

STAFF REPORT  
DAWSON RIDGE PRELIMINARY PLAT APPLICATION  
FILE NO. SUB17-02

REPORT DATE: DECEMBER 7, 2017

<b>TO:</b>	Hearings Examiner	<b>HEARING DATE:</b> December 13, 2017	
<b>PREPARED BY:</b>	Sarah Fox, Senior Planner Anita Ashton, Eng. Project Manager		
<b>PROPOSAL:</b>	To subdivide 32.75 <sup>1</sup> acres into approximately 43-lots		
<b>LOCATION:</b>	The site is located at the intersection of SE Brady Road and NW Macintosh Road.		
<b>PARCELS:</b>	127162-007, 127175-000, 127144-000, 127174-000, <u>127162-000, 127162-003, 127162-009<sup>2</sup></u> [Adjacent parcels that are owned by the applicant include: 127167-000, 127168-000, 127169-000, 127170-000, 127171-000, 986042-990]		
<b>APPLICANT:</b>	McIntosh Ridge PRD, LLC David Lugliani 16420 SE McGillivray Blvd. #103-197 Vancouver, WA 98683	<b>Contact:</b> Steve Morasch, Attorney 805 Broadway Street, Suite 1000 P.O. Box 1086 Vancouver, WA 98666-1086 Phone: 360-558-5912	
<b>APPLICATION SUBMITTED:</b>	June 2, 2017	<b>APPLICATION COMPLETE:</b>	August 25, 2017
<b>STATE ENVIRONMENTAL POLICY ACT (SEPA):</b>	The City issued a SEPA Mitigated Determination of Non-significance (SEPA 17-16) on November 23, 2017, with a comment and appeal period that ends on December 7, 2017.		
<b>PUBLIC NOTICE:</b>	<p>Notice of Application was mailed to property owners within 300 feet of the site on Monday, September 8, 2017, and published in the Post Record on September 14, 2017, Legal publication # 591137</p> <p>Notice of Public Hearing (consolidated with SEPA) was mailed to property owners and published on November 23, 2017, publication #596145.</p>		
<p><b>APPLICABLE LAW:</b> The application was submitted on June 2, 2017, and the applicable codes are those vested and in effect through <u>Ordinance #17-005 (adopted May 15, 2017)</u>. Camas Municipal Code Chapters (CMC): Title 16 Environment, Title 17 Land Development; and Title 18 Zoning; Specifically (not limited to): Chapter 16.53 Wetlands; Chapter 16.61 Fish &amp; Wildlife Habitat Conservation Areas; Chapter 17.11 Subdivisions, Chapter 17.19 Design &amp; Improvement Standards; Chapter 18.07 Use Authorization, Chapter 18.09 Density and Development, Chapter 18.55 Administrative Provisions, and Chapter 3.88 (Impact Fees). [Note: Citations from Camas Municipal Code (CMC) are indicated with italicized type.]</p>			

<sup>1</sup> The application form incorrectly states that there are 21.74 acres.

<sup>2</sup> The application form lists these parcel numbers that are inactive: 127162-000, 127162-003, 127162-009

## I. SUMMARY

### **Zoning: R-15**

Range of lot sizes for density transfer lots per CMC18.09.040 (B): 10,500 to 18,000 square feet (sq. ft.)

### **Proposed Lots: 43**

Proposed lot size range: 10,503 to 18,000 sq. ft.  
Averaging 11,351 sq. ft. for purposes of determining applicable setbacks (18.09.040-C).

### **Areas**

Total site area: 32.75 acres

Open Spaces: 18.08 acres (4.55 acres proposed in tracts)

Trail (Tract I): 1,065 sq. ft. /0.2 ac.

Trail (Tract A): not quantified

The subject properties ("the site") (as listed on the general application form) are south of the intersection of SE Brady Road and NW McIntosh Road. The northwestern and southern portions of the site are steeply sloped (25% to over 60%) and includes hazardous areas. The site's northern edge includes a stream that parallels the road. The critical area report stated that there are approximately 18 acres of wetland, riparian and conifer forested areas on site, and an Oregon White Oak grove in the southeast corner.

The property has an active equestrian center and stable at the northwest corner. To the west, east, and south are properties that are zoned R-15 along with the subject property. There are six parcels to the south that are owned by the applicant, and will share frontage along the (proposed) internal private road system. Those existing parcels range in size from 17,424 to 45,302 square feet. Two of the existing, adjacent McIntosh Ridge PRD LLC parcels are large enough (41,382 and 45,302 square feet) for potential land division consistent with the zoning, and two of the properties have existing residences. The existing residences would be located across from Lots 21 and 23.

To the north, across NW McIntosh Road, are developed subdivisions that are zoned R-12 and R-7.5. To the west are five parcels of approximately 12 combined acres under a single ownership<sup>3</sup>, and to the east is an 11 acre parcel<sup>4</sup>. Both adjacent properties, under separate ownership, could potentially be developed consistent with the densities of the R-15 zone. New transportation connections to the west and south are not proposed, and half-street improvements along NW McIntosh Road are not proposed. Alternative improvements are described and included with this report. There are two existing access points to the site from NW McIntosh Road, one of which will be improved as a private road, the other will be left as a private driveway per a settlement agreement.

In summary, the applicant requested preliminary plat approval to divide the site into 43 single family lots. The application materials included associated permit requests for critical area review, State Environmental Policy Act (SEPA) determination, and exception requests. The decision must consolidate the permit requests into a single decision.

This report includes the applicable approval criteria, followed by staff analysis, **FINDINGS** of compliance or non-compliance with the applicable codes, and a recommendation of APPROVAL to the City's Hearings Examiner, with proposed conditions.

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<sup>3</sup> Owner on file is Guy Pope, Trustee

<sup>4</sup> Owner on file is Brandon Dawson.

## II. PRELIMINARY PLAT CRITERIA OF APPROVAL (CMC17.11.030)

The criteria of approval for preliminary plat applications per CMC§ 17.11.030(D) **(1 through 10)** are highlighted in green boxes throughout this section.

1. THE PROPOSED SUBDIVISION IS IN CONFORMANCE WITH THE CAMAS COMPREHENSIVE PLAN, PARKS AND OPEN SPACE COMPREHENSIVE PLAN, NEIGHBORHOOD TRAFFIC MANAGEMENT PLAN, AND ANY OTHER CITY ADOPTED PLANS;

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### PARKS AND OPEN SPACE

The 2014 PROS Plan discusses a Special Use Area (SU) and a new east-to-west trail segment (T). The Special Use Area is identified as the proposed Columbia Viewpoint (SU-11) that would be located at the southern end of the development overlooking the Columbia River. The PROS Plan states the Special Use Area (SU-11) shall be accessible to the public by foot or bicycle. The Applicant is providing a 6-foot paved pedestrian access to SU-11 that is located in Tract 'I'. Tract 'I' is located between Lots 8 and 9.

The applicant is proposing to develop the new east-to-west trail segment (T-11) within Tract A. The PROS Plan states this segment of trail (T-11) shall be accessible to the public and shall meet ADA accessibility requirements. The applicant is proposing to utilize an existing trail, and did not indicate that it will meet the minimum standards and width as described in the PROS plan. For that reason, conditions to clarify the construction and design of the public trail is warranted.

**FINDINGS: Staff finds that it is warranted for the applicant to provide for the construction of a 6-foot wide pedestrian connection located on Tract 'I', the design and construction of the Columbia Viewpoint (SU-11), and the public trail (T-11) located in Tract 'A' of this development. The T-11 trail shall be a minimum of 10-feet in width and shall meet ADA guidelines to the extent feasible. The T-11 trail shall be located within Tract 'A' and shall remain outside of the wetland buffer to the extent feasible.**

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### NEIGHBORHOOD TRAFFIC MANAGEMENT PLAN

The City has a Neighborhood Traffic Management Plan (NTM). This plan identifies the need for installation of acceptable traffic calming features when a proposed development will generate 700 Average Daily Trips (ADT) or more. The submitted Transportation Impact Analysis (TIA), dated March 14, 2017 and submitted by Kittelson & Associates, indicates that this project is expected to reach full build out in 2018. Full build out is expected to generate 669 ADT with 52 new AM peak hour trips and 68 new PM peak hour trips.

**Staff finds that the total number of ADT generated with this development does not meet the threshold for Neighborhood Traffic Management. Additionally, Staff finds that the street systems as proposed will provide adequate traffic calming features and when constructed will meet the intent of the City's NTM plan.**

Interior Roads and Gated Entry.

