STAFF REPORT

NE LAKE ROAD AND NE EVERETT STREET INTERSECTION IMPROVEMENTS

SHORELINE SUBSTANTIAL DEVELOPMENT, SHORELINE CONDITIONAL USE, SHORELINE VARIANCE, CRITICAL AREA PERMITS AND MINOR DESIGN REVIEW

FILE NO. SHOR19-03 (CONSOLIDATED FILE NOS. CA19-06, DR19-10, SEPA19-21 AND ARCH19-07)

REPORT DATE: JANUARY 17, 2020

PUBLIC MEETING DATE: JANUARY 29, 2020

To:	Shoreline Management Review Committee	**Applicant**: City of Camas 616 NE 4th Avenue Camas, WA 98607
Proposal:	To reconstruct the existing signalized intersection at NE Lake Road and NE Everett Street with roundabout improvements to accommodate for vehicular and pedestrian traffic. Intersection improvements include bike lanes, pedestrian walkways, landscaping, hardscaping, fencing, signage, lighting and associated utilities.	
Location:	The project is located in Camas, Washington, in tax parcel 124541000 (city-owned parcel) within NW ¼ of Section 2, Township 1 North, Range 3 East of the Willamette Meridian. The project site is at the intersection of NE Everett Street and NE Lake Road. The project area boundary extends approximately 500-feet north and 1,500 feet south of NE Everett Street, 750 feet northwest along NE Lake Road.	
Public Notice:	The city mailed notices of application to neighboring properties within 300-feet of the subject site on December 11, 2019, the comment period ended on January 11, 2020. The city issued a SEPA Determination of Non-Significance (file# SEPA 19-21) on December 12, 2019, the comment period ended on December 26, 2019.	

TABLE OF CONTENTS

APPLICABLE LAW

THE APPLICATION WAS DEEMED COMPLETE ON **DECEMBER 5, 2019**, AND THE APPLICABLE CODES ARE THOSE CODES THAT WERE IN EFFECT ON THE DATE OF APPLICATION, TO INCLUDE CAMAS MUNICIPAL CODE (CMC) TITLES 16, 17 AND 18; THE CAMAS SHORELINE MASTER PROGRAM (ORD. 15-007) CONSOLIDATED WITH CRITICAL AREA REVIEW WITHIN APPENDIX C (SMP); AND THE SHORELINE MANAGEMENT ACT (RCW90-58)(WAC 173-27). **NOTE:** ***CAMAS SHORELINE MASTER PROGRAM (SMP) AND CAMAS MUNICIPAL CODE (CMC) CITATIONS ARE IN ITALICS THROUGHOUT THIS REPORT.***

SMP STANDARDS AND EVALUATION

- **Shoreline Substantial Development Permits** must be consistent with approved Shoreline Master Program (SMP) element goals, objectives and general policies of the designated environment; policy statements for shoreline use activities; and with use activity regulations.
- **Shoreline Conditional Use Permits.** These provisions shall apply only when it can be shown that extraordinary circumstances exist and that the public interest would suffer no substantial detrimental effect. SMP Conditional Use Permits require final approval or disapproval from the Department of Ecology after final local action has been taken.
- **Shoreline Variances**. The applicant must demonstrate that the variance is the minimum necessary to afford relief and that it will not cause adverse effects to the environment. SMP Variances require final approval or disapproval from the Department of Ecology after final local action has been taken.

BACKGROUND

The project proposal includes improvements to the existing signalized intersection at NE Lake Road and NE Everett Street to include a roundabout design with bike lanes, pedestrian walkways, signage, lighting, landscaping, and associated utilities. The purpose of the intersection improvements south of the existing bridge crossing of Lacamas Lake is to improve traffic flow and pedestrian access. The project improvements are located above the ordinary high water mark (OHWM) of Lacamas Lake. Both roads are classified as arterial roadways per the City of Camas Comprehensive Plan.

The project site lies within the regulated shorelines of Lacamas Lake and Fallen Leaf Lake. The Camas Shoreline Master Program (SMP) classifies the shorelines of the project area as "Urban Conservancy" and "Medium Intensity" shoreline environments. Arterial roadways and its associated improvements in the "Medium Intensity" shoreline environment are permitted and require a 100-foot setback from the OHWM. In the "Urban Conservancy" shoreline environment, arterial roadways and its associated improvements are permitted subject to a Conditional Use Permit and require a 200-foot setback from the OHWM. The proposed improvements will require Shoreline Variances for encroaching into the required setbacks.

The development is subject to review and approval of the following permits: Shoreline Substantial Development Permit (SDP), Shoreline Conditional Use Permit, Shoreline Variance, Critical Area Permits and Minor Design Review. This report includes the criteria for review for all of these permit types. It also includes a recommendation of approval of the development conditions.

