

Community Development Department
 Building | Planning | Code Enforcement
 P.O. Box 9, 230 Davidson Avenue
 (360) 225-7299, www.ci.woodland.wa.us

Staff Report & SEPA DNS
 Lewis River Apartments
 Site Plan Review, Shoreline Substantial Development Permit &
 SEPA DNS

Land Use Application Nos.:	CAP-23-001 SPR-23-003 (Site Plan Review Type II) SEP-23-005 (SEPA) SSD-23-001 (Shoreline Substantial Development Permit)
Applicant & Property Owner:	Triangle Holdings LLC C/O Luke Sasse 9321 NE 72nd Ave C7 Vancouver, WA 98665
Site Location:	Lewis River Road, Southern frontage between Insel and Gun Club
Parcel No. & Size:	50650, 506520100, 5065201, 506520300, 506520400, 506520500, (and 506520200 which is City Property), 25 Acres
Zoning Designation:	HDR, High-Density Residential
Date Application Received:	January 18 th , 2023
Notice of Complete Application Issued:	March 1st, 2023
Notice of Application & Likely DNS issued:	March 6th, 2023
Comment Period & SEPA Appeal Period Ended:	March 22nd, 2023 in written form, April 11 th , 2023 for the testimony at the Hearing.
Staff Report Issued:	April 4th, 2023
DRC Recommendation:	Approve with Conditions
Hearing Date:	April 11 th , 2023, 9:00 AM

I. DESCRIPTION OF REQUEST

Applicant has proposed the development of a high-density residential development that is proposed to include nine (9) separate apartment buildings, an office and club house building, pool, gazebo, and other associated structures and/or uses. Construction is proposed to be completed in three phases, with the third phase consisting of the City's development of a proposed park on a City-owned parcel.

The site includes area within the Residential and Urban Conservancy shoreline designations as outlined within the City of Woodland Shoreline Master Program and falls within an established floodway and floodplain. Staff has determined that the site is impacted by riparian habitat areas, as well as the buffer of an off-site category II riverine wetland. The applicant has provided a critical area report & mitigation plan and applied for a Critical Area Permit (CAP-23-001) and Shoreline Substantial Development Permit (SSD-23-001) for the proposed development.

II. FINDINGS OF FACT

Development impact Fees – School District | WMC 3.40

Finding 1: School District Impact Fees will be required. School District impact fees for multi-family dwellings are based on a per-unit fee schedule as set by the Woodland City Council as outlined in WMC 3.40.

The current fee schedule calls for school district impact fees to be paid at building permit issuance equal to \$5,900 per multi-family dwelling unit of two or more units, and \$2,000 per studio or one bedroom unit, up to 800 SF in size.

Proposed new development has a total of 252 new units. All proposed units exceed the 800 SF maximum for a 1 bedroom or studio apartment rate. As such, School Impact Fees would be \$5,900 per unit x 252 units, which will be a total School District Impact Fee of \$1,486,800. See *Conditions #1.a.i and 2.*

NOTE: Impact Fees Subject to change.

Development impact Fees – Fire, Parks and Recreation | WMC 3.41

Finding 2: Fire Impact Fees: Fire impact Fees will be required. Fire impact Fees for multi-family dwellings are based on a per-unit fee schedule as set by the Woodland City

Council as outlined in WMC 3.41.

The current fee schedule calls for fire impact fees to be paid at building permit issuance equal to \$1,426 per multi-family dwelling unit. $\$1,426 \text{ per unit} * 252 \text{ units} = \$359,352$.
See Conditions #1.b.i and 2

NOTE: Impact Fees Subject to change.

Finding 3: Parks and Recreation impact Fees: Parks and Recreation impact Fees will be required. Parks and recreation impact fees for multi-family dwellings are based on a per-unit fee schedule as set by the Woodland City Council as outlined in WMC 3.41.

The current fee schedule calls for Parks and Recreation impact Fees to be paid at building permit issuance equal to \$831 per multi-family dwelling unit. $\$831 \text{ per unit} * 252 \text{ units} = \$209,412$. *See Conditions #1.c.i and 2.*

NOTE: Impact Fees Subject to change.

Development impact Fees - Transportation | WMC 3.42

Finding 4: Transportation Impact Fees, or mitigation provided in lieu of charged Transportation impact fees approved by the City of Woodland Public Works Director, will be required. Transportation fees for multi-family dwellings are based on a per-unit fee schedule as set by the Woodland City Council as outlined in WMC 3.42.

The current fee schedule calls for transportation impact fees to be paid at building permit issuance equal to \$519.56 per unit. $\$519.56 \text{ per unit} * 252 \text{ units} = \$130,929.12$.
See Conditions # 1.d.i and 2.

NOTE: Impact Fees Subject to change.

Streets and Sidewalks | WMC Title 12 | Ryan Walters, Gibbs & Olson

Finding 5: The street frontage along Lewis River Road (SR-503) is incomplete and will require construction of frontage improvements, including detached sidewalk, curb and gutter, landscaping, and street lighting consistent with City of Woodland Engineering Standards (Standards) and applicable Woodland Municipal Code (WMC). Current plans detail half-street improvements per City of Woodland Detail T-23 Major Arterial, however the pre-application notes state these improvements to be in accordance with City of Woodland Detail T-24A, SR-503 Arterial. A condition is added that all improvements in the public right-of-way shall be completed in accordance with the

Standards and WMC and align with the WSDOT and City approved half-street improvements for the SUB-20-001 – Quail Meadows project, located to the north of this proposed development on Lewis River Road (SR-503). Additionally, dedication of Right-of-Way shall comply with the Standards and WMC. *See Condition #3.*

Finding 6: Cross-connection between the two separate parking lots meeting Clark-Cowlitz Fire Rescue’s standards will be required to be met and shown on the final site plan. This may include bollards and/or gates between the lot so long as emergency access is available. *See Condition # 14.d.*

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

Water and Sewage | WMC Title 13 | *Ryan Walters, Gibbs & Olson*

Finding 7: Existing 6-inch Water and 8-inch Sewer mains are available to tie into on the northern lane of Lewis River Road (SR-503), adjacent to the proposed development. 8-inch water and 6-inch sanitary sewer are proposed to be extended on-site. The pre-application notes require the developer to analyze the anticipated peak hour sewer discharge and water consumption for this development for City review to determine whether there is available capacity for both utilities and if improvements will be required. Additionally, the final Civil plans should provide detail for water and irrigation service locations, FDC’s, and fire mains. Backflow devices must be installed on the domestic and fire supply lines to the buildings to comply with backflow and cross-connection requirements of WMC 13.28, as well as all other applicable WMC, and CCFR code. *See Conditions #5.a and #5.b.*

Finding 8: The fire mains shall be public mains with a 15 ft wide easement to the City. Layout of these utilities shall meet the requirements of the City Engineering Standards and WMC. *See Condition #5.c.*

Finding 9: Water and Sewer Assessment Fees: Connection charges and assessments for water and sewer will be assessed in accordance with the applicable rate schedule. Fees for utility connection are due at time of connection. *See Condition #5.d.*

Conclusion: As conditioned, the project can comply with this standard.

Flood Damage Prevention | WMC 14.40

Property is located within the floodplain and floodway as determined by the FEMA Flood Insurance Rate Maps and shall be required to be compliant with WMC Chapter 14.40 – Flood Damage Protection.

Finding 10: A flood development permit shall be required prior to the construction and/or development within any area of special flood hazard established herein. The permit shall be for all structures including manufactured homes, fill and grading work, and/or other development activities.

Finding 11: Applicant shall be responsible for applying for a flood development permit concurrently, or prior to, application for a building permit. The following information and documentation is required:

- Elevation in relation to mean sea level, of the lowest floor of all structures;
- Elevation in relation to mean sea level to which any structure has been floodproofed;
- Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 14.40.050(B)(2); and
- Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.

A condition of approval has been added to permit proposed construction through the floodplain permit and provide the above documentation. *See Condition #8.*

Finding 12: Applicant is responsible for ensuring compliance with the general standards of WMC 14.40.050(A)(1-5). This includes requirements for anchoring, construction materials and methods, and utilities reviewed during the building permit review process. *See Condition #9.*

In addition to the general requirements and standards outlined within WMC 14.40.050(A)(1-5), applicant is required to comply with the specific standards for residential construction as outlined within WMC 14.40.040(B)(1):

New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot above the base flood elevation.

Finding 13: Provided grading plan indicates that the applicant is proposing to raise the final elevation for the buildable area of the proposed development to a height of approximately 37 feet above sea level, approximately level with Lewis River Road. Final Finished Elevations for each individual building must be provided and demonstrate that the lowest floor, including any basement, will be elevated one foot above base flood elevation. *See Condition 8.a.*

Per WMC 14.40.050(B)(1)(b), fully enclosed areas below the lowest floor that are subject to flooding are prohibited or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be either certified by a registered professional

engineer or architect or must meet or exceed the following minimum criteria:

- i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;
- ii. The bottom of all openings shall be no higher than one foot above grade;
- iii. Openings may be equipped with screens, louvers, or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters. See Condition # 8.f.

Finding 14: No fully enclosed areas are proposed below the lowest floor.

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

Critical Areas Regulation | WMC 15.08 & Woodland Shoreline Management Program

Critical Area Report – Requirements | Woodland SMP, Appendix B, Section 4.1

Finding 15: The subject site is located within the City of Woodland Shoreline Management Program (SMP) jurisdiction. Per Table B-4 of the Woodland SMP – Appendix B – Critical Areas Regulations, a reach-based riparian habitat area extends 10 feet landward of the FEMA Floodway, which heavily impacts the southern half of the site. The subject site is also impacted by an offsite category II riverine wetland that runs adjacent to the Lewis River, with the associated 300 ft wetland buffer extending onto the subject site. Furthermore, the subject property is located within the FEMA-designated floodplain, with the majority of the southern extent of the property is located within the FEMA-designated Floodway.

Finding 16: Critical Area Reports – Requirements: Applicant has provided a Critical Area Report & Mitigation Plan prepared by Andrea W. Aberle and Mackenzie Stamey of AshEco Solutions, LLC that has identified the critical areas onsite and identified potential impacts to the documented critical area(s) and their associated buffers. Furthermore, the report includes a mitigation plan to address proposed and potential impact(s) to the critical areas, and associated buffers, present on site.

The provided report generally meets the statutory requirements of the Woodland SMP Appendix B (Section 4.1, 5.3, and 9.2). AshEco Solutions, LLC is an established Environmental Consulting agency operating out of Kelso, Washington and Andrea W. Aberle serves as its owner and Senior Biologist and meets the City's definition of a Qualified Professional. The report provides a methodology that utilizes the Best Available Information to analyze the proposal and all probable impacts to the critical areas on the site.

Finding 17: Critical Area Reports – Identified Impacts: The applicant has identified several unavoidable impacts to the floodplain and/or floodway, primarily associated with the fill required to elevate the buildable area of the project site above the floodplain. The applicant is proposing to cut approximately 150,000 cubic yards of material from the onsite floodway and shoreline habitat in order to facilitate elevation of approximately 11 acres of buildable area to the base flood elevation and provide a net balance of cut and fill.

The critical area report notes that these floodplain and floodway impacts associated with the elevation of the buildable area are unavoidable for reasonable use of the parcel due to the existing elevation of the property in question (approximately 20 to 30 feet above sea level) and the base flood elevation being approximately 37 feet above sea level.

Finding 18: The applicant has identified several unavoidable temporary impacts to the shoreline habitat (the riparian habitat area and the buffer for the off-site class II wetland to the south of the property). The proposed fill and grading work is expected to temporarily impact much of the Riparian vegetation present on the site. The critical area report has identified that there be approximately 653,320 SF of herbaceous vegetation impacts, approximately 219,665 SF of Scrub-shrub vegetation impacts, and approximately 129,175 SF of forested vegetation impacts. These temporary impacts to the vegetation, which are expected to be replaced within 20 years time through the applicant's proposed restoration and mitigation plan.

Other minor impacts include the construction of a recreational pedestrian trail system providing water access to residents of the building as well as the public, and placement of the proposed stormwater facility within the riparian habitat area.

Mitigation Requirements | Woodland SMP, Appendix B, Section 4.3

Finding 19: As a part of the provided critical area report, AshEco Solutions LLC has provided a mitigation plan intended to offset the onsite critical area impacts for no net loss of functions or area. The proposal utilizes the "Cowlitz County Shoreline Restoration Plan for Shorelines in Cowlitz County and the Cities of Castle Rock, Kalama, Kelso, and Woodland" (2015) to guide the mitigation efforts proposed. Per section 4.3 of Appendix A of the Woodland SMP, mitigation is required to meet the requirements of Subsections A-C of the same section:

Subsection A: *The applicant shall avoid all impacts that degrade the functions and values of a critical area(s). Compensatory mitigation will be required for unavoidable alteration to a critical area or buffer resulting from a development proposal, in accordance with this Program.*

Finding 19.A: Applicant has provided a compensatory mitigation plan designed to compensate for future expected impacts associated with the proposed development. Proposed compensatory mitigation includes:

- The creation of 150,000 cy of additional flood storage to mitigate the loss of available flood storage due to placement of fill into the floodplain, at a ratio of 1:1;
- The identification of a herbaceous restoration area onsite planted with 443,667 SF of native herbaceous species to offset the removal of approximately 639,234 SF of herbaceous habitat (a ratio of 0.7:1), designed to provide a higher functioning habitat to the wildlife then present under current conditions;
- The identification of a scrub-shrub restoration area onsite planted with 443,667 SF of native scrub-shrub species to offset the removal of approximately 222,086 SF of scrub-shrub habitat (a ratio of 2:1), designed to provide a higher functioning habitat to the wildlife then present under current conditions;
- The identification of a forested restoration area onsite planted with 189,230 SF of native forested species to offset the removal of approximately 129,175 SF of forested habitat (a ratio of 1.46:1), designed to provide a higher functioning habitat to the wildlife then present under current conditions.

