

**BEFORE THE HEARING EXAMINER
FOR CITY OF VANCOUVER**

In the Matter of the Application of)	NO. PRJ-169232/LUP-84618
)	
)	
NE 28th Street Property LLC)	NE 150th Court Subdivision
)	
)	
For Approval of a Subdivision)	FINDINGS, CONCLUSIONS, AND DECISION
_____)	

SUMMARY OF DECISION

The request to subdivide 2.15 acres into 12 single-family residential lots is **GRANTED** subject to conditions.

SUMMARY OF RECORD

Request:

Applicant NE 28th Street Property LLC requested approval of a subdivision to subdivide 2.15 acres into 12 single-family residential lots. The subject property is located at 15006 NE 28th Street, Vancouver, Washington.

Hearing Date:

The Vancouver Hearing Examiner held a virtual open record hearing on the application on February 18, 2025. The record was held open until February 20, 2025 to allow members of the public who had technology-based barriers to participation in the hearing to submit written comments, and to allow City Transportation Staff to submit written comments addressing transportation-related questions raised at the hearing; and it was further held open until February 24, 2025 for responses to the submittals. All requested information was submitted by February 21, 2025, on which date the record closed.

No in-person site visit was conducted, but the Examiner viewed the subject property and its surroundings on Google Maps.

Testimony:

At the open record hearing the following individuals presented testimony under oath:

Dave Weston, Land Use Planner, AKS Engineering and Forestry

Kristian Corbin, Senior Planner, City of Vancouver

Francie Eder

Exhibits:

At the open record hearing, the following exhibits were admitted in the record:

1. Staff Report, dated February 4, 2025

- A. Application, dated October 3, 2024
- B. Applicant Narrative, dated October 2024
- C. Proposed Development Plans
- D. SEPA Checklist, submitted October 11, 2024
- E. Notice of Application and Optional Determination of Non-Significance, dated December 10, 2024
- F. Final Determination of Non-Significance, dated January 10, 2025
- G. Transportation Analysis Report, Lancaster Mobley, dated July 25, 2024
- H. Trip Calculations Worksheet, dated January 8, 2025
- I. Development Review Evaluation, Clark County Public Health, dated May 30, 2024
- J. Comment Letter from Department of Ecology, dated January 8, 2025
- K. Public Comments:
 - 1. Email from Becky Duncan, dated January 3, 2025
 - 2. Email from Hani Alzughir, dated December 13, 2024
 - 3. Email correspondence between Shana Lombard, Cultural Resources Technician, Cowlitz Indian Tribe, and Staff, dated December 30, 2024
- L. Applicant's response to public comments, dated January 15, 2025
- M. Comment Letter from Evergreen Public School District, dated May 10, 2024
- N. Stormwater Report
- O. Geotechnical Report
- 2. Applicant PowerPoint presentation
- 3. City PowerPoint presentation
- 4. Response to Hearing Examiner questions, Eric Hahn, PE, City of Vancouver
- 5. Email from Jonathan Sarkkinen, PE, AKS Engineering, dated February 21, 2025

Having considered the testimony and exhibits admitted in the record, the Hearing Examiner enters the following findings and conclusions.

FINDINGS

1. Applicant NE 28th Street Property LLC requested approval of a subdivision to subdivide 2.15 acres into 12 single-family residential lots. The subject property is located at 15006 NE 28th Street, Vancouver, Washington.¹ *Exhibits 1.A, 1.B, and 1.C.*
2. The subject property is developed with a single-family residence, two pole barns, a well

¹ The subject property is a portion of the Northeast Quarter of Section 23, Township 2 North, Range 2 East, W. M.; also known as Clark County Parcel Number 163956-000. *Exhibit 1.B.*

head and well house, an irrigation well house, and a buried concrete foundation. All existing structures would be removed from the site in conjunction with the proposed subdivision. *Exhibit 1.C.*