MASTER PROGRAM GOALS AND POLICIES (CHAPTER 3)

At page 3-1 of the SMP, the general goals of the program are to use the full potential of the shorelines in accordance with the surrounding areas, the natural resource values, and the unique aesthetic qualities; and develop an ordered and diversified physical environment that integrates water and shoreline uses while achieving a net gain of ecological function. The roundabout intersection improvements support the following shoreline goals such as:

SMP, Section 3.2 Shorelines of Statewide Significance, *"Development should be focused in already pre-developed shoreline areas to reduce adverse environmental impacts and to preserve undeveloped shorelines."*

SMP, Section 3.4 Conservation, *"The goal of conservation is to protect shoreline resources, vegetation, important shoreline features, shoreline ecological functions and the processes that sustain them to the maximum extent practicable."*

SMP, Section 3.7 Public Access and Recreation *"The goal of public access and recreation is to increase the ability of the general public to enjoy the water's edge, travel on the waters of the state, and to view the water and the shoreline from adjacent locations."*

SMP, Section 3.11 Transportation, Utilities, and Essential Public Facilities *"The goal for transportation, utilities, and essential public facilities is to provide for these facilities in shoreline areas without adverse effects on existing shoreline use and development or shoreline ecological functions and/or processes."*

SMP, Section 3.13 Water Quality and Quantity "*The goal for water quality and quantity is to protect and enhance the quality and quantity of the region's water resources to ensure there is a safe, clean water for the public's needs and enjoyment; and protect wildlife habitat."*

> **FINDING: Staff finds that the project is consistent with the general policies of Chapter 3, given that the proposed location of the roundabout intersection improvements are within areas that are already developed and mitigated for in those areas that are impacted; the project promotes public access and recreation to the shorelines and waters of the state; and the proposed project provides an ecological benefit to the shoreline through water quality protection and is designed to not adversely impact shoreline ecological functions.**

URBAN CONSERVANCY SHORELINE DESIGNATION (CHAPTER 4)

The management policies of the Urban Conservancy Shoreline Designation at SMP Section 4.3.3.4 are as follows:

1) *Uses that preserve the natural character of the area or promote preservation of open space or critical areas either directly or over the long term should be the primary allowed uses. Uses that result in restoration of ecological functions should be allowed if the use is otherwise compatible with the purpose of the Urban Conservancy shoreline designation and the setting.*

   FINDING: The project is consistent with the SMP designation of Urban Conservancy because it protects ecological functions through a design that minimizes impacts to critical areas buffers and vegetation while protecting water quality. The location of the proposed intersection improvements is constrained by Lacamas Lake, Fallen Leaf Lake and Round Lake to the north, east and west. Due to the existing configuration of the roadway and OHWM, it is not possible to relocate the intersection improvements outside of shoreline jurisdiction. The portion of roadway intersection improvements will impact the existing critical area buffers, which will be compensated through enhancement and restoration to achieve a no net loss of ecological function.

2) *Single family residential development shall ensure no net loss of shoreline ecological functions and preserve the existing character of the shoreline consistent with the purpose of this designation.*

   FINDING: Single-family residential development is not proposed and therefore this criterion is not applicable.

3) *Low-intensity public access and public recreation objectives should be implemented whenever feasible and when significant ecological impacts can be mitigated (e.g. trails).*

   FINDING: The project proposes public access and recreation improvements through the construction of bike lanes and pathways/sidewalks that connect with the existing Lacamas Park Trail. Mitigation is proposed through buffer enhancement and restoration to achieve no net loss of ecological functions for the portion of unavoidable impacts to critical areas.

4) *Thinning or removal of vegetation should be limited to (1) remove noxious vegetation and invasive species; (2) provide physical or visual access to the shoreline; or (3) maintain or enhance an existing use consistent with critical areas protection and maintenance or enhancement or shoreline ecological functions.*

   FINDING: Impacts to native vegetation were avoided where feasible, however the location of the intersection improvements is restricted by the surrounding lakes and therefore vegetation removal is unavoidable. Vegetation removal will be mitigated through invasive species removal and native tree and shrub plantings.

5) *Low intensity water-oriented commercial uses may be permitted if compatible with surrounding uses.*

   FINDING: Water-oriented commercial uses are not proposed and therefore this criterion is not applicable.

MEDIUM INTENSITY SHORELINE DESIGNATION (CHAPTER 4)

The management policies of the Medium Intensity Shoreline Designation at SMP Section 4.3.4.4 are as follows:

1) *The scale and density of new uses and development should be compatible with sustaining shoreline ecological functions and processes, and the existing residential character of the area.*

   FINDING: The intersection improvements are designed to meet traffic projections and City LOS standards. Design of the roadway improvements are consistent with the character of the existing residential area. Considering the geographical constraints and unavoidable ecological impacts, the proposed restoration and mitigation measures will help achieve no net loss of ecological function.

2) *Public access and joint use (rather than individual) of recreational facilities should be promoted.*

   FINDING: The existing recreational opportunities will be more accessible to the public with the bicycle and sidewalks/crosswalks pedestrian connections proposed as part of this project. Visual public access to the shoreline will also be increased with strategically placed seating areas.

3) *Access, utilities, and public services to serve proposed development within shorelines should be constructed outside shorelines to the extent feasible, and be the minimum necessary to adequately serve existing needs and planned future development.*

   FINDING: Due to the existing location of the roadway and the OHWM, including the need to meet transportation circulation standards, the improvements could not be located outside of shoreline designation. However, the proposed design alternative is the least impactful to shoreline and ecological functions based on the other alternatives analyzed.

4) *Public or private outdoor recreation facilities should be provided with proposals for subdivision development and encouraged with all shoreline development if compatible with the character of the area. Priority should be given first to water-dependent and then to water-enjoyment recreation facilities.*

   FINDING: The existing recreational opportunities will be more accessible to the public with additional installation of bicycle and sidewalks/crosswalks pedestrian connections, which is compatible with the existing character of the area.

