

NOTICE of DECISION
Larkspur Subdivision (city file# SUB18-03)

DECISION ISSUED: March 15, 2019

CITY CONTACT: Lauren Hollenbeck, Senior Planner
(360) 817-7253
communitydevelopment@cityofcamas.us

APPLICANT: Provence LLC, 701 Columbia Street, Suite 111 Vancouver, WA. 98660

OWNER: Gus Harb

THIS IS TO SERVE AS NOTICE that a decision of **APPROVAL** has been rendered for **Larkspur Subdivision** (City File# SUB18-03), a 10-lot single-family residential development. The project is located at 6215 NW Larkspur Street. The location is also described as Tax parcel #175961000, within the NW ¼ Section 28, Township 2 North, Range 3 E.W.M, Camas, WA.

The final order of the Hearings Examiner is attached to this notice.

RECONSIDERATION (Refer to CMC 18.55.235)

Any party of record believing that a decision of the hearings examiner is based on erroneous procedures, errors of law or fact, or the discovery of new evidence which could not be reasonably available at the public hearing, may make a written request to the examiner, filed with the city clerk (**Municipal Center, 616 NE 4th Ave., Camas**), to be accompanied by an appeal fee of \$383, for reconsideration by the examiner.

- A. Time Frame. The request for reconsideration shall be filed within fourteen calendar days of the date the decision was rendered. **Deadline for filing a reconsideration request is March 29, 2019, at 5:00 p.m.**
- B. Content. The request for reconsideration shall contain the following:
 - 1. The case number designated by the city and the name of the applicant;
 - 2. The name and signature of each petitioner;
 - 3. The specific aspect(s) of the decision being appealed, the reasons why each aspect is in error as a matter of fact or law and the evidence relied on to prove the error. If the petitioner wants to introduce new evidence in support of the appeal, the written appeal must explain why such evidence should be considered.
- C. The hearings examiner may, after review of the materials submitted in conjunction with the reconsideration request, and review of the open record hearing transcript, take further action as he or she deems proper; including, but not limited to, denying the request, modifying the decision, or affirming the decision.
- D. The hearings examiner shall issue a decision on a request for reconsideration within forty-five (45) days of the filing of the request for reconsideration. When a request for reconsideration has been timely filed, any appeal to Clark County Superior Court under the Land Use Petition Act shall be filed within twenty-one (21) days after a hearings examiner issues its decision on the request for reconsideration.

JUDICIAL APPEALS (Refer to RCW Chapter 36.70C)

The city's final decision on an application may be appealed by a party of record with standing to file a land use petition in Clark County superior court. Such petition must be filed as provided in Chapter 36.70C RCW.

OWNER/ APPLICANT/ CONTACT:

PROVENCE LLC.
CONTACT PERSON: GUS HARB, PE
701 COLUMBIA ST., SUITE 111
VANCOUVER, WA 98660
PHONE: (360) 695-6520
EMAIL: guss@harbengineering.com

SURVEYOR:

MINISTER & GLAESER SURVEYING, LLC
CONTACT PERSON: DAVE DENNY, PLS
2200 E. EVERGREEN BLVD
VANCOUVER, WA 98661
PHONE: 360-694-3313

GEOTECHNICAL ENGINEER:

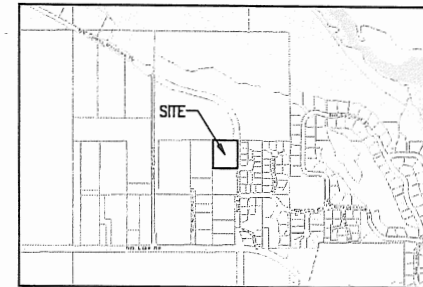
COLUMBIA WEST ENGINEERING, INC.
CONTACT PERSON: DANIEL LEHTO, PE, GE
11917 NE 95TH ST.
VANCOUVER, WA 98682
PHONE: 360-823-2900

PARCEL INFORMATION:

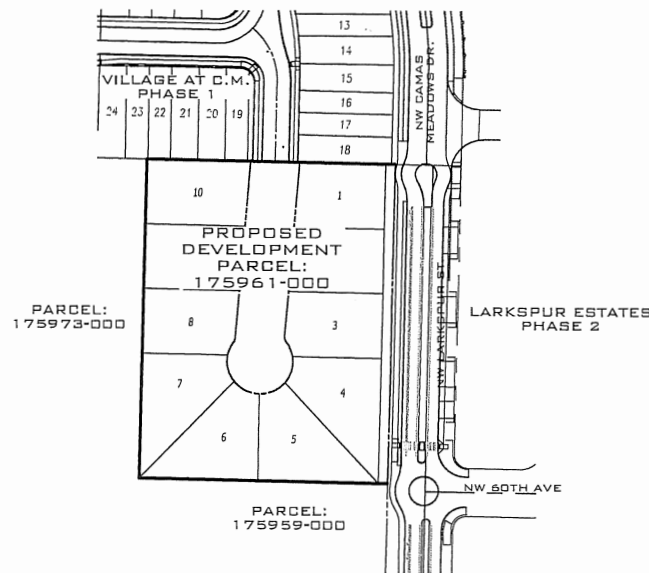
PARCEL # 175961-000
PARCEL AREA IS: 2.09+/- ACRES

LARKSPUR SUBDIVISION

PARCEL #175961-000
IN A PORTION OF THE EAST
HALF AND THE WEST HALF OF
THE SW 1/4 OF SECTION 28
T. 2 N., R 3 E., W.M
CITY OF CAMAS
CLARK COUNTY, WASHINGTON



VICINITY MAP
NOT TO SCALE



SITE MAP
1"=100'

SHEET INDEX:

P-00	COVER SHEET
P-01	EXISTING CONDITIONS PLAN
P-02	PRELIMINARY PLAT
P-03	PRELIMINARY STORM DRAINAGE PLAN
P-04	PRELIMINARY GRADING & EROSION CONTROL PLAN
P-05	PRELIMINARY UTILITY PLAN
P-06	PRELIMINARY TREE REMOVAL AND PRESERVATION PLAN
P-07	PRELIMINARY LANDSCAPE PLAN
P-08	PRELIMINARY CIRCULATION PLAN

HARB ENGINEERING
LAND DEVELOPMENT
CONSTRUCTION
MANAGEMENT
701 COLUMBIA STREET, SUITE 111
VANCOUVER, WA 98660
PHONE: (360) 695-6520
WWW.HARBENGINEERING.COM



**LARKSPUR
SUBDIVISION**

SHEET NAME:
COVER SHEET

DRAWN BY:
B.S.G.
DESIGNED BY:
B.S.G.
CHECKED BY:
S.G.H.

SHEET #
P-00

**BEFORE THE LAND USE HEARING EXAMINER
FOR THE CITY OF CAMAS, WASHINGTON**

Regarding an application by Provence, LLC)	<u>FINAL ORDER</u>
for approval of a preliminary plat to divide)	
2.09-acres into ten single-family lots at 6215)	FILE# SUB18-03
NW Larkspur Street in the City of Camas)	(Larkspur Subdivision)

A. SUMMARY

1. The applicant, Larkspur Subdivision, LLC, requests approval to divide the 2.09-acre site into ten lots for single-family detached dwellings. The site is located at 6215 NW Larkspur Street; also known as tax parcel 175961-000 (the "site"). NW Lambert Lane is stubbed to the north boundary of the site and NW Larkspur Street abuts the east boundary of the site.

a. The site and abutting properties to the east, west, and south are zoned R-7.5 (Single Family Residential, 7,500 square foot average lot size). Properties to the north are zoned MF-18 (Multi-Family, 18 units/acre).

b. The City of Camas will supply domestic water and sanitary sewer service to the site.

c. The applicant will collect stormwater from roads, sidewalks, yards, and driveways and direct it to treatment facilities on the site. The applicant will discharge treated stormwater into the previously constructed stormwater system located in NW Camas Meadows Drive, which then discharges directly to Lacamas Lake. The applicant will also collect runoff from roofs on the site and install french drains along the perimeter of the site to collect runoff from adjacent properties. This runoff will bypass the treatment facility and discharge directly to the stormwater system in NW Camas Meadows Drive and then to Lacamas Lake.

d. The applicant will dedicate right-of-way and extend NW Lambert Lane into the site from its existing terminus at the north boundary of the site, terminating in a cul-de-sac turnaround near the south boundary of the site. The applicant will also extend a pedestrian path between the southern terminus of NW Lambert Lane and NW Larkspur Street.

2. The City issued a Mitigated Determination of Nonsignificance ("MDNS") for the subdivision pursuant to the State Environmental Policy Act ("SEPA") on January 10, 2019. The SEPA determination was not appealed and is now final.

