

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

## **SUMMARY OF RECOMMENDATION**

The request for a subdivision to divide 2.59 acres into 20 single-family residential lots pursuant to the infill development standards of Vancouver Municipal Code (VMC) 20.920 is **GRANTED** subject to conditions.

## SUMMARY OF RECORD

**Request:**

Paul Williams, PE, on behalf of Riverfront Holding LLC (Applicant) requested approval of a subdivision to divide 2.59 acres into 20 single-family residential lots pursuant to the infill development standards of VMC 20.920. The subject property is located at 15302 NE 9th Street, Vancouver, Washington.

**Hearing Date:**

The Vancouver Hearing Examiner conducted a virtual open record hearing on the application on December 16, 2025. The record was held open through December 18, 2025 to allow members of the public who were unable to participate in the virtual hearing due to technology or access barriers to submit written comments, with responses from the parties due on December 22, 2025. No post-hearing public comment was submitted, and the record closed on December 18, 2025. No in-person site view was conducted, but the Examiner viewed the subject property on Google Maps.

## Testimony:

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

Paul Williams, PE, Applicant Representative

Kristian Corbin, Senior Planner, City of Vancouver

Charles Ray, Urban Forester, City of Vancouver

Stephen Wille

Linda Goetz

Kara Harden Egan

**Exhibits:**

The following exhibits were admitted in the record through the open record hearing process:

1. Staff Report, with the following attachments:
  - A. Application, submitted February 13, 2025
  - B. Applicant Narrative
  - C. Proposed Development Plans
  - D. State Environmental Policy Act (SEPA) Checklist
  - E. Notice of Determination of Non-Significance (DNS), dated March 6, 2025
  - F. Notice of Remote Public Hearing, dated September 17, 2025
  - G. Notice of Final DNS, dated September 4, 2025
  - H. Traffic Report, Engineering Northwest, dated June 15, 2022
  - I. Trip Calculations Worksheet, dated October 24, 2025
  - J. Road modification request - Access on to an Arterial, dated October 23, 2025, and Road modification request - Intersection Spacing, dated October 23, 2025
  - K. Stormwater Report, Engineering Northwest, dated August 30, 2022
  - L. Geotechnical Report, GeoPacific Engineering, Inc., dated October 19, 2006
  - M. Letter from Evergreen School District, dated March 25, 2025
  - N. Public Comments:
    1. Email from Aurelia Anderson, dated October 14, 2025
    2. Letter from Countryside Woods Neighborhood Association, dated October 14, 2025
    3. Email from Erik Schott, dated September 22, 2025
    4. Email from John Shreves, dated September 19, 2025
    5. Email from Kevin and Manilay Smith, dated September 30, 2025
    6. Email from Ursula Henderson, dated September 19, 2025
  - O. Applicant Response to pre-hearing Public Comment
  - P. Clark County Public Health Review Receipt
  - Q. Affidavit of hearing notice mailing list
2. City PowerPoint Presentation
3. City Memo, dated December 16, 2025, with responses to Public Comment

4. Public Comment letter from Stephen Wille, dated October 15, 2025<sup>1</sup>

After considering the testimony and exhibits admitted in the record, the Hearing Examiner enters the following findings and conclusions.

## FINDINGS

1. Paul Williams, PE, on behalf of Riverfront Holding LLC (Applicant) requested approval of a subdivision to divide 2.59 acres into 20 single-family residential lots pursuant to the infill development standards of Vancouver Municipal Code (VMC) 20.920. The subject property is located at 15302 NE 9th Street, in Vancouver, Washington.<sup>2</sup> *Exhibits 1, 1.A, 1.B, and 1.C.*
2. The application was received on February 13, 2025 and deemed fully complete on September 3, 2025. *Exhibit 1.*
3. The subject property is developed with one single-family residence and a detached garage. The residence would be retained on proposed Lot 14. Access to the site is from NE 9th Street, the improved portion of which terminates at the southwestern corner of the site. *Exhibits 1 and 1.C.*
4. The subject property is zoned R-9 and has a Comprehensive Plan land use map designation of Urban Low Density. Surrounding parcels share the site's R-9 zoning designation, except for the parcels to the southwest of the site on the southern side of NE 9th Street, which are zoned R-6. Surrounding development is single-family residential, except for a vacant parcel to the southeast of the site, which is owned by the City of Vancouver. *Exhibits 1, 1.C, and 2.* These two parcels - the subject property and the unimproved City of Vancouver parcel - are adjacent triangles forming a rectangle that is diagonally bisected by the unimproved NE 9th Street right-of-way, with NE 155th Avenue along the eastern boundary of the rectangle. *See Exhibit 1.C, Sheet PR4.*
5. The purpose of the R-9 zone is to accommodate detached single-family 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 per net acre. *VMC 20.410.020.D.* Detached single-family dwellings are permitted in the R-9 zone. *VMC Table 20.410.030-1.* The allowed density range for the proposed development, based on the buildable area of 2.59 acres, is between 15 and 23 dwelling units. *Exhibit 1.*
6. The subject property is eligible for development consistent with the infill development