5) *Commercial development should be limited to water oriented uses. Non-water oriented commercial uses should only be allowed as part of mixed-use developments where the primary use is residential and where there is a substantial public benefit with respect to the goals and policies of this Program such as providing public access or restoring degraded shorelines.*

   FINDING: Commercial development is not proposed and therefore this criterion is not applicable.

GENERAL SHORELINE USE AND DEVELOPMENT REGULATIONS (CHAPTER 5)

The following general regulations of Chapter 5 Section 5.1 (beginning on page 5-1) are as follows:

1. Shoreline uses and developments that are water-dependent shall be given priority.

> **FINDING**: **The development is not water-dependent and will not interfere with other water-dependent uses.**

2. Shoreline uses and developments shall not cause impacts that require remedial action or loss of shoreline functions on other properties.

> **FINDING**: **The proposed work will not affect shoreline functions on other properties or require remedial action. Best Management Practices (i.e. erosion control, etc.) will be implemented throughout project construction.**

3. Shoreline uses and developments shall be located and designed in a manner such that shoreline stabilization is not necessary at the time of development and will not be necessary in the future for the subject property or other nearby shoreline properties unless it can be demonstrated that stabilization is the only alternative to protecting public safety and existing primary structures.

> **FINDING**: **The proposed development will not require shoreline stabilization at the time of the development or in the future.**

4. Land shall not be cleared, graded, filled, excavated or otherwise altered prior to issuance of the necessary permits and approvals for a proposed shoreline use or development to determine if environmental impacts have been avoided, minimized and mitigated to result in no net loss of ecological functions.

> **FINDING**: **The applicant has applied for proper permits, and has not requested to begin work prior to receiving approvals.**

5. Single family residential development shall be allowed on all shorelines except the Aquatic and Natural shoreline designation, and shall be located, designed and used in accordance with applicable policies and regulations of this Program.

> **FINDING**: **Single-family residential is not proposed and therefore this criterion is not applicable.**

6. Unless otherwise stated, no development shall be constructed, located, extended, modified, converted, or altered or land divided without full compliance with CMC Title 17 Land Development and CMC Title 18 Zoning.

> **FINDING**: **The proposed development requires compliance with the applicable regulations from CMC Title 17 Land Development and CMC Title 18 Zoning.**

7. On navigable waters or their beds, all uses and developments should be located and designed to: (a) minimize interference with surface navigation; (b) consider impacts to public views; and (c) allow for the safe, unobstructed passage of fish and wildlife, particularly species dependent on migration.

> **FINDING**: **This criteria is not applicable as the proposed project is not on navigable waters or their beds.**

8. Hazardous materials shall be disposed of and other steps be taken to protect the ecological integrity of the shoreline area in accordance with the other policies and regulations of this Program as amended and all other applicable federal, state, and local statutes, codes, and ordinances.

> **FINDING**: **All hazardous materials will be disposed of properly and the hot mix asphalt used for road construction will be in accordance with federal, state and local laws.**

9. In-water work shall be scheduled to protect biological productivity (including but not limited to fish runs, spawning, and benthic productivity). In-water work shall not occur in areas used for commercial fishing during a fishing season unless specifically addressed and mitigated for in the permit.

> **FINDING**: **This criterion is not applicable as in-water work is not proposed.**

10. The applicant shall demonstrate all reasonable efforts have been taken to avoid, and where unavoidable, minimize and mitigate impacts such that no net loss of critical area and shoreline function is achieved. Applicants must comply with the provisions of Appendix C with a particular focus on mitigation sequencing per Appendix C, Section 16.51.160 Mitigation Sequencing. Mitigation Plans must comply with the requirements of Appendix C, Section 16.51.170 Mitigation Plan Requirements, to achieve no net loss of ecological functions.

> **FINDING**: **The application includes a Critical Area Report and a Wetland Buffer and Priority Habitat Compensatory Mitigation Plan for two category II wetlands and wildlife and habitat conservation areas (i.e. Lacamas Lake, Round Lake and Lacamas Creek) including technical reports and memos addressing wetlands, critical aquifer recharge areas, frequently flooded areas, and geologically hazardous areas. The applicant's narrative includes a discussion of avoidance and minimization efforts. Further discussion is provided in Section 5.3 below.**

11. The effect of proposed in-stream structures on bank margin habitat, channel migration, and floodplain processes should be evaluated during permit review.

> **FINDING**: **This criterion is not applicable as no in-stream structures are proposed as part of this project.**

12. Within urban growth areas, Ecology may grant relief from use and development regulations in accordance with RCW 90.58.580, and requested with a shoreline permit application.

> **FINDING**: **The activity is in city limits and therefore this criterion is not applicable.**

ARCHAEOLOGICAL, CULTURAL AND HISTORIC RESOURCES (SECTION 5.2)

The application included an archaeological survey report with recommendations that was sent to the Department of Archaeology and Historic Preservation and Tribal Representatives for review and comment. An Inadvertent Discovery Plan has been prepared for the project. An Archaeological Excavation permit was issued from the State Department of Archaeology and Historic Preservation (DAHP) with conditions of permit approval that will need to be complied with.

> **FINDING**: **The archaeological conditions of the DAHP permit must be complied with prior to site improvement activities. If an item of possible archaeological interest is discovered on site, work will immediately cease and notification of the find will be sent to the appropriate parties.**

CRITICAL AREAS PROTECTION (SECTION 5.3)

The subject parcel includes the following critical areas as regulated by the SMP: Wetlands; a Critical Aquifer Recharge Area (CARA); Frequently Flooded Areas; Geologically Hazardous Area; and Fish and Wildlife Habitat Conservation Areas. Critical area regulations are located within the SMP, Appendix C.