The proposed NW Sacajawea Circle is currently a private driveway that provides access off NW McIntosh Road to the existing residents and the Cantera Equestrian Center. The applicant

Gated entrances are inconsistent with Comprehensive Plan Policy LU-3.4, which states, *"Discourage exclusive neighborhoods, privacy walls, and gated communities."* There are six lots/parcels that are not part of the proposed subdivision, yet they are located south of the private gate, and will gain access from the new private street system. The city requires at CMC§ 17.19.030(D)(1), *"Each lot must have frontage and access onto a public street, except as otherwise might be provided (e.g. approved private roads, access tracts)."*

**FINDINGS:** Staff finds that this development with the proposed gated entry and narrower private streets serving an isolated community that is not interconnected to other neighborhoods will consist of very low volume streets such that additional traffic calming features are not warranted. Special provisions must be included to allow access to lots that are adjacent to the development and beyond the proposed gate.



Land Use Goal (LU-3), “Create a vibrant, stable, and livable neighborhoods with a variety of housing choices that meet all stages in the life cycle and range of affordability.” Further, the comprehensive plan policies LU-3.1 and H-1.7, Encourages the development of a variety of housing types. The city has an abundance of single family development (48% overall land area, Camas 2035 page 1-3). The goals and policies adopted in 2016 were an effort to diversify the housing supply which includes 70% that are over 3,000 square feet.

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There are no provisions in the application in regard to providing a variety of housing sizes or styles among the 43 lots, such as a proposing that a percentage of homes are single story or have accessory dwelling units (ADUs) built with the main residence. The applicant proposes on page 3 of the narrative that the homes will be in the range of 2,800 to 3,800 square feet, which is exactly the housing size that is in abundance in the city. Within the draft homeowner covenant, conditions and restrictions ("CC&R's") (Section M of the application, page 10) it states that single story homes must be at least 1,000 square feet, which is exclusive of the garage areas (typ. 1,000 sq. ft.), and multi-story homes must be a minimum of 1,800 square feet, exclusive of garage areas as well. A potential remedy would be to identify certain lots that would be well-suited for smaller footprints or single-story homes and identify them on the face of plat. Given that the application did not include provisions to ensure a variety of housing types and styles will be constructed, a condition to address this deficiency is included.

**FINDINGS: The application did not demonstrate how the project will provide a variety of housing types in conformance with the land use and housing goals of the comprehensive plan and a condition to remedy the deficiency is included.**

*"H-1.3: Encourage the use of the optional development codes (e.g., PRD, MXPd) in order to create a variety of housing types within new developments."* The applicant has proposed a development that will utilize Density Transfer provisions of Chapter 18.09 Density and Dimensions, which allows for the lot size range to be smaller than the average of the zone of 15,000 square feet. The set-aside open spaces are encumbered with steep slopes and wetlands and for this reason the applicant is eligible to utilize this provision of code. The comprehensive plan policy "encourages" use of the optional development codes, while also expecting that it will promote the creation of "a variety of housing types". The applicant is utilizing the provision for smaller lot sizes, however, as noted above, the application did not include any proposal or specifications to ensure that there will be a "variety of housing types".

**FINDINGS: The applicant proposed to utilize Density Transfer provisions of Chapter 18.09 to allow for the lot size range to be smaller than the average of the zone of 15,000 square feet, however a variety of housing types was not proposed.**

*"H-1.4: Require a percentage of newly created lots to include one or more of the following unit types (to be designated on the face of the plat): Single-story dwellings; Barrier-free dwellings (consistent with Americans with Disabilities Act [ADA] guidelines); ADUs, to be constructed concurrent with primary dwellings."* This comprehensive plan policy has not been further refined and adopted into the development standards of the CMC, meaning that there isn't a minimum percentage of new lots required to conform. The absence of any stipulations on the plat would likely result in either confusion by individual lot developers, or for these types of housing types not to be built at all. For these reasons, a proposal by the applicant to conform to this plan policy should be considered in balance with other requirements.

**FINDINGS: Notes on the final plat should be conditioned to comply with this provision.**

*"H-1.7: Require all new housing developments to provide a range of housing types and sizes that are evaluated through the land use approval process and stipulated on the final plat."*

**FINDINGS: As discussed above, Staff finds that a range of housing types should be conditioned and notes to that effect should be included on the final plat.**

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#### AGRICULTURAL/RANCHING (A/R) DESIGNATED LANDS.

The existing equestrian center is considered to be a "nonconforming agricultural/ranching use". According to the non-conforming provisions at CMC§18.41.140, the land which has an existing



agricultural/ranching use, "shall be classified as A/R". When the land ceases to be used as A/R land, then it will be designated as Single-family Low.

The applicant proposed three phases for the development and the equestrian center would be discontinued at the build out of phase three.

At CMC§17.19.030-C, the city must ensure that there is compatibility with existing land uses and plans, "Where single-family residential lots are to be adjacent to multiple-family, commercial or industrial land use districts, and where natural separation does not exist, adequate landscape buffer strips and/or solid fences for purposes of buffering sound, restricting access, pedestrian safety and privacy shall be provided." The current A/R designation is not a single family district, and for that reason, the city requires a buffer between uses. There are not any natural barriers between the phases and no buffering was proposed by the applicant.

The A/R designation as provided in CMC safeguards the operations of the equestrian center, and states that "sounds, odors and normal agricultural activities" are allowed to continue (refer to CMC§18.41.140(O)). In contrast, when there are commercial uses within residential districts, such as with a Temporary Use Permit or Home Occupation permit, the city has the ability to restrict operating hours, parking for clients, and external storage, and is often a condition of those permits.

Given that the equestrian center may continue operations without restriction, Staff recommends that privacy fencing and landscaping be installed between the equestrian center and the initial phases of the development. Staff will also recommend including a note on the plat in regard to the normal operations of the equestrian center being allowed to continue.

**FINDINGS: The equestrian facility is a non-conforming agricultural use, and as such conditions to ensure compatibility are included with this report.**

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## NATURAL ENVIRONMENT

Natural environment goals (NE-1), "To preserve Camas' natural environment by developing a sustainable urban environment and protecting habitat and vegetation corridors." The applicant is proposing to set aside the stream corridor at the north end of the site and provided preliminary mitigation plans for anticipated impacts. The tract would be protected from development, which is consistent with the criterion for density transfer. The application also includes preliminary mitigation plans for impacts, which is more fully addressed at page 16 (Critical Areas) of this report.

It is unclear what the applicant is proposing for the steep sloped parcel (#127174-000), which is shown outside the developed area, yet is not placed in a tract. The city's critical area provisions at CMC§16.53.220 Notice on Title, requires that the applicant identify the critical areas and management zones and record it on the title of the land. This may occur at the time of final platting, as the applicant must identify and include existing critical areas on the plat map per CMC17.01.050. A condition to remedy this oversight is included.

The Natural Environment policy at NE-1.8 reads, "Encourage the development of grading regulations that preserve the natural contours of undeveloped properties, natural vistas, and mature vegetated corridors." The application includes a grading plan which indicates that there will be retaining walls throughout the project. Section 6 of this report, discusses provisions for retaining walls and recommends conditions are warranted to remedy the natural and aesthetic impacts.

**FINDINGS: The development can be consistent with the Natural Environment Goals, as conditioned with critical areas placed in tracts and the implementation of proposed mitigation measures.**

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## GATEWAYS

At page 2 of the applicant's narrative, it states, "*The project does not include lots that front Brady Road, so no Gateway Corridor improvements are proposed.*" This project may not have a "lot" adjacent to Brady Road, however the consolidated land area that is part of the development is adjacent to the gateway corridor as identified on the city's zoning maps.

Plan policies, ED-6.1 and 6.2 state that development in gateway corridors must exceed (where possible) design principles and guidelines of the Camas Design Review Manual. The comprehensive plan plainly defines the scope of these policies as applying to "development in gateway corridors".

**FINDINGS: Staff finds that the property is within the city's gateway overlay area and as such must exceed design principles and guidelines where possible.**

2. PROVISIONS HAVE BEEN MADE FOR WATER, STORM DRAINAGE, EROSION CONTROL AND SANITARY SEWAGE DISPOSAL FOR THE SUBDIVISION THAT ARE CONSISTENT WITH CURRENT STANDARDS AND PLANS AS ADOPTED IN THE CAMAS DESIGN STANDARD MANUAL;

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### WATER:

There is an existing 8-inch ductile iron water line on the north side of NW McIntosh Road. As-builts for the Hidden Leaf subdivision indicate an existing 8-inch stub to the south, for future construction, was installed when Hidden Leaf was constructed.

The applicant is proposing to extend the 8-inch ductile iron waterline to the private streets and provide a loop system to provide service to the 43 lots located in the development. This is consistent with City standards. Staff finds that applicant has shown that adequate water service can be provided for the development.

The Applicant is proposing the use of a gated access and private streets to provide access and utilities to the lots within the subdivision. Because the waterline utilities will not be located within the public right-of-way, the Applicant will need to provide easements for all water system facilities granting the City access for purposes of operations, maintenance and replacement. A condition to that effect will be included.

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### STORM DRAINAGE:

The applicant has submitted a preliminary stormwater Technical Information Report (TIR) and preliminary storm plans for the proposed development. The development of this site will result in 16.45 acres of new plus replaced impervious surface. The Applicant is proposing to treat and detain storm water via two proposed stormwater facilities.

