

Community Development Department

Building | Planning | Code Enforcement (360) 225-7299 www.ci.woodland.wa.us

NOTICE OF DECISION

Meriwether Short Plat

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Land Use Application Nos.:	SPL-21-001 (Short Plat)
	SEP 20-007 (SEPA)
	N1C1 Holdings LLC
Applicant:	PO Box 2198
	Battleground, WA 98604
	Adrianne Carlson
Property Owner:	PO Box 2198
	Battleground, WA 98604
Site Location:	At the end of Scott Hill Road and East Scott Avenue
Parcel & Size:	508890100, 4.8 Acres
Zoning Designation:	Low Density Residential (LDR-8.5)
Date Application Received:	January 5 th , 2021
Notice of Application &	June 13 th , 2022 [see SEPA case # sep-20-007]
Likely DNS issued:	Julie 13 , 2022 [see sel A case # sep 20 007]
Comment Period & SEPA	June 28 th , 2022
Appeal Period Ended:	
Notice of Decision Issued:	September 30 th , 2022
DRC Decision:	Approve with Conditions

I. DESCRIPTION OF PROPOSAL

The applicant proposes dividing a 4.8 acre lot in to two 2.4 Acre lots within a low-density residential zoning district. Proposed access will be an extension of an existing private drive servicing two existing lots, with a proposed 30' foot access and utility easement servicing the new lots.

Property is located adjacent to the City of Woodland water treatment plant towards the top of Scott Hill, and has geotechnical concerns, primarily relating to potentially unstable soils present. Two geotechnical reports, along with other geological documentation, has been provided by the applicant to demonstrate the site's potential for future low density residential development.

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II. REVIEW AUTHORITY

Per WMC 19.08.030, Short Plats shall be approved, approved with conditions, or denied by the Public Works Director. The criteria used are outlined in WMC 16.32.110. The decision is based on a determination that the proposed short subdivision satisfies the requirements of this article, and that the short subdivision will serve the public interest, and that the short subdivision conforms to the City's comprehensive plan, and that the lots created by the short subdivision conform to the standards of the applicable zoning district.

III. FINDINGS

Approval and Denial Procedures | WMC 16.32.078

Short plat applications must be found to be consistent with the WMC 16.32.078.

Finding 1: The application material included a preliminary plat that meets the standards set forth in WMC 16.32.078. A blue-line final plat which includes the information and signature blocks outlined in WMC 16.32.078 must be prepared for review by staff prior to preparation of the Final Plat map. (No formal application for a Final Plat approval is required for short plats.) Upon submittal of final plat, staff will review this plat for compliance and notify the applicant when preparation of the final plat map is warranted. (See Condition 1)

In addition, Cowlitz County requires that final plats include the address for each new lot be shown on the face of the plat. Our public works department will assign addresses to the lots prior to final plat completion. (See Condition 2)

Conclusion: As conditioned, the proposal will be able to meet WMC 16.32.078.

Minimum Standards | WMC 16.32.110

As per WMC 16.32.110, the following minimum standards must be met:

A. The method of sewage disposal shall be approved by the health district officer and DOE prior to short subdivision approval.

Finding 2: Existing sewer main on Scott Hill Road is available and has the capacity to serve the new lots. (See Conditions 3 and 4)

Notice of Decision: SPL 21-001/SEP-20-007 Page 2 of 10 Approved connections to the City's system will be required prior to occupancy of buildings on the site.

Conclusion: As conditioned, the proposal will be able to connect to the City's sewer system, which is an approved DOE system. This standard can therefore be met.

B. The means of supplying potable water to each lot and short subdivision shall be approved by the City Engineer and the Department of Social and Health Services prior to short subdivision approval.

Finding 3: Public water connection is available at Scott Hill Road. Applicant is responsible for extending new services from the existing main in Scott Hill Road to proposed lots. Utility improvements in the public right of way must be completed along with the street improvements at the frontage. Design and construction of water system improvements shall conform to City of Woodland Development Standards. (*See Conditions 3 and 4*)

A right of way permit is required for any work done within the right of way. A condition of approval has been added that the applicant shall get a right of way permit for any work in the Scott Hill Road right of way to extend existing utilities to the new lots. (See Condition 5)

Additional fire hydrants are required as determined by Clark County Fire and Rescue. Locations for fire hydrants shall be as approved by the Fire Marshal. (See Condition 6)

Conclusion: As conditioned, the proposal will be able to connect to the City's water system, which is an approved DOH system. This standard can therefore be met.