The applicant analyzed several design alternatives and the chosen design has avoided all direct impacts to the wetlands and Lacamas Lake. However, impacts to critical area buffers are unavoidable due to the constrained nature of the site but minimized where possible. The critical areas report finds the impacted critical area buffers to have a limited habitat function due to the invasive species and proximity to the urban environment. Proposed mitigation will further enhance and improve the habitat function of the critical area buffers as discussed below.

Wetlands- SMP Appendix C, Chapter 16.53

Clark County GIS mapping identifies wetlands within the project site. As such, the applicant submitted a Wetland Delineation report dated January 2019 and a Critical Areas Report including mitigation plans dated January 2020 prepared by WSP that identified two Category II wetlands located east and west of the project site.

Approximately 1.89-acres of permanent impacts to the wetland buffer are unavoidable that will result from vegetation removal and grading activities required for the intersection roadway improvements. The proposed on-site mitigation includes removing invasive species and enhancing the wetland buffer with native trees, shrubs and seedlings (2.57-acres) as well as widening the wetland buffer through buffer averaging (0.38-acres). Tree mitigation is discussed further at the Minor Design Review section of this staff report.

Critical Aquifer Recharge Areas (CARA)- SMP Appendix C, Chapter 16.55

Clark County GIS mapping shows the project area within a Category II CARA. As such, the applicant submitted a Level One Hydrogeological Assessment prepared by PBS dated September 2019. The proposed project includes BMPs to prevent pollutants entering stormwater runoff, which will be managed under a construction stormwater permit. The PBS report concluded, “The roadways construction project and ongoing use of the intersection is not expected to result in contaminants entering the aquifer nor affecting the recharging of the potable aquifer. As such, the project is not expected to cause degradation to groundwater.”

Frequently Flooded Areas- SMP Appendix C, Chapter 16.57

Clark County GIS mapping identifies frequently flooded areas (i.e. floodway fringe) within the project area. As such, the applicant submitted a Floodplain Evaluation memo prepared by PBS dated September 2019. The memo concludes that although approximately 100 cubic yards of fill is proposed within the 100-year floodplain, the fill will not increase the water surface elevation of the base flood elevation nor impact downstream flows.

Geologically Hazardous Areas- SMP Appendix C, Chapter 16.59

Clark County GIS mapping identifies steep slopes within the project site. As such, the applicant submitted a Geotechnical Engineering Report dated September 2019 prepared by PBS including a supplemental memorandum that found that the majority of the project site has slopes less than 5% with the exception of a small portions of roadway and the banks of adjacent lakes. The existing banks will be protected as little to no fill will be placed on these slopes. The analysis concluded that the mapped geohazards will not be negatively impacted within this project.

Fish and Wildlife Conservation Areas- SMP Appendix C, Chapter 16.61

Clark County GIS mapping identifies water bodies (i.e. Lacamas Lake, Round Lake and Lacamas Creek) within the project site. As such, the applicant submitted a Critical Areas Report including mitigation plans dated September 2019 prepared by WSP that identified Lacamas Lake, Round Lake and Lacamas Creek as Type S streams with 150-foot riparian buffers and identified Fallen Leaf Lake and an unnamed stream as Type F streams with 100 and 75-foot riparian buffers. The critical areas report also mentions that WDFW PHS mapping identifies the site within a biodiversity area/corridor that supports priority species and habitat but has limited function due to its proximity to roadways and urban environments.

Unavoidable permanent impacts (approx. 0.001 acres) to the Lacamas Lake riparian buffer and (approx. 0.34 acres) of priority habitat will occur as a result of the project improvements. Riparian buffer and priority habitat compensatory on-site mitigation includes removing invasive species and planting native trees and shrubs.

FINDING: **Permanent impacts to critical areas and associated buffers will be mitigated with Best Management Practices for erosion control during construction and native re-vegetation measures to ensure no net loss of ecological functions to the shoreline area. A wetland permit pursuant to the requirements of SMP Appendix C, Section 16.53.050.I should be submitted to the City for review and approval prior to commencement of construction activities.**

SITE PLANNING AND DEVELOPMENT (SECTION 5.7)

The regulations concerning Site Planning and Development at SMP Section 5.7 include the following applicable policies regarding the project proposal:

1. *Land disturbing activities such as grading and cut/fill shall be conducted in such a way as to minimize impacts to soils and native vegetation.*

   FINDING: Land disturbing activities are limited to accommodate the proposed roadway design and the construction limits will be marked in the field. Cleared areas outside of paved surfaces will be replanted with native vegetation.

2. *Impervious surfaces shall be minimized to the extent feasible so as not to jeopardize public safety.*

   FINDING: Impervious surfaces are minimized to the greatest extent feasible to include utilizing single-lane roads and landscaping within traffic islands.

3. *When feasible, existing transportation corridors shall be utilized.*

   FINDING: The proposed roadway improvements will utilize the existing transportation corridor as much as possible.

4. *Vehicle and pedestrian circulation systems shall be designed to minimize clearing, grading, alteration of topography and natural features, and designed to accommodate wildlife movement.*

   FINDING: The proposed roadway design is the least impactful to the environment and will continue to accommodate wildlife movement.

