odren, Olson Engineering, March 18, 2016	2
B. Memorandum from Frank Charbonneau, PE, Charbonneau Engineering, March 8, 2016	1
C. Letter from Odren regarding critical area impacts, August 26, 2015	5
D. Emails from Gretchen Kaehler, DAHP, regarding predetermination report, June 30, 2015	1
E. Email from Odren regarding archaeological survey, November 19, 2015	1
F. Email from Alexander Gall, Archaeological Services, November 20, 2015	1
G. Email from Kaehler regarding permit approvals, March 1, 2016	1
H. Letter from Rob Whitlam, DAHP regarding approval of monitoring plan, December 21, 2015	1
I. Letter to Odren from Staff regarding incomplete application, July 2, 2105	3
J. Response letter from Odren regarding July 2 <sup>nd</sup> Staff letter, August 27, 2015	2
K. Letter to Odren from Staff regarding application inconsistencies with code, October 21, 2015	3
L. Response letter from Odren regarding October 21 <sup>st</sup> Staff letter, November 2, 2015	4
M. Cost Estimate for Site Improvements, July 10, 2015	2
N. Email forwarded from Robert Maul from Jim Barnes, Cascadia Ecological Services, regarding wetland permitting status	2
O. Email from Staff to Barnes requesting clarification concerning the critical area reports, November 10, 2015	1
P. Email from Zach Woodward, Columbia River Wetland Mitigation Bank, explaining wetland mitigation bank credits, March 4, 2016	1
Q. Email from Emelie Mckain, Department of Fish and Wildlife, regarding priority habitat areas on site, October 21, 2015	1



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March 18, 2016

Wes Heigh  
City of Camas Engineering Department  
616 NE 4<sup>th</sup> Avenue  
Camas, WA 98607

Re: Riverview Apartments Arterial Driveway Spacing Exception Request

Dear Mr. Heigh,

The Applicant is requesting an exception to the required 660-foot minimum access spacing for driveways along NE 3<sup>rd</sup> Avenue, which is classified as an arterial per Figure 6-1 Proposed Functional Classification of the City of Camas Traffic Impact Fee Update. The proposed access is located at an existing driveway which provided access to a single-family residence (that has since been removed) and is located approximately 118 feet from a driveway which provides access to an existing multi-family apartment development to the west.

The following addresses how the applicable exception criteria found in CMC 17.23.010 is being met:

*Exception Criteria.*

*1. Land Division. Except as provided in subsection (A)(2) or (A)(3) of this section, exceptions from the requirements of this title may be granted when undue hardship may be created as a result of strict compliance with the provisions of this title. Any authorization for exception may prescribe conditions deemed necessary or desirable for the public interest. An exception shall not be granted unless:*

*a. There are special physical circumstances or conditions affecting the property, such that the strict application of the provisions of this code would deprive the applicant of the reasonable use or development of his land;*

The subject parcel is only 398 feet wide, and the distance from the existing driveway accessing property to the west to the east property line of the subject parcel is approximately 494 feet, preventing strict adherence to the 660-foot minimum access spacing.

The proposed access location currently provides access to the site and has historically been used to access a single-family residence. By maintaining access at this location, further environmental impact to the site will be reduced, as there are existing Oregon White Oaks located in the southern central portion of the site that are to be protected. Locating the access further to the east would impact preservation of these Oaks.

*b. The exception is necessary to insure such property rights and privileges as are enjoyed by other properties in the vicinity and under similar circumstances; and*

This exception is necessary to insure that access is provided to the property.

*c. The granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity.*





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222 E. Evergreen Blvd.  
Vancouver, WA 98660  
360-695-1385

The granting of this exception request will not be detrimental to the public welfare or injurious to other property in the vicinity. Please refer to the Access Assessment, as prepared by Charbonneau Engineering, LLC, dated March 8, 2016, which indicates that the driveway will function safely and meet the operational conditions as indicated the project's traffic study.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Roy Odren", written over a horizontal line.

Michael Roy Odren, RLA  
Landscape Architect, Land Use Planner



## MEMORANDUM

Date: March 8, 2016

To: Mike Odren, RLA  
Associate Principal  
Olson Engineering, Inc.  
222 East Evergreen Blvd  
Vancouver WA 98660

From: Frank Charbonneau, PE, PTOE

Subject: Access Assessment  
**Riverview Apartments**  
NE 3<sup>rd</sup> Avenue, Camas

FL1623

As requested we have assessed the access change on NE 3<sup>rd</sup> Avenue in Camas for the Riverview Apartments development project. It is understood that the modification is necessary for site planning, design, and environmental purposes. This memo documents the transportation elements supporting the new location.

The original traffic analysis report was completed in March 2015 for the Riverview Apartments Phase 2 development. At that time the project included a total of 129 units with the access positioned approximately 330 feet east of the existing Riverview Apartments (Phase 1) access. The current proposal will position the driveway 118 feet east of the existing access.

In considering the access location change it is anticipated that at the driveway will function safely and meet the operational conditions as determined in the previous traffic analysis. Specifically, the intersection sight distance requirements are met, peak hour level of service conditions are acceptable, and eastbound queuing for left turns will be negligible. Additionally, with the reduction in the number of units from 129 to 120 apartments the trip generation will decrease by 60 ADT trips, five AM peak hour trips, and six PM peak hour trips resulting in a lower impact to the transportation system.

Based on these findings it is recommended that the City of Camas support the new access location as presented on the latest site plan prepared by Olson Engineering, Inc.

If you should have any questions, please contact Frank Charbonneau, PE, PTOE at 503.293.1118 or email [Frank@CharbonneauEngineer.com](mailto:Frank@CharbonneauEngineer.com).



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360-695-1385

August 26, 2015

City of Camas Department of Community Development  
616 NE 4<sup>th</sup> Avenue  
Camas, WA 98607

Re:    Tree Removal and Wetland Fill Justification Memorandum

This memorandum is provided to supplement information contained within Critical Areas Report and Wetland Bank Use Plan, as prepared by Cascadia Ecological Services, Inc., dated July 13, 2015 and May 18, 2015 respectively, and the Tree Evaluation, as prepared by Tree Plans Northwest, dated August 12, 2015, regarding the filling of wetlands and removal of trees at the proposed Riverview Apartment project.

With development of the Riverview Apartment project, policies and strategies of the City of Camas Comprehensive Plan will be forwarded. Under Land Use, Primary Goal 4 has been met by preserving open space areas on the site, primarily located in the northwest and northeast corners of the site, as well as providing a trail system on the site within the northwest corner. As part of the Residential Focus under Land Use, Policy LU-8 is being forwarded by providing middle income apartment housing, which is an element of the city providing a range of housing choices to meet the changing needs of the community. Elements of recreation, open space preservation and housing have been met as part of the Land Use chapter of the Comprehensive Plan.

Under the Housing chapter of the Comprehensive Plan, the primary goal is as follows:

*To maintain the strength, vitality, and stability of all neighborhoods and to promote a variety of housing opportunities that meets the needs of all members of the community.*

Riverview Apartments will provide for high-density multi-family housing as contemplated in both the Comprehensive Plan and through its designation within the MF-24 zoning district. As indicated in CMC 18.05.040.I, the MF-24 zone is, "intended to provide for dwellings such as rowhouses and apartment complexes." CMC Table 18.09.050 indicates the density range in the MF-24 zoning district between 6 units per gross acre (which is the minimum density in all MF zones) and 24 units per gross acres, without regard for any on-site critical areas that may or may not be developable. As this site is zoned MF-24, it can be concluded that a higher density was contemplated rather than the lower density in order to forward the Comprehensive Plan's policy of providing for a range of housing types and that this zone was intended for high-density residential development as indicated in the Camas Municipal Code.

In order to achieve the higher range of density allowed for this project, the Applicant needed to employ the Flexible Development Standards of CMC 18.26. This allowed the Applicant to meet the density requirements by increasing the height of two of the apartment buildings while preserving a forested area in the northwest corner of the site and a wetland in the northeast corner of the site. Alternatively, the Applicant



could have forgone the Flexible Development Standards and met density by placing another two- or three-story building in the northwest corner of the site where the forested area is being preserved, and place more parking in the wetland in the northeast corner of the site. This possible alternative comes with risk too, as the forested area is steeper than other areas on site. However, because CMC allows for an increase in building height one story over the maximum building height in the MF-24 zone if the criteria of the Flexible Development Standards are met, this minimized the impact of the development to the site and allowed for these open space and critical areas to be preserved.