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<sup>1</sup> This public comment letter was included in Exhibit 1.N; however, only one side of each page was included in the .pdf in the record. It is reproduced in its entirety here in Exhibit 4.

<sup>2</sup> The legal description of the subject property is: "A portion of Lot 11, Block 1 or "Harmony Home Sites" (BK F PG 13), located in the Southwest Quarter or the Northwest Quarter of Section 25, Township 2 North, Range 2 East, Willamette Meridian, City of Vancouver, Clark County, Washington." *Exhibit 1.C, Sheet PR3.* It is also known as Tax Parcel Number 110185115. *Exhibit 1.*

standards of VMC 20.920 for the following reasons: it is in the R-9 zoning district; its area is less than 5% over the 2.5-acre maximum net developable site area specified in VMC 20.920.020.A(2), and the Planning Official has approved the excess area; it would be served by urban services at the time of final plat approval; and there is urban development abutting the subject property on at least 50% of its non-street perimeter. *Exhibits 1 and 1.C; VMC 20.920.020.A; Kristian Corbin Testimony.*

7. The infill development standards require a minimum lot size of 2,000 square feet for single-family detached residential development in the R-9 zone and a minimum lot width and lot depth that is at least 50% of the zoning standards. In this case, 50% of R-9 lot width and lot depth standards would be 22.5 feet and 32.5 feet, respectively. *VMC 20.920.050; VMC Table 20.410.050-1; Exhibit 1.B.*
8. The proposed 20 lots would comply with the infill development standards for the R-9 zone, as well as the technical requirements for lot configuration contained in the subdivision ordinance. The smallest lot would be 3,230 square feet in area. The lots would average 5,019 square feet in area, which is less than the maximum of 7,400 square feet. Each lot would be at least 41 feet wide and 69 feet deep. No flag lots are proposed; each lot would have at least 20 feet of frontage. Side lot lines would run perpendicular to the adjacent streets. Compliance with setback, lot coverage, building height, parking, and landscaping requirements would be verified at time of building permit application. Because the lots would be more than 40 feet wide, the project is not subject to the narrow lot development standards of VMC 20.927. *Exhibits 1 and 1.C.*
9. Access to the subdivision would be from a proposed extension of NE 9th Street along the full length of the southern boundary of the subject property. Consistent with collector arterial street standards (City standard plan T10-12) and VMC 11.80.080.E, which allows for half-width streets when development is limited to one side of the street, the proposed extension of NE 9th Street would include a six-foot detached sidewalk, five-foot planter strip, curb, gutter, and 25 feet of pavement width within the northern portion of the existing 80-foot right-of-way. The street improvements would extend to NE 155th Avenue, creating a through connection for existing NE 9th Street. An off-site sidewalk connection would be provided between the proposed improvements and the existing sidewalk on the western side of NE 155th Avenue. *Exhibits 1 and 1.C; Paul Williams Testimony.*
10. Proposed Lots 15 through 20 would take direct access from NE 9th Street, and the remaining lots would take access from an internal private street shown on the plat map as Tract A. The Applicant has obtained City approval of a road modification request allowing direct access to NE 9th Street for these lots, as VMC 11.80.110.A does not allow driveway access onto an arterial unless no other access is available. In this case, the narrow site dimensions in the eastern portion of the site do not allow construction of an internal road in that area. To minimize driveways onto the arterial, Lots 15 through 20 would be served by a total of three shared driveways. *Exhibits 1, 1.C, and 1.J.*
11. The Tract A private street would include 20 feet of pavement, curbs, gutter, and attached

sidewalk. The street would be designed with two entrances from NE 9th Street, forming a small loop. The Applicant has obtained City approval of a road modification request authorizing this loop, as the entrances would not meet the minimum intersection spacing standard of 275 feet. It would not be possible to increase the intersection spacing by moving one of the entrances, due to the irregular shape of the parcel. The City's recommended conditions of approval address easement and maintenance agreement requirements applicable to the proposed private street. *Exhibits 1, 1.C, and 1.J.*