3. The subject property is zoned Low-Density Residential (R-9) and has not previously been platted. *Exhibits 1 and 3.* The purpose of the R-9 zone is “to accommodate detached single dwellings with or without accessory residential units at a minimum lot size of 5,000 square feet and a density of 5.9 to 8.7 units/net acre.” *Vancouver Municipal Code (VMC) 20.410.020.*
4. Surrounding properties in all directions are developed with detached single-family residences. Other land uses in the vicinity of the subject property include a church to the west along NE 28th Street, Diamond Park to the northwest, and the Evergreen High School Athletic Annex to the southwest. *Exhibits 1, 1.C, and 2; Google Maps site view.* Surrounding properties on the north side of NE 28th Street are zoned R-9, and the properties on the south side of NE 28th Street are zoned R-4. *Exhibits 2 and 3.*
5. The allowed density in the R-9 zone ranges from 5.9 to 8.7 dwelling units per net acre (i.e., excluding public and private streets, stormwater facilities, and unbuildable critical areas). The net area of the subject property is 1.73 acres, which allows 10 to 15 dwelling units. The proposed 12 dwelling units would comply with the R-9 density standard. *Exhibit 1; VMC 20.410.040.*
6. The subject property has a Comprehensive Plan land use map designation of Urban Low Density (UL). Planning Staff submitted that the proposal is consistent with the Comprehensive Plan by, among other things, adding to the City’s housing supply, facilitating development where urban services exist, and providing necessary infrastructure. *Exhibit 1.*
7. The applicable R-9 development standards require a minimum lot size of 5,000 square feet, a maximum lot size of 7,400 square feet, maximum lot coverage of 50%, a minimum lot width of 45 feet, and a minimum lot depth of 65 feet. The minimum front, rear, side yard, and street side yard setbacks are 10 feet, five feet, five feet, and eight feet, respectively. The maximum building height is 35 feet. Ten percent of the net area of each lot must be landscaped. *Exhibits 1 and 1.P; VMC Table 20.410.050-1.*
8. Each of the proposed lots would be designed and developed consistent with R-9 standards. As proposed, the smallest lot would be 5,140 square feet, the largest lot would be 7,386 square feet, the minimum lot width would be 50 feet, and the minimum lot depth would be 92 feet. Compliance with the remaining standards (setbacks, building height, landscaping, etc.) would be ensured through building permit review. *Exhibits 1 and 1.C.*
9. The proposed lots would be designed consistent with the subdivision technical standards of VMC 20.320.070. As proposed, side lot lines would be perpendicular to facing streets to the extent practical. All lots would have at least 20 feet of frontage on a street. No lots would take access from an arterial street. *Exhibit 1.C.*

10. Development of the proposed lots would be subject to the standards of VMC 20.410.050.B, which (among other items) regulate issues such as garage door width, main entrance location, variation in front facade, driveway configuration, and solid waste collection. Planning Staff recommended that the final plat include a note referencing these standards. With respect to solid waste collection, the Applicant has submitted a solid waste plan depicting collection areas for the lots and demonstrating that collection vehicles would be able to access the collection areas. *Exhibits 1 and 1.C.*
11. Consistent with VMC 20.710, the Applicant had an archaeological predetermination survey performed for the site, which was reviewed by the City's contract archaeologist. No evidence of archaeological materials was found during the survey. Planning Staff recommended as a condition of approval that the final plat include a note incorporating the stop work/notice requirement of VMC 20.710.090 in the event archaeological materials are discovered during construction. *Exhibit 1.*
12. The subject property does not contain any wetlands, steep slopes, or other sensitive environmental features regulated pursuant to the City's critical areas ordinance. *Exhibits 1 and 1.D.*
13. Pursuant to VMC 20.770, development proposals require tree preservation and planting to achieve a minimum of 30 tree units per net acre, excluding dedicated rights-of-way and required pervious surfaces. *VMC 20.770.080.* A minimum of 52 tree units of trees is required for the proposed development, based on the net area of 1.73 acres. The subject property contains 18 trees totaling 61.5 tree units. The Applicant proposes to retain seven of the existing trees, which would total 21.5 tree units, and to plant 31 new trees to make up the remainder of the tree density requirement. The retained trees would include a 23-inch Douglas fir that is located within the center of the proposed cul-de-sac, which would provide a distinctive appearance for the project in addition to retaining the tree's functions and values. *Exhibits 1 and 1.C; Dave Weston Testimony.*
14. The subject property is within Park Impact Fee District C. Provision for the acquisition of parks and open space would be made through payment of mitigation fees pursuant to VMC 20.915. *Exhibit 1.*
15. With respect to parking, each new single-family residence is required to provide one off-street parking space. *VMC 20.945, Table 20.945.070-2.* The project would provide at least two parking spaces per dwelling unit, including one in the driveway and one in the garage, although it is likely that many if not all lots would be developed with two car garages, which would thus provide two spaces in the driveways as well. It is not possible to provide on-street parking within the project except along the western boundary of proposed Lot 1. No on-street parking is expected to be allowed along the project's 28th Street frontage. Compliance with the off-street parking standard would be determined at the time of building permit review. *Exhibits 1 and 1.B; Dave Weston Testimony.*
16. Vehicular access to the subdivision would be from NE 28th Street via a new cul-de-sac street (NE 150th Court), which would align with the existing NE 150th Avenue. Existing