Proposed Stormwater Facility 'A' is located in Phase 3 of the proposed development, north of Lots 36-39, with a 20-foot access easement between Lots 38 and 39. Stormwater facility 'A' consists of a 8'x24' Storm Filter vault for treatment, an underground detention system comprised of 1,780 linear feet of 72-inch diameter pipe, and flow control structures. This system ultimately discharges into the existing creek that runs NW Brady Road. Proposed Stormwater Facility 'B' is located with Tract 'A' on the west side of NW Sacajawea Circle. Stormwater facility 'B' consists of a 60-inch diameter Storm Filter manhole and an underground detention system comprised of a 52 linear feet of 72-inch diameter pipe, and a flow control structure. The system discharges outfalls to the existing wetlands adjacent to NW McIntosh Road.

**Findings: Staff finds that per Camas Municipal Code Chapter 14.02, the development will be required to follow the latest edition of the Stormwater Management Manual for Western Washington (SWMMWW) for stormwater treatment and detention. A condition of approval to this effect is warranted.**

**Staff finds that Stormwater Facility 'A', which is shown to be located within Phase 3 of the proposed development, shall be constructed at the same time as the Phase 1 improvements as the majority of the Phase 1 improvements flow into Stormwater Facility 'A'. The access roads to both facilities 'A' and 'B' shall be a minimum 15-feet in width on curves and 12-feet on straight sections, with a minimum 40-foot outside turning radius where applicable, and have a paved apron where access roads connect to surface roads. Stormwater Facilities 'A' and 'B' shall be located each within their own Tracts. A condition of approval to this effect is warranted.**

**Staff finds that stormwater collection system that is not located within the public right-of-way shall be located in a private stormwater easement and shall be maintained by the Homeowner's Association. A condition of approval to this effect is warranted.**

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#### EROSION CONTROL:

The applicant shall be required to provide adequate erosion control measures during the site improvements contemplated for this subdivision in accordance with adopted City standards. The applicant shall be required to submit the Erosion Sediment Control plans to the City for review and approval prior to any ground disturbance.

The development shall comply with CMC 17.21.030 for any land disturbing activity. The applicant shall submit an erosion prevention/sediment control and plan for any land disturbing activity that disturbs an acre or more or adds 5000 square feet or more of impervious surface. The applicant shall be required to furnish to the City an approved form of security (e.g. Erosion Control Bond). The security is to be in the amount of 200% of the engineer's estimated cost of the erosion prevention/sediment control measures, including associated labor. A condition of approval to this effect is warranted.

The Washington State Department of Ecology also requires site operators disturbing over one acre of land to file for and obtain an NPDES General Construction Stormwater Permit. CMC 14.06.030 (C) requires submittal of the Stormwater Pollution Prevention Plan (SWPPP) prior to commencement of ground disturbance activities.

**Findings: Staff finds that adequate provisions for erosion control can or will be made.**

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#### SANITARY SEWAGE DISPOSAL:

NW McIntosh Road has an existing 8-inch PVC sewer line that is located in the south side of the road. As-builts for the Hidden Leaf subdivision indicate an existing 8-inch PVC stub to the south, for future construction, was installed when Hidden Leaf was built. The existing 8-inch sewer is a STEF system that flows to the Brady Road sanitary pump station.

The applicant is proposing to extend the 8-inch STEF system to the private streets in order to provide service to the 43 lots located in the development. This is consistent with City standards. A sewer basin analysis will need to be provided in order to confirm that the Brady Road Sewer pump station and all downstream system components have adequate capacity for the proposed development. In the event the pump station or any downstream components are not adequately sized, the Applicant shall be required to make any necessary improvements or upgrades to serve the proposed development.

The Applicant is proposing the use of a gated access and private streets to provide access and utilities to the lots within the subdivision. Because the City sewer facilities will be located within



the private streets and behind the gated entry, the Applicant will need to provide easements for all sewer system facilities granting the City access for purposes of operations, maintenance and replacement.

**Findings: Staff finds that adequate provisions for sanitary sewage disposal can or will be made.**

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#### EXISTING WELLS, SEPTIC TANKS AND SEPTIC DRAIN FIELDS

CMC 17.19.020 (A 3) requires abandonment of existing wells, septic tanks and septic drain fields. Any existing water wells, septic tanks, or septic drain fields shall be properly abandoned in accordance with State and County guidelines prior to final plat approval for the phase they may be located in. Transfer of any existing water rights to the City of Camas will also be conditioned as part of the abandonment. A condition of approval to this effect is warranted.

**FINDINGS: As conditioned, Staff finds that adequate provisions can or will be made for water, storm drainage, erosion control and sanitary sewage disposal which are consistent with the Camas Municipal Code, the Water System Plan, the General Sewer Plan Amendment and the Camas Design Standard Manual.**

3. PROVISIONS HAVE BEEN MADE FOR ROAD, UTILITIES, STREET LIGHTING, STREET TREES AND OTHER IMPROVEMENTS THAT ARE CONSISTENT WITH THE SIX-YEAR STREET PLAN, THE CAMAS DESIGN STANDARD MANUAL AND OTHER STATE ADOPTED STANDARDS AND PLANS;

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#### ROADS

NW McIntosh road is currently a two-lane roadway with little to no shoulder on the south side along the proposed project frontage. There are steep slopes and a creek adjacent to the south side of the roadway. The north side of NW McIntosh adjacent to the proposed project has been improved with previously constructed subdivisions and includes half street improvements including curb, gutter, sidewalk, decorative street lighting and some areas of planter strip with street trees.

NW McIntosh Road is classified as an arterial on the City's Transportation Comprehensive Plan Map. Because of the significant environmental impacts that would occur with widening the road to the City's design standards along the proposed project frontage, the City Engineer has worked with the Applicant on proposed alternative safety and multi-modal improvements that will meet the intent of the standard improvements. CMC 17.19.040B(10)f states, "When, on the basis of topography, projected traffic usage or other relevant facts, it is unfeasible to comply with the foregoing right-of-way, tract and street width standards, the approval authority, upon recommendation from the city engineer, may permit a deviation from the standards of Table 17.19.040-1 and Table 17.19.040-2. The City Engineer recommends this deviation for NW McIntosh Road in conjunction with the Applicant's proposed improvements and the recommended conditions from staff.

In lieu of providing sidewalk on the south side of NW McIntosh Road, the applicant is proposing to construct a segment of the T-11 Trail shown in the PROS Plan through the riparian/wetland buffer that runs parallel to NW Brady Road. Additionally, as there is not ample room to provide an eastbound bike lane on NW McIntosh Road, the Applicant is proposing to widen the sidewalk on the north side of McIntosh Road to a minimum of 8-feet in width to provide a shared use path along the length of the project. Staff notes that, with the exception of the improved existing frontage along the Hidden Leaf Subdivision there is ample room to widen the existing sidewalk on the north side of NW McIntosh Road. Staff recommends that the applicant be conditioned to

widen the existing concrete sidewalk on the north side of NW McIntosh Road to 8-feet provided that, in the area where street trees are established, namely the frontage of Hidden Leaf Subdivision, the applicant shall widen the sidewalk from 5-feet to the maximum extent possible without eliminating the established street trees or encroaching onto the Hidden Leaf Subdivision.

Safety enhanced pedestrian crossings do not currently exist at either the intersection of NW Sacajawea Circle and NW McIntosh Road at the east end of the project, or at NW Brady Road and NW McIntosh Road at the west end of the project. Safety enhanced crossings at both ends of the proposed project will allow residents of the proposed subdivision to access the sidewalk located on the north side of NW McIntosh Road. The existing sidewalk provides access to the trail system that runs on the east side of NW Brady Road leading to both the trail network through Deer Creek and ultimately to Prune Hill park.

In order to provide an eastbound bike lane on NW McIntosh Road, the applicant will be required to widen the roadway to a minimum width of 26-feet from curb-to-curb with a minimum width of 1.5-foot of shoulder on the south side of the south curb line. The applicant has agreed to install left turn pockets on NW McIntosh Road at NW Sacajawea Circle and at NW Brady Road. These improvements are shown on the drawing labeled "McIntosh Road Improvements" from Olson Engineering dated October 2017.

Due to the posted speed of 35 miles per hour and the width of these intersections, enhanced safety measures for the pedestrian crossings should be required. In an October 27, 2017 email from the applicants engineer, Kurt Stonex of Olson to Curleigh (Jim) Carothers, City Engineer, "The applicant is in agreement to providing a pedestrian crossing at the subdivision entrance with pedestrian signage – with rapid flash beacons or something similar." Additionally, staff has asked the applicant to look at designing a pedestrian refuge island between eastbound and westbound traffic lanes on the east leg of NW McIntosh Road and NW Brady Road. In said email from Kurt Stonex, Kurt opines regarding this proposed refuge island, "Our client is in agreement to providing this if it will fit (it appears to create some turning movement conflicts) but I believe we can work through this during the final engineering review."