3. City of Camas Hearing Examiner Joe Turner (the "examiner") conducted a public hearing to receive testimony and evidence about the application. City staff recommended the examiner approve the preliminary plat subject to conditions. See the City of Camas Staff Report to the Hearing Examiner dated March 5, 2019 (the "Staff

Report”), as modified by Exhibit 30. The applicant accepted those findings and conditions, as amended, without exceptions. No one else testified orally or in writing.

4. Based on the findings provided or incorporated herein, the examiner approves the preliminary plat subject to the conditions at the end of this final order.

B. HEARING AND RECORD HIGHLIGHTS

1. The examiner received testimony at a public hearing about this application on March 12, 2019. All exhibits and records of testimony are filed at the City of Camas. At the beginning of the hearing, the examiner described how the hearing would be conducted and how interested persons could participate. The examiner disclaimed any *ex parte* contacts, bias or conflicts of interest. The following is a summary by the examiner of selected testimony and evidence offered at the public hearing.

2. City planner Lauren Hollenbeck noted that the applicant requested certain amendments to the findings and conditions in the Staff Report, Exhibits 28 and 29. She summarized the City’s response to the applicant’s request, Exhibit 30. She noted that a typographical error in the section 2 “Staff Response” portion of Exhibit 30. The word “removal” should be replaced with the word “retention.”

3. James Clark appeared on behalf of the applicant, Provence, LLC. He accepted the findings and conditions in the Staff Report, as amended by Exhibit 30, without exceptions.

4. No one else testified orally or in writing. The examiner closed the record and announced his intention to approve the applications subject to conditions of approval in the Staff Report, as amended by Exhibit 30.

C. DISCUSSION

1. City staff recommended conditional approval of the application, based on the affirmative findings in the Staff Report, as modified by Exhibit 30. The applicant accepted those findings and conditions, as modified, without exceptions. No one else testified orally or in writing.

2. The examiner concludes that the affirmative findings in the Staff Report as modified by Exhibit 30 show that the proposed preliminary plat does or can comply with the applicable standards of the Camas Municipal Code and Revised Code of Washington, provided that the applicant complies with recommended conditions of approval as modified. The examiner adopts the affirmative findings in the Staff Report, as modified by Exhibit 30, as his own.

D. CONCLUSION

Based on the above findings and discussion, the examiner concludes that File No. SUB18-03 (Larkspur Subdivision Subdivision) should be approved, because it does or

can comply with the applicable standards of the Camas Municipal Code and the Revised Code of the State of Washington, subject to conditions of approval necessary to ensure the final plat and resulting development will comply with the Code.

E. DECISION

Based on the findings, discussion, and conclusions provided or incorporated herein and the public record in this case, the examiner hereby approves File No. SUB18-03 (Larkspur Subdivision Subdivision), subject to the following conditions of approval:

CONDITIONS OF APPROVAL

Standard Conditions:

1. All construction plans will be prepared in accordance with City of Camas standards. The plans will be prepared by a licensed civil engineer in Washington State and submitted to the City for review and approval.
2. A 3% construction plan review and inspection fee shall be required for this development, which is collected by the Engineering Department. The fee will be based on an engineer's estimate or contractor's construction bid. The specific estimate will be submitted to the City's engineering department 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.
3. Any existing water wells, septic tanks and septic drain fields shall be properly abandoned in accordance with State and County guidelines prior to final plat approval. If applicable, any water rights associated with the abandoned well(s) shall be transferred to the City.
4. Any entrance structures or signs proposed or required for this project will be reviewed and approved by the City. All designs will be in accordance with applicable City codes. The maintenance of the entrance structure will be the responsibility of the homeowners.
5. The applicant will be responsible for ensuring that private utilities; underground power, telephone, gas, CATV, street lights, and associated appurtenances are installed prior to final acceptance.
6. A 6-foot private utility easement (PUE) shall be located outside of the right-of-way on public streets.
7. A street lighting plan shall be submitted to the City for review and approval prior to final plan submittal to Clark Public Utility.
8. The applicant will be required to purchase all permanent traffic control signs, street name signs, street lighting, and traffic control markings and barriers for the improved subdivision.