NE 28th Street is a minor arterial street that is not fully improved to City standards along the subject property frontage. In compliance with City street standards, the project would require the dedication of five feet of right-of-way; pavement widening; installation of a curb, gutter, planter strip, and sidewalk; and installation of any required drainage improvements, lighting, and a stop sign at the cul-de-sac's intersection with 28th Street. *Exhibits 1, 1.C, and 4.* As part of the frontage improvements, the Applicant proposes to place a concrete pad within a portion of the landscape strip to serve as future transit stop. *Exhibits 1.B and 1.C.*

17. NE 150th Court would be constructed to loop/cul-de-sac standards, including two 10-foot travel lanes, an eight-foot parking strip, and a curb, gutter, planter strip, and sidewalk. All of the proposed lots would take access from NE 150th Court or from one of two 20-foot wide private access tracts extending from the bulb of the cul-de-sac. No lots would take direct access from NE 28th Street. The recommended conditions of approval address the standards applicable to NE 150th Court and the private tracts, including parking restrictions and maintenance agreement requirements. *Exhibits 1 and 1.C.*
18. The Applicant submitted a professionally prepared transportation analysis, which estimated the traffic impact of the development based on the trip generation rates established in the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (11th Edition) for Land Use Code 210 - Single-Family Detached Housing. The report concluded that the proposed subdivision would generate 110 net new average weekday trips, including eight AM peak hour trips and 11 PM peak hour trips. *Exhibit 1.G.* Because the project is expected to generate fewer than 20 PM peak hour trips, the Applicant's consultant was not required to collect trip counts along the surrounding street network. Thus, the result of the analysis was not affected by the July report date, when high school traffic would have been lighter. *Exhibit 4.*
19. The submitted transportation analysis included an evaluation of the intersection and stopping sight distance that would be available at the proposed intersection of NE 28th Street and NE 150th Court. The conclusion was that the sight distance would exceed City standards. *Exhibit 1.G.*
20. The proposed new approach to NE 28th Street would be stop sign controlled, similarly to the existing approach on the opposite side of the street. Based on the evaluation of City Public Works/Transportation Engineering Staff, warrants would not be met for installation of a four-way stop at the intersection, which means installation of a four-way stop would not be allowed. *Exhibit 4.*
21. The City collects proportionate share fees for intersection projects affected by traffic from development. The proposed subdivision would add one trip to each of two proportionate share intersections, resulting in a total fee of \$4,500. *Exhibit 1.* The Applicant would also be required to pay traffic impact fees pursuant to VMC 20.915. These would be calculated at the time of building permit application and payable at the time of building permit issuance. *Exhibits 1 and 1.H.*