C. Cul-de-sacs and dead-end streets shall be developed in accordance with Section 16.14.260.

Finding 4 and Conclusion: There are no cul-de-sacs or dead-end streets proposed as part of this short subdivision. Therefore, this standard does not apply.

D. Road right-of-way, and roadbed widths of dedicated and undedicated roads shall be as required by Section 16.14.250.

Finding 5: Short plat proposes the addition of two additional lots off an existing 30 foot private/undedicated road. No new roads will be constructed with this short plat,

however any future dedicated or undedicated roads will be required to be constructed to the City of Woodland engineering standards.

Finding 6: The access and utility easement terminates at the point marked 'A' on provided plans, and driveways are proposed from that point. No current access or utility easements have been provided from "point A" to the boundary line of the proposed 'Lot 1' of the short subdivision. Applicant shall identify access and utility easement(s) permitting use of identified driveway/private road between point "A" and proposed "lot one."

Finding 7: Phillip Carlson, the applicant's representative, has provided confirmation that an informal access and utility easement has been in place between the applicant and Jonny Kyzar, the owner of parcel 50880100 (labeled as 'Kysar parcel'). The existing driveway would adequately provide access to the property in question. A condition has been added that an access and utility easement shall be required to be filed with the Cowlitz County assessor's office prior to final plat approval and be provided to the City to ensure this informal easement is maintained in perpetuity. (See Condition 7)

Finding 8: The geotechnical reports submitted alongside the application make the assumption that access would be provided through an existing driveway servicing parcel number 508910100 (labeled as 'Evans parcel'), rather then through the existing driveway that runs along the northern property line of the Kysar property. A condition of approval has been added that the applicant shall provide further geotechnical documentation alongside their final engineering submission that the proposed access corridor can handle increased traffic. (*See Condition 8*)

Finding 9: Applicant has proposed a 30-foot access and utility easement across the southeast corner of proposed 'lot 1' to serve as access to proposed "lot 2." All new easements and/or dedications associated with this short subdivision shall be recorded alongside the final plat. (See Condition 9)

Conclusion: As conditioned, the proposal can satisfy this standard and meet the City's subdivision and engineering standards.

E. Size. The minimum size of any lot or parcel of property within a short subdivision shall be in compliance with Title 17 of this code, as heretofore amended.

Finding 8: The property is located within the Low Density Residential 8.5 zoning district which requires an 8,500 square foot minimum lot size. Proposed lot 1 will encompass 2.4 acres (104,544 square feet) and proposed lot 2 will encompass 2.4 acres (104,544 square feet). Therefore, all proposed lots meet minimum size requirements.

Notice of Decision: SPL 21-001/SEP-20-007 Page 4 of 10 The setback requirements for these lots are as follows:

Front Yard: 25-feet Rear Yard: 15-feet

Interior Side Yard: 5-feet Street Side Yard: 15-feet

Future developments on the proposed lots will be subject to and reviewed to ensure the setback requirements are met at that time. However, a summary of code requirements is included below in Section IV. PROPERTY DEVELOPMENT STANDARDS.

Conclusion: As conditioned, the lots satisfy the minimum dimensional requirements of the underlying zone.

F. Road Surfacing. Surfacing of dedicated roads shall be required pursuant to Section 16.16.070.

Finding 9: The development standards require any proposed roadway to be constructed in accordance with the local road standards. There are no proposed dedicated or undedicated roadways as a part of proposed short subdivision. The design of any future roadway(s) will be reviewed for conformance with the City of Woodland engineering standards (see section 2.07) and subject to concurrence from the Public Works Director at the time they are proposed. (*See Condition 10*)

Conclusion: As conditioned, the street improvement that is proposed by the applicant can comply with these standards.