12. The subject property does not have frontage on NE 155th Avenue, as it touches 155th Avenue at the narrow/pointed tip of its triangle shape.. Consequently, no street improvements on NE 155th Avenue are proposed by the Applicant or would be required by the City. Nevertheless, the project would install sidewalk on the west side of the street, along the eastern end of the rectangle formed by the subject property and the City-owned parcel to the south. *Exhibits 1.C and 3.* With respect to pre-existing lighting deficiencies on NE 155th Avenue noted by neighbors in public comment, the City recommended that such lighting deficiencies be reported to the City Transportation Department. *Exhibit 1.N; Testimony of Kara Harden Egan and Kristian Corbin.*
13. In comments on the application, members of the public requested that the subdivision be required to install traffic calming on NE 9th Street. Based on a speed study, the City concurred that traffic calming is justified. The City recommended as a condition of approval that the Applicant install six speed tables at approximately 500-foot intervals between NE Hearthwood Blvd and NE 155th Avenue. The Applicant agreed to work with the City to provide traffic calming but requested that the condition be less specific in case fewer are deemed necessary by the Fire Marshal. *Exhibits 1, 1.N, 3, and 4; Paul Williams Testimony.*
14. With respect to parking, each new single-family residence is required to have one off-street parking space, which must be a minimum nine feet wide by 17 feet deep, paved, and located outside of the required setback. *VMC 20.945, Table 20.945.070-2.* To meet this requirement, each of the proposed residences would have at least one garage parking space, plus driveway parking spaces. *Paul Williams Testimony.*
15. Based on the trip generation rates contained in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition*, the proposed subdivision is expected to generate 190 average daily trips, including 14 AM and 19 PM peak hour trips. *Exhibit 1.H.*
16. The subject property is located within the # 284 Transportation Analysis Zone, and the project would add PM peak hour trips to four Transportation Management Zones. Based on these impacts, the Applicant would be required to pay concurrency modeling fees of \$1,500.00 prior to civil plan approval. *Exhibit 1.*
17. The City collects proportionate share fees for intersection projects affected by traffic from development. The proposed subdivision would add trips to one proportionate share project intersection - the one at NE 162nd Avenue and NE 9th Street - resulting in a total

fee of \$3,000. The Applicant would also be required to pay traffic impact fees applicable to the Cascade transportation zone pursuant to VMC 20.915. These would be calculated on a per-lot basis and payable at the time of building permit issuance. *Exhibits 1, 1.H, and 1.I.*

18. Public water is available to the site from existing mains in NE 9th Street and NE 155th Avenue. To provide water to the lots, the Applicant would extend a new main along the NE 9th Street extension and through the internal private road. *Exhibits 1 and 1.C.*
19. Public sewer is available to the site from NE Countryside Drive, to the southeast. The Applicant proposes to extend a sewer main north along NE 155th Avenue to the northeastern corner of the site, and then west through the extension of NE 9th Street to provide sewer service to the lots. *Exhibits 1 and 1.C.*
20. The Applicant has submitted preliminary erosion control plans demonstrating that City requirements for erosion control can be met on the site. A Construction Stormwater Pollution Prevention Plan (SWPPP) would be required prior to civil plan approval. *Exhibit 1.*
21. Stormwater runoff from the extension of NE 9th Street would be treated and infiltrated in bioretention facilities to be constructed within the right-of-way. Runoff from the internal private street would be treated through catch basin filters and infiltrated on-site through infiltration trenches. Roof runoff would be infiltrated through infiltration trenches on individual lots. City Staff submitted that the submitted stormwater plans demonstrate that the requirements of the City's stormwater ordinances can be satisfied. *Exhibits 1, 1.C, and 1.K.*
22. The proposal is subject to the requirements of the City's tree conservation ordinance, which requires tree preservation and planting to achieve a minimum of 30 tree units per acre, net of dedicated right-of-way and required pervious surfaces where trees are not appropriate. *VMC 20.770.080.* The ordinance does not require a specific percentage of retained trees but specifies that "when there are feasible and prudent location alternatives on-site for proposed building structures or other site improvements, existing native vegetation and trees are to be preserved...." *VMC 20.770.070.B(1).* A minimum of 68 tree units is required for the proposed development, based on a net site area of 2.27 acres. The Applicant submitted a tree plan depicting the preservation of 46 tree units' worth of existing trees and the planting of 22 new trees to meet the minimum tree requirement of 68 tree units. However, one of the trees indicated as a retained tree (no. 10498) is located in the path of the shared driveway serving Lots 17 and 18.<sup>3</sup> The City's Urban Forester requested that the tree plan be revised to show this tree as a removed tree. In addition, the Urban Forester requested that a tree proposed for removal (no. 10470, a 24-inch pine) be retained. Tree no. 10470 is in the northeast corner of Lot 20. The tree is not