The site on which this project is proposed has been used as a single-family residence for decades. The site is also characterized by typical single-family residential landscaping, a forested area and Category IV slope wetland in the northwest portion, a Category IV depressional wetland in the central portion, a Category IV depressional wetland in the eastern portion, and Oregon White Oak trees located in the southern portion of the site. The site is also encumbered by a Bonneville Power Administration (BPA) easement and power lines that run along the east side of the site, encumbering an area of approximately 1.77 acres. The site slopes down from north to south with steeper slopes in excess of 25% in both the far north/central and south/central portions of the site and an overall elevation change of about 37 feet. In order to meet density requirements as contemplated in the Comprehensive Plan and Camas Municipal Code, the area most conducive for development of larger apartment-style housing buildings lie outside of the forested and heavily sloped area in the northwest corner (an area of approximately 0.89 acres). Additionally, as buildings are prohibited from being constructed within BPA easements, the entire eastern portion of an approximately 187-foot width from the east property line could not be utilized (except for parking and site access). This left the central portion of the site from NE 3<sup>rd</sup> Avenue to the north property line, an area of approximately 2.73 acres, to achieve a unit count of 129 units for the 5.39 acre site (refer to Proposed Development Area Exhibit attached).

Within the central portion of the site lie the Category IV sloped wetland, the Category IV depressional wetland and the Oregon White Oak trees, along with other assorted ornamental trees planted as part of the original single-family residence. Removal of the trees and filling of the wetland cannot be avoided as these areas (which include the wetland, wetland buffer and areas within the oak driplines only) constitute approximately 1.11 acres of the 2.73 acres proposed for development. This would result in a developable area of 1.62 acres. Preservation of other ornamental trees on site would result in a loss of an additional 0.15 acres within the driplines of the trees alone, resulting in only 1.47 acres of developable area. Avoiding the wetland and wetland buffer and preserving the trees would also not allow grading to take place as there would be very little area remaining that could be graded, and none large enough to provide building pads and parking areas of sufficient size, essentially making the site undevelopable (refer to the Avoidance Exhibit attached). The Tree Evaluation recommends removal of at least two trees for health reasons and removal of the balance of the significant trees because of the risk of the trees falling on buildings, people, streets or sidewalks because of their height.

Because of the slopes on the site, significant grading is required to provide flat building pads, parking areas, drive aisles and to provide ADA access into the buildings as well as from the buildings to NE 3<sup>rd</sup> Avenue. This requires a significant amount of cut and fill, particularly in areas encumbered by the wetlands and trees. The amount of impact to the wetland in the northeastern corner of the site has been minimized by not proposing any direct wetland fill (except for where the road enters the site) and minimizing buffer and indirect wetland impacts by only providing one bank of parking along the east side of Building 2 necessary

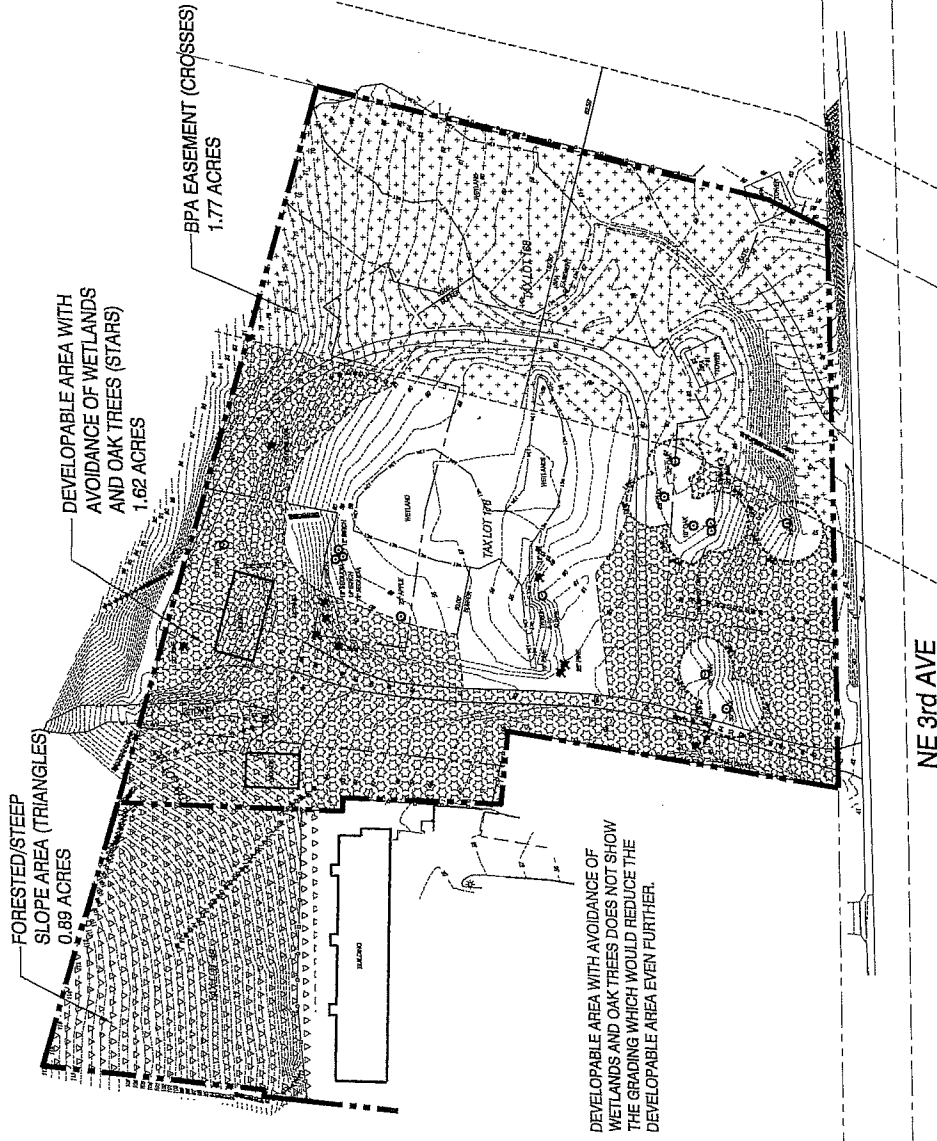


to meet parking requirements. In order to place buildings and parking areas, and as can be seen on the Preliminary Grading Plan, Sheet C2.0, the central Category IV depressional wetland and the Category IV slope wetland cannot be avoided, as well as removal of the Oregon White Oaks and other ornamental trees. Large retaining walls are proposed along the north property line, north of Building 5 and around the western most BPA tower, with heights ranging in height from 8 to 14 feet.

Avoiding the trees and the wetland, minimizing the impact to the wetland and the trees, preserving the trees and filling the wetland, or preserving the wetland and removing the trees would not allow for the necessary grading to take place on site for development to meet even minimum densities, let alone densities closer to what has been contemplated in the Comprehensive Plan and Camas Municipal Code. All of the trees will need to be removed from the aforementioned buildable area and the Category IV depressional wetland filled to allow for the grading of building pads, parking areas and installation of utilities, as well as to meet minimum Federal American with Disabilities Act access to each building and from the buildings to NE 3<sup>rd</sup> Avenue. Even if some of the trees, particularly the oaks, could be preserved (except for the ones the Tree Evaluation suggests removal of because of disease), their age, height and the slopes on which they reside could put any building or parking areas within the trees' height distance at risk according to the Tree Evaluation. However, because of the City's Flexible Development Standards, these impacts are further minimized and more forested and wetland areas avoided by allowing taller buildings that reduce the amount of ground impact.

It should be noted that wetland fill and buffer impacts and oak tree removal will all be mitigated for according to City of Camas code. The Preliminary Landscape and Tree Plan shows the planting 19 Oregon White Oak with other native tree and shrub species which will increase the biodiversity not currently found on the site. The Critical Areas Report contains a Wetland Bank Use Plan. Compensatory mitigation at the Columbia River Wetland Mitigation Bank will provide for an overall higher wetland and habitat function not currently found on site. Based on the above, it is clear that wetland impacts and tree removal are being avoided and minimized to the greatest extent practical and that without removal of said trees and the filling of the wetland, development of the site will not meet the density standards set forth in the Comprehensive Plan and Camas Municipal Code.

Attachment: Avoidance Exhibit  
Proposed Development Area Exhibit



FILE: J:\DATA\160000...161259182.p, Bulldozer Area Exhibit.dwg

**OLSON** LAND SURVEYORS  
ENGINEERS  
ENGINEERING INC. 222 E. EVERGREEN BLVD., VANCOUVER, WA 98660

360-685-1385  
603-289-9838

AVOIDANCE EXHIBIT

RIVERVIEW

DESIGN BY:	M.A.O.	SCALE:
DRAWN BY:	M.A.O.	DATE:
CHECKED BY:	K.F.S.	JOB NO.





71 F. J:\DATA\6000\... 1916219162 p.Bulldozer Area Exhibit.dwg

**OLSON** LAND SURVEYORS  
**ENGINEERS**  
ENGINEERING INC.  
222 E. EVERGREEN BLVD., VANCOUVER, B.C. V6Z 1K6

960-695-1385  
503-289-9936

222 E. EVERGREEN BLVD., VANCOUVER, WA 98660

**PROPOSED DEVELOPMENT AREA EXHIBIT**

**RIVERVIEW**

DESIGN BY:	M.R.O.	SCAI
DRAWN BY:	M.R.O.	DATI
CHECKED BY:	K.F.S.	JOB

From: Kaehler, Gretchen (DAHP) [mailto:Gretchen.Kaehler@DAHP.wa.gov]  
Sent: Tuesday, June 30, 2015 12:00 PM  
To: Sarah Fox  
Subject: RE: Emailing: Archaeological Predetermination SPRV08-10

Hi Sarah,

No this is a Section 106 letter under the Corps of Engineers for a COE permit. The COE has a different Area of Potential Effect that does not address the entire project area. So they still need an updated survey.