The proposed compensatory mitigation meets this requirement for compensatory mitigation for all unavoidable alteration.

Subsection B: *Mitigation shall be in-kind and on-site, when possible, and shall be sufficient to maintain the functions and values of the critical area, and to prevent risk from a hazard.*

Finding 19.B: All proposed mitigation measures will be located in site, and will be in kind with the exception of the removal of a considerable amount of invasive species of vegetation, which will be replaced by native species of plant to further enhance the functions and values of the critical area. Mitigation is sufficient to maintain the functions and values of the critical areas present onsite and prevent risk from potential hazards.

Subsection C: *No mitigation shall be implemented until after the City has approved the applicable shoreline permit or SLE that includes a mitigation plan. All mitigation shall be in accordance with the provisions of this Program and approved critical area report.*

Finding 19.C: Proposed mitigation will be implemented following completion of grading work, and following the necessary shoreline permit(s) associated with the development. Conditions of approval have been added that all mitigation will be implemented in accordance with provisions of Appendix B of the Woodland

SMP and the approved critical area report, and that mitigation shall be implemented only following approval of all applicable shoreline permit(s) associated with the development and directly following the excavation work's impact(s) to the critical areas. *See Conditions 9.a and 9.b.*

Conclusion: As conditioned, proposed development can meet these standards.

Mitigation Sequencing | Woodland SMP, Appendix B, Section 4.4

Finding 20: Mitigation Sequencing: In order to meet the requirements for mitigation sequencing, the proposal must demonstrate that all reasonable efforts have been made to avoid or minimize impacts to critical areas.

Permanent impacts, outside of the proposed trail system and a stormwater facility, will be constructed on the upland terrace closest to Lewis River Road, landward of the Ordinary High-Water Mark (OHWM), outside of the floodway, and all identified critical areas and buffers. However, due to constraints placed upon the site by its location in the floodplain, and the current grade of the site significantly below the grade of the Lewis River Road, a significant amount of fill will be required to develop any project on the site as the buildable area will be required to be raised above the base flood elevation currently present on site. The applicant proposes to source the fill required from the subject site, and the majority of the identified impacts to both the floodway/floodplain and the critical areas identified within this report are the result of these actions.

Finding 22: Following review, staff has concluded that the applicant and their environmental consultants have utilized mitigation sequencing to better protect the critical areas on site. Considering the significant environmental constraints present on the site, avoidance and minimization would be unlikely to present any reasonable owner the right to develop the land in a manner consistent with the City of Woodland's Municipal Code, the City of Woodland's Comprehensive Plan, and those rights provided to other property owners.

Applicant has minimized the potential impacts to the best of their ability by limiting all permanent construction activities and structures to the upland terrace directly adjacent to Lewis River Road and outside of the mapped floodway and critical area buffers, as well as limiting their multi-family residential development to a density of 10 units per acre, considerably lower than the 35 units per acre permitted in the high density residential zoning district. Despite these best efforts to utilize avoidance and minimization, the applicant has identified several unavoidable impacts that require mitigation.

Most of the unavoidable impacts are designed to repair, rehabilitate, and/or restore the affected environment, which is the preference of the City in cases where avoidance and/or minimization is not possible, as noted within Appendix B of the Woodland SMP,

subsection 4.4.A.3.

This meets the standards as outlined within this section of Appendix B of the Woodland SMP and demonstrates that mitigation sequencing has been utilized as required.

Conclusion: As proposed, development can comply with this standard.

Mitigation Requirements | Woodland SMP, Appendix B, Section 4.3

Finding 23: When compensatory mitigation is required, the applicant is required to submit a mitigation plan as a part of the associated critical area report that includes the following requirements per Appendix B of the Woodland SMP Section 4.5 (And all Subsections therein):

***Subsection A (1-4): Environmental Goals and Objectives.** The mitigation plan shall include a written report that identifies the environmental goals and objectives of the proposed compensation...*

Finding 23.A: Provided mitigation plan includes a written report identifying the environmental goals and objectives of the proposed compensation, and meets the requirements of subsections one through 4 of this subsection:

1. Met. Mitigation plan includes a thorough description of anticipated impacts to critical area(s) and proposed mitigation actions (See Findings 17, 18, and 19.A). The description further provides site-selection criteria, compensation goals, identification of resource functions, and projected dates for completion. Goals and objectives listed are related to the functions and values of the impacted critical area(s).
2. Met. As well as utilizing the Cowlitz County Shoreline Restoration Plan (2015) to guide mitigation and restorative action, the Critical Area report and Mitigation plan has utilized the most up to date guidance provided by the Washington State Department of Ecology, the U.S. Army Corps of Engineers, and other local, state, and national environmental agencies.
3. Met. Mitigation plan outlines the author's experience to date restoring or creating the type of critical area proposed.
4. Met. The mitigation plan includes analysis of the likelihood of success of the compensation project.

This requirement has been met.

***Subsection B: Performance Standards.** The mitigation plan shall include specific criteria that are measurable for evaluating whether or not the goals and objectives of the mitigation project have been successfully attained and that the requirements of this Program have been met.*

Finding 23.B: The mitigation plan includes specific performance standards to

be met in order to measure whether or not the goals and objectives of the mitigation project have been successfully attained and requirements of the Woodland SMP are met in regards to critical areas. These performance standards require documentation, set standards of success based on stated documentation in 1-, 5-, and 7- year intervals, among other measurable standards. This meets this requirement.

Subsection C: *Detailed Construction Plans. The mitigation plan shall include written specifications and descriptions of the proposed mitigation...*

Finding 23.C: The provided mitigation plan includes written specifications and descriptions of the proposed mitigation, including those required within subsections 1-6 of this subsection:

1. Met. Mitigation plan includes detailed written specifications of the proposed grading and excavation on the subject site, including associated plans.
2. Met. Erosion control plan(s) have been provided simultaneously with the mitigation plan and integrated within the plan.
3. Met. Planting plans have been provided within the mitigation plan showing plant species, locations, quantities, sizes, spacing, and density.
4. Met. Proposed construction timing, sequence, and duration has been provided within the mitigation plan.
5. Met. Mitigation plan provided includes a description of protective measures to be put in place to protect and maintain plants provided through the plan including perimeter signage, invasive species management, monitoring, and establishment of a conservation covenant.
6. Met. Detailed site diagrams, topographic maps showing slopes in two-foot intervals, final grade elevations, and other appropriate drawings as required.

This requirement has been met.

Subsection D: *Monitoring Program. A mitigation-monitoring program shall be included with any mitigation plan. The report shall document site performance in relation to performance standards and contingency actions implemented to compensate for mitigation shortfalls. The site shall be monitored for a period to establish that performance standards have been met, and not for a period of less than five years.*

Finding 23.D: Applicant has provided a detailed monitoring plan over a 10-year period, with monitoring to take place in years 1, 2, 3, 5, 7, and 10 utilizing monitoring photo plots among other documentation. Performance standards and contingency actions will be implemented into the monitoring

program as required. This monitoring plan meets these standards. A condition of approval has been added that the annual (or semi-annual, as designated by the proposed monitoring plan) monitoring report shall be provided to the City of Woodland Community Development Department each time it is built and an updated Critical Area Report and Mitigation plan shall be provided with final engineering noting this. *See Condition # 9.c.*

Subsection E: Contingency Plan. *The mitigation plan shall include a contingency plan that identifies potential courses of action, and any corrective measures to be taken if monitoring indicates that project performance standards are not being met.*

Finding 23.E: Applicant has provided a contingency plan that provides information should performance standards not be met by the tenth year following project completion, or at an earlier time. The applicant intends to develop a contingency plan that describes the cause of the failure, proposed corrective actions, schedule for completion, and whether further maintenance and/or monitoring will be necessary in consultation with the City of Woodland. The contingency plan developed will be approved by the City of Woodland prior to implementation. This meets this requirement.

Subsection F: Financial Guarantees. *The mitigation plan shall include financial guarantees, if necessary, to ensure that the mitigation plan is fully implemented.*

Finding 23.F: No financial guarantees are required by code or proposed alongside this mitigation plan. Applicant and/or their designee is responsible for ensuring the mitigation plan is implemented as approved. *See Condition 9.C.*

The mitigation plan provided alongside this application meets the standards and requirements of the Woodland Municipal Code and appendix B of the Woodland SMP as outlined above or can meet these standards as conditioned.

Conclusion: As conditioned, proposed development can meet these standards.

Markers and Signs | Woodland SMP, Appendix B, Section 4.6

Finding 24: Subsection 4.6.A requires critical area boundaries to be permanently delineated using iron or concrete markers in accordance with survey standards. A condition of approval has been added that the applicant shall permanently delineate critical area boundaries present on site in accordance with survey standards. *See Condition # 9.d.*

Finding 25: Subsection 4.6.B requires the outer boundary of a critical area buffer on the

development site shall be identified with brightly colored construction fencing and temporary signs prior to any site development or alteration. Permanent signs may be required by the Director upon completion of the project. A condition of approval has been added to comply with these requirements during all construction activities. *See Condition # 9.d, 9.e, and 9.f.*

Conclusion: As conditioned, proposed development can meet this standard.

Notice on Title | Woodland SMP, Appendix B, Section 4.7

Finding 26: The Woodland SMP Appendix B, section 4.7 requires a notice of the existence of a critical area and/or buffer on the development site be recorded on the property title that states: limitations to development may exist due to the presence of a critical area and/or buffer. Section 4.7 also require the applicant provide the City a copy of the recorded deed restriction prior to final project approval.

Staff notes that there is no notice of a critical area and/or buffer provided on the title. A condition of approval has been added that the applicant is responsible for recording a deed restriction against the title stating that limitations to development may exist due to the presence of a critical area and/or buffer prior to final project approval. *See Condition # 9.f.*

Conclusion: As conditioned, proposed development can meet this standard.

Setbacks | Woodland SMP, Appendix B, Section 4.8

Finding 27: Woodland SMP Appendix B, section 4.8 requires buildings and other structures be set back 15 feet from the edges of all critical area buffers or critical area if no buffer is required.

The closest structure to the Riparian barrier will be the proposed 'Building K' on the eastern side of the project area. 'Building K' is set back approximately 53.2 feet from the riparian habitat buffer. This is considerably more than the required setbacks required by the Woodland SMP Appendix B, section 4.8.

Conclusion: As proposed, development can comply with this standard.

Critical Areas Regulation - Wetlands | WMC 15.08 & Woodland Shoreline Management Program

Finding 28: An offsite category II riverine wetland has been identified offsite, running just to the south of the property line. The required buffers of this

wetland impact the property, and parts of the trail system associated with the park property and shoreline access points will run through the buffers.

Activities in Wetlands – General | Woodland SMP, Appendix B, Section 5.4

Finding 29: All activities in wetland areas are required to meet the general requirements under the Woodland SMP, Appendix B, Section 5.4 (A-D):

***Subsection A:** Activities within wetland or wetland buffer areas may be permitted only if the applicant can show that the proposed activity will not degrade the functions and values of the wetland and/or other critical areas.*

Finding 29.A: Applicant has provided a Critical Area Report and Mitigation plan demonstrating that the proposed activities within the present wetland buffer area will not degrade the functions and values of the wetland and/or other critical area. A 6-foot pervious path – made from either wood chips or gravel – will loop around the park property within the wetland buffer utilizing existing pathways as much as possible providing access to the shoreline. This requirement has been met.

***Subsection B:** Activities and uses shall be prohibited within wetlands and wetland buffer areas except as permitted in this Program.*

Finding 29.B: Uses within the on-site wetland buffer will include the construction and operation of a 6-foot gravel pathway providing access to the shoreline as required by the Woodland SMP.

Section Appendix B, subsection 5.5.J.2 of the Woodland SMP regulates permissible uses of wetland buffer areas. Permissible uses include walking paths or trails located within the outer 25% of the buffer area in cases in which no feasible location outside of the buffer is available or previously disturbed area(s). The trail(s) must be constructed of pervious, natural materials (such as wood chips and/or gravel), not be wider than 3ft for private trails, or 10 feet for public use, and efforts be made to place the trails on pre-existing roads, utility corridors, or any other previously disturbed area(s).

The proposed path is a 6-foot, gravel and/or wood chip public-access path located within the City's property and providing access to the shoreline, however the pathways are not limited to the outer twenty-five percent of the buffer area. A condition of approval has been added that the final site plan submitted along with the civil engineering submission modify the pathway to only run within the outer 25% of the buffer. *See Condition # 9.g.*

Subsection C: Category I Wetlands. Alteration of Category I wetlands and their buffers is prohibited unless the alteration would improve habitat to threatened or endangered species that use the wetland and/or its buffer. This habitat improvement must be demonstrated in the wetland critical areas report and the mitigation plan, if any.

Finding 29.C: No category I wetlands or associated buffers are present on site.