22. The subject property is located within the No. 1637 Transportation Analysis Zone and would contribute new PM peak hour trips to several Transportation Management Zones, including corridors along Mill Plain Blvd, Andresen Road, 112th Avenue, 164th/162nd Avenue, Burton Road/28th Street, and 136th/137th Avenue. Based on this impact, the Applicant would be required to pay concurrency modeling fees of \$1,500 prior to civil plan approval. *Exhibits I, I.G, and I.H.*
23. The subdivision would connect to the City of Vancouver municipal water system from an existing water main in NE 28th Street. City Staff submitted that the Applicant's plans demonstrate that the City's standards for public water can be satisfied. *Exhibits I and I.C.*
24. The subdivision would connect to the City of Vancouver sewer system by extending a sewer main north from NE 27th Street through NE 150th Avenue. To meet City requirements for connectivity to adjacent parcels, the Applicant would extend the sewer main through NE 28th Street instead of through an easement across Lot 10, as indicated on the preliminary plat map. *Exhibits I, I.C, and 2.*
25. The site soils are suitable for infiltration and all stormwater runoff would be infiltrated on-site. Runoff from pollution-generating surfaces would be treated with catch basin filters prior to conveyance to infiltration trenches. The infiltration trenches would be designed to infiltrate all stormwater from a 50-year storm event. City staff submitted that the submitted stormwater plans, with recommended conditions, demonstrate that the requirements of the City's stormwater ordinances can be satisfied. *Exhibits I, I.C, I.N, and I.O.*
26. The Applicant has submitted a preliminary erosion control plan. A Construction Stormwater Pollution Prevention Plan would be submitted to the City during civil plan review. *Exhibits I and I.C.*
27. The subject property is within the Evergreen School District (School District) and would be served by Evergreen High School, Pacific Middle School, and Burton Elementary School. School impacts would be mitigated through payment of a per-lot impact fee per VMC 20.915. With respect to transportation, elementary and middle school students would be bussed to school. There is currently a middle school bus stop on NE 28th Street at NE 152nd Avenue, and the School District would establish a new elementary school bus stop on NE 28th Street at the proposed site entrance if needed. High school students would be expected to walk to school. Although there is not a continuous standard sidewalk between the subject property and the high school, which is southwest of the subject property, there is an asphalt pathway, separated from the street by grass, on the south side of NE 28th, which eventually connects to a sidewalk. In addition, the City has a planned project to improve the NE 28th Street corridor with sidewalks, landscape strips, and pedestrian crossings, with construction possibly occurring in 2030. *Exhibits I.M, 4, and 5.*
28. The Vancouver Fire Department reviewed the proposal and determined that, with their recommended conditions imposed, it can meet the requirements of VMC Title 16 and the

International Fire Code. *Exhibit 1.*

29. Pursuant to the State Environmental Policy Act (SEPA), the City of Vancouver acted as lead agency for review of environmental impacts caused by the proposal. After review of the Applicant's environmental checklist and application materials, the responsible official issued a notice of application, remote public hearing, and optional SEPA determination of non-significance (DNS) on December 10, 2024. After considering comments, the City issued a final DNS on January 10, 2025. No appeals were filed prior to the January 24, 2025 appeal deadline. *Exhibits 1, 1.E, and 1.F.*
30. Public comment on the proposal included concerns regarding speeding on NE 28th Street, the lack of sidewalk on the south side of the street, concern that the July traffic study was conducted while school was not in session, and requests for traffic control at the NE 28th/NE 150th Court intersection. These issues were addressed by City Staff and the Applicant as described in the findings above. *Exhibits 1.K, 1.L, and 4; Testimony of Francie Eder and David Weston.*
31. At hearing, Applicant representatives requested amendment of three recommended conditions of approval and otherwise agreed with Staff's analysis and conditions as stated in the staff report. *Exhibit 2; Dave Weston Testimony.* Staff and Applicant had discussed these changes prior to hearing. Having heard all testimony, City Staff maintained their recommendation for approval of the plat subject to the conditions in the staff report, as modified in agreement with the Applicant's requested changes. *Kristian Corbin Testimony; Exhibits 1, 3, and 4.*

CONCLUSIONS

Jurisdiction:

Per Vancouver Municipal Code 20.210.020 Table 20.210-1, preliminary subdivisions are Type III development applications, which are decided by the Hearing Examiner.