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<sup>3</sup> The Staff Report indicates that this tree is no. 10479 (see recommended Condition 5), but there is no tree no. 10479 in the tree inventory. At the hearing, the Urban Forester clarified that the correct tree number is no. 10498. *Charles Ray Testimony; Exhibit 1.*

obviously in the way of proposed improvements, and the basis for removal is not clear from the record. In addition, the Urban Forester requested that the Applicant increase the proportion of planted conifer trees for consistency with City standards and change some of the specific species proposed, including the species proposed as street trees per VMC 20.925.060. These recommended conditions address some of the public comment related to trees/landscaping, which questioned the use of species such as Jacquemontii birch and Chanticleer pear. *Exhibits 1, 1.C, and 4; Charles Ray Testimony.*

23. 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 park impact fees pursuant to VMC 20.915. *Exhibit 1.*
24. The subject property is located within the Evergreen School District. Students residing within the proposed subdivision would attend Hearthwood Elementary School, Pacific Middle School, and Evergreen High School. The subject property is not within walking distance of these schools, and the School District would provide bus service. Impacts to schools would be mitigated through payment of impact fees pursuant to VMC Chapter 20.915. *VMC 20.915.020; Exhibit 1.M; Paul Williams Testimony.*
25. The subject property is not located in an area with high probability for discovery of archaeological resources. Consequently, an archaeological predetermination report was not required. However, Planning Staff recommended a stop work/notification condition of approval to address unanticipated discovery of archaeological deposits during construction, consistent with VMC Chapter 20.710. *Exhibit 1.*
26. The project was reviewed for compliance with the requirements of the fire code (VMC Title 16). The recommended conditions require a fire response plan to be included with the civil plans, fire hydrants to be established and maintained prior to combustible construction, fire apparatus access roads to be established, and temporary address signage to be visible and legible during construction. The conditions also identify contractor qualification requirements if fire sprinklers are installed. *Exhibit 1.*
27. The project was reviewed for consistency with the City's solid waste disposal and recycling regulations (VMC 20.970). The recommended conditions require the Applicant to identify cart locations on the project plans. *Exhibit 1.*
28. The proposal is not a re-plat of an existing subdivision. *Exhibit 1.*
29. There are no critical areas such as wetlands or geologic hazards on the site. *Exhibit 1.*
30. 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 SEPA Responsible Official issued a notice of determination of non-significance (DNS) on March 6, 2025. After considering comments, the City issued the final DNS on September 4, 2025. *Exhibits 1.E and 1.G.*