Subsection D: Category II and III Wetlands. The following standards shall apply to activities within Category II and III wetlands and wetland buffers:

1. All alternative designs of the proposed project to avoid adverse impacts to the wetland or wetland buffer are not feasible and appropriate mitigation measures are proposed.
2. Category IV Wetlands. Activities and uses may be permitted in Category IV wetlands that result in unavoidable impacts in accordance with an approved critical area report and mitigation plan, and only if the proposed activity is the only reasonable alternative available.

F.30.D: No activities not expressly permitted within wetland buffers per appendix B of the Woodland SMP, Subsection J are proposed.

Conclusion: As conditioned, proposed development can meet these standards.

Wetland Buffers | Woodland SMP, Appendix B, Section 5.5

Finding 31: The off-site wetland has been rated as a category II riverine wetland found to have a high level of function for habitat (score of 8). Per Table B-1 of the Woodland SMP, the subject wetland has variable buffers ranging from 150 feet to 300 feet depending on impact of proposed land use.

The uses proposed within the wetland buffer area, which is primarily that of a public walking trail constructed from natural, pervious materials, is classified as being low impact, so the buffer impacting that use is 150 feet.

Finding 32: Appendix A, subsection 5.5.J of the Woodland SMP regulates the permitted uses within a required wetland buffer area.

Passive recreation, including pervious walking paths or trails located within the outer 25% of the buffer area and shall be placed on existing road grades. Utility corridors, or any other previously disturbed area outside of the buffer unless demonstrated that no other feasible location outside of the buffer.

Finding 33: The proposed recreational trail will be constructed along previously disturbed areas as much as possible and will be constructed with pervious, natural materials such as wood chips and/or gravel. This meets the design criteria outlined within subsection 5.5.J, however a condition of approval had been added to demonstrate that the pathway be modified to only run within the outer 25% of the buffer.

Conclusion: As conditioned, proposed development can meet these standards.

Activities in Habitat Conservation Areas | Woodland SMP, Appendix B, Section 9.3 & 9.4

Finding 34: Activities and development within habitat conservation areas, including riparian habitat areas, must meet the standards outlined within appendix B, Section 9.3 (Performance Standards – General Requirements) and Section 9.4 (Performance Standards – Specific Habitats). Furthermore, activities must adhere to the requirements outlined within the Shoreline SMP (See below discussion).

Finding 35: Appendix B, Section 9.3 of the Woodland SMP requires all developments and/or activities meet specific standards outlined within subsections A-I.

Finding 36: Activities proposed within the Riparian Habitat Area alongside this development include:

- Excavation of approximately 150,000 CY of sediment in order to raise the ground level of the buildable area onsite to comply with City Code, causing unavoidable impacts to onsite vegetation;
- Construction of a pedestrian trail and pathway to access the isolated City park parcel and provide access to the shoreline as required by the Woodland SMP;
- Construction of a water-oriented recreation space on the park parcel including a continuation of the path system, benches for wildlife viewing, and a basketball court; and (The basketball court is likely to be removed)
- Construction and operation of proposed onsite stormwater facility.

Finding 37: Subsection 9.3.A, Appendix B of the Woodland SMP requires that alterations shall not degrade the functions and values of habitat, noting that a habitat conservation area may only be altered if the proposed alteration of the habitat does not degrade the quality or quantity of functions or values of the habitat. All new structures are prohibited from habitat conservation areas except in accordance with the Woodland SMP.

Finding 38: Per the provided Critical Area Report, Riparian habitat impacts will be mitigated in order to ensure the noted impacts does not degrade the quantity and/or quality of the functions present within the Riparian habitat area. A thorough restoration plan has been provided and shall be put into place, providing native herbaceous, scrub-shrub, and forested environments free from the invasive species of plant that dominate the area under current situations, as well as woody habitat features. This will provide a higher functioning habitat to wildlife in the area than currently present on site.

Linear transportation may be permitted within shoreline buffers without obtaining a shoreline variance provided that the project complies with all other provisions of the program per subsection 9.4.b, Appendix A of the Woodland SMP.

A basketball court may be considered a structure, and would as such require a Shoreline Variance per subsection 9.4.b, Appendix A of the Woodland SMP. As requested by the Department of Ecology, a Condition of approval has been added to either modify the final site plan to remove the proposed basketball court, or apply for a separate Shoreline Variance to permit the construction of a basketball court within the riparian habitat area. *See Condition # 9.h.*

The Washington State Department of Ecology also was concerned that the proposed stormwater treatment facility was not a permitted use within the Riparian buffer.

The Woodland SMP, subsection 6.7.B specifically states that stormwater management structures including ponds, basins, and vaults shall be located outside of shoreline jurisdiction and fish and wildlife conservation areas identified in Appendix B, table B-4 when possible. This would permit construction and operation of the proposed stormwater treatment facility and would fall under an activity permitted under the subject program. See further Shoreline permit discussion below for analysis of the stormwater facility.

Finding 39: Subsection 9.3.B, Appendix B of the Woodland SMP requires that nonindigenous species not be introduced unless authorized a state or federal permit of approval.

Finding 40: Proposed restoration plan does not include any nonindigenous species being introduced and includes a maintenance plan that calls for the management on nonindigenous species that may inadvertently grow back and/or migrate onto the site.

Finding 41: Subsection 9.3.C, Appendix B of the Woodland SMP requires mitigation sites be located in a manner that achieves continuous habitat corridors in accordance with an approved mitigation plan.

Finding 42: Proposed mitigation site provides continuous habitat corridors across the site, including forested, herbaceous, and scrub-shrub habitat features to enhance existing corridor.

Finding 43: Subsection 9.3.E, Appendix B of the Woodland SMP requires that mitigation shall achieve equivalent or greater functions and shall include mitigation for adverse impacts upstream or downstream of the development site.

This standard is met. See further discussion regarding the provided mitigation plan.

Finding 44: Subsection 9.3.F, Appendix B of the Woodland SMP requires approval to be supported by the most current, accurate, and complete scientific and technical information available.

Provided Critical Area Report utilized the best available science and referenced current scientific environmental manuals throughout their methodology. Specifically for the analysis of the Riparian impacts and mitigation, the applicant's environmental consultant utilized the Washington State Department of Ecology's (ECY) Determining the OHWM on Streams in Washington State (2010), the Washington Department of Fish and Wildlife PHS on the Web application, among others. This meets this standard.

Finding 45: Subsection 9.3.F, Appendix B of the Woodland SMP outlines requirements associated with buffers for Fish & Wildlife habitat areas. It requires the Director of Community Development to require buffer areas to be established for all activities in or adjacent to habitat conservation areas when needed for habitat protection. It also requires that buffers be either undisturbed areas of native vegetation, or shall be areas identified for restoration, to protect the integrity, functions, and values of the affected habitat, and that the recommendations by the Washington State Department of Fish and Wildlife.

Subsection G also permits the director to place seasonal restrictions in place on development activities within the buffer(s), and/or to recommend habitat buffer averaging, neither of which is proposed and/or appropriate at this time.

Finding 46: The applicant's proposed mitigation plan is intended to provide restoration to protect the integrity, functions, and values of the affected habitat based on the Cowlitz County Shoreline Restoration Plan (2015) as adopted within Appendix C of the Woodland SMP, under which this site was identified for restoration work. This meets the applicable standard.

Finding 47: Subsection 9.3.H, Appendix B of the Woodland SMP outlines the use of signage and fencing to delineate fish & wildlife habitat areas.

These requirements and standards are not substantially different than those outlined within Subsection 4.6, Appendix B of the Woodland SMP as noted in findings 23 and 24.

Finding 48: Subsection 9.3.1, Appendix B of the Woodland SMP provides performance standards for subdivision and short subdivision developments.

The proposed development is unrelated to the subdivision of land.

Conclusion: As conditioned, proposed development can comply with these standards.

Shoreline Substantial Development Permit (SSDP) | WMC Chapter 15.06 & Woodland SMP

Finding 49: Subsection 8.6.3 provides the approval criteria for a Shoreline Substantial Development permit. On top of the requirements of the subject zoning district, the City must find the development meets the following criteria:

1. All use regulations of this Program appropriate to the shoreline environment designation and the type of use or development proposed shall be met, particularly the preference for water-oriented uses. If a non-water-oriented use is approved, the decision maker shall enter specific findings documenting why water-oriented uses are not feasible.
2. All bulk and dimensional regulations of this Program appropriate to the SED and the type of use or development proposed shall be met, except those bulk and dimensional standards that have been modified by approval of a Shoreline Variance.
3. All policies of this Program appropriate to the SED and the type of use or development activity proposed shall be considered and compliance demonstrated, subject to liberal construction to give full effect to the objectives and purposes for which they have been enacted.

Conclusion: As Conditioned, the proposed development can meet these standards. See section(s) below for discussion.

General Shoreline Regulations | Woodland SMP Chapter 6

No Net Loss of Ecological Functions | Woodland SMP Chapter 6.1

Finding 50: Subsection 6.1 requires all shoreline use and development to be found to provide no net loss of ecological function, based on the subsections A-F of this provision:

- A. Met. The development has been designed to be located, constructed, conducted and maintained in a manner that maintains shoreline ecological functions and was designed in accordance with the mitigation sequencing provisions of the Woodland SMP. *See findings 20-22.*
- B. Met. The project has been designed to mitigate their potential impacts in order to protect the shoreline ecological functions including fish and wildlife habitat, food web support, and water quality maintenance.
- C. Met. Shoreline processes are to be protected by implementation of the proposed mitigation plan and stormwater design to include groundwater recharge and discharge, floodplain storage, retention of large woody debris and recruitment, organic matter input, and nutrient and pathogen removal.
- D. Not applicable. No in-water work is proposed.
- E. Met. Applicant has provided a mitigation plan that, as conditioned within this report, demonstrates that the activities shall not result in net loss of ecological functions.
- F. Met. As conditioned, staff has determined that the applicant has provided the necessary material within their provided shoreline narrative, associated plans, and Critical Area Report and Mitigation plan to review the subject application against the requirements of the Woodland SMP.

Conclusion: As proposed, as proposed, the development can comply with this standard.

Critical Areas Protection | Woodland SMP Chapter 6.3

Finding 51: Any project located within shoreline jurisdiction is required to be consistent with the critical areas regulations found in appendix B of the Woodland SMP.

A full review of the proposed development and their impact(s) to the onsite and offsite critical areas can be found in the report previously, however staff has conditioned the recommended approval to bring it into compliance with appendix B. *See Condition # 9.*

Conclusion: As conditioned, proposed development can meet these standards.

Public Access | Woodland SMP Chapter 6.5

Finding 52: Public access is required with this development, and must follow the standards outlined within subsection 6.7.B of the Woodland SMP A-G:

- A. Met. Proposed public access, a 20-foot gravel path that follows an existing utility line/easement down to the site’s property line, where it veers to the westward direction along existing brush-trails to reach the City Park parcel. Planned trail will branch off while a smaller, 6-ft wide public access trail will branch off and provide direct access to the water as a part of the proposed park. The applicant has utilized existing utility paths, as well as pre-existing unofficial trails as much as possible. As conditioned within this report, this meets the standard.

- B. Met. Trail encroaches into the shoreline buffer in order to provide physical and/or visual access to the water's edge.
- C. Met. Applicant has proposed that the trail will start at one of the two proposed parking lots within the development and has proposed that a public access easement will be provided along the parking lot in question. The applicant is also proposing public parking will be available in the parking lot, including ADA parking, so the public can enjoy the recreational opportunity to walk down and view the waterfront. A condition of approval has been added that the applicant is responsible for recording a public access easement leading along the parking lot and access trail that will stand in perpetuity. *See Condition # 10.a.*
- D. Not applicable.
- E. Met (as conditioned). No signage is identified, but a condition of approval has been added that the applicant will be required to provide signage in easily visible locations indicating the public's right of access, hours of access, and other relevant information. Signage locations should be indicated on final site plan. *See Condition # 10.*

Conclusion: As conditioned, proposed development can meet these standards.

Vegetation Conservation | Woodland SMP Chapter 6.6

Finding 53: Any project located within shoreline jurisdiction is required to be consistent with the vegetation conservation requirements of the Woodland SMP Chapter 6.6, Subsections A-D:

- A. Met. Setback and buffer provisions of the Woodland SMP (under Table 7-1 and appendix Table B-4) have been met to protect and maintain shoreline vegetation. Permanent project impacts are proposed outside the RHA and 10 feet landward of the FEMA Floodway.
- B. Met. The vegetation clearing on the shorelines has been limited to that necessary to functionally utilize the property.
- C. Met. Mitigation has been required, and a mitigation plan that is generally consistent with the Woodland SMP has been provided, and recommended conditions attached to ensure compliance with the City of Woodland's SMP. *See Condition #9.*
- D. Not applicable. No aquatic weed control is proposed.

Conclusion: As conditioned, proposed development can meet these standards.

Water Quality and Quantity | Woodland SMP Chapter 6.7

Finding 54: All shoreline development must comply with chapter 6.7 of the Woodland SMP, and demonstrate compliance with the requirements for water quality and quantity as outlined within subsections A-D:

- A. Met. A professional engineer has provided a Stormwater Technical Information Report for the proposed development that generally meets the City's standards and can meet the City's standards as conditioned within this report.
- B. Met. Stormwater management system has been designed to give preference to low-impact development facilities recognized to not cause substantial impact(s) to the shoreline jurisdiction or fish and wildlife habitat buffers. The proposed stormwater facility is located within the Riparian Habitat area as determined by table B-4, appendix B, of the Woodland SMP to make use of a pre-existing stormwater outfall that would be challenging to access at the primary building height.
- C. Not applicable. The application of pesticides, herbicides, and fertilizers is not proposed alongside the project.
- D. Met. Proposed development will connect to the existing City of Woodland sewer system.