Gretchen Kaehler  
Assistant State Archaeologist, Local Governments Department of Archaeology and Historic Preservation Olympia  
Ph:360-586-3088 Cell:360-628-2755 Office Hours: Monday through Thursday 9:00-7:00

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-----Original Message-----

From: Sarah Fox [mailto:SFox@cityofcamas.us]  
Sent: Tuesday, June 30, 2015 10:17 AM  
To: Kaehler, Gretchen (DAHP)  
Subject: RE: Emailing: Archaeological Predetermination SPRV08-10

Gretchen,

The applicant provided letters from DAHP and USACE from 2009. Do these influence or change your previous email regarding the need for a current report? Sorry, to ask you the same question twice, but I didn't have a copy of these letters when I originally asked you about this property.

Thank you for your assistance,  
Sarah

---

-----Original Message-----

From: Kaehler, Gretchen (DAHP)  
[mailto:Gretchen.Kaehler@DAHP.wa.gov]  
Sent: Wednesday, May 27, 2015 3:03 PM  
To: Sarah Fox  
Subject: RE: Emailing: Archaeological Predetermination SPRV08-10

Hi Sarah,

That predetermination is over 5 years old. Tell them they need an updated one. That is customary. It is not a very good one in any case and there has been more arch work in this area and it should be updated based upon the additional information. I am also not comfortable with where shovel probes were placed and the low number of them (2) for such a large development.

Best,

Gretchen

Gretchen Kaehler  
Local Governments Archaeologist / Department of Archaeology and Historic Preservation Olympia  
Ph: 360-586-3088 Cell: 360-628-2755 Office Hours: Monday through Thursday 9:00-7:00

---



**Sarah Fox**

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**From:** Mike Odren <mikeo@olsonengr.com>  
**Sent:** Thursday, November 19, 2015 3:18 PM  
**To:** Sarah Fox  
**Cc:** Robert Maul; Wes Heigh; Mike Odren; Kurt Stonex; Dennis Pavlina  
**Subject:** RE: Follow-ups on Riverview Apartments  
**Attachments:** 15258 - Camas Riverview Survey.pdf

Sarah,

Thank you for the follow up. I've attached the archaeological study. Please note that the monitoring plan is still in draft form until it can be coordinated with DAHP. It appears that the new site plan will avoid (except for the entry road which follows the existing paved driveway to the old single-family residence) the area of potentially intact site deposits.

I have followed up with Jim Barnes to see if he's been able to provide you with the mitigation areas you've asked for.

Have you had a chance to review the other submitted material in order for us to proceed forward with the project?

Mike

**Michael Odren, RLA**

Landscape Architect, Land Use Planner  
Associate Principal  
Olson Engineering, Inc.  
222 E. Evergreen Boulevard  
Vancouver, WA 98660  
(360) 695-1385  
OR (503) 289-9936  
Fax (360) 695-8117

**Confidentiality Notice:** This e-mail message may contain confidential or privileged information. If you have received this message by mistake, please do not review, disclose, copy, or distribute the e-mail. Instead, please notify us immediately by replying to this message or telephoning us. Thank you.

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**From:** Sarah Fox [mailto:[SFox@cityofcamas.us](mailto:SFox@cityofcamas.us)]  
**Sent:** Thursday, November 12, 2015 5:15 PM  
**To:** Mike Odren ([mikeo@olsonengr.com](mailto:mikeo@olsonengr.com))  
**Cc:** Robert Maul; Wes Heigh  
**Subject:** Follow-ups on Riverview Apartments

Mike,

As a follow-up from our meeting last week, I contacted Ecology and the USACE regarding the Riverview project. They confirmed the role of the local jurisdiction in regard to CAO permits, and confirmed that they have not issued any decisions on this project. It is also unclear to all of us, what the amount (acreage) of wetland impacts are proposed. I sent an email to Jim Barnes asking for the specific dimensions, which was also noted in my previous letter. Rebecca Rothwell, Ecology, is planning to do a site visit with Jim and the USACE in the coming weeks. Steve will be out of the office for several months, and a replacement for his absence is up in the air right now. She will let me know when they have scheduled a day and time, and I can share that information with you.

It was also mentioned that there is concern with the archeological review results. Has there been an archaeological predetermination report conducted on the site? If so, the city has not received a copy of the report.

The timeframe for a decision is on hold until we receive responses from these agencies, and revisions to the CAO reports.

**Sarah Fox**

---

**From:** Alexander Gall <alex@archaeologicalservices.com>  
**Sent:** Friday, November 20, 2015 2:56 PM  
**To:** Lance.A.Lundquist@usace.army.mil  
**Cc:** Sarah Fox  
**Subject:** Camas Riverview Apartments  
**Attachments:** Camas Code\_\_Notification\_to\_tribes.docx; Copy of Tribal Contacts\_Archaeological.xlsx

Hi Lance,

I'm just checking on the progress of the review for this report. I had a good discussion with Sarah Fox at the City of Camas about the need to fulfill the city's archaeological ordinance in conjunction with Section 106. They have Tribal notification requirements that may exceed the USACE's in terms of which Tribes get notified. Their code also has other specifics that may or may not get covered through the Section 106 process coordinated through your office. Ultimately, it comes down to the City needing to see that their process was followed before they will issue permits for a proposed development.

I think it would be good to touch base with Sarah (cc'd here) to discuss coordination moving forward on this and future projects. I'm also including the list of Tribal contacts the City of Camas provided me, and some relevant excerpts of their code discussing archaeology and Tribal notification.

If there is anything I can do to assist, just let me know.

Thanks,  
Alex



**Alexander Gall, M.A., RPA**

Senior Archaeologist/Owner  
Archaeological Services, LLC  
5305 E. 18<sup>th</sup> Street, Suite 101  
Vancouver, WA 98661  
Tel: (360) 260-8614  
Archaeologicalservices.com



**From:** Kaehler, Gretchen (DAHP) <Gretchen.Kaehler@DAH-  
**Sent:** Tuesday, March 01, 2016 4:54 PM  
**To:** Sarah Fox  
**Subject:** RE: Site 45CL1138 - Riverview  
**Attachments:** 12211506.pdf; 15258 - Camas Riverview - 45CL1138 Monitoring Plan.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Sara,

It looks like this project is under Section 106 because of the need for Corps of Engineers (COE) permits for wetlands. I have attached the letter that Rob Whitlam our state archaeologist sent to the COE late last year and also the monitoring plan. It looks like it is ok from our standpoint.

Best,

Gretchen

Gretchen Kaehler  
Assistant State Archaeologist, Local Governments  
Department of Archaeology and Historic Preservation (DAHP)  
Office: 360-586-3088  
Cell: 360-628-2755  
Gretchen.Kaehler@dahp.wa.gov



December 21, 2015

Mr. Chris Jenkins  
Regulatory Branch  
Seattle District -Corps of Engineers  
PO Box 3755  
Seattle, Washington 98124

RE: Riverview Apartments Project  
COE: NWS-2015-0284  
Log No.: 122115-06-COE-S

Dear Mr. Jenkins:

Thank you for contacting our department. We have reviewed the professional archaeological survey report you provided for the proposed Riverview Apartments Project, Camas, Clark County, Washington.

We concur with your Determination of No Adverse Effect based upon site avoidance and the proposed monitoring plan. Please keep us apprised of the monitoring efforts.

We would also request receiving any correspondence or comments from concerned tribes or other parties that you receive as you consult under the requirements of 36CFR800.4(a)(4).

In the event that archaeological or historic materials are discovered during project activities, work in the immediate vicinity must stop, the area secured, and this department and the consulted tribes notified

These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer in compliance with the Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations 36CFR800.4. ). Should additional information become available, our assessment may be revised. Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Whitlam', followed by a horizontal line.

Robert G. Whitlam, Ph.D.  
State Archaeologist  
(360) 890-2615  
email: [rob.whitlam@dahp.wa.gov](mailto:rob.whitlam@dahp.wa.gov)







Community Development Department

Mike Odren  
Olson Engineering  
1111 Broadway  
Vancouver, WA 98660

July 2, 2015

RE: Riverview Apartments (file #SPRV15-03)

Dear Mr. Odren,

This letter is to inform you that the above application, which was received on June 9, 2015, has been deemed to be incomplete. The intent of this letter is to confirm that the information necessary for processing this application has not been submitted and to provide additional guidance for compliance with the applicable standards.