Erosion Conrol Ordinance | WMC 15.10

Finding 10: Applicant is required to install and maintain erosion control measures per the Best Management Practices as outlined in this section (current Stormwater Management Manual for Western Washington) during site excavations and grading. An NPDES permit from the Department of Ecology is required where more than one acre is being disturbed. A final erosion control plan will be required with final engineering. (See Condition 11)

Notice of Decision: SPL 21-001/SEP-20-007 Page 5 of 10 **Finding 9:** Department of Ecology responded to the SEPA posting with comments regarding erosion control. Follow all recommendations from Ecology. (*See Condition 12 and Attachment B*)

Conclusion: The proposal can comply with City standards. The applicant will be required to demonstrate compliance with Woodland requirements prior to approval for construction.

Stormwater Management | WMC 15.12

Finding 11: Stormwater standards are based on the DOE "Puget Sound Manual" and adoption criteria is included in WMC 15.12. The applicant's submittal did not include a preliminary stormwater technical information report. Applicant shall prepare and submit a final TIR and stormwater design for detailed review demonstrating adherence to WMC chapter 15.12 and the DOE "Puget Sound Manual" alongside civil engineering review. (See Condition 11)

Finding 12: Verbal comments were received from the Jundts who own parcel number regarding the impact of any potential construction on an existing drainage ditch located on adjacent lots located to the southeast of the lot proposed as 'lot 2' of this proposed short plat.

Finding 13: The complainants requested that the applicant contact them to ensure maintenance of the drainage ditch be preserved and requested that a note be placed on the plat that the owner(s) of both lots of this plat are responsible for maintenance of the adjacent drainage ditch, which the applicant has provided. A condition of approval has been added that this note shall remain on the final plat. (See Condition 13)

Finding 12: Department of Ecology responded to the SEPA posting with comments regarding stormwater protection during construction. Follow all recommendations from Ecology. *See Condition 12 and Attachment B.*

Conclusion: As conditioned, the proposal can comply with the development standards.

Impact Fees

Finding 13: New development is subject to the imposition of impact fees for Schools, Parks, and Transportation. Impact fees will be assessed with the building permit for each

lot and must be paid prior to final occupancy of the residence. A note stating this shall be placed on the face of the plat. (See Condition 14)

Conclusion: As conditioned the project will comply with City codes.

Building

The City has adopted the 2018 edition of the International Building Code (IBC) through WMC Title 14. All commercial building review is conducted by Townzen & Associates.

Finding 11: Structural engineer will be required to incorporate all geotechnical engineer recommendations into the design of the structures for any future residential development. Incorporation of geotechnical recommendations will be reviewed with building permit submittal. (*See Condition 15*)

Engineering

Preliminary engineering comments, including findings and relevant conditions, have been integrated into this staff report. All engineering comments have been provided by Ryan Walters, the City's consulting City Engineer with Gibbs and Olson. Applicant shall apply for Civil Engineering approval prior to construction of proposed improvements at the site. (See Condition 4)

Fire Safety

All future buildings must be constructed in accordance with WA Building and Fire Codes. Plan revisions and building plans must be submitted directly to Clark-Cowlitz Fire Rescue (CCFR) for fire review.

Finding 12: Applicant is required to receive CCFR plan approval prior to civil approval and comply with all comments and/or conditions. (*See condition 16*)

Finding 13: Building construction plans shall be submitted to CCFR separately, along with any fire alarm and/or fire sprinkler alterations. (*See condition 17*)

Finding 14: Per WMC 14.32.620, automatic fire sprinkler systems will be required for all future buildings within this development as access is derived from a private road. (See condition 13)

Conclusion: As conditioned, the proposal can comply with Fire Code.

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IV. PROPERTY DEVELOPMENT STANDARDS

This section pertains to the property development standards for single-family homes and ADUs listed in WMC 17.16 and 17.16.100 (A). These standards will be reviewed as part of the building application process.

Property Development Standards | WMC 17.16.070

Setbacks, Primary Residence

- Front yard setback in feet: 25.
- Rear yard setback in feet: 15.
- Interior side yard setback in feet: 5.
- Street side yard setback in feet: 15.

Maximum building height in feet: 30.

Required off-street parking spaces: 2.

Maximum Lot Coverage (Including driveways and other paved areas): 50%.

Required off-street parking spaces (per lot): 2.

Setbacks, ADUs

Detached accessory buildings, except for garages and carports, shall be located in rear yards only and shall be set back five feet from side and rear property lines; or fifteen feet from side property lines of corner lots. All detached accessory buildings shall be located more than six feet from the dwelling unit. ADU Criteria and Standards can be found at WMC 17.16.070 (K) and WMC 17.16.100 (A).