Conclusion: As conditioned, proposed development can meet these standards.

Shoreline Use and Modification Regulations | Woodland SMP Chapter 7

Finding 55: Proposed development is located partially within the Residential Shoreline Environmental District (SED) and partially within the Urban Conservancy SED.

Finding 56: Within the residential SED, the proposed development includes multi-family residential and parking as an accessory use to the stated residential uses. Within the Urban Conservancy SED, the proposed development includes water-oriented and excavation uses.

These are permitted uses within their relevant SED per Table 7-1 of the Woodland SMP, and each use is required to adhere to the relevant use and modification regulations.

Conclusion: As proposed, this development can meet these standards.

Recreational | Woodland SMP Chapter 7.2.10

Finding 57: All recreational uses within the Woodland shoreline jurisdiction must meet the standards of chapter 7.2.10 of the Woodland SMP (Subsections A-G):

- A. Met. The proposed recreation area shall provide access to and enjoyment of the water and shorelines of the state and is a preferred use. The recreation area provides visual access to the shoreline of the Lewis River, as well as partial physical access to the shoreline.
- B. Met. Proposed path system does not displace water-dependent uses and are consistent with existing water-related and water-enjoyment uses. The present

site have been utilized for similar uses without the City's blessing, for decades leading to vegetative impacts to the varied critical areas, and providing the path system will allow for safer, less damaging access to the shoreline.

- C. Met. The proposed path offers water-enjoyment uses, providing public access to the shoreline. Encroachments are mitigated per the Woodland SMP.
- D. Met. Proposed development includes a secondary parking lot with 46 typical parking spaces, including EV and handicapped spaces. Some will be publically available, however a condition of approval has been added to identify the public spaces on the final site plan, and to provide signage on-site to ensure members of the public know where they are permitted to park. *See Condition 10.c.*
- E. Met as conditioned. The proposed basketball court would require a separate Shorelines variance, and the project has been conditioned on either getting a separate variance to permit the construction of the basketball court, or alternatively to provide an updated final site plan that does not include the basketball court. *See Condition # 9.h.*
- F. Not applicable. No overwater structures are proposed.
- G. Met. No facilities requiring potable water or sewage disposal are proposed. The path to access the park has been widened to be 20 feet wide to allow City of Woodland to access the property to handle facility upkeep, including trash collection and disposal.

Conclusion: As conditioned, proposed development can meet these standards.

Residential | Woodland SMP Chapter 7.2.11

Finding 58: All residential uses within the Woodland shoreline jurisdiction must meet the standards of chapter 7.2.11 of the Woodland SMP (Subsections A-G):

- A. Not Applicable. No single-family residential uses are proposed with this development.
- B. Met. No residential development is proposed within the riparian area, and all of the buildings exceed the 10 foot building setback from the riparian habitat. See findings regarding the critical areas regulations above.
- C. Not applicable. Redevelopment is not proposed as a part of this development. Site is currently unused.
- D. Met. The residential development will not require shoreline stabilization, obstruct views from existing residential uses located to the east or west, is not designed to be constructed in, over, or floating on the water, or in the floodway or channel mitigation zones.
- E. Met. Structural flood hazard reduction and stabilization measures are not required and will not be required during the life of the development or use.
- F. Met. The project has been designed to allow feasible construction within the floodplain while achieving no net loss of ecological functions through the implementation of the proposed mitigation plan.

- G. Met. Project has been designed to provide reasonable view corridors between the primary structures.

Conclusion: As proposed, the development meets these standards.

Transportation and Parking | Woodland SMP Chapter 7.2.12

Finding 59: All non-motorized facilities, such as trails, within the Woodland shoreline jurisdiction must meet the standards of chapter 7.2.12.B of the Woodland SMP (Subsections 1-3):

1. Met. As conditioned, proposed non-motorized facilities comply with the provisions for public access found within the Woodland WMC. See Finding 53.
2. Met, as conditioned. Proposed pathways generally comply with the City's Critical Areas provisions of the Woodland SMP as conditioned within this report. See *Condition # 9.g.*
3. Met. No streams and/or wetlands will be crossed by the path.

Finding 60: All parking facilities within the Woodland shoreline jurisdiction must meet the standards of chapter 7.2.12.C of the Woodland SMP (Subsections 1-3):

1. Met. Parking facilities have been proposed alongside the residential structures that they service along Lewis River Road/SR 503, set back as far as possible from the OHWM.
2. Met. Parking areas are located outside of all critical areas and associated buffers where feasible.
3. Met. Proposed parking facilities are located on the landward side of the proposed development.

Finding 61: Facility lighting is required to be designed and operated to avoid illuminating nearby properties or public areas; prevent glare on adjacent properties, public areas, or roadways to avoid infringing on the use and enjoyment of such areas, and to prevent hazards.

A lighting plan has not been provided alongside this development. A condition of approval has been added that the applicant is required to provide a lighting plan demonstrating compliance with this standard. See *Conditions # 10.d and 11.*

Conclusion: As conditioned, proposed development can comply with these standards.

Fill and Excavation | Woodland SMP Chapter 7.3.3

Finding 62: All fill and excavation work within the Woodland shoreline jurisdiction must meet the standards of chapter 7.3.3 of the Woodland SMP (Subsections A-E):

- A. Met. Proposed development meets the standards outlined within Chapter 7 of Appendix B of the Woodland SMP regarding frequently flooded areas and a hydrology report has been provided by a qualified professional demonstrating that adverse impacts will be avoided.
- B. Not applicable. No fill below or waterward of the OHWM is proposed.
- C. Not applicable. No fill is proposed in wetland or fish and wildlife habitat conservation areas.
- D. Not applicable. No excavation of previously deposited dredge spoils is proposed.
- E. Not applicable. Excavation below the OHWM (considered dredging) is proposed.

Conclusion: As proposed, development can meet these standards.

Shoreline Habitat & Ecological Enhancement Projects | Woodland SMP Chapter 7.3.5

Finding 63: All shoreline habitat and ecological enhancement projects within the Woodland shoreline jurisdiction must meet the standards of chapter 7.3.5 of the Woodland SMP (Subsections A-C):

- A. Met. Restoration plan has proposed a 10-year maintenance plan and a 10-year monitoring plan. A condition of approval has been added noting that the required monitoring report will be required to be submitted to the City. *See Condition # 9.c.*
- B. Met. The provided mitigation and restoration plan has been designed utilizing best management practices to allow for the restoration of the shoreline habitat and providing a net increase in ecological improvement and habitat functions onsite.
- C. Met. Habitat enhancement proposed as a part of the mitigation plan will provide a net increase in ecological improvement and habitat functions available, will not have an adverse impact on spawning, nesting, or breeding fish and wildlife habitat conservation areas, will not degrade water quality, streamflow, or flood storage.

Conclusion: As conditioned, proposed development can meet these standards.

Erosion Control | WMC 15.10 | *Ryan Walters, Gibbs & Olson*

Finding 64: Applicants are required to install and maintain erosion control measures per the Best Management Practices as outlined in the 2012 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 condition of approval is added to include an erosion control plan with the final engineering submittal. Additionally, a fill and grade permit is required. See *Conditions 6.a and 6.b.*

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

Stormwater Management | WMC 15.12 | *Ryan Walters, Gibbs & Olson*

Finding 65: A condition of approval is added to submit a final stormwater TIR that addresses the following concerns:

- Per Woodland Municipal Code 15.12, the City of Woodland follows the 1992 Puget Sound Manual. If the applicant chooses to utilize the design practices and guidelines in the newer versions of the SWMMWW, all elements of the design for this project must meet the current Ecology manual.
- Ensure the contents of the final TIR includes all information as outlined in Section 15.12.180 of the woodland municipality code.
- Provide conveyance calculations for all storm pipes. The City of Woodland requires the conveyance system to be designed for the 100-year storm event.
- Appendix B, Figure III-1.1 Runoff Treatment BMP Selection Flow Chart shows Enhanced Treatment is not required for this project. Per current SWMMWW, Section III-1.2 Choosing Your Runoff Treatment BMPs Step 5, enhanced treatment is required for Multifamily residential project sites.
- Per the current Ecology manual, flow control is not required for TDAs that discharge directly to, or indirectly through an MS4 to a water listed in Appendix I-A: Flow Control Exempt Receiving Waters. The TDA must be drained by a conveyance system that is comprised entirely of man-made conveyance elements and extends to the ordinary high-water line of the exempt receiving water. The conveyance system between the TDA and the exempt receiving water shall have sufficient hydraulic capacity to convey discharges from the site, and the existing condition from contributing off-site areas.
- Sheet 6/12 of the preliminary plans calls out a wetpond. Sheet 7/12 calls out a stormwater treatment wetland. The TIR provides calculations for a two-cell stormwater treatment wetland. Provide more detail in final design regarding the stormwater treatment for this project.

A condition of approval has been added that a final stormwater TIR be provided addressing these comments. See *Condition #7.*

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

Permitted Uses | WMC 17.36.020

Finding 66: Multi-family dwellings including duplexes, apartments, condominiums, townhouses, or other group of dwellings in accordance with the density standards set forth are permitted uses within the medium density residential zoning district.

Conclusion: The proposed use is a permitted use in this zone.

Setbacks | WMC 17.36.070

The intent of setbacks in the MDR zoning district is to establish appropriately located areas for multi-family living at a broad range of dwelling unit densities consistent with the Comprehensive plan.

Per WMC 17.20.070(D)(1), buildings and/or uses must comply with a setback of 20 feet from the front lot line of the property.

Finding 67: Proposed structures offer setbacks ranging from 11 feet to approximately 100 feet. The proposed 'Building J' infringes on the required front setback. A Condition of approval has been added that the applicant will be required to modify the location of 'Building J' to adhere to a 20-foot front setback. *See Attachment A – Site Plan and Condition 14.a.*

Per WMC 17.20.070(D)(3), buildings and/or uses must comply with a setback of 5 feet from any interior side lot line of the property.

Finding 68: The proposed buildings are set back 5 feet from all adjacent properties, however proposed buildings as designed cross over lot lines in several locations. Applicant acknowledges this within the provided narrative and has expressed that they intend to pursue a Boundary Line Adjustment and/or lot consolidation in the future to bring the project into compliance. This is acceptable, however a condition of approval has been added that the applicant is required to get approval for a boundary line adjustment prior to final approval of the project. *See Attachment A – Site Plan and Condition # 15.*

Per WMC 17.20.070(D)(3), buildings and/or uses must comply with a setback of 5 feet from the rear lot line of the property.

Finding 69: The proposed buildings all meet the 5-foot rear setback requirement. *See Attachment A – Site Plan.*

Conclusion: As conditioned, the proposed development meets these standards

Building Height | WMC 17.36.080

The maximum height, measured from grade to the average height of the highest gable of a pitch or hipped roof, is 35 feet in the medium density residential zoning district per WMC 17.20.070(f).

Finding 70: Preliminary calculations estimate that all of the proposed buildings as proposed have a height of 35 feet. This meets this standard.

Conclusion: As proposed, the project can comply with this standard.

Minimum Lot Area per Dwelling Unit (Density) | WMC 17.20.070

Finding 71: Per WMC 17.20.070(B), properties within High Density Residential districts have a minimum lot area of 1,240 SF per dwelling unit.

Finding 72: Subject site is 1,088,874 SF in total size, and the applicant is proposing a total of 252 units. This is approximately 4,321 SF per dwelling unit, meeting this standard.

Conclusion: As proposed, the development can comply with this standard.

Lot Coverage | WMC 17.20.070(G)

Finding 73: Lot coverage refers to the maximum allowable coverage of a lot by buildings and structures as established within WMC 17.08.420. Maximum lot coverage within High Density Residential (HDR) zoning district is 45%.

Finding 74: Outside of Low-Density Residential districts, lot coverage is calculated by the area of all buildings and structures divided by total lot area, not including driveways and other paved surfaces.

Finding 75: Proposed new building has an area of 290,000 SF of building coverage divided by the total area of 1,088,874 SF, which equals a lot coverage calculation of approximately 27%, which complies with WMC 17.20.070.

Conclusion: The proposed development can comply with this standard.

Performance Standards | WMC 17.20.090

Finding 76: Exterior Mechanical Devices: Air conditioners, heating, cooling, ventilating equipment, swimming pool pumps, and heaters and all other mechanical devices shall be screened from surrounding properties and streets and shall be operated in such a manner that they do not disturb the peace.

Finding 77: Applicant acknowledges that mechanical devices will be screened from view. A condition of approval has been added that the applicant provide architectural elevations showing screening measures for all mechanical devices. *See conditions # 13.c and # 16.b.*

Finding 78: Landscaping Required: As outlined under WMC 17.20.090(B), all MDR and HDR zones shall provide landscaping and open space. All required landscaping shall be permanently maintained in a neat and orderly condition.

Finding 79: For new developments, a landscape plan shall be submitted for review by the city's development review committee. The final landscape plan must show:

- Location of all proposed vegetation;
- The common and botanical name of all proposed vegetation;
- The initial planting size (height or gallon) and the mature planting size; and
- Proposed methods of irrigation, if any.

Finding 80: A preliminary landscape plan has been provided for new development with the Site Plan Review application. Location of proposed vegetation is provided, as well as the rough size of proposed vegetation, but the final landscape plan will require the identification of all proposed vegetation (using both common and botanical names).