Subdivision Criteria for Review:

Pursuant to VMC 20.320.040, to obtain approval of a preliminary subdivision, the Applicant must demonstrate compliance with all of the following criteria:

- A. Public facilities provision. Appropriate provisions to the extent necessary to mitigate an impact of the development have been made for transportation, water, storm drainage, erosion control and sanitary sewage disposal methods that are consistent with the City's current ordinances, standards and plans;
- B. Proposed improvements. Appropriate provisions have been made for proposed streets, alleys and public ways, utilities and other improvements that are consistent with the City's current ordinances, standards and plans, and Department of Health and/or Washington State Department of Transportation standards and plans, where applicable;

- C. Open space and dedications. Appropriate provisions to the extent necessary to mitigate an impact of the development have been made for open space, parks, schools, dedications, easements and reservations;
- D. Physical characteristics. The design of the proposed short subdivision or subdivision site has taken into consideration the physical features of the site, including but not limited to: topography, soil conditions, susceptibility to flooding, inundation or swamp conditions, steep slopes or unique natural features such as wildlife habitat or wetlands;
- E. Re-platting of existing subdivisions. When re-platting an existing subdivision, the short subdivision or subdivision shall comply with all of the terms and conditions of the existing subdivision's conditions of approval;
- F. Compliance with all requirements of this title. The proposed short subdivision or subdivision complies with all applicable requirements of this title unless modified through the approval; and
- G. Compliance with State requirements. That the proposed short subdivision or subdivision complies with the requirements of RCW 58.17.110.
 - a. RCW 58.17.110 requires as follows:
 - (1) The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine: (a) If appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) whether the public interest will be served by the subdivision and dedication.
 - (2) A proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that: (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the proposed subdivision and dedication. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090 may be required as a condition of subdivision approval. Dedications shall be clearly shown on the final plat. No dedication, provision of public improvements, or impact fees imposed under RCW 82.02.050 through 82.02.090 shall be allowed that constitutes an

unconstitutional taking of private property. The legislative body shall not as a condition to the approval of any subdivision require a release from damages to be procured from other property owners.

- H. Narrow Lot Additional Criteria. Land divisions which contain one or more residential lots having a width of less than 40 feet shall meet additional criteria of VMC 20.927.030 A, B and C.

Conclusions Based on Findings:

1. As conditioned, the proposed subdivision would make appropriate provisions for transportation, water, stormwater drainage, sewer, and erosion control. Frontage and internal street improvements would be made consistent with applicable City standards. A pad for a future transit stop would be provided. Traffic impact fees and proportionate share mitigation fees would be paid. Public water and sewer would be provided to the lots. Stormwater would be treated and infiltrated on-site consistent with City standards. *Findings 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26.*
2. As conditioned, the proposed subdivision would make appropriate provision for streets, utilities, and other improvements consistent with City and State standards. Frontage and internal street improvements would be provided consistent with City standards. Public water and sewer would be provided to the lots. Stormwater would be treated consistent with Department of Ecology and City standards. As conditioned, all infrastructure improvements would be designed and installed in conformance with applicable City standards. *Findings 16, 17, 19, 20, 23, 24, 25, 30, and 31.*
3. As conditioned, the subdivision would make appropriate provision for open space, parks, schools, dedications, easements, and reservations. There are existing public parks in the vicinity of the site. Park and school impact fees would be paid. Easement requirements have been incorporated into the conditions of approval. *Findings 4, 14, 27, and 31.*
4. The design of the subdivision takes into account the physical characteristics of the site. The soils underlying the site are suitable for the infiltration of stormwater. The cul-de-sac would be centered on a retained significant tree. There are no critical areas requiring protection. *Findings 12, 13, and 25.*
5. The proposed subdivision is not a re-plat of an existing subdivision. *Finding 3.*
6. As conditioned, the proposed lots would comply with the applicable R-9 development standards, and the landscaping, parking, and all other applicable provisions of VMC Title 20. *Findings 5, 7, 8, 9, 10, 11, 13, 14, 15, and 31.*
7. As conditioned, the subdivision would comply with the subdivision standards of RCW 58.17.110. These standards have been substantially incorporated into the City's subdivision criteria for approval addressed in the foregoing conclusions. With respect to safe walking conditions, sidewalks would be provided along the property frontage and the internal street, and there is an existing walking path on the opposite side of the street.