**Information required for a complete application:**

1. The predetermination report from April 2007, which was referenced in the application materials, was determined by the Department of Archaeology and Historic Preservation to no longer be valid, and the site survey was inadequate. A report meeting the current applicable standards is required in accordance with CMC§16.31.030(D) and must be consistent with CMC§16.31.080. The applicant must provide the tribes with a copy of the application and all supporting materials by certified mail, return receipt requested, and provide proof of compliance with this requirement to the director. Comments from the tribes shall be accepted by the director until five p.m. on the fourteenth day from the date notification was mailed to the tribes.
2. The application must include a hydrogeologic assessment consistent with the requirements of CMC Chapter 16.55 Critical Aquifer Recharge Areas (CARA). The report must be prepared by a qualified professional who is a hydrogeologist, geologist, or engineer, who is licensed in the state of Washington, and has experience in preparing hydrogeologic assessments.
3. Portions of the site are identified as steep slope areas on the city's critical areas map. The geotechnical report does not identify or analyze the steep slope areas of the site as to the potential for erosion hazards per CMC16.59.090, or propose a management zone.
4. Page 8 of the critical area report stated that the biologist lacked the expertise to determine the health of the Oregon White Oaks, a habitat of local importance per CMC§16.61.010. Critical area reports must be prepared by a qualified professional with experience preparing reports for the relevant type of habitat (CMC§16.61.020-A). The report must include efforts to minimize or avoid habitat disruption.
5. The application must include an engineer's estimate of site improvement costs per CMC§18.18.040(J).

6. The building 2 east parking lot and the parking lot between buildings 3 and 5 require compliance with IFC D103.4, which states that dead ends in excess of 150 ft. shall be provided with a turnaround in accordance with IFC Table D103.4.
7. The wetland delineation report (dated 09/17/14) must be consistent with the applicable wetland code and rating system, which were adopted by Ordinance #15-001 (January 9, 2015). The references list (Page 8) stated that the report was based on the city's 2005 critical area codes. The online code is up to date as of the writing of this letter ([https://www.municode.com/library/wa/camas/codes/code\\_of\\_ordinances?nodeId=TIT16EN\\_CRAR\\_CH16.51GEPR](https://www.municode.com/library/wa/camas/codes/code_of_ordinances?nodeId=TIT16EN_CRAR_CH16.51GEPR) ).
  - a. The wetland delineation and evaluation must be rated according to the WA State Wetland Rating System for Western WA-2014 Update (CMC§16.53.020).
  - b. The delineation report did not contain the acreage of each wetland (16.53.030-D).
  - c. A perennial stream was noted on page 7. The report did not include a habitat assessment for the stream (CMC16.61.020-C), or provide evidence why a riparian buffer is not required.
8. The application must provide a list of current owners of real property within three-hundred feet of the subject parcel, certified as based on the records of the Clark County Assessor per CMC§18.55.110. The labels provided were created by a title company.
9. The application must include a tree survey per CMC§18.31.030 and 080. The survey of existing significant trees must include species, diameter at breast height, health, and include a demonstration of the efforts and designs that were considered to retain trees. The report must be prepared by a qualified professional, with demonstrated experience in arboriculture.

**Other Issues:**

10. The boundary line adjustment drawings appear to indicate that there are four parcels. The application form only included parcel numbers 73134-168 and 73134-176. Applications may only be initiated by written consent of the owner(s) of record or contract purchaser(s). The signatory for a business entity must submit a letter of authorization.
11. The combined area of the two parcels is 4.74 acres, although the general application form and narrative state that the combined area is 5.39 acres. The supporting technical reports also state that they evaluated a 4.74 acre project area.
12. County records indicate that the 0.3 acres of T.L 182 was part of a boundary line adjustment recorded in 1994 (Bk 36 Pg 44). According to these records, the area is not a separate parcel as shown on Sheet 1 of 6 (BLA drawings). The adjusted line is the western property line of parcel number 73134-176.
13. The MF-24 zone has a limit of 24 dwelling units per acre. The 4.74 acre site is limited to 113 total dwelling units. The application proposes 129-units.
14. The mitigation report must address the mitigation sequencing criteria for impacts to each critical area. On page 8 (CAR May 18, 2015) the report states, "*To avoid the wetlands would have jeopardized the feasibility of the project*". There was not any evidence or analysis provided to support this statement.



15. The city must determine whether the development proposal conforms to the purposes and performance standards of the CAO and assess whether the potential impacts are necessary and unavoidable (CMC§16.51.130).

Please contact me by phone at (360) 817-7269, or email at [sfox@cityofcamas.us](mailto:sfox@cityofcamas.us), if you have any questions or need clarification on the requirements outlined.

Regards,

Sarah Fox  
Senior Planner

*Practical expertise. Exceptional results.*

360-695-1385

August 27, 2015

City of Camas Department of Community Development  
616 NE 4<sup>th</sup> Avenue  
Camas, WA 98607

Re:   Riverview Apartments Non-Technically Complete Letter (file #SPRV15-03)

Dear Ms. Fox,

Please find attached material addressing items listed in the non-technically complete letter (Non-TC letter) dated July 2, 2015. Three (3) copies of the following material have been provided:

1. Information regarding an approved archaeological review by both the Department of Archaeology and Historic Preservation (DAHP) and the US Army Corps of Engineers (USACE) for a previously approved project on the site was provided with the original application package. Item 1 in the Non-TC Letter is based on City of Camas staff initiating contact with the DAHP prior to submittal of another land use action on the property and, based on information provided to City staff only (not the Applicant or property owner) from DAHP, it was determined that DAHP is requiring additional archaeological work on the site. However, it is the Applicant's position that since a previously approved archaeological predetermination for the site had been completed, this met the requirements for a Technically Complete application. Additional archaeological work can be addressed while staff is reviewing the application package. This addresses item 1 of the Non-TC letter.
2. A hydrogeologic assessment letter, as provided by Olson Engineering, Inc., dated August 26, 2015, is provided addressing CMC Chapter 16.55 Critical Aquifer Recharge Areas. This addresses item 2 of the Non-TC letter.
3. A geotechnical report addendum, as provided by Columbia West Engineering, Inc., dated July 28, 2015, is provided addressing CMC Chapter 16.59.090. This addresses item 3 from the Non-TC letter.
4. A Tree Removal and Wetland Fill Justification Memorandum, as prepared by Olson Engineering, Inc., dated August 26, 2015, has been provided addressing efforts to minimize or avoid habitat disruption. Additionally, a Tree Evaluation, as prepared by Tree Plans Northwest, dated August 12, 2015, is provided addressing the health of the Oregon White Oaks. This addresses item 4 of the Non-TC letter.
5. An engineer's estimate of site improvement costs, as prepared by Olson Engineering, Inc., dated July 19, 2015, has been provided. This addresses item 5 of the Non-TC letter.
6. In order to address item 6 from the Non-TC Letter, an updated Preliminary Site Plan has been provided that shows two parking stalls striped No Parking in the parking area east of Building 2 and in the parking area between Buildings 1 and 2 per a telephone conversation between Fire Marshal Randy Miller and Kurt Stonex with Olson Engineering, Inc. on July 17, 2015. The parking area between Buildings 3 and 5 is slightly over 150 feet in length. Therefore, review and comment by the



Fire Marshal is requested for compliance with fire apparatus turnarounds during the review process for this project. It should be noted that this item does not appear to be a technically complete item as it is not listed as a checklist item in CMC 18.18.040 or 18.55.110 and, should it be determined during the review process that additional fire apparatus access is necessary, a condition of approval can be listed in the staff report and decision. Additionally, while IFC Table D103.4 does indicate recommended fire apparatus turnarounds, IFC D103.3 indicates, "Turning Radius. The minimum turning radius shall be determined by the *fire code official*," which allows the Fire Marshal to approve alternative fire apparatus access standards. This addresses item 6 of the Non-TC letter.

7. A Wetland Delineation and Assessment Report, as prepared by Cascadia Ecological Services, Inc., dated July 15, 2015, has been provided addressing the applicable wetland code and rating system. This addresses item 7 of the Non-TC Letter.
8. Updated mailing labels of current owners and occupants of properties within three hundred feet of the subject parcels based on the records of the Clark County Assessor have been provided. This addresses item 8 of the Non-TC Letter.
9. A Tree Evaluation, as provided by Tree Plans Northwest, dated August 12, 2015, has been provided. This addresses item 9 of the Non-TC Letter.
- ✓ 10. An updated application form signed by the owner of all parcels involved has been provided. A Certificate of Formation for CV-RV, LLC, owner of Tax Lot 49, has been provided showing owner signatory authority. This addresses item 10 of the Non-TC Letter.
11. Items 11, 12 and 13 were addressed in an email to Sarah Fox, dated July 9, 2015.
- ✗ 12. A Critical Areas Report, as prepared by Cascadia Ecological Services, Inc., dated July 13, 2015, and a Tree Removal and Wetland Fill Justification Memorandum, as provided by Olson Engineering, Inc., dated August 26, 2015, has been provided. This addresses item 14 of the Non-TC Letter.
13. Item 15 of the Non-TC Letter does not appear to require any additional information from the Applicant.