9. A homeowner's association (HOA) is required for this development. The applicant shall furnish a copy of the CC&R's for the development to the City for review and approval. Additionally, the applicant shall provide the City with a copy of the recorded CC&R's at time of final plat recording.
10. The applicant shall make provisions in the CC&R's for maintenance of the perimeter french drain system, the storm treatment vault, the conveyance system outside of the right-of-way, fencing, landscaping, irrigation, proposed retaining walls, tracts, and easements outside of the City's right-of-way. Further, all necessary easements, dedications, and tracts should be noted on the final plat.
11. Final plat and final as-built construction drawing submittals shall meet the requirements of the CMC 17.11.060, CMC 17.01.050 and the Camas Design Standards Manual.
12. The applicant shall remove all temporary erosion prevention and sediment control measures from the site at the end of the two-year warranty period, unless otherwise directed by the Public Works Director.
13. Street names shall be reviewed and approved by the Building Department prior to final construction plan approval from the Engineering Department.
14. Building permits shall not be issued until this subdivision has been granted Final Acceptance and the final plat is recorded and approved by the Planning, Engineering, Building, and Fire Departments.
15. Automatic fire sprinklers installed per NFPA 13D or 13R shall be required in all new residential structures.

Special Conditions:

16. The mitigation measure identified in SEPA18-21 shall be complied with.
17. Prior to engineering plan approval, a revised site-specific Geotechnical report shall be prepared for the current development proposal. The applicant shall comply with the geotechnical recommendations of the revised report to minimize any potential hazards associated with construction.
18. Accessory dwelling units shall not be precluded from the CC&R's.
19. Prior to final acceptance, the applicant shall provide an acceptable backflow device (BFD) and yearly backflow testing for any private HOA irrigation service proposed.
20. Prior to final occupancy for each home with an irrigation system, the builder shall submit acceptable back flow device (BFD) testing for each irrigation meter installed and provide said testing results to the City.
21. The applicant is proposing the new road to be a public road, therefore the stormwater treatment structure shall be moved outside of the public roadway,

placed within a Tract and owned and maintained by the homeowner's association (HOA). The City shall be granted a right-of-entry for purposes of inspections.

22. Prior to final engineering plan approval, the applicant shall submit a final stormwater report (TIS) to the City for review and approval. The final report shall verify that the perimeter french drain system has been sized adequately for the collection of both the offsite stormwater and the individual roof drains that are tied into this system. Additionally, the report shall provide the required documentation, per Ecology's 2014 SWMMWW, addressing the feasibility/infeasibility of LID BMPs.
23. The development shall comply with Camas Municipal Code (CMC) 17.21.030 for any land disturbing activity. The applicant shall submit an erosion prevention/sediment control plan in accordance with CMC 17.21.030 for any land disturbing activity that disturbs an acre or more or adds 5000 square feet or more of impervious surface. In accordance with CMC 17.21.030 the applicant shall be required to furnish to the City an approved form of security (e.g. Erosion Control Bond). The bond is to be in the amount of 200% of the engineer's estimated cost of the erosion prevention/sediment control measures, including associated labor.
24. Prior to final engineering plan approval, the applicant shall provide a copy of both their Stormwater Pollution Prevention Plan (SWPPP), which is a part of their application for their NPDES General Construction Stormwater Permit (GCSWP) that is required through the Washington State Department of Ecology for ground disturbing activities of one acre or more, and their NPDES GCSWP.
25. The individual lot owners shall be responsible for the cost and installation of the individual STEP systems at the time of home construction. A right-of-entry shall be granted to the City for the maintenance and repair of said STEP tanks.
26. Prior to final plat approval, a ten-foot wide pedestrian/bicycle trail easement with a six-foot wide paved trail shall be provided between Lots 1 through 4 that will connect NW Lambert Lane with NW Larkspur Street. The pedestrian/bicycle trail easement shall be shown on the final engineering plans and the trail constructed or bonded for prior to final plat approval.
27. Prior to the Building Department issuing a Certificate of Occupancy, street trees shall be located within the planter strip or within the front yard setback for lots with curb tight sidewalks, as approved on the final plat. Trees shall be a minimum of two-inch diameter at breast height.
28. Required trees shall be maintained in good health, and shall be promptly replaced (within six months) if damaged or in poor health, and a note to this effect shall be on the final plat document.
29. Prior to final engineering plan approval, the applicant shall submit a landscape plan for City review and approval that details the location, plant species, planting, irrigation and fencing notes and associated details for all required landscaping including but not limited to the landscape buffer and pedestrian trail tracts.