Staff finds that the negotiated improvements on NW McIntosh Road for motorists and pedestrian and bicycle mobility improvements and safety features are acceptable. The Applicant should be conditioned to construct the proposed improvements.

In an attempt to show that the applicant is not prohibiting the potential for future development of the property to the east of Dawson Ridge, the applicant is proposing that a future intersection could be located less than 200 feet south of the arterial NW McIntosh Road on NW Sacajawea Street. According to the General Guidelines for Geometry of Roadways within the Camas Design Standards Manual, the minimum intersection setback requirement for an arterial is 300 feet. In a letter to Sarah Fox from Landerholm dated August 9, 2017 the applicant requests an exception to the requirement for a setback of 300 feet. Due to topography, limited traffic volumes at full build out of the area, and critical areas in the vicinity, staff supports this exception request.

**Findings: Staff finds that with the proposed conditions, the Applicant can provide equivalent improvements to traditional half-width frontage improvements while maintaining the character and protecting the environmental elements of the existing corridor.**

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#### UTILITIES, STREET LIGHTING, STREET TREES, AND OTHER IMPROVEMENTS:

Decorative LED Street lighting is proposed to be installed along all street frontages within and adjacent to the proposed development at the time of site improvements. Staff finds the proposal for lighting the street frontages, within the development and at the intersection of NW

Sacajawea Circle and NW McIntosh, can meet all requirements per the Camas Design Standards Manual.

The Applicant is not proposing to install additional lighting along the south side of the NW McIntosh Road frontage. In lieu of providing lighting improvements on the south side of NW McIntosh Road the Applicant shall conduct a street lighting study, in accordance with the Camas Design Standards for Street Lighting, to determine if the existing street lighting along the north side of NW McIntosh Road is adequate for an arterial roadway. The Applicant is required to design and install any lighting improvements, identified in the street lighting study, to meet the Design Standards for Street Lighting as outlined in the Camas Design Standards Manual (CDSM). A condition of approval to this effect is warranted.

CMC 17.19.030 (F 1) requires the applicant to install one 2-inch diameter tree in the front yard of each lot. The location of these trees should be shown on the final site landscaping plans along with any required landscaping at the intersection of NW Sacajawea Circle and NW McIntosh Road. All proposed landscaping and street tree plantings shall be included with the final engineering plan submittal for the site improvements.

**FINDINGS: Staff finds that the applicant can or will make adequate provisions for roads, utilities, street lighting, street trees, and other improvements that are consistent with the six-year street plan, the Camas Design Standard Manual and other state adopted standards and plans.**

#### 4. PROVISIONS HAVE BEEN MADE FOR DEDICATIONS, EASEMENTS AND RESERVATIONS;

**FINDINGS: As discussed throughout, the applicant can or will make adequate provisions for appropriate street dedications, stormwater easements, access tracts, private rear yard drainage easements and open space dedications.**

5. THE DESIGN, SHAPE AND ORIENTATION OF THE PROPOSED LOTS ARE APPROPRIATE TO THE PROPOSED USE. IN ADDITION TO MEETING THE MINIMUM LOT SIZE DENSITY REQUIREMENT, EACH RESIDENTIAL LOT MUST PROVIDE A BUILDING ENVELOPE THAT ALLOWS A BUILDING THAT AT LEAST CONFORMS TO THE DEVELOPERS OWN BUILDING RESTRICTIONS (CC AND R'S). THEREFORE CORNER LOTS, LOTS WITH EASEMENTS, OR LOTS WITH ENVIRONMENTAL CONSTRAINTS MAY HAVE TO BE LARGER THAN OTHER LOTS IN THE SUBDIVISION;

**DISCUSSION:** The development is within an area with a comprehensive plan designation of single-family low. The site is zoned R-15 and as noted in the summary of this report, the properties adjacent to the east and west are also zoned R-15. The lot dimension standards of "density transfer lots" Subsection B of CMC§18.09.040, Table 2-Density and Dimensions of Single-family Residential Zones may be utilized given that the applicant has "set aside a tract for the protection of a critical area, natural open space network, or network connector," per CMC§18.09.060(C). The following standards are applicable to this development:

Density transfer lots	R-15 Zone
Minimum lot size	10,500
Maximum lot size	18,000
Minimum lot width	80'
Minimum lot depth	100'
Maximum lot coverage	35%
Setbacks are based on average lot size not zone (10,000 to 11,999)	Front(F) 20' Rear(R) 25' Side(S) 5' Side
Average lot size is 11,351 sq. ft	yard Flanking a Street (SS) 20'
Frontage on a cul-de-sac	30'

**[LOT AREA]** The proposed lots generally meet density transfer lot standards, as they have in excess of 80-feet of lot width and 100-feet of lot depth. The following discussion is limited to those lots that could be adjusted to better comply with CMC requirements.

Lot 39 has a 15-foot wide access easement running its full length with five-feet of the 20-foot wide easement on Lot 38. It also has 573 square feet encroaching into the riparian buffer area. Impacts to wetlands and buffers should be avoided and minimized, per CMC§16.51.170 (A and B). It is possible that Lot 39 will meet the minimum lot dimensions for width and depth, even if the lot were reconfigured, to avoid impacts and may result in the lot no longer being rectangular. A condition to that effect will be included with this report.

The city has discretion in regard to allowing access easements or tracts per CM§17.19.030(D)(5), which states, *"To protect the character of the immediate neighborhood, the city may impose special conditions, where feasible, including access configuration and separation, setbacks, fencing and landscaping."* As proposed as an easement over two lots, the future placement of the homes could be at the edge of the easement line without a setback. If designed as a tract, then the structure would setback 5-feet from the shared boundary.

An easement might be necessary, if the width of the lot would be less than the minimum requirements, however neither Lot 38 nor 39 would be rendered non-conforming if the access road were created as a tract. Both lots would still have in excess of 80-feet of lot width. Given that there will be a 5-foot setback from the access tract, the city will not recommend the need for fencing or additional landscaping, however paving will be required, consistent with the Design Standards Manual. For these reasons, conditions in regard to the need for a paved access tract, in lieu of an easement will be recommended.

Lot 43 and Tract H. Lot 43 is the largest lot proposed, at the maximum lot size of 18,000 square feet, it is oddly configured in comparison to the design of the other lots in the development. It is the only lot proposed to have its side lot lines oriented along the back yards of five (5) neighboring lots. The size does not exceed the maximum lot size standard, however there is an abutting tract to the east, Tract H (3,117 sq. ft.), which encroaches into the stream buffer and contains storm sewer utility lines.

It is feasible that the utility lines could be routed away from impacting the critical areas, and could be configured as an easement at the back of Lot 43, thus rendering the need for a tract unnecessary and shortening the length of the utility line. Further, the tract would be inaccessible if repairs or maintenance were needed given its isolated location to the east of the lot. For these reasons, Staff is unclear as to the purpose of Tract H and its ultimate functionality as part of this development. A recommendation to eliminate the tract and route the utilities out of the habitat buffer will be included.

Lots with Geotech Setbacks. There are several lots that are within geotech setback areas. Those lots include Lots 7, 8, 9, 10, 31, 32, 33, and 34. As oriented, the geotech areas affect the depth of the lots, which in turn, could limit the building envelope. The minimum building envelope size is 40 feet by 40 feet (Refer to CMC§17.19.030-D Building Envelopes), and all lots currently meet that standard.

It appears that only Lot 8 might not have the minimum 100 feet of lot depth if the geohazard setback areas were placed in a tract. The other seven lots appear to be able to meet the minimum lot depth if a portion of the lot were placed in a conservation tract. Lot depth is measured at the midpoint of the lot and not for the entire length per development definitions at CMC§18.03.040. *"Lot depth means the horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line."*

This criterion of approval (5) states, *"Lots with environmental constraints may have to be larger than other lots in the subdivision."* The SEPA determination was not final at the writing of this

report, and for that reason, it is unknown whether or not a condition in regard to the geohazard areas will be considered final. However, if the SEPA condition requires that the lots are modified in depth, then it appears that this provision would allow for the lots to be combined to be larger and could exceed limits of the zone. It is also possible that the city can provide more flexibility to create smaller lots, per CMC§18.09.060 (D), *"Where a tract under "C" above, includes one-half acre or more of contiguous acreage, the city **may provide additional or negotiated flexibility in lot sizes, lot width, depth, or setback standards.** In no case shall the maximum gross density of the overall site be exceeded"*. The gross density of the site would be 94 units if there were not any critical area constraints. Due to the constraints, the applicant has only utilized a combined lot area of the site of 488,000 square feet. If the development were not allowed to utilize the density transfer provisions, then it would have only yielded 32 lots at the zoning average lot size of 15,000 square feet. With this said, the development is not proposing to exceed the gross density of the site.