Based on the information provided, on behalf of the Applicant, we respectfully request the application to be deemed Technically Complete.

Sincerely,



Michael Odren, RLA



Community Development Department

Mike Odren  
Olson Engineering  
1111 Broadway  
Vancouver, WA 98660

October 21, 2015

RE: Riverview Apartments (file #SPRV15-03)

Dear Mr. Odren,

The intent of this letter is to explain that there is information that has not been submitted or that is inconsistent with Camas Municipal Code (CMC) and to provide an opportunity to revise and resubmit before rendering a decision.

1. Density. There are 58 existing units on parcel 7313-404. The boundary line adjustment as proposed creates a non-conforming parcel, at #49, which exceeds the maximum density of units per acre for the adjusted parcel of 2.1 acres by eight units.

Throughout the application, there appears to be a misconception that achieving maximum density is a requirement. The city requires that the unit density be within the minimum and the maximum of the zone. The MF-24 zone has a minimum density of 6 units per acre and a limit of 24 dwelling units per acre. Developments can comply with the standards when the unit count is *between the minimum and maximum* densities.

2. Critical Areas. The city must determine whether the development proposal conforms to the purposes and performance standards of the CAO and assess whether the potential impacts are necessary and unavoidable (CMC§16.51.130). The application materials conclude that impacts to critical areas are unavoidable, with the exception of the wetland area within the BPA easement area.
  - a. The 0.89 acre wooded area does not appear to be a critical area based on submitted reports. The *"Addendum to Geotechnical Site Investigation Report Riverview Addition"* (July 28, 2015) concludes that the steep area in the northwest portion of the site is not hazardous, and recommends a site specific erosion control plan (page 2). Also, the critical area and arborist reports noted that the northwest wooded area does not contain any priority habitat or wetlands. For these reasons, Staff is unclear what facts support the statements in the *"Tree Removal and Wetland Fill Justification Memorandum"*, that the 0.89 acre area at the northwest portion of the site is undevelopable?
  - b. The revised "Wetland Delineation and Assessment Report" (July 13, 2015), includes the current wetland rating forms to satisfy that incomplete item noted in the letter issued by staff (July 2, 2015).
  - c. The revised delineation report does not include the acreage of Wetlands A, B, or C, as required per CMC§16.53.030(D)(2)(g). This section of code requires the area measurement to include the buffer area. Also, there is a discrepancy between the critical area report and the existing conditions map, which labels Wetland A as a stream on the map.



- d. The revised "Critical Areas Report" at page 9 (July 13, 2015) is unclear as to the impacts to Wetlands A, B and C, and associated buffers, as there is only a table for "direct and indirect". The report must include a map of wetlands and associated buffers, with area dimensions.
  - e. The revised report also does not include the standard wetland mitigation ratios per the city's CAO at CMC§16.53.050-1, which requires a minimum of 1.5:1 for reestablishment, 3:1 for rehabilitation, and 6:1 for enhancement. It is unclear why a ratio of 0.85:1 is proposed for mitigation of direct wetland impacts.
  - f. The revised "Critical Areas Report" at Section 2.1 Avoidance and Minimization does not discuss possible onsite mitigation options per CMC§16.53.050(D)(2), which is the first priority. Wetland mitigation for unavoidable impacts *"must be located using the following prioritization:*
    - (a) *Onsite. Locate mitigation according the following priority: (i) Within or adjacent to the same wetland as the impact; (ii) Within or adjacent to a different wetland on the same site;"*
  - g. Pursuant to CMC16.51.240- Critical Area Protective Mechanism, the preferred protective mechanism is placing the critical area and its buffer in a separate tract. It does not appear that any of the critical areas on site will be placed in a tract.
  - h. The application materials agree that all but two Oregon White Oaks are healthy, and that they meet the criteria of a priority habitat area. The "Critical Areas Report" prepared by James Barnes (July 13, 2015), stated on page 8, "The south portion of the project area contains nine mature Oregon white oak trees that meet the criteria given in Section 16.61.010 of the CMC." And the "Tree Evaluation" prepared by Gaston Porterie (August 12, 2015) confirmed that only "two of the 12 white oak trees" evaluated were hazardous. Neither report provided recommendations for retaining the White Oak trees, such as buffers or an enhancement plan as required.
  - i. The analysis of the priority habitat did not include an *"evaluation by the Department of Fish and Wildlife or qualified expert regarding the applicant's analysis and effectiveness of any proposed mitigating measures or programs."* CMC§16.61.020(D)(1). In particular, the mitigation for the removal of the 12 white oaks is proposed in the northwest corner of the site, which has a full tree canopy. The northwest corner is also proposed to include a meandering recreational trail. Typically, mitigation areas are planned in tracts that are set aside as open space, not as recreational space. This area is not being proposed as a tract.
3. The resubmitted materials included a letter in regard to the Critical Aquifer Recharge Areas (CARA) of the site, from Chris Wonderly, an engineer. Please provide the professional qualifications for Mr. Wonderly, to substantiate his *"experience in preparing hydrologic assessments"*. The CARA report must be prepared by a qualified professional who is a hydrogeologist, geologist, or engineer, who is licensed in the state of Washington, and has experience in preparing hydrogeologic assessments.
  4. Site Plan.
    - j. The site appears to include 158 parking spaces. The application narrative confirmed that there is an excess of parking spaces (page 7), but did not provide a justification. Staff understood that the project would be for senior housing. The parking requirements at CMC Table 18.11 requires 0.3 parking spaces per apartment. The site plan is proposing 158 spaces, when only 39 spaces would be required for a 129 unit senior development.
    - k. The applicant stated that the tree planting requirement for parking lots was not met due to the 10-foot height restrictions under the BPA easement. However, there are approximately 65 parking spaces that are outside this easement. CMC§18.13.060 requires landscaping of one tree for every three single-loaded spaces. For the parking spaces within the easement, there are many

varieties of trees that are under 10-feet, and shrubs that can be pruned as trees (e.g. Japanese maple, dogwood, magnolia, plum, cherry, hydrangea, and azalea).

5. The applicant's letter, "Tree Removal and Wetland Fill Justification Memorandum" (August 26, 2015), states that the property of 5.39 acres only has 1.47 acres of developable area. The letter also stated that the utility easement (BPA) of 2.66 acres, "could not be utilized". However, the proposed site plan utilizes this easement area for parking, access roadway and stormwater, and does not set it aside as undevelopable land. The letter also deducts the forested area of 0.89 acres at the northwest corner of the site as being too steep, in spite of the technical reports that do not recommend avoidance. The slopes are not classified as hazardous, and the area does not contain priority habitat. Wetlands, CARA, and priority White Oak Habitat (1.11 acres) are the only areas on the property that are considered critical areas per CMC Title 16. For discussion purposes, this calculation leaves 4.28 acres as developable---if impacts to critical areas were avoided.

The city's future residential unit targets deduct critical areas and other restrictions in conformance with the county's vacant buildable lands model (VBLM). For these reasons, the 2.66 acres of land under the BPA lines was already excluded from the residential growth targets. As applied to this site, only 1.62 acres would have contributed to the city's targets. For comparison purposes, the table (below) includes the density standards depending on the following scenarios: (1) combined site area; (2) new development area; (3) area less the BPA easement; and (4) area minus critical areas.

	1	2	3	4
Acres	7.49	5.39	2.73	4.28
Max. 24 units/acre	179	129	65	102
Min. 6 units/ acre	44	32	16	25
Proposed Density	24.8	23.9	47.3	30.1

(38)

In closing, there are provisions in the city's code for properties that are encumbered by critical areas, which have not been submitted. The exception criteria are found at CMC§16.51.110 Exception – Reasonable Use. The criteria for approval does not include a measure of financial feasibility, or a comparison of whether a plan is more profitable than another.

*D. Reasonable Use Review Criteria. The criteria for review and approval of reasonable use exceptions is:*

- 1. The application of these provisions would deny all reasonable use of the property;*
- 2. No other reasonable use of the property has less impact on the critical area;*
- 3. Any alteration is the minimum necessary to allow for reasonable use of the property; and*
- 4. The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant after the effective date of these provisions or its predecessor.*

*E. Burden of Proof. The burden of proof shall be on the applicant to bring forth evidence in support of the application and to provide sufficient information on which any decision has to be made on the application*

Please contact me by phone at (360) 817-7269, or email at [sfox@cityofcamas.us](mailto:sfox@cityofcamas.us), if you have any questions or need clarification on the requirements outlined.

Regards,



Sarah Fox  
Senior Planner





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Vancouver, WA 98660  
360-695-1385

November 2, 2015

Sarah Fox  
City of Camas Department of Community Development  
616 NE 4<sup>th</sup> Avenue  
Camas, WA 98607

Re: Response to October 21, 2015 Memo  
Riverview Apartments (file #SPRV15-03)

Dear Ms. Fox,

Please find below responses to your letter dated October 21, 2015 with numbering correlating to the numbering in your letter.