5. *Parking, storage, and non-water dependent accessory structures and areas shall be located landward from the OHWM and landward of the water-oriented portions of the principle use.*

   FINDING: Parking, storage and non-water dependent accessory structures are not proposed and therefore this criterion is not applicable.

6. *Trails and uses near the shoreline shall be landscaped or screened to provide visual and noise buffering between adjacent dissimilar uses or scenic areas, without blocking visual access to the water.*

   FINDING: There are several pedestrian connections within the proposed roundabout that are buffered with landscaping from vehicular traffic without blocking views of Lacamas Lake.

7. *Elevated walkways shall be utilized, as appropriate, to cross sensitive areas such as wetlands.*

   FINDING: The proposed project does not include crossing sensitive areas and therefore this criterion is not applicable.

8. *Fencing, walls, hedges, and similar features shall be designed in a manner that does not significantly interfere with wildlife movement.*

   FINDING: A 3-foot tall cedar split rail fence is proposed between the back side of the sidewalk paralleling NE Everett Street and the habitat mitigation area to the east. The split rail fence allows for wildlife movement and at the same time keeps pedestrians from trespassing the habitat mitigation area.

   Just north of the Northwest Natural Gas property along NE Everett Road is a proposed 5-foot tall block wall for a length of approximately 280-feet. Although the block wall is not visible from the roadway, the 4-foot pedestrian railing on top of the wall will be visible. Another block wall segment is proposed on the north side of Lake Road for a segment of approximately 260-feet. This wall will be exposed by approximately a foot and will be constructed with the 4-foot pedestrian railing on top of the wall. Both of these sections of wall/fence will not significantly interfere with wildlife movement in the area.

9. *Exterior lighting shall be designed, shielded and operated to: a) avoid illuminating nearby properties or public areas; b) prevent glare on adjacent properties, public areas or roadways; c) prevent land and water traffic hazards; and d) reduce night sky effects to avoid impacts to fish and wildlife.*

   FINDING: Street lighting consisting of 34-foot tall poles are proposed and do not spill over onto adjacent properties as shown on the proposed lighting plans. Lighting should be down lit and not impact the night sky.

10. *Utilities shall be located within roadway and driveway corridors and rights-of-way wherever feasible.*

    FINDING: Water and storm drainage lines will be located underground and within the right-of-way. Street lighting will be located within the right-of-way.

11. *A use locating near a legally established aquaculture enterprise, including an authorized experimental project, shall demonstrate that such use would not result in damage to destruction of the aquaculture enterprise, or compromise its monitoring or data collection.*

    FINDING: This criterion is not applicable as there is not aquaculture enterprise within the vicinity.

SPECIFIC SHORELINE USE REGULATIONS (CHAPTER 6)

SMP Section 6.3.14 Transportation Uses

The specific use regulations for transportation begins at page 6-21 of the SMP. The applicant addresses the criteria of this section at page 43 of the narrative.

1. All transportation facilities shall be constructed and maintained to cause the least possible adverse impacts on the land and water environments, shall respect the natural character of the shoreline and make every effort to preserve wildlife, aquatic life and their habitats.

> **FINDING: The roadway intersection improvements are generally within an area already being utilized as roads and are designed to have the least possible impacts to the natural environment. Habitat mitigation is proposed for impacted areas to achieve no net loss of ecological function, which is addressed further under Section 5.3 of this report.**

2. New or expanded surface transportation facilities not related to and necessary for the support of shoreline activities shall be located outside the shoreline jurisdiction, or set back from the ordinary high water mark far enough to make shoreline stabilization, such as rip rap, bulkheads or jetties, unnecessary.

> **FINDING: The roadway intersection improvements are setback far enough from the ordinary high water mark where shoreline stabilization is not necessary.**

3. Transportation facilities shall not adversely impact existing or planned water-dependent uses by impairing access to the shoreline.

> **FINDING: The roadway intersection improvements will increase access to the shoreline via additional pedestrian/bicycle connections to existing adjacent parks including any potential future nearby water dependent uses.**

4. All roads shall be set back from waterbodies and shall provide buffer areas of compatible, self-sustaining native vegetation. Shoreline scenic drives and viewpoints may provide breaks in the vegetative buffers to allow open views of the water.

> **FINDING: The proposed roadway intersection improvements are setback from nearby waterbodies further than the existing intersection and buffered with native vegetation. Seating benches are proposed within the pedestrian area for viewing Lacamas Lake.**

5. Transportation facilities that are allowed to cross over waterbodies and associated wetlands shall utilize elevated, open pile or pier structures whenever feasible to reduce shade impacts. All bridges shall be built high enough to allow the passage of debris and anticipated high water flows.

> **FINDING: The proposed project does not include transportation crossings over waterbodies or associated wetlands and therefore this criterion is not applicable.**

6. Fills for transportation facility development shall not be permitted in waterbodies or associated wetlands except when all structural or upland alternatives have proven infeasible and the transportation facilities are necessary to support uses consistent with this program.

> **FINDING: Fills in waterbodies or associated wetlands are not proposed as part of this project and therefore this criterion is not applicable.**

7. Transportation and utility facilities shall be required to make joint use of rights-of-way and to consolidate crossing of waterbodies where feasible.

> **FINDING: All proposed utilities will be located within the right-of-way. Crossing of waterbodies is not proposed.**

SMP Section 6.3.15 Utilities

The specific use regulations for utilities begins at page 6-22 of the SMP. The applicant addresses the criteria of this section at page 44 of the narrative.