31. Notice of the open record hearing was issued on September 17, 2025 and mailed to property owners within 500 feet of the site. *Exhibits 1.F and 1.Q; Kristian Corbin Testimony.*
32. Prior to and during the public hearing, neighbors submitted comments with the following concerns and requests: that the Applicant be required to install a wildlife-safe fence on the boundary of the City-owned parcel to the south to protect its vegetation and wildlife during construction, and that the Applicant be physically prevented from parking construction equipment such that it could damage tree roots; that the Applicant be required to plant a dense hedge along the boundary of the City-owned property to the south to protect existing residences to the south from construction and traffic noise; that a curb be installed on the south side of the NE 9th Street extension; that the Applicant be required to process the large trees on the subject property such that their root wads may be used for off-site environmental purposes; that the Applicant be required to install a left turn lane on NE 9th Street to the west of the site between NE 150th Avenue and NE 147th Avenue; that the Applicant be required to install sidewalk on the south side of the NE 9th Street extension; and that the Applicant be required to install street lights along the off-site sidewalk on NE 155th Avenue. The neighbors expressed concerns primarily about pedestrian safety, increased through traffic, vehicle speeds, and increased noise. *Testimony of Stephen Wille, Linda Goetz, and Kara Harden Egan; Exhibits 1.N and 4.*
33. In response to public comment, Planning Staff submitted that the City lacks authority to require the Applicant to provide off-street improvements in the manner requested by the public, including fencing and additional plantings on the City-owned parcel to the south, streetlights on NE 155th Avenue, curb and sidewalk on the south side of the NE 9th Street extension, and left turn pockets to the west of the subject property. The Applicant would be required to provide streetlights on the north side of NE 9th Street through the site, which would light the entire street. There is no code that would require the Applicant to protect existing residences from traffic noise on the public or private streets being built by the project. Planning Staff asked the neighborhood association and other neighbors to bring concern about the unlit portion of NE 155th Avenue and the need for left turn lanes west of the subject property to the attention of the City's transportation department, and Mr. Corbin offered to act as liaison between the public and the correct City staff members. *Kristian Corbin Testimony.*
34. The Applicant prepared detailed responses to the pre-hearing written public comment, which responses are in the record at Exhibit 1.O. Applicant representatives at hearing agreed with Planning Staff that the Applicant cannot accomplish the off-site improvements requested by the public. Mr. Williams submitted that the Applicant can only direct what happens on the subject property, that what happens in the 80-foot wide NE 9th Street right-of-way is up to City, and that the Applicant has no authority to do anything on the publicly owned parcel to the south. Along the subject property's frontage, the improvements to NE 9th Street would be within the right-of-way and installed consistent with City street standard T10-12, which requires 70 feet of right-of-way improvements. Due at least in part to the unique shape of the subject property resulting from the path of the existing unimproved right-of-way, the City can require the Applicant to install either

a center turn lane or a median within the arterial, and the decision as to which is required belongs to the City. The Applicant would build a six-foot detached sidewalk along its frontage, with a five-foot planter strip behind the curb and gutter, and then 25 feet of paved width. Completion of the full street section would occur in the future if the property across the street is improved. The Applicant would connect their NE 9th Street sidewalk section to existing off-site sidewalk along the west side of NE 155th Avenue. While the extension of NE 9th Street is needed for cross circulation, and it will be a wide street section because of the arterial designation, the project would not generate much traffic, and the connection is not expected to generate a high volume of through traffic. To protect the property to the south, the project is conditioned to install a silt fence on the south side of the right-of-way improvements prior to construction, which would both mark the edge of construction and prevent erosion. The Applicant is not eager to commit to specific post-removal uses for the trees that must be removed because the project is already very expensive, due to sewer extension and the NE 9th Street extension. Applicant representatives indicated that, if there is a project opportunity, they would be willing work with the City on the dark stretch of NE 155th Avenue and turn lanes to the west of the property. *Paul Williams Testimony; Exhibit 1.O.*

35. Having heard all testimony, Planning Staff maintained their recommendation for approval subject to the conditions in the staff report. *Kristian Corbin testimony; Exhibit 1.* Applicant representatives requested modification to two of the recommended conditions of approval, requesting more flexibility in the language of what is required regarding speed table installation on NE 9th Street and that tree species selection be required to comply with the City's approved tree species list, rather than requiring specific species. Also, Applicant representatives requested clarification or correction regarding the requirement to retain specific trees, asking that Urban Forester approval of a final tree plan be required instead. *Paul Williams Testimony.* The City agreed with the requested amendments to the recommended conditions. *Testimony of Charles Ray and Kristian Corbin.*

## 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 Applicants must demonstrate compliance with 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.
- 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 adequate provision for transportation, water, stormwater management, sewer, and erosion control. Street improvements would be made consistent with City standards, as modified through the road modification process. Traffic calming would be installed on NE 9th Street. Traffic mitigation fees would be paid. The subdivision would be connected to public water and sewer utilities. Stormwater would be treated and infiltrated consistent with City standards. *Findings 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 26, 32, 33, 34, and 35.*
- 2. As conditioned, the proposed subdivision would make appropriate provision for streets, utilities, and other improvements consistent with applicable standards. Northeast 9th Street would be extended along the property frontage and traffic calming would be installed. Road modification requests have been administratively approved to address intersection spacing and driveway access. Other than the proposed sidewalk connection, which would ensure safe walking conditions for school children and other pedestrians accessing the road network, improvements to NE 155th Avenue are not warranted due to lack of street frontage. Public water and sewer would be extended to the lots. Stormwater would be treated and infiltrated consistent with City standards. Off-street parking would be provided for each residence. As conditioned, all infrastructure improvements would be designed and installed in conformance with applicable City standards. *Findings 9, 10, 11, 12, 13, 14, 18, 19, 21, 26, 32, 33, 34, and 35.*