IV. ENVIRONMENTAL REVIEW

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This Determination of Non-significance (DNS) is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

V. DECISION

Approve SPL 21-001 with conditions as outlined below in section VI.

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VI. CONDITIONS OF APPROVAL

- 1. Please submit one full-sized, one 11" x 17" sized paper copy and one electronic copy of the final short subdivision and receive verification from the City that the plat is ready for final drawing and for signatures to be gathered. Address required revisions as part of the final submittal.
- A general condition of Cowlitz County is that all newly created lots must indicate the addresses for all lots on the face of the plat. Contact Public Works for addresses.
 Addresses must be clearly indicated and viewed from the street.
- 3. Water and sewer services shall be extended to each lot in accordance with Woodland Construction Standards. Water and sewer assessment fees are required and are based on meter size. Service stubs to property must be completed prior to final plat approval unless a specific agreement has been made with the City and approved by the Public Works Director.
- 4. Prior to construction of improvements at the site, submit final engineering for review and approval by the Public Works Director. Final design for street, drainage, lighting and utility improvements shall comply with the current edition of City of Woodland Public Works Engineering Standards for Construction and be consistent with the above findings. If the applicant elects to bond improvements, engineering drawings must still be approved prior to bonding in order to establish the construction value of approved work.
- **5.** A Right-of-Way Permit is required for work within Scott Hill Road to extend water and sewer utilities to lots 1 and 2. Restoration shall comply with the City of Woodland Engineering Standards.
- 6. Contact Clark County Fire and Rescue for hydrant locations and include on final plat.
- 7. Final plat must identify valid access and utility easement between "point A" and the property line/frontage of proposed "lot 1." Applicant is required to file an access and utility easement along the existing driveway prior to final plat approval.
- 8. A final geotechnical report or addendum shall be provided at final/civil engineering submittal that demonstrates that proposed access can support increased traffic.
- 9. Applicant shall dedicate all necessary roadway and utility right-of-way and easements on the face of the short plat. Right of way and easement widths shall be consistent with the above findings.
- 10. Any future roads will require review and approval by the Public Works director and shall be required to be constructed to the City of Woodland Construction Standards.
- 11. Submit a final erosion control plan and a final stormwater Technical Information Report.

 Design of erosion control and stormwater improvements shall comply with Woodland

 Development standards. An NPDES permit from the Department of Ecology is required

- should more than one acre is being disturbed as a result of proposed construction activity.
- 12. Applicant shall be responsible for adhering to all Department of Ecology suggestions and requirements as outlined in attached memo, including:
 - a. Erosion control measures must be in place prior to any clearing, grading, or construction, and must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or stormdrains that lead to waters of the state. (See Findings XX and XX, Condition XX)
 - b. Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.
 - c. The following construction activities require coverage under the Construction Stormwater General Permit:
 - Clearing, grading, and/or excavation that results in the disturbance of one or more acres and discharge stormwater to surface waters of the state;
 and
 - ii. Clearing, grading and/or excavation on sites smaller then one acre that are part of a larger common plan of development or sale, if the common plan of development or sale will ultimately disturb one acre or more and discharge stormwater to surface waters of the State.
- 13. Applicant shall ensure that the following notes are added and/or maintained on the final plat:
 - a. The owner(s) of Lot 1 & Lot 2 of this plat are responsible for maintenance of the stormwater drainage ditch that is located on the adjacent lots to the southeast of Lot 2 of this plat (Parcels 50633, 50634, & 5063301).
 - b. Any buildings constructed on either Lot 1 or Lot 2 of this short plat shall be constructed with automatic fire sprinkler systems per WMC 14.32.620.
- 14. Impact fees will be assessed with the building permit for each lot and must be paid prior to final occupancy of the residence. A note stating this shall be placed on the face of the plat. Estimated Impact Fees have been calculated below, however these are estimates and are subject to change based on the timing of future development:
 - a. Transportation Impact Fees are assessed in accordance with Woodland Municipal Code 3.42 on new development to help pay for future transportation improvements within the City. The impact fee is presently \$838 per PM peak hour trip (PMPHT). Per the ITE Trip Generation Manual, each new residence is equivalent to 1.0 PMPHT and the Traffic Impact Fee for each new residence would be \$838 at this time and due at the time of building permit issuance.
 - b. Park Impact Fees are assessed in accordance with Woodland Municipal Code 3.41 on new development to help pay for future park, recreation, open space,