1. Whenever feasible, all utility facilities shall be located outside shoreline jurisdiction. Where distribution and transmission lines (except electrical transmission lines) must be located in the shoreline jurisdiction they shall be located underground.

FINDING: Water, storm drainage lines including the power lines for street lighting will be located underground and within the right-of-way of the new intersection.

2. Where overhead electrical transmission lines must parallel the shoreline, they shall be no closer than one hundred (100) feet from OHWM unless topography or safety factors would make it unfeasible, then a shoreline conditional use permit shall be required.

FINDING: Overhead electrical transmission lines are not proposed and therefore this criterion is not applicable.

3. Utilities shall be designed, located and installed in such a way as to preserve the natural landscape, minimize impacts to scenic views, and minimize conflicts with present and planned land and shoreline uses.

FINDING: Proposed utilities will be placed underground within the proposed right-of-way of the new intersection.

4. Transmission, distribution, and conveyance facilities shall be located in existing rights of way and corridors or shall cross shoreline jurisdictional areas by the shortest, most direct route feasible, unless such route would cause significant environmental damage.

FINDING: Proposed utilities will be placed underground within the proposed right-of-way.

5. Utility production and processing facilities, such as power plants and wastewater treatment facilities, or parts of those facilities that are nonwater-oriented shall not be allowed in the shoreline jurisdiction unless it can be demonstrated that no other feasible option is available, and will be subject to a shoreline conditional use permit.

FINDING: Utility production and processing facilities are not proposed and therefore this criterion is not applicable.

6. Stormwater control facilities, limited to detention, retention, treatment ponds, media filtration facilities, and lagoons or infiltration basins, within the shoreline jurisdiction shall only be permitted when the following provisions are met.

- *a. The stormwater facility is designed to mimic and resemble natural wetlands and meets the standards of CMC 14.02 Stormwater and the discharge meets state water quality standards;*
- *b. Low impact development approaches have been considered and implemented to the maximum extent feasible.*

FINDING: Underground vaults will be utilized for water quality. The stormwater will outfall to Lacamas Lake through an existing culvert and a small riprap outfall upgradient of the Lake. LID stormwater facilities are not being used as the project has no measurable infiltration rate and does not require detention.

7. New and modifications to existing outfalls shall be designed and constructed to avoid impacts to existing native aquatic vegetation attached to or rooted in substrate. Diffusers or discharge points must be located offshore at a distance beyond the nearshore area to avoid impacts to those habitats.

FINDING: The stormwater will outfall through an existing culvert to Lacamas Lake that is not proposed to be modified, and a small riprap outfall gradient to the wetland. No existing native aquatic vegetation attached to or rooted in substrate will be impacted.

8. Water reclamation discharge facilities (e.g. injection wells) are prohibited in the shoreline jurisdiction, unless the discharge water meets State Department of Ecology Class A reclaimed water standards…(excerpt)

FINDING: This criterion is not applicable as no water reclamation facilities are proposed.

9. Where allowed under this program, construction of underwater utilities or those within the wetland perimeter shall be scheduled to avoid major fish migratory runs or use construction methods that do not cause disturbance to the habitat or migration.

FINDING: This criterion is not applicable as the construction of underwater utilities or those within the wetland perimeter are not proposed.

10. All underwater pipelines transporting liquids intrinsically harmful to aquatic life or potentially detrimental to water quality shall provide automatic shut off valves.

FINDING: This criterion is not applicable as no underwater pipelines are proposed.

11. Upon completion of utility installation/maintenance projects on shorelines, banks shall, at a minimum, be restored to pre-project configuration, replanted and provided with maintenance care until the newly planted vegetation is fully established. Plantings at installation shall be at least 2" minimum caliper at breast height if trees, five-gallon size if shrubs, and ground cover shall be planted from flats at 12" spacing, unless other mitigation planting is recommended by a qualified biologist and approved by the Administrator.

FINDING: This criterion is not applicable as utility installation/maintenance projects on the bank of the shoreline is not proposed. However, landscaping and habitat mitigation plantings are included as part of the roundabout project improvements.

SHORELINE VARIANCE

The proposed development includes setbacks for arterial roadways and associated improvements, which are not consistent with the SMP. As such, a variance is requested by the applicant to encroach into the required 100-foot and 200-foot right of way setbacks from the OHWM of the MI and UC shoreline designations. The location for a portion of the roadway improvements including pedestrian/bicycle pathways and underground utilities, although closer than the required setbacks from the OHWM, are consistent with the SMP general policies as noted above at SMP Section 5.7.6 and 5.7.10 *Site Planning* and SMP Section 3.2 *Shoreline of Statewide Significance*.

A request for a variance to a development may be authorized when the applicant can demonstrate all of the following:

1. That if the applicant complies with the provisions of the Program then they cannot make any reasonable use of the property. The fact that there is the possibility that the property might make a greater profit by using the property in a manner contrary to the intent of the Program is not a sufficient reason for a variance.

FINDING: The proposed location of the roundabout improvements is constrained by the existing road alignment, which funnels vehicular and pedestrian traffic across a bridge that is the only north-south connection in this area, and critical areas. As such, the placement of the roundabout on the vacant city-owned parcel immediately east of the existing roadway is the least impactful alternative to the shoreline.