3. The subdivision would make provision for open spaces, parks, and schools through payment of park and school impact fees pursuant to City ordinance. The conditions of approval address easement requirements. *Findings 11, 23, 24, 33, 34, and 35.*
4. As conditioned, the design of the subdivision takes into account the physical characteristics of the site. The site does not contain any critical areas. Trees would be retained and planted in accordance with the City's tree conservation standards. The conditions of approval, as amended, would ensure that trees are retained where feasible. Modifications to the recommended conditions are made to allow future review and coordination between City Departments as to whether tree no. 10498 could possibly be saved through relocation of the driveway serving Lots 17 and 18. *Findings 22, 29, 32, 33, 34, and 35.*
5. The project is not a re-plat of an existing subdivision. *Finding 28.*
6. As conditioned, the proposal would comply with applicable R-9 and infill development standards and would comply with the archeological resource protection, tree conservation, landscaping, parking, and all other applicable provisions of the zoning code. *Findings 4, 5, 6, 7, 8, 14, 22, 25, 27, 32, 33, 34, and 35.*
7. As conditioned, the plat 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, students residing within the subdivision would be bused to school, and sidewalks would be available along NE 9th Street and NE 155th Avenue. Traffic calming would be provided along NE 9th Street. The project was reviewed for compliance with SEPA, and no probable, significant, adverse environmental impacts were identified. The proposal would result in residential development consistent with the City's Comprehensive Plan and the adopted zoning designation for the site, increase the City's housing supply, and facilitate infill development in an area that is largely developed and has existing urban services. *Findings 4, 5, 6, 9, 11, 13, 18, 19, 24, 30, 32, 33, 34, and 35.*
8. The narrow lot criteria do not apply to the proposed subdivision because all lots would be at least 40 feet wide. *Finding 8.*

## DECISION

Based on the foregoing findings and conclusions, the request for a subdivision to divide 2.59 acres into 20 single-family residential lots pursuant to the infill development standards of Vancouver Municipal Code (VMC) 20.920 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. Place the following the civil plans: “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.”
4. The Applicant shall coordinate with City Staff to determine whether tree no. 10470 can be retained and protected.
5. Revise the tree plan to show tree no. 10498 as removed.
6. Include tree and root protection measures on the tree plan and grading and erosion control plans. Show tree protection along all trees south of NE 9th Street at the edge of the right-of-way improvements.
7. Relocate driveways on the landscape plan away from retained trees to the extent possible, in consultation with City Transportation and Urban Forestry Staff.
8. Clearly identify on-site trees as distinct from off-site existing trees within the tree legend on the tree plan.
9. Revise the landscape plan to show firs planted in the backyards of Lots 1 through 20 to meet the 60% native conifer requirement.
10. On the Tree Plan add, “with City Approval” at the end of the note: “Trees shown to be saved will be evaluated by the project arborist prior to and during construction. Trees adversely affected by construction and/or determined to be a safety hazard will be removed.”
11. Revise the landscape plan to show Red Oak (*Quercus Ruba*) trees, or alternative species approved by the City Urban Forester and appearing on the City’s approved tree list, and to show trees planted 30 feet on center and 15 feet from streetlights along NE 9th Street.
12. Revise the landscape plan to show River Birch (*Betula nigra*) trees, or alternative species approved by the City Urban Forester and appearing on the City’s approved tree list, in place of the proposed flowering pear trees.
13. Illustrate solid waste cart locations on Tract A for Lots 3, 4, 10, and 11, and on NE 9th Street for Lots 15, 16, 17, 18, and 19, on the site plan.

14. Pay concurrency modeling fees totaling \$1,500.
15. Pay proportionate share fees totaling \$3,000.
16. 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.
17. Submit a Construction Stormwater Pollution Prevention Plan (SWPPP).
18. Add a note on the water utility pages as follows: "Underground fire sprinkler supply mains shall be installed only by contractors in compliance with WAC 212-80 and endorsed in accordance with VMC 16.04.095 under separate permit."