- and trail facilities within the City. The Park Impact Fee for each new residence would be \$1,116 at this time and due at the time of building permit issuance.
- c. School District Impact Fees are assessed in accordance with Woodland Municipal Code 3.40 on new development. The School District Impact Fee for each new residence would be \$5,900 at this time and due at the time of building permit issuance.
- 15. All geotechnical recommendations are required to be fully incorporated into the structural design of any future structures proposed on these proposed new lots. Incorporation of all geotechnical recommendations will be reviewed at building permit submittal.
- 16. Applicant is required to receive CCFR plan approval and comply with all comments and/or conditions. See https://clarkfr.org/.
- 17. Building construction plans shall be submitted to CCFR separately, as requested by CCFR.
- 18. As-built plans for all public improvements must be submitted prior to acceptance of improvements. Public improvements must be accepted before any building permits are issued.
- 19. Once final approval is given to print the final plat, signatures shall be collected in the following order:
 - 1. The owners in fee simple;
 - 2. Notary public in and for the state;
 - 3. Professional land surveyor registered in the state;
 - 4. Clark Cowlitz Fire Rescue Fire Marshall;
 - 5. Public Works Director;
 - 6. Cowlitz County treasurer;
 - 7. Cowlitz County Auditor
- 20. The short subdivision shall be filed with the County Auditor and shall not be deemed approved until so filed. A copy of the approved short subdivision (after recorded) shall be submitted to the Community Development Department.
- 21. Payment shall be made to the City for any outstanding Professional Consulting Services per Woodland Municipal Code Ordinance 1097.

VII. APPEALS

This administrative decision may be appealed to City Council no later than fourteen (14) days following the date of issuance. The appeal shall be made in writing and shall include a statement specifying the basis for such appeal per WMC 16.32.080 and shall include the appeal fee. Appeals can be submitted to the Community Development Department by 5:00 PM on October 12, 2022.

An appeal of a SEPA Determination of Non-Significance must be made to the City of Woodland Hearing Examiner within fourteen (14) days following the date of this decision per Woodland Municipal Code 19.06.050. Appeals can be submitted to the Community Development Department by 5:00 PM on October 14th, 2022.

City of Woodland Community Development Department c/o David Lukaczer 230 Davidson Ave., PO Box 9 Woodland, WA 98674 Email: lukaczerd@ci.woodland.or.wa