30. Street trees adjacent to lots shall be installed or bonded for prior to building occupancy. All other landscaping shall be installed or bonded for prior to final plat acceptance.
31. Easements for the perimeter french drain system, the storm treatment structure, and the manholes on Lot 1 shall be included on the construction drawings and the final plat.
32. All building envelopes and setbacks shall be shown on the final plat.
33. Lots 1-4 shall comply with the development standards for double frontage lots in CMC 17.19.030.D.6(a-d) to include:
 - a. A 10-foot landscape tract shall be located along the rear property lines of Lots 1-4,
 - b. The 10-foot landscape tract shall be planted with 2-inch caliper trees every thirty feet on center, three-foot tall shrubs that form a continuous screen and groundcover plants that fully cover the remainder of the landscape area,
 - c. A 4-foot tall sight obscuring fence or masonry wall, located at the line that separates the lot from the 10-foot landscape tract, to include columns or physical indentations every fifty lineal feet,
 - d. A 20-foot setback is required from the property line separating the lot from the tract, and
 - e. The rear building elevations facing NW Larkspur Street shall maintain the architectural design of the front building façade to avoid blank walls.
34. Trees identified for preservation shall be shown on the final engineering plans. Tree protection fencing shall be installed on the outer perimeter for the critical zone prior to construction.
35. Prior to Engineering Plan approval, a revised clearing and grading plan shall be submitted in compliance with CMC 18.17.060 Retaining walls if retaining walls are proposed.
36. A note shall be added to the final plat stating that each new dwelling will be subject to the payment of appropriate impact fees at the time of building permit issuance.

Plat Notes

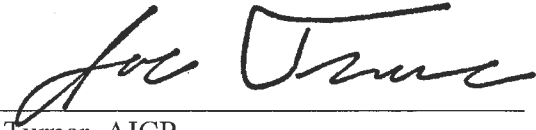
1. A homeowner's association (H.O.A) will be required for this development. Copies of the CC&R's shall be submitted and on file with the City of Camas.
2. The homeowner's association is responsible for maintaining all private roads and associated infrastructure in this subdivision, including but not limited to the

pavement, curbs, sidewalks, trail, fencing, landscaping, street lights and storm drainage utilities.

3. All costs associated with the installation of the step tank for individual lots will be the responsibility of said individual lot owners.
4. A right-of-entry is hereby granted to the City of Camas for the repair and maintenance of the individual STEP tanks located on the lots within the plat.
5. The following minimum setbacks shall apply: Front yard 20-feet, Side yard 5-feet, Corner rear yard 5-feet, Side yard flanking a street 20-feet, Rear yard 25-feet with the exception of Lots 1- 4 shall have a Rear yard of 20-feet.
6. No further short platting or subdividing will be permitted once the final plat has been recorded.
7. Building permits will not be issued by the Building Department until all subdivision improvements are completed and accepted by the City.
8. The lots in this subdivision are subject to traffic impact fees, school impact fees, and park/open space impact fees. Each new dwelling unit will be subject to the payment of appropriate impact fees at the time of building permit issuance or as otherwise provided by the city.
9. Prior to the Building Department issuing a Certificate of Occupancy, each lot shall install a minimum of one 2" caliper tree to be located in the planter strip as specified on the plat. Specified trees shall be maintained in good health, and damaged or dying trees shall be promptly replaced (within six months) by the homeowner.
10. Automatic fire sprinkler systems designed and installed in accordance with NFPA 13D are required in all structures.
11. Should archaeological materials (e.g. cones, shell, stone tools, beads, ceramics, old bottles, hearth, etc.) be observed during project activities, all work in the immediate vicinity should stop and the State Department of Archaeology and Historic Preservation (360-586-3065), the City planning office, and the affected Tribe(s) should be contacted immediately. If any human remains are observed, all work should cease and the immediate area secured. Local law enforcement, the county medical examiner (360-397-8405), State Physical Anthropologist, Department of Archaeology and Historic Preservation (360-586-3534), the City planning office, and the affected Tribe(s) should be contacted immediately. Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) and human remains (RCW 68.50) is required. Failure to comply with this requirement could constitute a Class C Felony.
12. All irrigation meters owned and maintained by the HOA shall provide acceptable back flow prevention testing reports on a yearly basis.

13. All irrigation meters located on individual lots shall be owned and maintained by the individual property owner and shall provide acceptable back flow prevention testing reports on a yearly basis.
14. The stormwater system, which includes the perimeter french drain system, the stormwater treatment structure, and the manholes located outside of the roadway are to be owned and maintained by the HOA. The City shall be granted a right-of-entry for purposes of inspections.

DATED this 15th day of March 2019.

A handwritten signature in black ink, appearing to read "Joe Turner", written over a horizontal line.

Joe Turner, AICP
City of Camas Land Use Hearing Examiner