1. According to the Applicant, there are 60 units on Tax Lot 49 (parcel 73134-049). The Applicant has since modified the plans to meet density on Tax Lot 49. The revised boundary line adjustment application and Line Move Maps will reflect an adjusted area of Tax Lot 49 of 108,900 square feet/2.50 acres (an increase of approximately 15,574 square feet) to meet density requirements and an adjusted area of Tax Lot 182 of 126,685 square feet/2.91 acres (a decrease of approximately 15,574 square feet). This will allow for a combined total area of Adjusted Tax Lots 182, 176 and 168 of approximately 219,429 square feet/5.04 acres, which will allow for a maximum density of 120 units.

2.
  - a. The area in the northwest portion of the site is undevelopable because of the significant grade difference in this area. With elevations in this area ranging between 70 and 116, and the elevation at NE 3<sup>rd</sup> Avenue around elevation 43 at the site entrance, this would not allow a building placed in this area to meet ADA access standards.

CMC 18.26.050 provides for the preservation of existing trees to meet the Flexible Development Standards, and while the wooded area may be in staff's opinion "developable" because it is not considered a "critical area," development of this very steep area not only would be cost prohibitive but would not allow for ADA access to NE 3<sup>rd</sup> Avenue as indicated previously. Just because an area has not been classified as "hazardous" from a slope standpoint, or "critical" from a habitat standpoint, does not mean that the area is simply too steep to reasonably develop and meet all other local, state and federal codes and guidelines.

- b. No response necessary.

- c. The Revised Wetland Delineation and Assessment Report will be revised to show the area of each wetland on the site. However, CMC 16.53.030(D)(2)(g) states:

*Acreage of each wetland on site based on the survey if the acreage will impact the buffer size determination or the project design;*

It does not appear that this section specifies that the wetland area is required to include the buffer.

The Existing Conditions Plan was developed prior to a determination of this area as a Slope Wetland instead of a creek. The Existing Conditions Plan will be revised to indicate the area as a Slope Wetland to be consistent with the Revised Wetland Delineation and Assessment Report.

- d. To be addressed later.
- e. To be addressed later.
- f. The Corps and Ecology are requiring that mitigation for this project take place via the Columbia River Wetland Bank, which was established early in the permitting process. It would be highly unusual for a local jurisdiction to not observe the requirements of the Corps and Ecology, as the Corps ultimately has the authority on the regulation of wetlands, followed by Ecology, then the local jurisdiction. Local jurisdictions base their critical areas codes on the guidance that comes from the Corps and Ecology.

- g. CMC 16.51.204 indicates the following:

*Identified critical areas and their associated buffer or management zones shall be protected and preserved through a permanent protective mechanism acceptable to the city. This may include placing the critical area and its associated buffer or management zone in a separate tract; executing a protective easement; or dedicating the critical area and its associated buffer or management zone to a public agency, or public or private land trust. The mechanism shall provide for maintenance of the critical area and its associated buffer or management zone.*

It does not appear that there is any particular weight given to the protective mechanisms indicated above. As the project does not include a land division, a separate tract is not being created. The execution of a protective easement would be the preferred option in this case. If acceptable to the City, the Applicant would record a protective easement for protection of the on-site critical areas.

- h. The difference in the number of Oregon White Oaks (Oaks) between the Critical Areas Report and the Tree Evaluation can be attributed to a difference in the surveyed trees verses how the arborist identifies each individual tree. While the survey shows nine (9) Oaks, one of those Oaks has two trunks located at 4.5 feet Diameter Breast Height (DBH) (trees #2 and 3 from the Riverview Tree Table) and one has three trunks located at 4.5 feet DBH (trees #11, 12 and 13), which the arborist identifies as four separate trees.

Based on the proposed site plan layout which proposed removal of the Oaks, buffers or an enhancement plan were not contemplated. A mitigation plan was provided to mitigate for removal of the Oaks as described in 2i below. However, the plan has been modified to retain all Oaks except the one located in the northern portion of the site which needs to be removed for grading activities.



- i. CMC 16.61.020(D)(1) indicates the following:

*...evaluation by the Department of Fish and Wildlife or qualified expert regarding the applicant's analysis and effectiveness of any proposed mitigating measures or programs...*

The Applicant did employ a qualified expert, Jim Barnes with Cascadia Ecological Services, Inc., to provide a mitigation plan for removal of the Oaks, meeting the requirements of CMC 16.61.020(D)(1). WDFW only provided an evaluation of the habitat at the request of City of Camas staff.

As a clarification, proposed mitigation for removal of the Oaks was not proposed in the northwest corner of the site; this area is to remain in its natural state with a pathway. According to Figures 4 and 5 of the Critical Areas Report, as well as the Preliminary Landscape and Tree Plan, Sheet LS1, the proposed Oak mitigation area is along the southern portion of the west property line and west and north of Building 1 where ground disturbing activities will take place. This area on the Preliminary Landscape and Tree Plan is indicated as "Native Plant Area." However, the plan has been modified to retain all Oaks except the one located in the northern portion of the site which needs to be removed for grading activities. A protective easement will be recorded as a protective mechanism for any mitigation or critical areas on site.

3. Qualifications of Chris Wonderly - Hydrogeology is the area of geology that deals with the distribution and movement of groundwater in the soil. The impact of surface water flows on a Critical Aquifer Recharge Area (CARA) is generally restricted to the interaction of the surficial soils (that is soils within 10 feet to 15 feet of the surface) with surface runoff. This portion of hydrogeology is intrinsic to every design that is completed in this area. Chris Wonderly is a Professional Engineer Licensed in the State of Washington, License No. 32827. He has been working in Clark County and the City of Camas for over 20 years. During this time he has gained extensive experience in the hydrogeology of the area, especially in relation to the ability of runoff to enter the ground and its impact to groundwater. He has used available geotechnical information provided for projects to assess the ability or inability of water to move through the soil and what its impact will be to the project. Based on his experience, knowledge and licensing, Mr Wonderly is qualified to prepare the hydrogeologic assessment for this project.

4.

- j. Page 7 of the Project Narrative states the following:

*According to Table 18.11-1, of CMC 18.11.130, the proposed development is required to provide 1.5 parking stalls for each 1-bedroom unit, 2 parking stalls for each 2- or 3-bedroom unit, and .33 parking stalls for each 55+ unit. The project exceeds the minimum parking requirements of this section. Refer to the Preliminary Site Plan for a detailed breakdown of number of 1-bedroom, 2- and 3-bedroom, and 55 and older units and compliance with minimum parking requirements.*

Additionally, the Preliminary Site Plan, Sheet SP1, indicates the following:

*23 Standard One-Bedroom Units @ 1.5 Stalls Per Unit = 35 Stalls*

*28 Standard Two and Three Bedroom Units @ 2 Stalls Per Unit = 56 Stalls*



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*78 Elderly Housing Units @ .33 Stalls Per Unit = 26 Stalls  
117 Stalls Required*

It is clear, based on the above, that the project contained a mix of standard and elderly housing units. The additional 42 stalls are to provide an overall parking ratio (currently at 1.23 stalls per unit) closer to the industry minimum of 1.5 stalls per unit. It appears that staff has incorrectly assumed that the project would be a wholly for senior housing. However, the plan has been revised to be all senior housing.

- k. On the original plan, there are 92 spaces located wholly outside of the BPA easement. According to CMC 18.13.060, 31 trees would be required. 27 trees have been proposed, including a mix of trees located within landscape islands and adjacent to the sidewalk along the parking areas. However, as the plan has been changed, a revised Landscape Plan will be provided meeting the City's landscaping requirement.

Current information provided by BPA indicates that no vegetation may be placed within BPA easements that reach a height in excess of 3 feet (documentation attached). Therefore, no trees of any kind may be located within the BPA easement. Additionally, according to the Bonneville Power Administration document Keeping the way clear for safe, reliable service, it indicates that even though vegetation can be kept trimmed, BPA will remove vegetation (or presumably not approve the planting of vegetation) that violates its height restriction at maturity even if its current height falls within the height restriction. This is because of a plant's potential to become a problem down the road should it not be kept trimmed. Additionally, based on other experiences providing landscape design within BPA easements, BPA will not allow any vegetation to be planted that has the potential to exceed their height restrictions, regardless of whether it can be kept lower than the its mature height.

5. It is unclear what staff's discussion is in this section. As the site plan has been revised, no response has been provided.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Roy Odren".

Michael Roy Odren, RLA  
Landscape Architect, Land Use Planner  
Olson Engineering, Inc.