2. That the hardship is specifically related to unique conditions of the property (e.g. irregular lot shape, size or natural features) and not, for example, from deed restrictions or the applicant's own actions;

FINDING: The variance is necessary due to the existing location of the roadway alignment and the fact the OHWM is located at the existing intersection, and is further constrained by Lacamas Lake and adjacent wetlands. Complying with the setback standards would lead to greater impacts to critical areas and shorelines.

3. The variance requested is the minimum necessary to afford relief;

FINDING: The proposed intersection improvements are shifted to the east of the existing road alignment which will place the roundabout further from the shoreline areas. Moving the roundabout further east or towards Lacamas Lake to comply with the setback requirement would result in greater impacts to undeveloped shoreline areas such as direct wetland impacts and additional tree removal. The proposed placement on the vacant city owned property with degraded habitat function is the least impactful to the natural environment.

4. That the variance will not constitute a grant of special privilege not enjoyed by other properties in the area;

FINDING: The roadway intersection improvements are necessary to improve current LOS standards, which will benefit the public utilizing this roadway system thereby not granting a special privilege.

5. That the design of the project will be in harmony with the other authorized uses in the area, and the intent of the Program; and

FINDING: The land uses in the area are primarily recreational due to the close proximity of nearby lakes and parks. The proposed enhanced pedestrian/bicycle pathways and crossings as part of the project design will provide better public access to these recreational areas.

6. That the public welfare and interest will be preserved; if more harm will be done to the area by granting the variance than would be done to the applicant be denying it, the variance will be denied.

FINDING: Improving the roadway LOS, locating the roundabout on vacant city-owned property with degraded habitat function as opposed to private property and increasing public access to nearby recreational areas on the shoreline will preserve the public welfare and interest.

7. If proposed waterward of the OHWM, then the public right of navigation and use will not be adversely affected.

FINDING: No work is proposed in the water therefore this criterion is not applicable.

SHORELINE CONDITIONAL USE

As discussed throughout this report, the proposed activity is improvements to an arterial roadway in the "Urban Conservancy" shoreline environment, which is allowed as a conditional use per Table 6-1 of the SMP.

Pursuant to SMP, Appendix B, "*Conditional use approval may be granted only if the applicant can demonstrate all of the following:*

1. *The use will not cause significant adverse effects on the environment or other uses;*

   FINDING: No adverse effects are anticipated. All impacts will be mitigated as discussed at Section 5.3 of this report.

2. *The use will not interfere with normal public use of public shorelines;*

   FINDING: No interference with the public use of shorelines will occur as the roundabout will be located further from the shoreline and additional pedestrian/bicycle improvements within the roadway prism will enhance public access to the shoreline.

3. *Design of the development will be compatible with the surrounding authorized uses, the Program, and the comprehensive plan; and*
4. *The proposed use is consistent with the general intent of the Program, and the Act."*

   FINDING: As discussed throughout this report, the proposed roundabout roadway improvement project is designed to minimize ecological impact and provide a net benefit by locating the roundabout further away from the shoreline and mitigate all project impacts. Further, the project will not interfere with other shoreline uses and will improve public access to the shoreline. The project is in conformance with the general intent of the SMP.

MINOR DESIGN REVIEW (DR19-10) CMC CHAPTER 18.19

Design review is required per Camas Municipal Code (CMC) Section 18.19.020 as all new developments within a gateway area require design review. The proposed development is located within a City gateway corridor. Per CMC 18.19.040 the City may issue an administrative minor design review decision when it is determined that the issues related to the proposal are not complex enough to warrant review by the Design Review Committee. With that said, the City (the applicant) held four meetings with an ad-hoc landscape design committee consisting of various public stakeholders that provided feedback on the proposed landscaping and hardscape materials.

However, the project must still comply with the Design Review *Standard Principles & Guidelines* including the *Specific Principles & Guidelines for Gateways & Corridors* in CMC 18.19.050 and the Camas Design Review Manual as follows:

Standard Principles:

1. *Landscaping shall be done with a purpose. It shall be used as a tool to integrate the proposed development into the surrounding environment.*

   FINDING: The design of the roundabout roadway improvements mimics the surrounding natural environment through heavily planted islands with low maintenance native vegetation between roads and pedestrian pathways. Log benches and rock boulders are created as seating opportunities that blend with the surrounding natural environment. A focal point of the design

is the center island of the roundabout showcasing varying heights and colors of native plantings including rock boulders and tree trunks.

A final landscape plan consistent with the landscaping standards in CMC Chapter 18.13 and per the planting specification and landscape notes in the Camas Design Standards Manual will be submitted to the City for review and approval prior to final engineering plan approval. Plants utilized will need to be per the approved City's tree and plant list otherwise a characteristic card will need to be submitted for review and approval. Irrigation and landscaping should be installed prior to final acceptance.

A minimum of 20 tree units (TU) is required per net acre and to be incorporated into the overall landscape plan. Based on the 2.0 net developable acreage, 40 TUs is required. Tree units may consist of existing trees, replacement trees, or a combination thereof. Replacement and existing tree unit calculations sum to 78 tree units, which satisfies the tree density requirement per CMC 18.13.051. Trees identified for removal or preservation should comply with the Tree Survey and Assessment report (See Exhibit 6).

2. All attempt shall be made at minimizing the removal of significant natural features. Significant natural features shall be integrated into the overall site plan.