A total of 671,500 SF of landscaping is identified on the preliminary landscape plan, which is approximately 62% of the total site, including landscaping within the required setbacks, parking lot, and general landscaping.

Proposed landscaping is diversified and includes trees, shrubs, and groundcover appropriate for the Pacific Northwest. As proposed, the landscaping plan generally meets the intent of this code section.

Finding 81: As required by WMC 17.20.090(B), the proposed development provides open space for resident's enjoyment, including a large grassy field in between the proposed building, a path along the shoreline, and other features.

Finding 82: Yard Projections: WMC 17.20.090(E) states that every required front, rear, and side yards shall be open and unobstructed from the ground to the sky unless

otherwise provided for. *See condition #16.c.*

Finding 83: Trash Receptacles: Except on trash pickup days, all trash receptacles must be screened from neighboring properties and public rights-of-way by an opaque visual barrier no lower than the maximum height of the receptacles. Recycling bins must be made available and be located within a close proximity to any trash receptacles and screened as outline above.

.15 cu. Yds. of garbage capacity per dwelling unit per week is recommended. Garbage capacity should equal at least 37.8 cu Yds, assuming weekly pick up.

.15 cu. Yds of recycling capacity per dwelling unit per week is recommended. Recycling capacity should equal at least 87.8 cu Yds, assuming weekly pick up.

A condition has been added that requires plans showing proposed screening measures for all trash and recycling enclosures on the site shall be provided to the City. *See condition #17.*

Finding 84: Three new trash enclosures are indicated on the preliminary site plan. A condition of approval is added to provide specifications regarding the container and enclosure specifications including capacity and dimensions of all provided receptacles, as well as dimensions and plans for proposed new enclosure. *See Condition #17.*

Finding 85: Site Distance Requirements: Per WMC 17.20.070(L)(2), any intersection between a street and a private driveway, a triangular area extending twenty feet along the edge of the driveway and ten feet along the shoulder or curb line of the improved portion of the right-of-way shall be provided free of obstruction.

Finding 86: Proposed development meets this standard, based on site and vision triangles have been providing showing compliance with the standard. *See Attachment A – Site Plan.*

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

Off-Street Parking | WMC Chapter 17.56

Number of parking spaces required are set by WMC 17.56.

Required Spaces

WMC 17.56.050(E)(2) requires one and a half parking spaces to be provided for every one- or two-bedroom unit, and two parking spaces for every 3 - or more bedroom unit.

Finding 87: Proposal includes 198 one- and two-bedroom units. With 1.5 parking spaces per one and/or two-bedroom unit, a total of 297 parking spaces will be required to be provided on-site to accommodate this development.

Finding 88: Proposal includes 54 three-bedroom units. With 2 parking space per every three-bedroom unit for a total of 108 additional parking spaces.

Finding 89: Per code, a total of 405 parking spaces are required alongside this development as proposed. The applicant has proposed a total of 476 parking spaces, which exceeds this standard to provide for public parking for the park, and to avoid impacting off-site parking availability in the local area.

Parking spaces are required to have a minimum area of 180 sq ft and be 9 ft wide per WMC 17.56.060.

Finding 90: Provided site plan identifies that each proposed parking space will be between 9 feet wide, with a length of 20 feet. These dimension(s) meet the minimum standards.

Conclusion: The proposed development can comply with this standard.

NOTE: ADA and Electrical Charging parking spaces are assessed at the time of building permit review, and notes from Debi Cler with Townzen & Associates has been included in this report addressing those topics.

Performance Standards - General | WMC 17.48

Finding 91: The requirements of this section cover hazards and nuisances including sound level, vibration, air emissions, smoke, dust, odors, industrial wastes, fire hazards, heat, glare, radioactivity and radio transmitters. The applicant will be responsible for ensuring that their operation is complying with all performance standards. If x-ray equipment is to be installed, the building plans will need to clearly define this area so the Building Official can ensure the building code can be met. *See Condition #16.f.*

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

Phasing & Time Requirements | WMC 19.10.120 & SMP Subsection 8.6.5

Finding 92: WMC 19.10.120(A) permits a phasing plan, not to exceed a total time period for all phases be greater than eight years without reapplying for site plan review so long as they meet with the criteria listed in WMC 19.10.120.B (1-3).

Applicant has proposed to construct the development in three phases, with all phases to be completed within 7 years. Applicant intends to begin construction as soon as permitting is in place. acquired, while phases two and three will start construction as business factors and funding is put in place.

Finding 93: WMC 19.10.120(B)(1) Requires all public facilities necessary to serve a phase shall be completed prior to or with the development of the phase.

As proposed, public facilities necessary to serve each phase will be completed prior to or with the development of the relevant phase.

Finding 94: WMC 19.10.120(B)(2) requires that the development and occupancy of any phase is not dependent on the use of temporary public facilities.

As proposed, no proposed phase is dependent on the use of temporary public facilities.

Finding 95: WMC 19.10.120(B)(3) requires that the phased development will not result in the city, other property owners, or latecomers, constructing public facilities that were required as part of the approved development proposal.

As conditioned, no proposed phase will result the city or other property owner to construct public facilities required by the approved development proposal.

Finding 96: Subsection 8.6.5.B of the Woodland SMP, and RCW 90.58.140(6) requires that no permits and construction pursuant to such permit shall begin or be authorized and no building, grading, or other construction permits and/or use permits shall be issued by the City until 21 days from the date an SSDP was filed with Ecology and the attorney general, or until all review proceedings are completed as were initiated within the 21 days of the date of filing. *See Condition # 35.*

Finding 97: Subsection 8.6.5.D of the Woodland SMP and RCW 90.58.143, requires construction of activities or a use or activity for which a permit has been granted pursuant to this Program, must be commenced within two years of the effective date of the effective date of a shoreline permit, or the shoreline permit shall terminate a new permit shall be necessary. *See Condition # 36.*

Finding 98: Subsection 8.6.5.E of the Woodland SMP and RCW 90.58.143, a permit authorizing construction shall extend for a term of no more then five years after the effective date of a shoreline permit. A single extension of one year, based on a finding of good cause, may be applied for in writing prior to permit termination. *See Condition # 37.*

Fire Review

Finding 99: Applicant has submitted the proposed site plan to CCFR for their review. Applicant is responsible for ensuring compliance with all comments and/or conditions provided by Clark Cowlitz Fire Rescue through their independent fire/life safety review. *See Condition # 19.*

Finding 100: Building construction plans shall be submitted to CCFR separately, along with any fire alarm and/or fire sprinkler alterations. *See Condition # 20.*

Conclusion: As conditioned, the project can comply with this standard.

Building

The City has adopted the 2018 edition of the International Building Code (IBC) through WMC Title 14. The City expects to adopt the 2021 edition of the IBC by the month of July, 2023. Please contact the permit clerk with any questions. All commercial building review is conducted by Townzen & Associates.

Finding 101: Debi Cler, who serves as the City of Woodland's primary commercial plans reviewer with Townzen & Associates, has provided comments that should be address prior to building permit application:

- 1. IBC 1106.1:** Total proposed parking spaces = 474, Required Accessible Parking spaces = 9. Meets Requirement.
- 2. IBC Sec 1106.5:** For every six or fraction of six accessible parking spaces, at least one shall be a van-accessible parking space.
- 3. IBC Sec 429 (WAC Update 7/29/21)** will apply to this project. (See Below)
Proposed: 474 parking spaces = 48 EV Spaces Required, 1 Accessible EV Space Required.
- 4. WSEC Sec C411:** Solar Readiness will apply to the office / clubhouse only for this project. (See Below)
- 5.** All Geotech recommendations and requirements will be required to be implemented into the design of the structures.

WAC 51-50-0429 Section 429— Electric vehicle charging infrastructure.

429.1 Scope. The provisions of this section shall apply to the construction of new buildings.

EXCEPTIONS: 1. Occupancies classified as Group R-3 or Group U.

2. Group A, Group E, or Group M occupancies, except where employee parking spaces are designated. The provisions of Section 429 shall apply only to those designated employee parking spaces.

429.2 Required electric vehicle charging infrastructure. Where parking is provided, **ten percent** of parking spaces shall be provided with electric vehicle charging infrastructure in compliance with Sections 429.3, 429.4 and 429.5. When the calculation of percent served results in a fractional parking space, the applicant shall round up to the next whole number.

429.5 Electric vehicle charging infrastructure for accessible parking spaces. When electric vehicle charging infrastructure is required, **ten percent** of accessible parking space, rounded to the next whole number, shall be provided with electric vehicle charging infrastructure. The electric vehicle charging infrastructure may also serve adjacent parking spaces not designated as accessible parking. A maximum of ten percent rounded to the next whole number, of the accessible parking spaces are allowed to be included in the total number of electric vehicle parking spaces required under Section 429.2.

SOLAR READINESS: (Office / Clubhouse Only)

C411.1 General. A solar zone shall be provided on non-residential buildings that are 20 stories or less in height above grade plane. The solar zone shall be located on the roof of the building or on another structure elsewhere on the site. The solar zone shall be in accordance with Sections C411.2 through C411.8 and the *International Fire Code*.

C411.2 Minimum area. The minimum area of the solar zone shall be determined by one of the following methods, whichever results in the smaller area:

1. 40 percent of roof area. The roof area shall be calculated as the horizontally-projected gross roof area less the area covered by skylights, occupied roof decks and planted areas.
2. 20 percent of electrical service size. The electrical service size is the rated capacity of the total of all electrical services to the building, and the required solar zone size shall be based upon 10 peak watts of photovoltaic per square foot.

NOTE: The 2021 Code cycle change is effective on July 1, 2023. All building package submittals after that date will need to meet the current code at the time of submittal.

The applicant is responsible for providing updating building plans to comply with the above criteria at time of application for a commercial building permit. *See Condition #16.*

Utility Services

The City maintains certain standards and specifications required for connection to the water and sewer system(s). The following comments have been provided regarding the site plan:

Finding 102: Woodland Water Treatment Plant: RPBA (Reduced pressure backflow assembly) will be installed on the connection(s) to the city water supply. The RPBA is required for the swimming pool and elevated plumbing in the buildings. Please contact the City of Woodland Public Works department with any questions. *See Condition # 22.*

SEPA Agency Comments

Finding 103: Department of Ecology provided comments regarding solid waste management and water quality. A summary of comments:

- **Shorelines & Environmental Assistance:** Meghan Tait provided comments on the proposed development. The comments included:
 - She noted that a shoreline variance permit is required for any development within the Riparian Habitat Area, including stormwater treatment facilities and a basketball court. Furthermore, non-water oriented recreation is prohibited in the Urban Conservancy SED;
 - Furthermore, she noted that when demonstrated that there is no feasible location outside of the buffer, trails or paths may be placed within the outer 25% of a wetland buffer and the trail shall be planned to minimize removal of vegetation. Trails may only be composed of natural, pervious materials.
- **Solid Waste:** Use only clean fill or obtain a solid waste permit. Dispose of all debris at an approved site.
- **Water Quality:** Install erosion control measures prior to clearing, grading, construction. Do not discharge into waters of the state. 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. Report any soil/groundwater contaminants found.
- **Construction Stormwater General Permit:** The following activities require coverage under the Construction Stormwater General Permit:

- Clearing, grading and/or excavation that results in disturbance of one or more acres and discharges stormwater to surface waters of the state; and
- Clearing, grading and/or excavation on sites smaller than 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.
- Any size of construction activity discharging stormwater to waters of the State that ecology:
 - Determines to be a significant contributor of pollutants to waters of the State of Washington; or
 - Reasonably expects to cause a violation of any water quality standard.

If there are known soil/ground water contaminants present on-site, additional information (including, but not limited to: temporary erosion and sediment control plans; stormwater pollution prevention plan; list of known contaminants with concentrations and depths found; a site map depicting the sample location(s); and additional studies/reports regarding contaminant(s)) will be required to be submitted. For additional information on contaminated construction sites, please contact Evan Wood at evan.wood@ecy.wa.gov, or by phone at (360) 706-4599.

Finding 104: While the City generally concurs with the comments as stated, and has conditioned the project to require that the plans be modified to comply with most requirements, the requirement to procure a shoreline variance to place the proposed stormwater quality system within the Riparian areas designated in Appendix B, Table B-4 of the Woodland SMP.

Appendix B, Subsection 9.4.D of the Woodland SMP states that “unless otherwise allowed in this program, all structures and activities shall be located outside of the RHA.” Subsection 6.7.B of the Woodland SMP states that:

“Stormwater management structures including ponds, basins, and vaults shall be located outside of shoreline jurisdiction and fish and wildlife habitat buffers identified in Appendix B, Table B-4 **where possible**. Low impact development facilities (which do not substantially change the character of the shoreline) such as vegetation filter strips, grass-lined swales, and vegetated bioretention and infiltration facilities, are encouraged in association with development allowed in shoreline jurisdiction.”

This permits Stormwater management structures to be allowed explicitly within the fish and wildlife habitat buffers identified in Table B-4 of Appendix B should locating the stormwater conveyance structures outside of that area not be possible.

The City has historically interpreted this to permit stormwater conveyance to be permitted in the Riparian area in such cases that other options are not feasible and mitigation is provided to offset the potential impacts.