Phone: 360-225-7299 Fax: 360-225-7336

Date: September 30th, 2022 Signature

David Lukaczer, Associate Planner

Cc: Applicant Owner Mayor

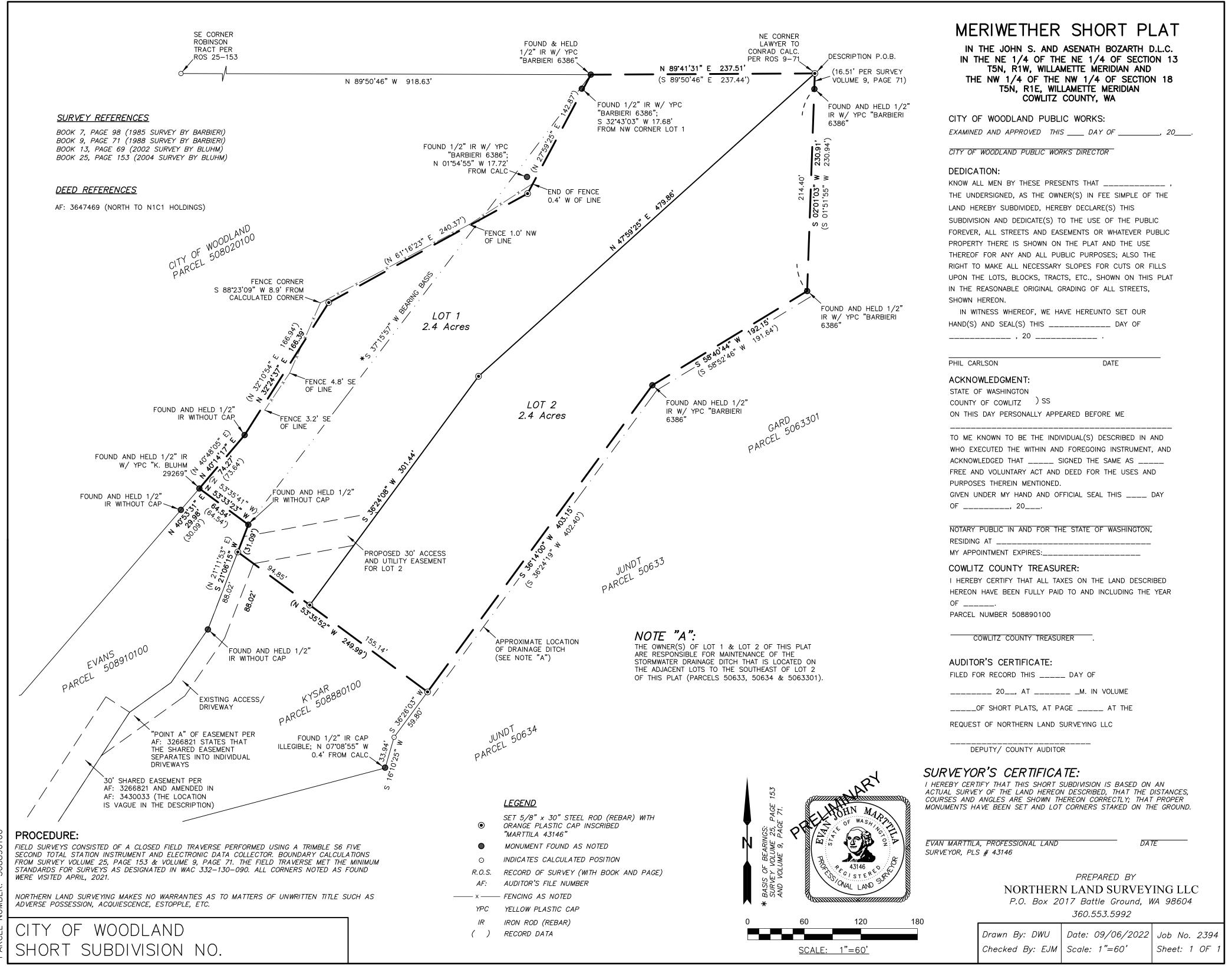
> Ryan Walters, P.E. Planning Commission City Administrator

Building Official Fire Marshal

City of Woodland Website

Counter Copy
Department Heads

File



Strata Design LLC 2117 NE Oregon St, #502 Portland, OR 97232 971-268-6789 www.strata-design.com



May 30, 2022

N1C1 Holdings Attn: Phillip Carlson (360) 798-4309

Via E-mail: pccarl32@gmail.com

Re: Short Plat SPL-21-001; Woodland, WA

Geotechnical Review of Proposed Short Plat Access/Building Development

This letter serves as notice that the undersigned with Strata Design (STRATA) has completed a Geotechnical review of the final configuration and plat for site access and building layout to the subject two proposed lots.

As indicated in our Geotechnical Reports for each respective lot^{1,2} (original reports were authored and sealed by the undersigned), the proposed potential building sites consists of a limited size more level area. For area beyond the building and accessway, the Reports state that minimal ground disturbance, avoidance of drainage changes and appropriately designed foundations are critical.

The Reports state that to avoid large differential movements and potential catastrophic structural failures, the base of foundation elements needs to penetrate a minimum of 20 feet below the base of the home, thus, all footings are proposed to be pile supported, to depths of at least 20 feet below floor level.

As stated in the Reports "If constructed at the indicated depth, the structure will likely be protected from catastrophic failure. However, we would assume that yearly periodic inspection and potential maintenance, replacement or additions to the foundation elements are strongly recommended to be carried out on 5-year intervals."

We trust the above will satisfy the geotechnical requirements of short plat application SPL-21-001.

Respectfully Submitted, Strata Design LLC

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Rick Thrall, PE GE Geotechnical Engineer

December 8, 2020, Geotechnical Assessment - Future Lot 2, Cowlitz County Parcel 508890100

² December 7, 2020, Geotechnical Assessment - Future Lot 1, Cowlitz County Parcel 508890100