FINDING: The proposed roundabout roadway improvements project is designed to protect a historic 42" American Chestnut tree. Per the applicant's narrative, approximately 201 trees will be removed to accommodate the roundabout roadway improvements. Per the arborist report, 117 of those trees are hazardous or in poor condition. Mitigation for tree removal in critical areas and their associated buffers includes a 2:1 planting ratio per CMC 16.51.120.B. As such, the applicant is planting 402 native coniferous and deciduous trees including 1,218 native shrubs in the wetland buffer.

A portion of the mitigation within the wetland buffer is located in an archaeological area. In this area, 60 tree seedlings will be planted in lieu of excavating holes for trees, which was previously approved by DAHP and the tribes. The additional seedlings are to account for the proposed biomass from reducing the required 2-inch caliper tree size to a minimum 4-foot height as justified in the Critical Areas report at page 14, which is supported by city staff.

3. Buildings shall have a "finished" look. Any use of panelized materials shall be integrated into the development in a manner that achieves a seamless appearance.

FINDING: Buildings are not proposed within this project and therefore this criterion is not applicable.

4. A proposed development shall attempt to incorporate or enhance historic/heritage elements related to the specific site or surrounding area.

FINDING: The project should attempt to incorporate or enhance historic/heritage elements related to the specific site or surrounding area.

Specific Principles:

1. *Gateways*
    a. *Gateways shall be devoid of free-standing signs. Pre-existing freestanding signs will be subject to removal at the time of any new development, redevelopment, or major rehabilitation on the site. Exemptions include approved directional or community information signage as approved by the City.*

FINDING: Free-standing signs, other than traffic signs, are not located within the project boundaries that lie within the gateway corridor and therefore this criterion is not applicable.

b. *Business signage not placed on buildings shall be integrated into the landscaping/streetscaping of the subject property.*

FINDING: Business signage is not proposed as part of this roadway improvement project and therefore this criterion is not applicable.

c. *Permanent signage within a gateway shall be standardized in a manner that creates a consistent look within the gateway in question.*

FINDING: Permanent signage is not proposed within the gateway corridor other than required Washington State Department of Transportation (WSDOT) traffic signage. Therefore, this criterion is not applicable. A small interpretive sign is proposed at the American Chestnut tree.

d. *The surface of pedestrian walkways within intersections shall be accentuated with a unique character.*

FINDING: Pedestrian walkways will be constructed of concrete and the pedestrian road crossings will be marked with striping per WSDOT requirements. Pigmented and textured concrete is proposed for the truck apron and splitter traffic islands immediately adjacent to the roundabout.

e. *A consistent streetscape lighting scheme shall be used.*

FINDING: The proposed streetscape lighting is the same street pole lighting that was installed in the gateway corridor at the NW 6th Avenue and NW Norwood Street roundabout, which are 34-foot tall poles painted back and down lit.

PUBLIC COMMENTS

SEPA comments were received from the following agencies; Department of Ecology (Exhibit 9) regarding erosion control measures and the Cowlitz Tribe (Exhibit 10) regarding discovery language. Two SEPA comments were received from The Village at Round Lake neighborhood homeowner's association (Exhibit 11) and a Village at Round Lake homeowner (Exhibit 12), which were addressed by City staff. Additional comments were received during the shoreline public comment review period from one homeowner in the Village at Round Lake neighborhood, which was addressed by City staff (Exhibit 13).

CONCLUSIONS

1. Based upon the submitted plans and reports, staff finds that the project is consistent with the general goals and policies of the SMP pursuant to SMP Chapter 3 Goals and Policies, and Chapter 5 General Use & Development Regulations.
2. As proposed, the project is consistent with the SMP Chapter 6 Specific Shoreline Use Regulations, at Section 6.3.14 for Transportation Uses and Section 6.3.15 for Utilities.
3. The development can comply with the critical area regulations of the SMP, Appendix C.
4. As conditioned, the applicant can comply with the provisions of CMC Title 17 Land Development and Title 18 Zoning.

RECOMMENDATION

Staff recommends **APPROVAL** of the NE Lake Road and NE Everett Street Intersection Improvements project (File #SHOR19-03) as conditioned below.

Proposed Conditions of approval:

1. The applicant shall comply with the SEPA agency comments from Ecology and the Cowlitz Tribe.
2. The archaeological conditions of the DAHP permit shall be complied with prior to and during any site improvement activities. A copy of the inadvertent discovery plan shall be retained on site during construction.
3. A wetland permit pursuant to the requirements of SMP Appendix C, Section 16.53.050(I) shall be submitted to the City for review and approval prior to commencement of construction activities.
4. Best Management Practices (i.e. erosion control measures) shall be implemented throughout project construction.
5. Prior to final engineering plan approval, a final landscape plan consistent with the landscaping standards in CMC 18.13.050 shall be submitted to the City for review and approval to include the following but not limited to:
    a. Plants utilized will need to be per the approved City Plant materials list and the Camas Design Standards Manual planting specifications and landscape notes. A characteristic card shall be provided for those plants not on the City Plant materials list.
    b. Irrigation shall be noted on the final landscape plan.
6. Upon construction completion, areas of temporary disturbance shall be revegetated with native vegetation to pre-disturbance conditions.
7. Irrigation and landscaping shall be installed prior to final acceptance.
8. Irrigation or other measures shall be in place to ensure successful establishment of vegetative cover for a period of three years.
9. Trees identified for removal or preservation shall comply with the January 2020 Tree Survey and Assessment Report and Tree Mitigation Plan prepared by PBS.
10. Landscape and street lighting shall be directed away from surrounding properties.