A condition of approval has been added that the applicant is responsible for complying with the Department of Ecology's comments regarding solid waste management and water quality/watershed resources and applying for all applicable permit(s). Conditions of approval have also been previously added that the applicant modify their plans to demonstrate that the walking trails proposed doesn't extend past 25% of the noted wetland buffers, and that the applicant either revise the proposed site plan to remove the basketball court from the Riparian area or applies for a separate shorelines variance that is approved *See Conditions # 9.g, 9.h, and 23.*

Finding 105: Sydney Hanson with the Washington State Department of Archaeology & Historic Preservation (DAHP) provided comments recommending that an Archaeological survey be performed by a professional prior to ground disturbing activities.

Finding 106: Staff concurs with DAHP's recommendation. The site is along the Lewis River, a historical waterway utilized by a variety of Native American and early pioneers in the area, and the presence of artifacts and/or other notable items onsite justify an archaeological report being conducted. A Condition of Approval has been added to provide the City with a archaeological report that meets DAHP's Standards for Cultural Resource Reporting and are uploaded to DAHP's WISAARD program for their review. *See Condition # 24.*

Finding 107: Dylan Bass, development review planner with the Washington State Department of Transportation (WSDOT) provided an email of preliminary comments and followed with a letter outlining WSDOT's full comments regarding the proposed development. WSDOT's concerns/comments included:

- WSDOT is concerned that no more than two access connections are justified for the proposed development, and that the eastern access does not conform to the access control design standards outlined in WAC 468-52-040 and would conflict with eastbound left turn movements onto Gun Club Road;
- WSDOT requests that the western full-movement access be relocated to square up with the Insel Road intersection;
- WSDOT notes that the right-in/right-out intersection will require the installation of center median curbing or a center median island to prevent left turns into the site;
- WSDOT requests that the frontage improvements along Lewis River Road be redesigned to match up with other local developments, particularly that of 'Quail Meadows,' and that the sidewalk route around the Williams pipeline;
- WSDOT notes that all stormwater from new impervious surfaces created within WSDOT ROW must be treated for quality and quantity within WSDOT RoW, and that hydraulic calculations and plans must be submitted for

WSDOT review and approval. The drainage plans and calculations need to meet the requirements of the WSDOT Hydraulics Manual and the Highway Runoff Manual;

- WSDOT notes that WSDOT is required to be reimbursed by agreement for their actual direct and related expenses associated with the proposed project and that all work performed within the WSDOT RoW requires WSDOT technical review, permits, inspection and approval prior to construction. This reimbursable agreement must be in place prior to WSDOT reviewing any plans submitted for approval;
- WSDOT provided a list of standard requirements for all work in the WSDOT Right of Way.
- WSDOT noted that they only accepts and recognizes WSDOT ROW donations through a Warranty deed, and advises that the RoW dedication process can take several months to complete.
- WSDOT notes that lighting will be required that lighting installed by the applicant will be required to be of an appropriate wattage and be shielded and/or directed according to RCW 47.36.180 to avoid any glare to motorists on the highway.

These comments provided were done so following a preliminary review, and WSDOT wanted to note that as the project progresses there may be additional information for further review, and other issues that may be found. Their preliminary review is not final approval by WSDOT.

Finding 108: Staff generally agrees with WSDOT that the proposed access layout does not meet the City's standards. The eastern access, as noted by WSDOT, poses a risk of conflict with traffic turning off of Gun Club Road, and the driveway of the church located directly to the East of the subject property. The applicant has suggested that they would be willing to seek a shared access agreement with the church and construct a shared driveway that is lined up with Gun Club Road, which would be acceptable to the City. A condition of approval has been added that the applicant shall either reconfigure the proposed development to either have a maximum of two access points (one full access and one right-in/right-out) or provide a shared access agreement with the church and reconfigure the final site plan to show that the eastern access will be shared and be lined up with Gun Club Road. *See Condition # 25.*

Finding 109: WSDOT has requested that the primary (western) access be reconfigured to be squared up with Insel Road. In response to this comment, the applicant's consulting engineer responded noting that, based on their design process, Right of Way was not available to construct the deceleration lane required to facilitate moving this access to line it up with Insel Road, and proposed relocating the primary access to the East, closer to the center of the property (Approximately where the right-in/right-out access is currently located), which would potentially minimize the opportunities for the access to interfere with the Insel Road/Lewis River Road intersection, though noted that doing so would prevent the applicant from constructing a left turn lane going eastbound

due to proximity to the left turn lane at the intersection of Lewis River Road and Gun Club Road. A condition of approval has been added that the applicant shall either relocate the western (primary) access to line up with the Insel Road intersection, or find an alternative alignment that the City and WSDOT are comfortable moving forward with. *See Condition # 26.*

Finding 110: The City concurs with WSDOT and requests that center median curbing or an island will be required to be installed at the location of any right-in/right-out access. *See Condition # 27.*

Finding 111: WSDOT's request that the frontage improvements match other local developments and that the sidewalk route around the Williams pipeline installation, and a condition of approval has been added. *See Condition # 28.*

Finding 112: A condition of approval has been added that it is the applicant's responsibility for applying for all/any permits and/or approvals required by WSDOT and adhering to their requirements regarding stormwater treatment in the RoW, RoW dedication, WSDOT inspections, and materials utilized in WSDOT RoW. *See Condition # 29.*

Finding 113: Northwest Pipeline LLC, the owner and operator of the Williams natural gas pipeline that runs along the property in an easement noted on the plans, provided a comment noting that they require either a written letter of no objection or the execution of an encroachment agreement for any project that may encroach into their RoW. A condition of approval has been added that the applicant is responsible for submitting their proposed development to Northwest Pipelines LLC for review and approval prior to civil approval. *See Condition # 30.*

Public Comment

Finding 114: Staff received a total of twelve comments from local citizens regarding the proposed development. Primary concerns included the following:

- General concerns about the additional traffic generated by the proposed development, particularly the intersection of Insel Road and Lewis River Road/S.R. 503;
- General concerns about loss of habitat for local wildlife;
- General concerns regarding the character of Woodland as a city;
- A general concern that an archaeological study of the property should be prepared;
- General concerns regarding the impacts to schools, police, fire services, and/or garbage services;
- Concerns regarding sightlines being blocked;

- A perceived lack of parking.

Finding 115: The applicant has provided a Traffic Impact Analysis (TIA) demonstrating that the proposed development will not trigger any intersection to be considered to be failing based on the City of Woodland or WSDOT standards. While the City understands that traffic continues to be a concern, the City's responsibility is to ensure that new developments meet, or can meet, City standards, not prevent property owners from the reasonable use of their property. The City is working to minimize potential conflict points associated with this development, most notably with the eastern access proposed, and will continue to do so, but there are legal limits to what the City can (and cannot) require as mitigation associated with the development.

It should also be noted that the applicant will pay Transportation Impact Fees associated with the stated development at the time of building permit issuance. In total, these are estimated to be approximately \$130,929.12, which will be utilized to mitigate impacts placed upon the transportation network by the proposed development.

Finding 116: Staff originally asked the applicant to provide a left turn lane at the Insel Road and Lewis River Road intersection, however as stated above there are legal limits to the mitigation the City can require of the developer. As the applicant provided a TIA that demonstrated that the turning lane was justified prior to the development, and that the proposed development will not route any additional trips along that turning movement (from Lewis River Road to Insel Road coming from the West), the City does not have legal standing to require the developer construct the turn lane.

Finding 117: The applicant has provided a critical area report and mitigation plan demonstrating that the functions of the habitat area onsite will be improved following the implementation of the proposed mitigation plan, and that no net loss of ecological function will be achieved. Further review has been completed in the section of this report regarding critical areas and shoreline regulations.

Finding 118: While the City appreciates that residents enjoy the character of the City, the applicant has proposed a multi-family development within an appropriate zoning district and comprehensive plan designation, which indicates that the subject property was designated for multi-family development. Furthermore, the proposed development has a density of 10 units per acre, which is considerably lower than the maximum permitted density of 35 units per acre, demonstrating that this proposed development is not more intense than other similar developments permitted within the subject zoning district.

Finding 119: Staff notes that a condition of approval has been added that an archaeological study be conducted. The applicant has accepted this requirement, and has indicated that their company has a firm lined up to conduct the study. *See Condition #24.*

Finding 120: All public service organizations, including the Woodland Public School District, Woodland Police Department, and Clark-Cowlitz Fire Rescue (CCFR) are provided the opportunity to review applications for new developments and provide any relevant comments and/or requirements for reasonable mitigation. Furthermore, the applicant will pay impact fees that will help mitigate the impact the new development will have on fire services and the school district. *See Condition # 1.*

Finding 121: Sightlines from the properties to the East and West of the subject property, which have sightlines to the shoreline, will not be blocked by this development. Sightlines to the North of the development will be partially blocked, however viewing corridors have been proposed that will provide local residents and people walking along the right of way and opportunity to view the vegetation area behind the proposed development. This meets the standards outlined within the City's Shoreline Master Program.

Finding 122: The applicant has proposed parking lots including a total of 476 parking spaces, which exceeds the 405 required by the Woodland Municipal Code. As the proposal exceeds the requirements outlined by code, the City has found that it is consistent with the City's standards.

Finding 123: One of the commentors, Austin Kryger, who lives across Lewis River Road from the proposed development provided several comments regarding potential loss of habitat, loss of views, and traffic. While staff has addressed most of the comments provided above (see Finding 108, 110, 114, and 115), Mr. Kryger specifically questioned why the Traffic Impact Analysis provided was conducted in 2020, at a time with depressed traffic volume due to the Covid-19 pandemic business closures and lockdown orders, and regarding potential trash generated by the residents of the apartment complex.

Finding 123.a: The TIA provided by the applicant utilized traffic counts and volume data from 2022, not 2020. This is up to date traffic counts, and the traffic counting was performed under current conditions, not reflective of depressed 2020 traffic volume.

Finding 123.b: Applicant is required to comply with the City's performance standards regarding site upkeep and maintenance. While staff cannot promise that no litter will be generated by the proposed development, staff encourages those that may see an excess of litter contact the City's public works and/or code enforcement offices.

Finding 123.c: Mr. Kryger also commented that the trucks delivering fill to the site would potentially cause further traffic implications. Staff notes that fill will be sourced from the project site, partially due to the sheer amount required to raise the buildable area to the level required, and the potential transportation impacts of importing the fill

into the City and to the site, will be minimal and transient compared to the long-term trip counts already considered for this project.

Finding 124: Christy Tseu, a resident of Ariel, Washington who utilizes S.R. 503 regularly, provided comments regarding the associated SEPA Checklist. Specifically she had concerns with the following sections:

- Section 5. Animals. (a) List the names of the local birds. Hawk, eagle and osprey reside on the site and in this area.
- Section 8. Land and Shoreline Use. (e&f) This site is in a floodplain, floodway and Riparian Habitat Area and that is very concerning to me. In 1873, flooding on this property is why Joseph Eaton moved his homestead to Rock Creek.
- Section 9. Housing. (a) 252 multifamily housing units. I am concerned that the schools will not have room for additional students.
- Section 13. Historic and Cultural Preservation. I recommend that an archaeological study be required before this proposal can move forward, due to the fact that this area was used by Native Americans and the first Pioneers that migrated to the area. This area is located on portions of the Joseph Eaton Donation Land Claim and the John Shaw Bozarth DLC.
- Section 14. Transportation. (g) Logging trucks were not mentioned. The logging industry will be impacted with the additional traffic that this project will create on Lewis River Road.

Finding 124.a: The submitted SEPA checklist acknowledges that hawks, herons, and songbirds are present on the site. Staff has not found evidence that Eagles specifically are present on site and has determined this section of the SEPA checklist was completed accurately. The contractor will be required to use the best management practices from the Washington State Department of Fish and Wildlife should a protected species is discovered on the site during construction.

Finding 124.b: The project is partially within the floodplain and partially in the floodway, and has effectively mitigated for the proposed impacts to the floodway and floodplain, providing additional flood storage and mitigating for the fill that will be placed within the floodplain.

Finding 124.c: The school district was provided the opportunity to review the proposed development and did not express concerns regarding the proposed development. Furthermore, the applicant will provide approximately \$1,486,800 in School Impact fees to assist the school district in mitigating the impacts that the development will cause. *See Condition # 1.*

Finding 124.d: The approval had been conditioned to require an archaeological survey to be completed for the subject property. *See Condition # 24.*

Finding 124.e: While logging trucks were not specifically mentioned, the expectation would be that the impact(s) to the transportation system would be able to similar to that of any business or private citizens.

Finding 125: Joe Listek, who owns property adjacent to the subject property, provided comments that he was concerned that the proposed three trash enclosures would not be adequate for the subject property. Mr. Listek also commented that he believed that storm drains from the property to the West of his property is draining onto his property, and may be feeding onto the subject site.

Finding 125.a: The City notes that the applicant has not provided the sizes of proposed trash receptacles. Three trash enclosures may be adequate depending on the size of the receptacles themselves and the manner in which they are operated (valet service, self-disposal). A condition of approval has been added that the applicant shall provide the size and dimensions of proposed trash receptacles. *See Condition # 31.*

Finding 125.b: Mr. Listek's concerns regarding stormwater potentially crossing the property line(s) is noted, and has been passed to the applicant.

Finding 126: Rhonda Metcalf, a local resident provided comments that included concerns regarding traffic, enforcing City standards in relation to animals, noise, smoking, trash, and other nuisances, crime rates, the proposed park development, and a desire to see the property be developed for single family homes on large lots.

Finding 126.a: Traffic concerns are addressed throughout this report, but specifically in Finding 108 and 109. The applicant has provided documentation showing the proposed development can meet City standards.