**OLSON ENGINEERING INC.**

222 E. EVERGREEN BLVD., VANCOUVER, WA 98660 (360) 695-1385

**Riverview Apartments - Cost Estimate**

Item #	Description	Unit Of Measure	Quantity	Unit Price	Total Price
<b>GENERAL CONDITIONS</b>					
1	Mobilization	LS	1	\$ 42,000.00	\$ 42,000.00
				Total	\$ 42,000.00
<b>EROSION CONTROL</b>					
2	Construction Entrance	EA	1	\$ 2,800.00	\$ 2,800.00
3	Silt Fence	LF	1,560	\$ 2.00	\$ 3,120.00
4	Inlet Protection	EA	10	\$ 75.00	\$ 750.00
5	Erosion Control Maintenance	LS	1	\$ 2,000.00	\$ 2,000.00
				Total	\$ 8,670.00
<b>SITEWORK - Taxable Grading</b>					
6	Stripping 8"	CY	3,955	\$ 3.00	\$ 11,865.00
7	Mass Grading	CY	11,940	\$ 4.00	\$ 47,760.00
				Total	\$ 59,625.00
<b>SITEWORK - Taxable On - Site</b>					
8	Finish Grade	SF	59,530	\$ 0.25	\$ 14,882.50
9	Geotextile Fabric	SY	7,145	\$ 1.85	\$ 13,218.25
10	1½"- Crushed Rock (0.92')	TN	3,890	\$ 18.00	\$ 70,020.00
11	Asphalt Concrete (0.25') Class ½" 64-22 HMA	TN	1,135	\$ 85.00	\$ 96,475.00
12	Curb & Gutter	LF	3,445	\$ 10.00	\$ 34,450.00
13	Sidewalk / Pedestrian Ramp	SF	12,865	\$ 3.75	\$ 48,243.75
14	Retaining Wall #1	SF	2,850	\$ 28.00	\$ 79,800.00
15	Retaining Wall #2	SF	4,100	\$ 28.00	\$ 114,800.00
				Total	\$ 471,889.50
<b>STORM. - Taxable On Site</b>					
16	12" CPP w/ Granular Backfill	LF	1,110	\$ 50.00	\$ 55,500.00
17	10" CPP w/ Granular Backfill (MH - CCI)	LF	175	\$ 42.00	\$ 7,350.00
18	Manhole, 48", Type 1 w/ Externally Sealed Joints	EA	4	\$ 2,250.00	\$ 9,000.00
19	Catch Basin, Type 1, w/ 10" Zymark	EA	10	\$ 1,500.00	\$ 15,000.00
20	Trench Spoils	CY	710	\$ 3.00	\$ 2,130.00
				Total	\$ 88,980.00
<b>STORMWATER FACILITY - Taxable</b>					
21	Bioretention Cell #1	SF	90	\$ 35.00	\$ 3,150.00
22	Bioretention Cell #2	SF	300	\$ 35.00	\$ 10,500.00
23	Bioretention Cell #3	SF	300	\$ 35.00	\$ 10,500.00
24	Storm Storage Area (2 - 60" Dia. CMP)	LF	140	\$ 300.00	\$ 42,000.00
25	Connect To Existing Manhole	LS	1	\$ 1,200.00	\$ 1,200.00
				Total	\$ 67,350.00
<b>SANITARY SEWER - On Site - Taxable</b>					
26	8" PVC 3034 w/ Granular Backfill	LF	400	\$ 42.00	\$ 16,800.00

27	6" PVC 3034 w/ Granular Backfill, Lateral	LF	260	\$	40.00	\$	10,400.00
28	Manhole, 48", Type 1, w/ Spray Lined	EA	3	\$	4,500.00	\$	13,500.00
29	Cleanout (8")	EA	1	\$	410.00	\$	410.00
30	Cleanout (6") @ Lateral	EA	5	\$	335.00	\$	1,675.00
31	Trench Spoils, Place On Stockpile	CY	500	\$	3.00	\$	1,500.00
						Total	\$ 44,285.00

#### WATER - Taxable

32	Connect To Existing 8" Main IN NE 3rd Avenue w/ Road Restoration	LS	1	\$	10,000.00	\$	10,000.00
33	8" D.I.P. w/ Granular Backfill	LF	950	\$	45.00	\$	42,750.00
34	8" Fitting w/ Restrained Joints	EA	6	\$	450.00	\$	2,700.00
35	8" Gate Valve w/ Valve Box & Cover	EA	6	\$	1,200.00	\$	7,200.00
36	2" Standard Blow Off Assembly	EA	1	\$	1,300.00	\$	1,300.00
37	6" Fire Hydrant Assembly, w/ 8" x 6" Tee	EA	3	\$	3,700.00	\$	11,100.00
38	2" Water Service	EA	5	\$	2,800.00	\$	14,000.00
39	Trench Spoils, Place On Stockpile	CY	525	\$	3.00	\$	1,575.00
						Total	\$ 90,625.00

#### STRIPING & SIGNAGE

40	Stop Sign R1-1 w/ 2 Street Name, D3-1	EA	1	\$	550.00	\$	550.00
41	Stop Bar	EA	1	\$	300.00	\$	300.00
						Total	\$ 850.00

Subtotal Construction Costs	\$	874,274.50
Sales Tax (8.4%)	\$	73,367.66
<b>Total Construction Costs</b>	<b>\$</b>	<b>947,642.16</b>



7/10/15



**Sarah Fox**

---

**From:** Robert Maul  
**Sent:** Wednesday, December 09, 2015 4:11 PM  
**To:** Sarah Fox  
**Subject:** FW: Riverview Apartments  
**Attachments:** RE: [EXTERNAL] Riverview (Wetland Bank) (UNCLASSIFIED)

---

**From:** Dennis Pavlina [mailto:dennis.pavlina@tmgnorthwest.com]  
**Sent:** Wednesday, December 09, 2015 9:27 AM  
**To:** Robert Maul  
**Subject:** FW: Riverview Apartments

Good morning Robert,  
I asked Jim to summarize where he was at regarding his role in the site plan application for our Riverview project, I would like to pass on to you his comments. Let me know if there is anything more you are needing.  
Thank you, Dennis

**From:** Jim Barnes [mailto:jim@cascadia-inc.com]  
**Sent:** Wednesday, December 09, 2015 9:22 AM  
**To:** Dennis Pavlina <dennis.pavlina@tmgnorthwest.com>  
**Subject:** Riverview Apartments

Dennis,

As requested, I would like to summarize the consultations that have occurred between me and Steve Manlow (Corps) and Rebecca Rothwell (Ecology) in regards to their review of the Riverview Apartments Project. I set up a pre-application meeting with Steve on March 5<sup>th</sup> to discuss the permitting requirements from the Corps' perspective. During our conversation, he stated that the Corps would require mitigation for any wetland impacts on-site to be compensated through the purchase of credits in the Columbia River Wetland Mitigation Bank. This requirement is also stated in the attached email. I proceeded ahead with the preparation of a wetland bank use plan based on our conversation in that meeting. Rebecca followed up with an email on May 14<sup>th</sup> (attached) stating that they likely would not need to review the permit if the Corps plans on issuing a NWP 29 and verifies that the wetland impacts are 0.24 acre. Ecology would still require adherence to their general conditions under the 401 Water Quality Certification.

Currently, the Corps is processing the permit under a Nationwide 29 and are under consultation with the Tribes through the Section 106 (archaeology) review because of cultural resources known to be in the vicinity of the area to the south of the project. According to a phone conversation I had this morning with Steve, the Corps is prepared to issue the permit as soon as the Section 106 Archaeological review is completed.

The current site plan layout has significantly minimized and avoided wetland and habitat impacts to the maximum extent practicable given the type of development proposed. The current Category 4 wetland impacts are 0.22 acres which is under the original 0.24 acre impact originally proposed for the initial site plan layout. The current site plan also avoids any impacts to the area of Oregon white oaks in the south part of the site. These PHS areas are regulated by the City of Camas.

According to a site plan drawing provided to me by Olson Engineering on November 3, 2015, the wetland and buffer impacts are as follows:

Wetland	Wetland Size (Area)	Wetland Impact Area	Buffer Impacts	Combined Wetland and Buffer Size (Area)
Wetland A	9,638 sf	9,638 sf	36,082 sf	45,720 sf
Wetland B	14,229 sf	No impacts	365 sf	32,651 sf (On-site buffers)
Wetland C	1,112 sf	No impacts	960 sf	5,684 sf

According to section 16.53.050.D.1 of the city's municipal code, the applicant must demonstrate that a range of project alternatives have been given substantive consideration with the intent to avoid or minimize impacts to wetlands. The current site plan meets these requirements which have significantly reduced wetland impacts on-site to the central depressional Category 4 wetland.

Section 16.53.050.D.1.a.ii.(C) states that impacts to wetlands must be avoided unless the responsible official finds that avoiding all impact will result in a project that is either:

- (A) Inconsistent with the city of Camas comprehensive plan; (I believe the project is consistent with the comprehensive plan)
- (B) Inconsistent with critical area conservation goals; (the Category 4 wetland that will be impacted is isolated and of low quality according to the Wetland Rating System for Western Washington), or
- (C) Not feasible to construct (given the remaining area on-site, avoiding impact of the Category 4 wetland in the center of the site will result in a project that is not feasible to construct).