School bus service would be provided for elementary and middle school students from bus stops located near or in front of the subject property. The project was reviewed for compliance with SEPA, and no probable, significant, adverse environmental impacts were identified. The proposal would result in residential development that is consistent with the Comprehensive Plan. *Findings 6, 16, 17, 27, 29, 30, and 31.*

8. The narrow lot criteria do not apply because none of the lots would be less than 40 feet wide. *Finding 8.*

DECISION

Based on the preceding findings and conclusions, the request for approval of a subdivision to divide 2.15 acres into 12 single-family residential lots is **GRANTED** subject to the following conditions.

Prior to Civil Plan Approval

1. Upload the civil plan review set showing the revisions requested as well as all necessary reports (geotechnical, hydrology, traffic analysis, road modification, etc.). Include a detailed site plan in the civil plan review set. For questions on these requirements, please contact (360) 487-7804.
2. Grading plan review fees will be due upon submittal of civil plans for review. Contact Permit Center staff at (360) 487-7802 to obtain a fee quote.
3. Pay concurrency modeling fees totaling \$1,500.
4. Pay proportionate share fees totaling \$4,500.
5. Revise and complete the public sanitary sewer design on the civil drawings. Prepare according to Vancouver's current Public Sanitary Sewer Design and Construction Standards. Address redline comments and submit the final design for civil plan approval.
6. Secure construction permits and schedule and attend a pre-construction meeting. Construct the new public sanitary sewer mains and service laterals as shown on the approved civil plans. Satisfy construction services testing and inspection requirements and secure construction acceptance.
7. Satisfy submittal and other requirements itemized in the Notification of Civil Plan Approval and secure final civil project acceptance.
8. Provide a fire response plan including the following:
 - Fire lane marking locations and details.

Prior to Commencing Public Improvement Construction

9. All fire hydrants for emergency use shall be established and maintained clear for emergency use.
10. Fire apparatus access roads shall be established.

During Public Improvement Construction

11. Secure construction permits and schedule and attend a pre-construction meeting. Construct the new public sanitary sewer mains and service laterals as shown on the approved civil plans. Satisfy construction services testing and inspection requirements and secure construction acceptance.
12. Temporary address signage shall be visible and legible from the street fronting the property for emergency response during construction.
13. Fire hydrants shall not be obstructed in any manner.
14. Fire apparatus access roads shall be maintained clear for emergency response.
15. Fire extinguishers and no smoking signs shall be provided during construction.

Prior to Final Plat Approval

16. Submit a final plat application. Applications can be found under Building, Planning, and Environment on the City of Vancouver website, www.cityofvancouver.us.
17. *Notes Required on Plat:*
 - If any cultural resources are discovered in the course of undertaking the development activity, work shall stop and the Department of Archaeology and Historic Preservation in Olympia, concerned Tribes, and the City of Vancouver Community Development Department shall be notified. Failure to comply with these State requirements may constitute a Class C felony, subject to imprisonment and/or fines.
 - Pursuant to VMC 20.915, Park, School, and Traffic impact fees will be calculated at time of building permit application and shall be due and payable at the time the building permit is issued, except as provided in Section 20.915.075. Notwithstanding the foregoing, all impact fees shall be recalculated for building permit applications that have not been issued within one year of application submittal. The Applicant is responsible for impact fees on 11 of the 12 lots, since there is one existing detached single-family home on-site.
 - Infiltration: Individual infiltration systems to be installed on each lot. Homeowners shall be responsible for the maintenance of the infiltration system.
 - The City of Vancouver has no responsibility to improve or maintain the private streets contained within or private streets providing access to the property described in this plat, nor does the City of Vancouver have responsibility for any of the

infrastructure associated with the roadway such as sidewalks, drainage facilities, streetlights, curbs, or landscaping.