Finding 126.b: The property owner and/or management company will remain responsible for ensuring the development complies with the City's municipal code in regards to potential nuisances and performance standards, similarly to the HoA that Ms. Metcalf is a part of. Failure to maintain the property in a manner consistent with the Woodland Municipal Code could lead to code enforcement action. *See Condition # 16.f.*

Finding 126.c: Any increased crime shall be handled by the Woodland Police Department. The City has not found any concrete evidence that the proposed development will have any effect on the crime rate outside of that of any other development of a similar size, whether multi-family or single-family.

Finding 126.d: The proposed park has been designed to be low impact, minimizing the potential for habitat removal by utilizing pre-existing trails and areas of vegetation disturbance. It should be noted that residents already utilize the City park property, and City staff has witnessed individuals utilizing the site to make bonfires, litter, and cause

further harm to the local environment, when in a more established recreation area these actions could be better prevented and monitored.

Finding 126.e: The property is zoned for multi-family development rather than single family development, and as such the applicant has the right to request permitting for a multi-family development that meets the City's zoning code and standards.

Finding 127: Ms. Suzy Obre-Loyd, a local resident and past president of the local Rotary, provided comments regarding the Exit 21 improvement project and traffic.

Finding 127.a: The City continues to move forward with the exit 21 improvement project, though funding continues to be a challenge due to the scale of the project. This is separate from the proposed development, and the City's intention is not to utilize the development to gain funding for large-scale civic projects, but rather to process an application for development and review it for consistency with the City's zoning code, engineering standards, comprehensive plan, and environmental regulation. The City has found that the project generally can meet these standards as conditioned within this report.

Finding 128: Ms. Whitney Raab asked for clarification on a number of concerns with the project, which will be answered below:

- Why not reserve part of the area to create a boat launch? That has been asked of residents for years.

Finding 128.a: A boat launch located at Goerig park, approximately one mile downriver from the subject property, that the City has plans to make more accessible in the near future. The permitting of the park was initiated by the applicant to provide a benefit to the community, however is not required by code for the development proposed. The City has no authority to ask for other improvements such as a public boat launch.

- How steep a drop off if they are taking 150,000 cf of soils for basically a storage pond to elevate the apartment base?

Finding 128.b: The buildable area will be raised approximately 15 feet from its current elevation. A grading plan showing the exact topography once complete is provided alongside the preliminary planset.

- Will the apartments be at the height of Lewis river road, lower, higher?

Finding 128.c: The buildable area will be raised approximately to the height of Lewis River Road. The final elevation of the apartments will be a minimum of one foot above the base flood elevation.

- How are there only estimated to be 111 peak am & 169 peak pm trips?

Finding 128.d: Estimate AM and PM peak hour trips are estimated utilizing standard guidelines found within the Institute of Transportation Engineers (ITE) Trip Generation manual, 11th edition and utilized land use code #220 for low rise multi-family development. While there is no manner in which exact future trips counts can be determined, this methodology meets the city's standards. Furthermore, peak hours are representative of a time window that can change, for example, many people leave at different times in the morning while most PM rush hour trips tend to occur after work and around dinner time.

- Again they are only have 400 parking spaces so looking at what is happening elsewhere where will all the overflow park?

Finding 128.e: Applicant is proposing a total of 476 parking spaces associated with the proposed development, which exceeds the 405 required by the Woodland Municipal Code. The excess parking spaces will allow for overflow parking and parking for the proposed park property. Overflow beyond that will likely use street parking in surrounding neighborhoods.

- Will the school bus stop be in the units or on Lewis River road?

Finding 128.f: The City does not determine school bus routes. The expectation would be that the bus would likely stop within the property, however that decision would be made in the future by the Woodland School District/bus company based on their standard procedures.

- They are creating the entrance just past Insel Road so they don't have to fix that, even though it has already met the benchmark to have turn lanes installed.

Finding 128.g: In discussing with the applicant and their consultants, the decision to move the entrance away from alignment with Insel Road was made as they could not place the recommended 120 foot deceleration lane into the primary access point, not due to the City's request for a turning lane at Insel. Legally, as stated in the question, the turning lane onto Insel was warranted prior to the development was proposed, and as such the City cannot legally require a turning lane to be constructed as it is the City's responsibility, and the proposed development (no matter the location of the entrances) would not be directly impacting that specific turning movement. However, both City staff and Washington State Department of Transportation staff have remained in contact with the applicant and their consultants and feel that accesses constructed to City standards, whether lined up with Insel Road or at another location acceptable to all parties, can be constructed as conditioned within this report. *See Conditions # 25, 26, and 27.*

- And for heavens sake cottonwood trees are basically weed trees and fall easily in a storm. Don't plant them, they will grow on their own. Plant fir and alder and strong trees. That also don't fill the air with cotton Poor planning all the way around

Finding 128.H: While the city generally concurs that Black Cottonwood (*Populus trichocarpa*) are not the ideal planting for the mitigation plan, they are native vegetation and there is no standard that doesn't permit their use (alongside other species of tree) as a mitigation measure. Additionally, fallen trees continue to provide habitat functions and act to diversify bird and animal habitat opportunities.

Finding 129: Ms. Darcy Billingsley, a local resident, provided comments specifically regarding the proposed City park, as listed below:

- The first question was regarding the finances associated with the park, including total cost of the environmental permitting, payment for the construction of the park, maintenance costs for the park, and timing of the park construction.

Finding 129.a: Total cost for the environmental permitting of the park was approximately \$3,150 for the whole project which has been borne solely by the applicant. The park did not specifically add additional application cost(s) to the developer, however design costs related to the site plan and public park may have been higher due to the addition of the park.

In general, had the developer not included the park alongside their permitting, the City would have been required to pay an additional \$3,150 on top of construction costs for the park at a future date, plus fees associated with the City's use of consultants.

The exact timeframe for which the park will be constructed has not been determined. The permitting of the park was seen as an opportunity to be able to mitigate for several residential developments that are currently in the process of construction and/or in the planning process (including the proposed development), so the exact timing is currently uncertain, however construction will begin within the upcoming five years per permitting requirements.

The expectation is that the primary source of funding for the park construction will be park impact fees paid to the city as a part of new residential development, as well as potential grant funding, if available. The park has been designed to be low maintenance, and the proposed access route has been expanded to be 20' wide to provide better access to the park site for general maintenance activities, however the maintenance costs are expected to be minimal. Regardless, park costs and maintenance responsibilities will be the responsibility of the City Parks Department and city tax payers.

- The second primary question was in regards to the design of the park. Specifically, the use of pervious walking paths, limited permanent structures, and the distance from parking lot (with one ADA parking space) to the park, and whether that would make the park hard to access to those with mobility issues.

Finding 129.b: The park is located within the Riparian Habitat Area and is impacted by several critical areas. Furthermore, it is located within Shoreline jurisdiction. These environmental concerns limit the development of the site, and requires pathways to be constructed of natural, pervious materials, such as gravel and/or wood chips. The City offers several fully ADA-accessible parks available, and a major park facility currently being constructed at Scott Hill that will be ADA compliant. While the City would have preferred a greater level of development, as the permitting of the park was not required by the development proposed by code, the City cannot force to developer to apply for a shoreline variance in order to further develop the property unless they choose to do so. The City will have to address ADA standards when the site is constructed.

- Ms. Billingsley further asked whether the parking lot would be gated, whether there are closure hours for the park, whether there are going to be dedicated parking for the parking lot, and whether restrooms would be provided for park guests.

Finding 129.c: The parking lot available for public parking will not be gated, however access to the larger parking lot may be blocked by bollards or other contraptions to prevent crossover between the public parking area and the primary lot for residents. Staff has added a condition of approval that the applicant is required to provide a final site plan that identifies publicly-available parking spaces and that they are required to be marked as such when installed. *See Conditions # 10.a, 10.b, and 10.c.*

Regarding the park hours, while set hours have not been decided on at this point of time, and will likely be finalized closer to the park's completion date, the expectation would be that the park would be open the same hours as the other City Parks in the System.

Regarding restrooms, similarly to other concerns, the City notes that structures are not permitted to be constructed in the floodway. Public restrooms further increase the City's maintenance requirements, which is a concern the City is very aware of. Depending on need, temporary facilities may be placed on the site in the future, and should the park property be developed further, the City may prioritize bathroom availability.

- Ms. Billingsley commented that she felt that the plan seems to offer less benefit for Woodlanders in general from the installation of the park, but

rather may be more of an amenity for the residents of the apartment complex. She also asks whether the permitting of the park is all that is required for recreation mitigation for the project.

Finding 129.d: The proposed permitting of the park began as a request by the developer to permit and develop the park in exchange for not being assessed the City's Park and Recreation Impact fees. The City refused to permit the use of the park & recreation impact fees towards the construction of the park location, however the applicant decided to move forward and permit the park due to the minimal additional cost to them and an interest in providing a net benefit to the community.

It should be noted that the park is not required to meet the Woodland Municipal Code or to mitigate the impact of their new development. Those requirements for their own impact(s) are already met onsite (with a swimming pool, field area, gazebo, and playground, as well as a pathway down along the Riparian area providing shoreline access) and through the City's parks & Recreation Impact fees that will go towards broader mitigation measures and new facilities (estimated at \$209,412).

While the City could choose to deny the permitting of the park, the benefits of providing additional recreation in a more formalized manner is a greater benefit than the alternative, which would be an application for the same project without the park being involved and relying on the provided Impact Fees as the primary source of mitigation for impacts the public park system.

Conclusion: As conditioned, the project can address these concerns.

III. 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.

IV. DECISION

Per WMC 19.08.030, staff recommends that above application for the Critical Area Permit be APPROVED WITH CONDITIONS by the City of Woodland's Hearing Examiner based on the criteria and standards outlined in Woodland Municipal Code (WMC). See Section IX for conditions of approval.

Per WMC 19.08.030, staff recommends that above application for the Shoreline Substantial Development Permit be APPROVED WITH CONDITIONS by the City of Woodland's Hearing Examiner based on the criteria and standards outlined in Woodland Municipal Code (WMC). See Section IX for conditions of approval.

Per WMC 19.08.030, staff recommends that above application for the preliminary Site Plan Review be APPROVED WITH CONDITIONS by the City of Woodland's Hearing Examiner based on the criteria and standards outlined in Woodland Municipal Code (WMC). See Section IX for conditions of approval. (See conditions 31 and 32)

V. CONDITIONS OF APPROVAL

1. The following impact fees have been estimated based on the preliminary application and will be due at time of building permit issuance and are subject to change:
 - a. School District Impact Fees:
 - i. Multi-Family:
 1. One Bedroom Units (Up to 800 SF): \$2,000/Unit x 0 units = \$0.00
 2. Two and Three Bedroom Units: \$5,900/Unit x 252 Units = \$1,486,800
 3. Estimated total School District Impact Fees: \$1,486,800.
 - b. Fire Impact Fees:
 - i. Multi-Family: \$359,352 (\$1,426/unit)
 - c. Park/Recreation Impact Fee:
 - i. Multi-Family: \$209,412 (\$831/unit)
 - d. Transportation Impact Fees:
 - i. Multi-Family: \$130,929.12 (\$519.56/unit)
2. Pay all impact fees when building permits are issued per WMC 3.42.
3. All improvements in the public right-of-way shall be completed in accordance with City of Woodland standards per Title 12.
4. Provide a Final Landscaping plan prepared by a licensed landscape architect alongside civil engineering submittal that meets the following conditions:
 - a. The final landscaping plan shall indicate that street trees will be provided along the East Scott Avenue and North Goerig Street frontages by the applicant and/or their designee.
 - b. All trees identified in the landscaping plan must identify their caliper size at the time of planting measured at four feet above grade.
 - c. All street trees identified on the final landscaping plan must have a caliper measurement of at least two inches at the time of planting.
 - d. Add a note to the final landscaping plan that acknowledges that the property owner is responsible for maintaining on-site landscaping shall be permanently maintained in a neat and orderly condition per WMC 17.20.090 (B).
 - e. Add a note to the final landscaping plan that street trees shall be maintained in a manner consistent with WMC 12.28.060.