In sum, the applicant could modify the design of the encumbered lots by increasing their size (reduction in lots), or request a decrease in dimensional standards to maintain the lot count.

**[LOT LINES]** The construction of a lot requires that the side lot lines be at right angles to the street (or radial to a curve), and that the lot provides an "adequate" building envelope of 40' x 40' per CMC§17.19.030 (D)(2) and (3). Several lots that are configured along the westerly cul-de-sac have lot lines that are not at right angles to the roadway, namely Lots 5, 6, and 7. These lots and any others that may need minor lot line adjusting can occur prior to final plat approval, as the lot layout will not be drastically modified between preliminary and final plat approval.

**[BUILDING ENVELOPES]** "Building envelope" means a delineated area identifying where a primary building may be established, which is typically established by the minimum setbacks or easements that cross a property. The minimum setbacks are based on a lot size average of 11,351 sq. ft. As noted at the beginning of this section, the minimum rear setback is 25-feet and the side setbacks are 5-feet. Corner lots have front yard setbacks along the street frontages and the remaining sides are side yard setbacks. The front setback must be a minimum of 20-feet. The front setback increases on pie-shaped lots to the point that the lot width minimum is achieved. The CMC defines that lot width is established at the front of the building envelope rather than the front lot line, at CMC§18.03.040 Definitions. This is typically a concern when pie-shaped lots are proposed and the minimum lot width is not achieved until further from the front lot line than with the standard, rectangular lots. In this development, it appears that Lots 4, 7, 8, 9, and 10 do not achieve the minimum lot widths until 50-feet from the front lot line.

A condition to adjust the widths of the pie-shaped lots as noted, or to amend the front setback line further from the front line than is shown is warranted and included with the conditions.

**[LOT NUMBERING]** The city requires that lots be numbered consecutively with each phase per CMC§17.01.050(B), *"Lot and phase numbers beginning with the number one and numbered consecutively without omission or duplication."* In practice, that has resulted in subdivisions with several lots with the same number, albeit different phases, which can be confusing to the eventual homeowners. For this reason the city has allowed subdivisions to number their lots consecutively within each phase and continue (consecutively) with the next phase. The lot numbers start where the last phase ended.

For this project, the applicant has proposed a numbering scheme starting with Lot 1 through Lot 43, however the numbers are not consecutive within each phase. Rather, Phase 1 includes Lots 1, 2, 13-32 and Phase 2 includes Lots 3-12. For this reason, a condition to remedy this lot numbering discrepancy is included.

**FINDINGS: Staff finds that the majority of the lots as configured meet the dimensional requirements, and those lots that do not meet the requirements (e.g pie-shaped lots) can meet the requirements with appropriate conditions. These adjustments can be remedied prior to final plat approval.**

#### 6. THE SUBDIVISION COMPLIES WITH THE RELEVANT REQUIREMENTS OF THE CAMAS SUBDIVISION AND ZONING CODES, AND ALL OTHER RELEVANT LOCAL REGULATIONS;

This report includes a discussion of zoning throughout this section (Section III), phasing is discussed in Section V, and the critical area regulations, to include tree preservation, will be discussed in Section IV.

Other relevant local regulations, includes the city's Supplemental Development Standards, at Chapter 18.17. This chapter includes provisions and dimensional standards for accessory structures (e.g. sheds, garages, and pools), fences, and retaining walls. Given the general hilly terrain of the city, and the desire for flat lots, retaining walls are not uncommon within a subdivision. Staff must consider the compatibility of new development with the existing developed areas, and conditions to mitigate any incompatibilities that are created with the proposed construction of 15-20 foot high retaining walls must be considered.

The application included proposals for retaining walls at the following lots: 1; 2; 21; 22; 23; 25; 26; and 39. It appears that for all walls except for Lot 39, the walls will be under six feet and generally seem to be within the 2-4 foot range.

The standards for retaining walls is found at the CMC§18.17.060. There are also provisions regarding grading at CMC§15.50.090 that emphasizes the importance of minimizing such activities. *"(C) Wherever possible, vegetation, drainage, and other natural features of the site shall be preserved, and the grading and clearing shall be performed in a manner that minimizes impacts resulting from building, road, and utility footprints. Groundcover and tree disturbance shall be minimized, and root zones shall be protected."*

Further, direction to staff is provided at Subsection "E", *"Aesthetics. Land disturbance activity undertaken in such a manner so as to preserve and enhance the city of Camas aesthetic character. Important landscape characteristics that define the aesthetic character, such as large trees (over eight inches dbh), important vegetative species, and unique landforms or other natural features shall be preserved to the extent practicable."* The 15-foot high wall at Lot 39 would be the most visible to the neighboring properties as it would face Macintosh Road at the north end of the site, and the existing trees that might have provided a natural vegetated buffer are proposed for removal. Couple these provisions with the area being within the zoning overlay for gateways, and a higher design standard is warranted.

CMC§18.17.060 limits the height of retaining walls and fencing to not exceed 6'-0" along the side and rear lot lines of lots, or they must be set back. If retaining walls must exceed that height, then additional design should be included to mitigate such impacts. A condition in regard to the height of the walls, their impacts to adjoining properties, and mitigating such impacts with vegetative buffers are included as conditions of this report.

**FINDINGS: Retaining walls as proposed in this project should be adjusted to be under six feet along side and rear lot lines. A condition in regard to any walls proposed in excess of six feet is warranted and included, particularly when visible from McIntosh Road.**



7. APPROPRIATE PROVISIONS ARE MADE TO ADDRESS ALL IMPACTS IDENTIFIED BY THE TRANSPORTATION IMPACT STUDY;

The Traffic Impact Study (TIS) prepared by Kittelson & Associates, dated March 14, 2017, states in the Findings & Recommendations that 'no off-site transportation capacity or safety-related mitigations are recommended to support the proposed development, except to install appropriate stop sign control and striping at the primary access to NW McIntosh Road, across from NW Sacajawea Street'.

**Findings: Staff finds that this recommendation, in conjunction with the Proposed Conditions under Section 3, Roads, that Staff concurs with the findings as presented by Kittelson & Associates.**

8. APPROPRIATE PROVISIONS FOR MAINTENANCE OF PRIVATELY OWNED COMMON FACILITIES HAVE BEEN MADE;

**DISCUSSION:** The development will include private streets, privately maintained stormwater facilities, open space tracts (some with critical areas), and private trails. There are also public trails along the northern edge of the property along McIntosh Road. The application included draft CC&R's, which must specifically state provisions for the joint responsibilities and care of these facilities.

Staff has concerns regarding the joint uses of several tracts within the development. For example, there are tracts that contain critical areas along with storm water facilities. The maintenance of these uses will be very different. For example, storm ponds must be regularly mowed and volunteer trees removed on an annual basis. Whereas the wetland areas will have mitigation plants and trees that must be protected from mowers, and other destructive impacts for a minimum of five years after installation.

A condition in regard to identifying tracts for stormwater versus other critical areas on the plat drawing is warranted. The conditions will also include a requirement to provide fencing and signage in order to distinguish the boundaries of the tracts, and their different levels of care, in order to prevent any future violations (e.g. removal of trees in protected areas).

**FINDINGS: Staff finds that the maintenance of tracts must be specific to the purpose of the tracts (e.g. access, stormwater management, or wetland/tree protection), and that combining them or not delineating them will create issues with compliance throughout the life of these facilities.**

9. APPROPRIATE PROVISIONS, IN ACCORDANCE WITH RCW 58.17.110, ARE MADE FOR: THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE AND FOR SUCH OPEN SPACES, DRAINAGE WAYS, STREETS, OR ROADS, ALLEYS OR OTHER PUBLIC WAYS, TRANSIT STOPS, POTABLE WATER SUPPLIES, SANITARY WASTES, PARKS AND RECREATION, PLAYGROUNDS, SCHOOLS AND SCHOOL GROUNDS AND ALL OTHER RELEVANT FACTS, INCLUDING SIDEWALKS AND OTHER PLANNING FEATURES THAT ASSURE SAFE WALKING CONDITIONS FOR STUDENTS WHO ONLY WALK TO AND FROM SCHOOL; AND THE PUBLIC USE AND INTEREST WILL BE SERVED BY THE PLATTING OF SUCH SUBDIVISION AND DEDICATION.

**FINDINGS: As discussed throughout this report, Staff finds that the subdivision can be conditioned to provide the appropriate provisions for public health, safety, general welfare, and assure safe walking conditions for students.**

10. THE APPLICATION AND PLANS SHALL BE CONSISTENT WITH THE APPLICABLE REGULATIONS OF THE ADOPTED COMPREHENSIVE PLANS, SHORELINE MASTER PLAN, STATE AND LOCAL ENVIRONMENTAL ACTS AND ORDINANCES IN ACCORDANCE WITH RCW 36.70B.030.

**FINDINGS:** Staff discussed the compliance or non-compliance aspects of this proposal in regard to the comprehensive plan throughout this Section. The property is not subject to the Shoreline Master Program. The environmental regulations will be discussed fully at Sections IV and V of this Report.