- All lots within this plat are subject to a specific tree plan on file with the City of Vancouver. Required trees shall be planted on a per lot basis prior to final occupancy. No tree within the plat shall be removed without a permit.
- Lots within this development are subject to the development standards listed in VMC 20.410.050.B.
- Alternative Process for Vacation or Modification of Dedicated Easements (VMC 20.320.080 and RCW 64.04.175): Easements dedicated or granted to the City of Vancouver on this plat may be modified by City Council using the easement vacation process and the recording of an updated plat. A Type II or Type III plat alteration process shall not generally be required to modify and/or vacate City of Vancouver easements on this plat. All other easements created by this plat may be amended through a Type II plat alteration process and the recording an updated plat.
- Public Utility Easement: An easement is hereby reserved under and upon the exterior six feet of all boundary lines of the lots and tracts adjacent to public/private roads for the installation, construction, renewing, operating, and maintenance of electric, telephone, TV, cable, and water services. All lots containing pad mount transformers are subject to the minimum clearances as defined by Clark Public Utilities Construction standards. All proposed building designs on these lots must provide adequate clearance for all combustible materials. Also, sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six feet along the front boundary lines of all lots and tracts adjacent to public streets.

18. Provide the following improvements to NE 28th Street, per City of Vancouver standards:

- Dedicate additional right-of-way as necessary to obtain the 35-foot half-width right-of-way, per T10-12.
- Install additional street pavement as necessary to obtain 23-foot street half-width, per T10-12.
- Install curb, gutter, planter strip, and detached sidewalk, per T10-12.
- Street lighting must be installed or upgraded to current standards.
- Install traffic control devices as warranted, and storm drainage as required by the City stormwater ordinance.

19. Provide the following improvements to NE 150th Court, per City of Vancouver standards:

- Dedicate 50 feet of right-of-way and install an asphalt street, curb, gutter, planter strip, and detached sidewalk, per T10-16.
- Construct a new intersection on NE 28th Street with 35-foot curb return radii and

standard directional ADA ramps, per the applicable City standards.

- Construct a standard cul-de-sac with 45-foot radius, measured to the gutter flowline, per the applicable City standards. To save the existing mature fir tree, construct an island in the center of the cul-de-sac, with a curb radius of 24 feet.
 - Install ‘No Parking - Fire Lane’ signs at appropriate spacing along the west side of the street and along the outside of the entire cul-de-sac bulb.
 - Street lighting must be installed or upgraded to current standards.
 - Install traffic control devices as warranted, and storm drainage as required by the City stormwater ordinance.
20. Provide a shared access and maintenance agreement on all parcels that are party to the private roadway.
21. Show, note, and specify any public sanitary sewer easements to the City of Vancouver. Include standard required plat easement recording language.
22. Submit a Stormwater Pollution Prevention Plan (SWPPP).

Prior to Issuance of Certificate of Occupancy

23. All UIC wells are required to be registered with Washington State Department of Ecology. Proposed public UIC wells shall receive Washington State Department of Ecology UIC Program rule authorization prior to civil plan approval. Provide a copy of the authorization in the final stormwater report during the plan review process. A copy of the registration application will be accepted if rule authorization notification has not been received from Ecology within 60 days of application for well registration. Registration forms shall include the following: ownership, facility/site information, and NPDES number for proposed public UICs.

Prior to Issuance of any Building/Development Permits

24. Pay all required fees, including impact fees.

Decided March 3, 2025.

By:



Sharon A. Rice
City of Vancouver Hearing Examiner

Note: The hearing examiner's decision may be appealed to the Vancouver City Council within 14 calendar days after the date the examiner's decision is distributed. Appeals must be made in writing and be received within this time period. The letter of appeal shall state the case number designated by the City and the name of the applicant, name and signature of each petitioner, a statement showing that each petitioner is entitled to file the appeal under VMC Chapter 20.210.130.B, the specific aspect(s) of the decision being appealed, the reasons each aspect is in error as a matter of fact or law, and the evidence relied upon to prove the error (VMC 20.210.130.A). A fee of \$2,468.00 must accompany the appeal. However, if the aggrieved party is a recognized neighborhood association, the fee assessed is \$186.00. The association must demonstrate at the time of appeal submittal that the decision to appeal was made pursuant to association bylaws.

Due to the limited days the permit center is open for walk-in assistance, the appeal request shall be emailed to eplans@cityofvancouver.us, as well as to the case manager's email address below, and the appeal fee electronically paid to the City of Vancouver. For questions or additional information, you may contact the case manager by telephone at (360) 487-7818, or by email at kristian.corbin@cityofvancouver.us.