- f. Trees shall be selected from the City's approved street tree list whenever possible. The approved street tree list may be found on the City's website here: <https://www.ci.woodland.wa.us/publicworks/page/street-trees>.
5. Provide a final engineering plan set for Civil review that includes updated utility plan(s) that demonstrates compliance with the following conditions:
 - a. Construct proposed utilities in accordance with applicable WMC and submit an analysis of anticipated peak hour sewer discharge and water consumption for this development for review by the City. Upgrades to existing water and sewer infrastructure may be required of the developer.
 - b. Comply with water supply backflow and cross-connections requirements of WMC 13.28.
 - c. The fire mains shall be public mains with a 15-foot-wide easement to the City.
 - d. Pay all water and sewer connection fees and assessments at time of connection.
6. Provide a final engineering plan set for Civil review that includes a final erosion control plan that demonstrates compliance with the following conditions:
 - a. Install and maintain on-site erosion control throughout the duration of construction of the project.
 - b. A fill & grade and NPDES permit will be required.
7. Provide a final stormwater TIR alongside civil engineering submittal that demonstrates compliance with the WMC and engineering standards. Final stormwater TIR shall address the City's comments as outlined within Finding 65 of this report:
 - a. Per Woodland Municipal Code 15.12, the City of Woodland follows the 1992 Puget Sound Manual. If the applicant chooses to utilize the design practices and guidelines in the newer versions of the SWMMWW, all elements of the design for this project must meet the current Ecology manual.
 - b. Ensure the contents of the final TIR includes all information as outlined in Section 15.12.180 of the woodland municipality code.
 - c. Provide conveyance calculations for all storm pipes. The City of Woodland requires the conveyance system to be designed for the 100-year storm event.
 - d. Appendix B, Figure III-1.1 Runoff Treatment BMP Selection Flow Chart shows Enhanced Treatment is not required for this project. Per current SWMMWW, Section III-1.2 Choosing Your Runoff Treatment BMPs Step 5, enhanced treatment is required for Multifamily residential project sites.
 - e. Per the current Ecology manual, flow control is not required for TDAs that discharge directly to, or indirectly through an MS4 to a water listed in Appendix I-A: Flow Control Exempt Receiving Waters. The TDA must be drained by a conveyance system that is comprised entirely of man-made conveyance elements and extends to the ordinary high-water line of the exempt receiving water. The conveyance system between the TDA and the exempt receiving water shall have sufficient hydraulic capacity to convey discharges from the site, and the existing condition from contributing off-site areas.
 - f. Sheet 6/12 of the preliminary plans calls out a wetpond. Sheet 7/12 calls out a stormwater treatment wetland. The TIR provides calculations for a two-cell stormwater treatment wetland. Provide more detail in final design regarding the stormwater treatment for this project.

8. Applicant shall apply for a floodplain development permit alongside building permit submittal and be approved prior to construction of the proposed multi-family buildings. Application for a floodplain development permit shall include the following information and documentation presented by a qualified professional:
 - a. Elevation in relation to mean sea level, of the lowest floor of all structures;
 - b. Elevation in relation to mean sea level to which any structure has been floodproofed;
 - c. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 14.40.050(B)(2); and
 - d. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.
 - e. Applicant shall provide acknowledgement of their project from FEMA.
 - f. Applicant shall provide building and site plans demonstrating compliance with WMC 14.40.050(B)(1)(b).
9. Applicant is responsible for complying with the following conditions of approval related to their critical areas permit:
 - a. Mitigation shall be implemented in accordance with the Woodland SMP and shall be implemented as presented within the approved mitigation plan.
 - b. Mitigation shall not be implemented until all applicable land use, shorelines, and building permits are approved and issued, and directly following the identified impact(s) to the shoreline environment (prior to construction of phase 1).
 - c. Applicant shall provide the City with a copy of the monitoring reports outlined within the approved Critical Area Report and Mitigation Plan. The monitoring plan shall be updated to specifically note this requirement.
 - d. Applicant shall delineate critical area boundaries present on site in accordance with survey standards.
 - e. Applicant shall identify the outer boundary of critical area buffers on the development site with brightly colored construction fencing and temporary signs prior to any site development.
 - f. Applicant is responsible for recording a deed restriction stating that limitations to development may exist due to the presence of a critical area and/or buffer prior to final project approval. This boundary shall be delineated with some type of permanent means.
 - g. Modify the pathway shown on the final site plan to only run within the outer 25% of the wetland buffer prior to construction.
 - h. Modify the final site plan to remove the proposed basketball court from within the Riparian area and floodway, or apply for and gain approval for a shoreline variance to permit this structure from being constructed within the Riparian Habitat Area.
 - i. Applicant shall provide an updated Critical Areas Report and Mitigation plan alongside the civil engineering noting that the contractor will be required to use the best management practices from the Washington State Department of Fish and Wildlife should a protected species be discovered on the site during construction. The same statement shall be noted on the provided final site plan.

10. Applicant is responsible for complying with the following conditions of approval related to their shoreline substantial development permit:
 - a. Applicant is responsible for recording an access easement along the public access to the shoreline, including both the pathway and associated parking lot.
 - b. Signage is required to indicate that the public has the right of access, providing hours of access, and all other relevant access. Signage should be at the public Right of Way and be identifiable from the street. Location of proposed signage is required to be included on the final site plan.
 - c. Identify public parking spaces on the final site plan and ensure that signage designating them as public parking spaces is provided at the time of construction.
 - d. Provide a lighting plan demonstrating compliance with the Woodland SMP, demonstrating that lighting will not illuminate nearby properties, public area(s), and/or critical areas, and that the proposed development will prevent glare.
11. Provide a final photometric plan for both onsite lighting and proposed streetlights alongside civil review.
12. Building plans shall comply with requirements for anchoring, construction materials and methods as required by WMC 14.40.050(A)(1-5).
13. Provide final elevations alongside civil review submission that demonstrates compliance with the following land use conditions:
 - a. Provide architectural elevations of any mechanical equipment enclosure(s) providing full dimensions of proposed enclosure.
14. Provide a final site plan alongside civil review submission that demonstrates compliance with the following land use conditions:
 - a. Modify proposed 'Building J' to demonstrate compliance with a required 20-foot front setback.
 - b. Demonstrates compliance with site distance requirements of WMC 17.20.070(L)(2).
 - c. Identifies the accessory structures attached to both 'Building A' and 'Building B.'
 - d. Identifies that cross-connection meeting CCFR and the City's standards are provided. The two separate parking lots shall be connected and emergency access should be available, however bollards or other access control solutions may be allowed.
15. Applicant shall apply for, and gain approval for, a boundary line adjustment and/or lot consolidation bringing the proposed development to comply with a 5-foot side setback.
16. Applicant and/or property owner is responsible for complying with the following conditions during the life of the development. Notes should be added to final site plan that:
 - a. Applicant is responsible for applying for a Floodplain Confirmation Letter prior to building permit approval.
 - b. All exterior mechanical devices shall be screened from surrounding properties and streets and shall be operated in such a manner that they do not disturb the peace.
 - c. Front, rear, and side yards must be maintained in such a way that they remain unobstructed and free of debris during construction and throughout occupancy of the premises, outside of any exceptions listing within WMC 17.20.090(E).
 - d. Lighting shall not cast glare on to adjacent properties. Lighting shall not rotate, glitter, and/or flash per WMC 17.46.140.

- e. Proposed signage will require a separate sign permit and must comply with WMC Chapter 17.52.
 - f. The applicant will be responsible for ensuring that their operation is complying with all performance standards of WMC 17.48 (hazards and nuisances including sound level, vibration, air emissions, smoke, dust, odors, industrial wastes, fire hazards, heat, glare, radioactivity and radio transmitters).
17. Provide architectural elevations of all proposed trash enclosure(s) and specifications of all container(s) proposed, including capacity, dimensions, and height of proposed receptacle, as well as dimensions and height of screening measures proposed.
 18. Provide final photometric plan demonstrating compliance with WMC 17.36.130(Q) and RCW 47.36.180.
 19. Submit site plan to CCFR for review. Include any required revisions with the civil engineering submission. All work subject to field inspection and correction as identified at the time of the on-site inspection; all work shall be compliant with the applicable standards and codes; to include the adopted edition of the International Fire Code and the City's Municipal Code.
 20. Building/construction plans must be submitted to CCFR separately, along with fire alarm and/or fire sprinkler alterations. It is the responsibility of the applicant to comply with any and all conditions placed upon the development by CCFR as the City of Woodland will not approve any proposed development without CCFR approval.
 21. Comply with all comments provided by Townzen & Associates, including demonstrating compliance with the following IBC code sections and conditions:
 - a. IBC Section 429: Electrical Vehicle Charging Infrastructure;
 - i. Forty-Eight EV Spaces are Required;
 - ii. One accessible EV space is required;
 - iii. Identify all EV and Accessible EV spaces on Site Plan;
 - b. IBC Sec 1106.5: For every six or fraction of six accessible parking spaces, at least one shall be a van-accessible parking space.
 - c. WSEC Sec C411: Solar Readiness will apply to the office / clubhouse only for this project.
 - d. All Geotech recommendations and requirements will be required to be implemented into the design of the structures.
 22. Applicant is required to install a RPBA (Reduced pressure backflow assembly) on the connection(s) to the City water supply. Call this out on provided utility plan(s) submitted for civil review.
 23. It is the applicant's responsibility to comply with the provided comments regarding solid waste management and water quality/watershed resources and/or acquire any relevant permits based on provided comments from the Department of Ecology. Shoreline and critical area(s) comments have been addressed in separate conditions of approval (See Condition # 9).
 24. Provide the City and the Washington State Department of Archaeology & Historic Preservation an archaeological Report meeting DAHP's Standards for Cultural Resource Reporting prior to building permit issuance.
 25. Applicant shall either reconfigure the proposed development to either have a maximum of two access points (one full access and one right-in/right-out) or provide a shared access

- agreement with the church and reconfigure the final site plan to show that the eastern access will be shared and be lined up with Gun Club Road.
26. The applicant shall either relocate the western (primary) access to line up with the Insel Road intersection, or find an alternative alignment that the City and WSDOT are comfortable moving forward with.
 27. Applicant shall install center median curbing at the location of any right-in/right-out access point(s) to be established during the final engineering review & approval process.
 28. Frontage improvements shall match those of other local developments (Quail Meadows) and sidewalks shall be provided along the entire frontage of the property, including going around the Williams pipeline property.
 29. The applicant is responsible for all permits and/or approvals required by WSDOT, including review(s) of stormwater treatment of runoff in the RoW, RoW dedication, street design, and materials utilized. WSDOT design approval is required prior to Civil Approval.
 30. The applicant is responsible for submitting their development to Northwest Pipelines, LLC for review and approval prior to civil approval.
 31. Applicant shall provide the size and dimensions of all trash receptacles proposed alongside civil review application.
 32. Applicant is responsible for submitting a revised site plan alongside proposed final civil engineering plan(s) at Civil Review. Civil review packet should include all documents required to document the applicant's compliance with listed conditions of approval, as well as all revised engineering plans reflecting provided engineering comments. The civil review application can be found: <https://www.ci.woodland.wa.us/planning/page/civil-review-submission>.
 33. Following final, civil review and engineering approval, submit two (2) copies of full sized and one (1) copy of reduced size (11" x 17") of the approved civil plans (including the final site plan and landscaping plan). In addition, submit an electronic version of the approved plans including AutoCAD and .pdf formats.
 34. Applicant shall provide responses acknowledging conditions of approval.
 35. No permits and construction pursuant to such permit shall begin or be authorized and no building, grading, or other construction permits and/or use permits shall be issued by the City until 21 days from the date an SSDP was filed with Ecology and the attorney general, or until all review proceedings are completed as were initiated within the 21 days of the date of filing.
 36. Construction must commence within two years of permit issuance, or the Shoreline Substantial Development Permit shall be terminated.
 37. Shoreline Substantial Development Permit expires in five years unless a request in writing for an extension is provided and approved. An updated phasing proposal demonstrating compliance with a five year expiration of the SSDP.
 38. Payment shall be made to the City for any outstanding Professional Consulting Services per WMC 19.02.110.

VI. APPEAL PROCEDURE

As per WMC 17.81.150 and 19.08.030, In cases where the examiner's jurisdictional authority is to render a decision, the decision of the examiner shall be final and conclusive unless appealed by a party of record. Final decisions may be appealed only if, within twenty-one calendar days after written notice of the decision is sent, a written appeal is filed in the superior court with jurisdiction, either Clark County or Cowlitz County, pursuant to Chapter 36.70C RCW or applicable state law.

Staff Contact: David Lukaczer, Associate Planner
City of Woodland
P.O. Box 9
230 Davidson Ave
Woodland, WA 98661
lukaczerd@ci.woodland.wa.us

Or

Travis Goddard, Community Development Director
City of Woodland
P.O. Box 9
230 Davidson Ave
Woodland, WA 98661
goddardt@ci.woodland.wa.us

Woodland, WA 98661
goddardt@ci.woodland.wa.us

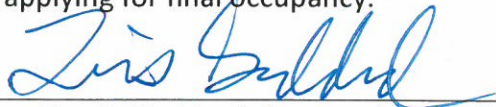
VII. NEXT STEPS

If there is no appeal to the decision, the applicant may move forward to develop the site.

- Submit final civil plans addressing the conditions above. Include Woodland standard details for water, sewer, erosion control, etc. as required to support the civil design when you submit drawings for final civil approval. The details can be found at www.ci.woodland.wa.us/departments/public-works/standards.php.
- Pay any outstanding professional consulting services per Woodland Municipal Code 19.02.110
- Submit for building, floodplain, grading, and sign permits.
- Schedule a pre-construction meeting before beginning any construction activities. Contact public works at 360-225-7999 to schedule.
- Install all required landscaping and irrigation prior to applying for final occupancy.
- Submit three copies of full-sized and one copy of reduced size (11" x 17") as-built drawings. In addition, submit a CD/thumb drive containing the as-built drawings in AutoCAD and pdf formats prior to applying for final occupancy.

Date: 4/4/2023

Signature:



Travis Goddard, Community Development Director

cc:

Applicant
Property Owner
Ryan Walters, P.E., Gibbs & Olson
Parties of Record
Department Heads
Building Official
Fire Marshal

Planning Commission
City Council
Mayor
File
Counter Copy
Website

ATTACHMENTS

- A. Site Plan
- B. Landscaping Plan
- C. Department of Ecology Letter
- D. Comments from Northwest Pipeline LLC
- E. Comments from WSDOT
- F. Comments for the Washington State Department of Archaeology & Historic Preservation
- G. Engineering and Public Works Comments
- H. Building Comments
- I. Public Comments
- J. Critical Area Report & Mitigation Plan