### III. PHASING PLAN PER CMC17.11.040 (A - E)

**DISCUSSION:** As discussed in the previous sections, the applicant has proposed three phases. The numbering of the lots is not consecutive within each phase, which does not comply with CMC§17.01.050(B). As proposed, Phase 1 includes Lots 1, 2, 13-32 (22 lots). Phase 2 includes Lots 3 – 12 (10 lots). Phase 3 includes the Equestrian Center (to be discontinued), and Lots 33 to 43 (11 lots). A condition to remedy the numbering of the lots was discussed in Section II of this report.

Per CMC§17.11.040 (A-E), a phasing plan must include the necessary infrastructure and roadways for each phase without relying on future phases. Through review of the preliminary stormwater plans, utility plans, and roadway design, it would appear that the stormwater facility is not proposed to be constructed until Phase 2, although all the first phase stormwater is shown as being directed to the facility. A condition to remedy the phasing of the construction of the storm facilities is warranted.

**FINDINGS:** The phasing plan of the development can meet the requirements as conditioned.

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### SALES OFFICES

In accordance with Table 2 of CMC§18.07.040 (Note 4), sales offices for a new development are allowed within homes and trailers as temporary uses. Temporary uses are typically limited to a six-month duration, unless approved with a Type III permit. The applicant has proposed sales offices be allowed during each phase of construction.

Staff is supportive of this proposal given that full build out of subdivision phases typically extends beyond six-months. Without the provision to extend the temporary use, the developer would be required to move the sales office to a new lot every six months, after review and approval of a new temporary use permit, which could result in unattractive vacant lots in the interim. It is more efficient for both the city and the applicant to plan for the potential longer term need for sales offices and, to impose reasonable limitations to protect the character of the neighborhood as new homeowners move in. For these reasons, conditions in regard to time limits and site design are warranted and included with this report.

**FINDINGS:** Staff finds that sales offices as proposed with each phase can be approved with appropriate conditions to protect the character of the neighborhood.

### IV. CRITICAL AREAS REVIEW

#### Wetlands – CMC Chapter 16.53 and Fish & Wildlife Habitat Conservation Areas – CMC Chapter 16.61

The wetland areas and stream (habitat) areas are intermingled on this site and are located along the northern portion of the property at Tract A. The criteria for approval of a wetland permit can be found at CMC§16.53.050 and the performance standards for approval of Fish & Wildlife Habitat Conservation Area permits can be found at CMC§16.61.030.

The application materials include several revisions to the original submittal. The critical area reports include: a Wetland Delineation & Assessment (October 2016); Preliminary Fish & Wildlife Habitat Conservation Areas Mitigation Plan (August 2017); Revised Fish & Wildlife Habitat and Conservation Report (August 2017); Preliminary Wetland Mitigation Plan (August 2017); Tree Plan Drawings and Tree Report (June 2017).

The applicant must demonstrate best efforts to avoid impacts to critical areas as stated at CMC§16.51.170 (B), *"Minimize(ing) impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps, such as project design, developable area configuration, relocation, or timing, to avoid or reduce impacts."*

The habitat report (Exhibits 49 and 50) found three streams on site. Deer Creek is a perennial Type F stream which flows along the northern property line. The other streams were considered intermittent and are located on the south side of Deer Creek. The impacts to riparian habitat areas are as follows:

- Riparian buffer impacts at the entrance of 1,008 sq. ft.
- Sidewalk buffer impacts of 654 sq. ft.
- Stormwater outfall impacts of 185 sq. ft.

The reports demonstrated that none of the riparian buffer impacts were proposed within the ordinary high water mark of the stream. The habitat mitigation includes 3,694 square feet of enhancement planting areas on-site as illustrated in Figure 6.

There were eight wetlands identified for a total of **29,757 sq. ft. (0.68 acres)**, and associated buffer areas that ranged from 50 feet to 120 feet wide. The development avoided direct impacts to the wetlands. The impacts of 5,227 sq. feet are within buffer areas. The preliminary mitigation report (Exhibit 48, page 6) found that on-site mitigation was infeasible, and the applicant proposes to purchase **4,794 sq. ft. (0.11 acres)** of mitigation credits to compensate for impacts.

Staff concurs in most part that the impacts to wetlands and habitat areas were minimized and suggests that only a few areas of the project should be revised. Staff supports the impacts that are necessary for improvements to the internal roads, public trail and utilities.

The impacts to critical areas to create Tract H and Lot 39 appear to be avoidable, and those observations were noted earlier in this report. In brief, Lot 39 includes impacts to the stream buffer area, and would necessitate a retaining wall that would be approximately 15-feet high. The lot is 11,100 square feet, which is in excess of the minimum lot size for density transfer lots (10,500 square feet) ---meaning that the lot could be reduced to further avoid impacts.

Tract H is 3,117 square feet and contains a storm sewer line. The sewer line could be routed to the back of Lot 43 and run between Lots 40 and 41, thus eliminating the need for impacts to critical areas at that location.

The preliminary mitigation reports do not analyze the extent of the impacts for construction of the 15-foot wall, which would need footings and other disturbances would be outside of the identified lot boundaries. The preliminary reports also do not consider improvements to the public trail, which is currently not indicated to be improved to the minimum width of 10-feet.

Staff is confident that these adjustments can be made, and any other additional impacts could be addressed in a final mitigation plan, as the feasibility of the project is affirmed with the submitted preliminary mitigation plans. Requirements for a final mitigation plan can be found at CMC§16.53.050(E.3).

The city requires a final mitigation plan be submitted prior to engineering plan approval. A final mitigation plan incorporates all conditions of approval from the preliminary plat decision, and

must include (among other requirements) a detailed construction plan for installation of plants and/or other elements of the mitigation plan. CMC§16.53.050 (I) states, “The responsible official shall issue final approval of the wetland permit authorizing commencement of the activity permitted thereby upon: a. Submittal and approval of a final mitigation plan pursuant to subsection (E)(3) of this section; b. Installation and approval of field markings as required by Section 16.53.040(C)(2); c. The recording of a conservation covenant as required by Section 16.53.040(C)(3) and included on the plat, short plat, or site plan as required by Section 16.53.040(C)(4); d. The posting of a performance assurance as required by subsection (H)(3) of this section.”

**FINDINGS: Staff also finds that it is feasible for the development to protect critical areas, and a Final Mitigation Plan must be submitted for approval. Staff finds that impacts proposed with Lot 39 and Tract H are avoidable.**

#### Geologically Hazardous Areas – CMC Chapter 16.59

The design of the development indicated that eight (8) lots would contain geological hazard setback areas. The primary building envelopes were proposed to be outside the identified areas, however the city allows other development activities to occur within the yard areas of private lots. Some of those activities are regulated within Supplemental Development Standards at Chapter 18.17, to include retaining walls, fencing, swimming pools, and structures detached from a home (e.g. gazebos, sheds or garages). Structures less than 120 square feet typically do not require additional permit review. For the reason that these unpermitted (yet, legal) activities could occur within the geohazard setback area of an individual lot, the city requested that the geotechnical reports be reviewed by a third party consultant.

The applicant's reports incorrectly cited the regulations of Clark County, rather than the city's regulations at CMC Chapter 16.59 Geologically Hazardous Areas. Although the incorrect citations were provided, the city's consultant Troy Hull of Earth Engineers (Exhibit 64), found that the applicant's geotechnical report methodology at Exhibits 43 through 45 met the minimum report requirements for specific hazards per CMC§16.59.070.

Both consultants agreed that the following activities within the geotech setbacks would require additional geotechnical review. The reports also indicated that no fill should be placed in these areas, and that only fences, patios and uninhabited structures should be allowed.

In accordance with CMC16.59.060, the city must ensure long-term slope stability, and “**shall exclude** designs that require periodic maintenance or other actions to maintain their level of function.” The applicant did not provide a plan to ensure the long-term stability of these areas, such as periodic inspections, access easements, or other provisions to ensure that the areas are not modified without additional review.

CMC§16.51.240(A) requires that critical areas and their associated buffer or management zones be protected through a permanent protective mechanism “acceptable to the city.” Easements are not acceptable to the City in this case. It can be difficult to monitor and enforce restrictions on vegetation removal and construction in the rear yards of residential properties.

It is reasonable to assume that at some point, any of the owners of the eight lots could decide to modify their yard by terracing with retaining walls, hauling in additional fill and perhaps, even installing an above-ground swimming pool, and the result could be catastrophic. The city provided mitigation measures within **SEPA17-16** to address these safety concerns. The mitigation measures contained within SEPA17-16 require geotech buffers to be located in a separate tract to ensure ongoing compliance with the buffer requirements. No additional conditions are proposed with this report.

**FINDINGS: The mitigation measures within the SEPA MDNS are sufficient to address the safety concerns of geohazards.**

#### Archaeological Resource Preservation – CMC Chapter 16.31

The criteria for approval of archaeological review can be found at CMC§16.31.140.