**Prior to Commencing Public Improvement Construction:**

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

**Prior to Final Grading:**

21. A final summary report by the geotechnical engineer of record shall be prepared and submitted to the City of Vancouver that states that the project soils were prepared in accordance with the governing geotechnical report and construction documents. Provide a current report with lot specific conditions and compaction test results by final grading. Please send the report to [inspectionreports@cityofvancouver.us](mailto:inspectionreports@cityofvancouver.us).

**During Public Improvement Construction:**

22. 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.
23. Satisfy submittal and other requirements itemized in the Notification of Civil Plan Approval, and secure final civil project acceptance.
24. Temporary address signage shall be visible and legible from the street fronting the property for emergency response during construction.
25. Fire hydrants shall not be obstructed in any manner.
26. Fire apparatus access roads shall be maintained clear for emergency response.
27. Fire extinguishers and no smoking signs shall be provided during construction.

**Prior to Final Plat Approval:**

28. Submit a final plat application. Applications can be found under Building, Planning, and Environment on the City of Vancouver website.

29. Provide the following improvements to NE 9th Street, per City of Vancouver standards:

- A recorded survey of the subject property indicates that 40 feet of half right-of-way currently exists along the property frontage. There is no need for dedication of additional right-of-way.
- Install curb, gutter, planter strip, and detached sidewalk, per T10-12.
- Per VMC 11.80.080.E, half-width streets may be allowed when a development is limited to only one side of a street. When serving more than five lots, the minimum paved width for the partial street section is 25 feet wide. Therefore, the Applicant must construct half the street section provided in T10-12, plus additional pavement as necessary to obtain 25 feet of paved street width.
- Install “No Parking - Fire Lane” signage along the project frontage. Spacing of signage to be determined by the Traffic Division.
- Install shared driveways for Lots 15 through 20, one driveway for every two lots.
- Construct a new intersection at NE 9th Street and NE 155th Avenue, per the appropriate City standards.
- Street lighting must be installed or upgraded to current standards; see street lighting comments below.
- Any necessary utility trenching within the existing paved portion of NE 9th Street shall be restored per T05-04A&B and T05-06A&B (CDF). Asphalt restoration shall meet T05-01A&B and T05-07. A single continuous width restoration is required.
- Install traffic control devices as warranted and storm drainage as required by the City stormwater ordinance.

30. Provide the following improvements to the private street, per City of Vancouver standards:

- Dedicate an appropriate easement or private tract to accommodate the required street improvements and install an asphalt street, curb, gutter, and curb-tight attached sidewalk, per T10-17. The sidewalk may be omitted on one side of the street.
- Install standard driveway approaches where the private street intersects with the public street.
- Per the requirements of VMC 11.80.060.F(3), the Applicant must install “No Parking - Fire Lane” signs at appropriate spacing along both sides of the street. Additionally, permanent curb paint denoting “No Parking - Fire Lane” is required.
- Install traffic control devices as warranted and storm drainage as required by the City stormwater ordinance.

31. Provide a shared access and maintenance agreements.
32. Show, note, and specify any public sanitary sewer easements to the City of Vancouver. Include standard required plat easement recording language.
33. Provide traffic calming improvements (e.g., speed tables) at roughly 500-foot intervals between NE Hearthwood Boulevard and NE 155th Avenue consistent with City Transportation and Fire Department recommendations.
34. **Notes Required on Final 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 submittal.
  - **Infill:** All lots in this subdivision are subject to Development standards of VMC 20.920 Infill Development for the R-9 zoning district.
  - Subsequent development on lots less than 45 feet in width are not eligible for a variance to the minimum setback or frontage requirements.
  - **Infiltration:** All roof runoff shall be infiltrated on-site per City of Vancouver Standards. Homeowner is responsible for the maintenance of the infiltration system.
  - 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.
  - Tract A (including private parking tracts, private roads, and public stormwater improvements) is to be owned and maintained by the Homeowners Association.
  - 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.
  - **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 the City Council using the easement vacation process and by 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 by 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 maintaining of electric, telephone, TV, cable, and water utilities. 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.

**Prior to Issuance of any Building/Development Permits:**

35. Pay all required fees, including impact fees.

**Prior to Issuance of Certificate of Occupancy:**

36. A certificate from a licensed landscape architect shall be provided verifying that landscaping indicated on the final landscape plan has been installed. (For all Commercial, Multi-Family and Industrial projects.)
37. Register all underground injection control (UIC) wells with Washington State Department of Ecology.

Decided January 5, 2026.

By:



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Sharon A. Rice  
City of Vancouver Hearing Examiner