Section 16.53.050.D.2 states that wetland mitigation for unavoidable impacts shall be located using the following prioritization:

a. On-Site. Locate mitigation according to the following priority:

i. Within or adjacent to the same wetland as the impact; (this is not feasible because the entire wetland is proposed to be filled) ii. Within or adjacent to a different wetland on the same site; (there is no remaining area on-site to mitigate for wetland impacts to the Category 4 wetland. The only area that could be used for wetland enhancement is the Category 4 wetland in the east part of the site. However, the entirety of this wetland is located underneath the BPA powerline easement and it has been my experience that BPA does not allow for the planting of trees within their easements. Even if the area was available for wetland enhancement, there is not enough area available within the wetland to mitigate for the impacts. In order to mitigate on-site through wetland enhancement, 57,828 square feet of existing and available wetlands would be needed on-site and that is not the case with this property).

b. Off-Site. Locate mitigation within the same watershed or use an established wetland mitigation bank; the service area determined by the mitigation bank review team and identified in the executed mitigation bank instrument; (because on-site mitigation is not feasible, the applicant is proposing to purchase credits in the established Columbia River Wetland Mitigation Bank.)

Based on this information, I believe the you have made every effort to meet the intent of the code. Let me know if you have any questions regarding this information I have provided.

**Jim Barnes | President**  
Cascadia Ecological Services, Inc.  
3015 NW 95th Place  
Vancouver, WA 98665



**From:** Sarah Fox [<mailto:SFox@cityofcamas.us>]  
**Sent:** Tuesday, November 10, 2015 3:13 PM  
**To:** Jim Barnes  
**Subject:** RE: Riverview Apartments

SPRV15-03

Attachment O

Hi Jim,  
I appreciate the follow-up to the issues raised. The letter that was sent to Olson included the following comments related to the CAO reports. Perhaps you can answer those questions directly, as there seemed to be a bit of confusion at the meeting with Olson. Also based on comments from the meeting, I added a few clarification comments in blue. If any of these questions and comments are not clear, please follow-up with me by phone or we can schedule a meeting.

Thank you,  
Sarah

- a. The revised delineation report does not include the acreage of Wetlands A, B, or C, as required per CMC§16.53.030(D)(2)(g). This section of code requires the area measurement to include the buffer area. Also, there is a discrepancy between the critical area report and the existing conditions map, which labels Wetland A as a stream on the map.

**This was a request for dimensions. The buffer width is 50-feet for Type IV wetlands.**

**The buffer is based on the land use intensity, which is "high" per CMC Table 16.53.040, for both current use (utility towers) and proposed use (multi-family residential).**

- b. The revised "Critical Areas Report" at page 9 (July 13, 2015) is unclear as to the impacts to Wetlands A, B and C, and associated buffers, as there is only a table for "direct and indirect". The report must include a map of wetlands and associated buffers, with area dimensions.

**The impact table must be specific to what is occurring to wetlands A, B, and C.**

- c. The revised report also does not include the standard wetland mitigation ratios per the city's CAO at CMC§16.53.050-1, which requires a minimum of 1.5:1 for reestablishment, 3:1 for rehabilitation, and 6:1 for enhancement. It is unclear why a ratio of 0.85:1 is proposed for mitigation of direct wetland impacts.

**Other agencies' mitigation ratios may not match that of the city, however the city's minimum ratios must be met.**

- d. The revised "Critical Areas Report" at Section 2.1 Avoidance and Minimization does not discuss possible onsite mitigation options per CMC§16.53.050(D)(2), which is the first priority. Wetland mitigation for unavoidable impacts "must be located using the following prioritization:

(a) Onsite. Locate mitigation according the following priority: (i) Within or adjacent to the same wetland as the impact; (ii) Within or adjacent to a different wetland on the same site;"

**Per your email, it is accurate to note that an alternative plan has been proposed, which minimizes impacts from the original plan. That discussion meets the intent of subsection "d" above.**

**However, your email did not provide the numerical dimension of impacts based on the city's code. For example, what acreage is needed for wetland enhancement? What area is needed for wetland rehabilitation? Are trees mandatory for enhancement plans, or could grasses be proposed?**

Jim: <There is no remaining area on-site to mitigate for wetland impacts to the Category 4 wetland.> **What area is necessary?**

Jim: <The only area that could be used for wetland enhancement is the Category 4 wetland in the east part of the site. However, the entirety of this wetland is located underneath the BPA powerline easement and it has been my experience that BPA does not allow for the planting of trees within their easements.> **Could an enhancement plan be developed without trees? A portion of the mitigation onsite would also likely provide protection to the remaining wetland and oak grove.**

Jim: <Even if the area was available for wetland enhancement, there is not enough area available within the wetland to mitigate for the impacts.> **Provide area measurement calculation**

**The city has standard requirements for protecting wetlands and buffers, which should be part of the revised mitigation plan. Those minimum standards include: protection measures during construction; permanent physical demarcation (e.g. fencing, hedge row, logs); permanent signs; and a recorded conservation covenant (noted on approved site plan). CMC16.53.040(C).**

**In brief, how will the remaining areas—including the white oak grove—be protected from degradation?**



**Sarah Fox**

---

**From:** Zach Woodward <zachary.woodward@habitatbank.com>  
**Sent:** Friday, March 04, 2016 4:03 PM  
**To:** Sarah Fox  
**Subject:** RE: mitigation requirements

Hi Sarah,

The Mitigation Bank Credit Ratios work somewhat differently than traditional area based, permittee-responsible mitigation ratios. The ".85:1 ratio for CAT IV wetland impacts comes from the bank's certification documents, as suggested by the USACE and Ecology and represents the amount of "bank credits" rather than the amount of "mitigation area" at the bank. .

At the Columbia River Bank, the credits represent different amounts of restoration area on the ground, depending on the type of habitat restored and the value received for the different restoration actions. For wetlands, each bank credit represents approximately 2.1 acres of restored wetland habitat on the ground, so for Category 4 wetland impacts using a .85:1 ratio, each acre of Category 4 impact using the bank translates to approximately 1.78 acres of wetlands at the bank project. For total area, each credit represents approximately 3 acres on the ground but this includes wetlands as well as floodplain upland buffers.

So to wrap it all up, the .85:1 ratio is actually covering the City's requirement for 1:1 mitigation area for CAT 4 impacts with 2 acres for every unit of impact. It is sometimes confusing so let me know if you have any other questions and feel free to give me a call too.

Thanks,

Zach Woodward  
Habitat Bank  
425.205.0279

**From:** Sarah Fox [mailto:SFox@cityofcamas.us]  
**Sent:** Friday, March 4, 2016 2:34 PM  
**To:** victorw@habitatbank.com; zachary.woodward@habitatbank.com  
**Subject:** mitigation requirements

Good afternoon,

I am reviewing a project that has proposed to mitigate offsite at the wetland habitat bank. The wetland impacts are such that the project will also require a USACE permit.

I am writing because they are not proposing the minimum ratio of mitigation that Camas requires. They are proposing a .085:1 ratio for Type IV impacts, and the city requires a 1:1 ratio. Rather than require them to provide the mitigation for the difference somewhere else, would your bank allow them to purchase credits at a 1:1 ratio?

Please let me know if you need more information from me to answer my questions, or phone me to discuss.

Thank you for your time,

**Sarah**

**Sarah Fox**

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**From:** Mckain, Emelie L (DFW) <Emelie.Mckain@dfw.wa.gov>  
**Sent:** Wednesday, October 21, 2015 3:54 PM  
**To:** Sarah Fox  
**Subject:** RE: Riverview Apartments (File No. SPRV15-03)

Hi Sarah,

Thank you for meeting me at the Riverview Apartments site. After on-site review of the current land conditions and Oregon White Oak stand in accordance with the proposed development, here are my recommendations:

The White Oak should remain on site and unharvested. There is one noticeably diseased tree on the edge of the stand in the SE portion of the property that can be cut. This stand provides enough canopy and is close enough to the neighboring white oaks across the street to provide refuge to species, and is a priority species itself especially in urban and developing areas. It is recommended that this stand be blocked off from human and pet use via fence as well in order to protect intact habitat.

The mature forest on the upper corner of the property is not classified as priority habitat. While not preferred, it would be more desirable to develop this area if absolutely necessary and mitigate if possible in the southern Oak stand.

Mitigation: Mitigation should be completed on at least a 2:1 ratio across the site. On site mitigation is possible and therefore should be utilized instead of a mitigation bank. On site mitigation opportunities exist in the Eastern wetland on the BPA easement, as well as within the Oregon White Oak stand. Within the wetland, habitat enhancement could occur as well as borderline plantings to increase functionality and create a natural buffer from development. Within the white oak stand, mitigation could be in the form of invasive plant removal, as well as oak and other proper native understory plantings. The mitigation actions are suggestions, and more on-site mitigation options should be explored by the developer.

It is recommended that any trees harvested in the development of this site be mitigated on at least a 2:1 ratio, as well as any wetland fills. This includes the white oak tree cut for disease.

The preservation of any trees on the site is not seen as mitigation for development.

Again, thank you for the opportunity to tour this site and comment on the impacts from development. Please contact me with any further questions and/or concerns regarding these comments.

Thanks,  
Emelie

Emelie McKain  
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