**FINDINGS:** The applicant provided an archeological survey that is consistent with CMC§16.31.120. The report and **FINDINGS** are not subject to the open public records act and as such, the city cannot disclose the results. No additional conditions will be proposed.

### V. SENSITIVE AREAS AND OPEN SPACE (CMC18.31)

CMC§18.31.080 Tree Retention reads, "To the extent practical, existing healthy significant trees shall be retained. Preservation of groups of significant trees rather than individual trees shall be preferred. All grading shall take place outside the drip line of those significant trees to be retained except that such grading can occur without damaging the tree or trees." This provision in code does not include specific criteria to assist with a measure of the "extent practical". However, the courts have provided some direction since this code was adopted, which includes requiring a demonstration of efforts to best retain trees. The city also encourages a tree preservation strategy to be sustainable after homes are built, and not create any future tree hazards.

The applicant provided a Tree Report (dated 6/2/2017) and Tree Plan (dated 6/2/17). The tree inventory surveyed approximately 237 trees on site. The report indicated that 77 trees will be removed, and 160 will be retained within open space tracts. The development will include new trees planted at the entrance of the site, and a new tree planted in the planter strip in front of each new house.

The applicant notes that the site has been used for agricultural purposes, namely for pasture lands, and as such the majority of the trees on the property are located within the critical areas (streams and steep slopes). The mature landscape trees that bisect the property were considered not to be suitable for retention due to the extensive site work for utilities and roadway improvements in that area (Report, page 1 and Tree Inventory). Staff concurs that the mature trees would not be suitable for retention within individual lots.

The report includes removal of seven trees within wetland areas, adjacent to new lots, which were considered to be unsuitable or hazardous. The preliminary mitigation report (page 5, August 22, 2017) proposed to replant 14 trees, however, provisions for the ongoing care and maintenance of the new trees and those proposed for retention was not addressed. Only monitoring and maintenance of the 14 trees was included in the preliminary plan. Vegetation Management Plans are required for developments that have steep slopes or other open space areas, and the standards for such plans are found at CMC§18.31.090(E) – Vegetation Management Plan Standards.

A vegetation management plan for the entirety of the treed areas will provide essential information to the future homeowners, given that the trees (if not maintained) could be the subject of future hazard abatement. A vegetation management plan must include a schedule for maintenance of the trees that will ensure the optimal health, and monitoring to ensure that other activities, such as topping are not occurring. For these reasons, maintenance provisions in regard to the 160 retained trees, and 14 new trees are recommended to be on the face of the plat.

The SEPA MDNS 17-16 provided specific protection measures in regard to trees on the subject site that are within the geohazard areas. The mitigation measures include provisions for temporary construction fencing, and requiring grading plans to avoid impacting significant trees. Unless, the SEPA measures are appealed, no additional conditions regarding protection of those trees are considered necessary.

**FINDINGS: Staff finds that the development as conditioned under SEPA can meet the intent of CMC Chapter 18.31 for tree preservation. Provisions for submittal of a Vegetation Management Plan and requiring ongoing maintenance of retained trees can and should be included on the final plat.**

## VI. CONCLUSIONS

Based on the above findings provided in this report, staff concludes that the consolidated application for Dawson Ridge Subdivision (SUB17-02) should be approved, because it does or can comply with the applicable standards as listed below.

- As conditioned, the applicant can comply with the goals and policies of Camas 2035, the city's comprehensive plan and associated planning documents, including the 2014 Parks, Recreation and Open Space Comprehensive Plan.
- As conditioned, the development can comply with critical area regulations within CMC Title 16 Environment as detailed in this report.
- As conditioned, the development can comply with the preliminary plat criteria of approval at CMC§17.11.030(D).
- As conditioned, the development can comply with phasing criteria for approval at CMC§17.11.040 (A - E).
- As conditioned, the development can comply with the city's engineering Design Standards Manual.

## VII. RECOMMENDATIONS

Staff recommends APPROVAL of the consolidated preliminary plat application for Dawson's Ridge Subdivision (SUB17-02). The recommendation is based on the application meeting the minimum requirements of Camas Municipal Codes, and conditioned as follows:

### PROPOSED CONDITIONS

**The following conditions are in addition to any conditions required from other permits or approvals issued to this project, including SEPA conditions. Unless otherwise waived or modified in this decision, the development must comply with the minimum requirements of the Camas Municipal Code.**

### STANDARD CONDITIONS OF APPROVAL

1. Site improvement plans for street, water, sanitary sewer and stormwater improvements shall be prepared in accordance with Camas Design Standards Manual.
2. The plans shall be prepared by a licensed civil engineer in Washington State and submitted to the City for review and approval.
3. Regulations for installation of public improvements, improvement agreements, bonding, final platting, and final acceptance shall be found in CMC 17.21.



4. A 3% construction plan review and inspection fee shall be required for this development. The fee will be based on an engineer's estimate or construction bid. The specific estimate will be submitted to the City for review and approval. The fee will be paid prior to the construction plans being signed and released to the applicant. Under no circumstances will the applicant be allowed to begin construction prior to approval of the construction plans.
5. Underground (natural gas, CATV, power, street light and telephone) utility plans shall be submitted to the City for review and approval prior to approval of the construction plans.
6. In the event that any item of archaeological interest is uncovered during the course of a permitted ground disturbing action or activity, all ground disturbing activities shall immediately cease and the applicant shall notify the Public Works Department and DAHP.
7. The applicant shall remove all temporary erosion prevention and sediment control measures from the site at completion of all site improvements, including stabilization of all disturbed soil, unless otherwise directed by the Public Works Director.
8. Final as-built construction drawing submittals shall meet the requirements of the Camas Design Standards Manual.

## **ENGINEERING DIVISION**

9. The Applicant shall install a 6-foot wide pedestrian connection, located on Tract 'I' between Lots 8 and 9, that will provide access to the Columbia Viewpoint (SU-11).
10. The Applicant shall design and construct the Columbia Viewpoint (SU-11) and the public trail (T-11) located in Tract 'A' of this development, as required per the 2014 PROS Plan.
11. The T-11 trail shall be a minimum of 10-feet in width and shall meet ADA guidelines to the extent feasible.
12. The T-11 trail shall be located within Tract 'A' and shall remain outside the wetland buffer to the extent feasible.
13. The Applicant shall meet with the Parks and Recreation Development Review Ad-hoc Committee for review of the design and location of the Columbia Viewpoint (SU-11) and the T-11 east-west trail segment.
14. The Applicant shall provide easements for all water system facilities granting the City access for purposes of operations, maintenance and replacement.
15. Any irrigation meters proposed for the development shall be maintained by the HOA and provide acceptable backflow prevention devices.
16. The Applicant shall be required to follow the latest edition of Ecology's Stormwater Management Manual for Western Washington (SWMMWW) for stormwater treatment and detention, per CMC 14.02.
17. Stormwater Facility 'A', which is shown to be located within Phase 3 of the proposed development, shall be constructed at the same time as the Phase 1 improvements as the majority of the Phase 1 improvements flow into Stormwater Facility 'A'.
18. The access roads to both facilities 'A' and 'B' shall be a minimum 15-feet in width on curves and 12-feet on straight sections, with a minimum 40-feet outside turning radius where applicable, and have a paved apron where access roads connect to surface roads.

19. Stormwater Facilities 'A' and 'B' shall be located each within their own Tracts and shall be owned and maintained by the Homeowners Association (HOA).
20. All aspects of the stormwater facilities, treatment vaults and manholes, underground detention, and outfalls shall have adequate access for inspections by the City.
21. The stormwater collection system serving the development, which is not located within the public right-of-way, shall be placed within private stormwater easement and shall be maintained by the homeowners association (HOA).
22. The development shall comply with CMC 17.21.030 for any land disturbing activity. The applicant shall submit an erosion prevention/sediment control and plan for any land disturbing activity that disturbs an acre or more or adds 5000 square feet or more of impervious surface. The applicant shall be required to furnish to the City an approved form of security (e.g. Erosion Control Bond). The security is to be in the amount of 200% of the engineer's estimated cost of the erosion prevention/sediment control measures, including associated labor.
23. The applicant shall be required to provide a sewer basin analysis to confirm that the Brady Road Sewer pump station and all downstream system components have adequate capacity for the proposed development. In the event the pump station or any downstream system components are not adequately sized, the Applicant shall be conditioned to make any necessary improvements or upgrades to serve the proposed development.
24. The Applicant shall provide easements for all sewer system facilities and grant access to the City for purposes of operations, maintenance and replacement.
25. Any existing water wells, septic tanks, or septic drain fields on-site shall be properly abandoned in accordance with State and County guidelines prior to final plat approval for the particular phase that the well may be located in. Additionally, any water rights associated with any abandoned wells shall be transferred to the City.
26. The Applicant shall construct the segment of the T-11 Trail through the proposed development, connecting NW Brady Road to the proposed NW Sacajawea Street, on the east side of the development. The T-11 Trail shall be a minimum of 10-feet in width and shall meet ADA guidelines to the extent feasible. A public access easement must be provided over the T-11 trail.
27. The Applicant shall provide a safety enhanced pedestrian crossing at the intersection of NW Sacajawea Circle and NW McIntosh Road that includes striping, pedestrian signage, and rapid flash beacons or a City approved equivalent.
28. The Applicant shall provide a safety enhanced pedestrian crossing at the intersection of NW Brady Road & NW McIntosh Road that includes signing, striping, and a pedestrian refuge island.
29. The Applicant shall widen the existing sidewalk on the north side of NW McIntosh Road such that it is a minimum of 8-feet in width, between NW Sacajawea Street and NW Brady Road, provided that in the area where street trees are established, namely the frontage of Hidden Leaf Subdivision, the applicant shall widen the sidewalk from 5-feet to the maximum extent possible without eliminating the established street trees or encroaching onto the Hidden Leaf Subdivision.
30. The Applicant shall provide 11-foot wide left turn lanes and travel lanes on NW McIntosh Road with a 4-foot wide eastbound bike lane as shown on the drawing labeled "McIntosh Road Improvements" from Olson Engineering dated October

2017. The applicant shall install a curb on the south side of NW McIntosh Road with a 1.5 foot minimum width shoulder on the south side of the south curb line.
31. Applicant shall post 'No Parking' signs on one side of all roads within the development.
  32. The Applicant shall conduct a street lighting study, in accordance with the Camas Design Standards for Street Lighting, to determine if the existing street lighting along the north side of NW McIntosh Road is adequate for an arterial roadway.
  33. The Applicant shall be required to design and install any lighting improvements, identified in the street lighting study, in accordance with the Design Standards for Street Lighting as outlined in the Camas Design Standards Manual (CDSM).
  34. Prior to final engineering plan approval for any phase the applicant shall submit an acceptable landscaping plan that details the location, number, plant species proposed, planting notes and associated details.
  35. Applicant shall ensure that the CC&R's clearly state that the HOA is responsible for the maintenance of the stormwater system in its entirety which is located within the Tracts and easements.
  36. Applicant shall ensure that the CC&R's clearly state that the City shall have right-of-entry access for purposes of inspection of all stormwater facilities.

#### **PLANNING DIVISION**

37. Prior to final plat approval of any phase, the applicant shall ensure that permanent access is provided to Parcels adjacent to the development (127167-000, 127168-000, 127169-000, 127170-000, 127171-000, and 127162-003). The provisions will be recorded on the face of the plat, which could include providing an easement over the private road; or relocating the private gate to not block access to adjacent parcels (near Lots 19 and 31); or annexing the lots into the new development.
38. Three (3) phases are approved with this decision. Lots must be numbered consecutively within each phase. Other modifications to the phasing plan (aside from numbering) will require approval of a modification pursuant to CMC§18.55.270-Plat amendments and plat alterations.
39. The applicant shall place the stormwater facilities in separate tracts from critical areas, and provide fencing around the perimeter of each stormwater facility. Fencing shall be installed as part of the construction of the facility. Fencing is not required along the access roads to the facilities.
40. Retaining walls shall not exceed six feet in height along the side and rear property lines. If taller retaining walls are necessary and unavoidable, then they must be setback for every three feet of additional height, and include landscape buffers at each level. Retaining walls over 42" are not allowed at the front of property lines, unless they are terraced and setback for every three feet of additional height.
41. The access tract to the stormwater facility (Facility B) shall be paved in accordance with the Camas Design Standards Manual and placed in a tract CMC§17.19.030(D)(5)(d), not in an easement.
42. Tract H and Lot 39 shall be modified to eliminate areas that encroach into critical areas or associated buffers.

43. The applicant shall revise the preliminary plat to ensure that side lot lines are at right angles to the street (or radial to a curve) as practical per CMC§ 17.19.030 (D)(2 and 3).
44. The lot widths of pie-shaped lots (e.g. Lots 4, 7, 8, 9, and 10) must be adjusted to achieve the minimum lot width of 80-feet, from a point that is at least 20 feet from the front lot line, or the front setback line must be revised and established at the point at which a lot width of 80-feet is achieved. Meaning that the front setback of pie-shaped lots would be greater than the minimum of the zone.
45. The applicant shall provide a minimum of one street tree per lot, and it must be located within the planter strip at the front of each lot. If additional street trees are included within the development, they must be noted on the final construction plans.
46. Sales Offices: A single sales office in a model home for purposes of selling lots within the development may be located within each phase, and remain until 50% of lots are sold in that phase or two years after Certificate of Occupancy is issued for the model home or trailer, whichever is less. After such time, the sales office in the home or the trailer must be removed. If a sales office is proposed in a trailer, then a site plan must be approved by the City which includes five-foot depth of landscaping along the street frontage and base of trailer, and off-street parking per CMC 18.11 Parking.
47. Signs shall be posted and maintained along critical area buffers at an interval of one (1) per lot and shall read substantially as follows: "Conservation Area - Retain in a natural state."
48. Continuous fencing must be located along lot lines that are adjacent to critical areas (incl. buffers), and installed prior to final acceptance.
49. Wetlands, streams and associated buffers shall be clearly marked on the final plat, consistent with CMC§ 17.01.050.
50. Trees retained within open space areas must be managed to ensure the long term health of the trees. Tree topping will not be permitted, nor removal of more than 20 percent of a tree's canopy. If tree removal is necessary due to a potential hazard to people or property, then replanting is required. A note to this effect shall be added to the plat.
51. Prior to final plat approval of Phase 1, a solid, site obscuring fence and landscaping will be installed between the equestrian center and lots. This fencing may be removed after the A/R use is discontinued. Until such time, the Dawson Ridge HOA will be responsible for maintenance of the fence and an easement note for such maintenance will be included on the plat.
52. 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.
  - a. Financial assurances for mitigation must be submitted and approved in accordance with of CMC§ 16.51.180 (D) and CMC§ 16.53.050(J) prior to earth disturbing activities.
  - b. Proof of purchase of mitigation bank credits from the Columbia River Mitigation Bank must be submitted prior to final engineering approval.
53. The location of the public trails shall be labeled on the final plat, and signs shall be installed at both ends to inform the public of their right to access the trails.

54. Prior to final plat approval of any phase, the applicant shall provide a copy of the private covenants intended to be recorded with the plat, which will include provisions for maintenance of all required improvements, such as storm or sewage facilities, open space areas, access tracts, and private parking enforcement provisions.

#### **FIRE DEPARTMENT**

55. Permit required with the Fire Marshal's Office and Engineering Dept. for the privacy gate pursuant to CMC Chapter 12.36.
56. Prior to construction plan approval, provide a plan to the Fire Marshal's Office for private street emergency access obstructions per CMC, 17.19.040.A.9.
57. Street signs will include hundred block designations.
58. The location of emergency turnarounds must be approved by the Fire Marshal prior to construction plan approval.
59. The location of "No Parking" signs must be inspected for compliance prior to final acceptance of subdivision improvements.
60. Private Hydrants shall be ordered in RED from the manufacturer.
61. The applicant shall contact the FMO for witnessed hydrant flushing on all hydrants. Contact information for the Fire Marshal is 360-834-6191 or [FMO@cityofcamas.us](mailto:FMO@cityofcamas.us) for inspections or submittal questions.

#### **FINAL PLAT NOTES**

1. A homeowners association (HOA) will be required for this development. Copies of the C.C. & R's shall be submitted and on file with the City of Camas. The CC & R's must allow the development of Accessory Dwelling Units (ADUs).
2. Building permits will not be issued by the Building Department until all subdivision improvements are completed and Final Acceptance has been issued by the City.
3. For lots adjacent to steep slopes, the Geotechnical Engineer of Record must perform a lot specific geotechnical evaluation, which will be submitted with the building permit application.
4. Maximum building lot coverage for this subdivision is 35%.
5. Low Flow Life Safety Residential Fire Sprinklers (NFPA 13D) required in all new dwellings.
6. The lots in this subdivision are subject to traffic impact fees, school impact fees, fire impact fees and park/open space impact fees. Each new dwelling will be subject to the payment of appropriate impact fees at the time of building permit issuance.
7. Within identified tracts, steep sloped areas, wetlands, streams and associated buffers shall be maintained in their natural state as described in the final mitigation plans.
8. Tree topping is not permitted, nor removal of more than 20 percent of a tree's canopy. Trees that are determined to be hazardous by a licensed arborist may be removed after approval by the City. Removal of hazard trees, and required street trees shall be promptly replaced and maintained.
9. [Note for Phases 1 and 2] The sounds, odors, activities, and conditions that are incidental to and a normal part of the equestrian center shall not be a cause for complaint, and shall not constitute a nuisance (CMC§ 18.41.140-O).