

BEFORE THE LAND USE HEARING EXAMINER
OF THE CITY OF VANCOUVER, WASHINGTON

Regarding Type III application for Preliminary Subdivision	)	
	)	FINAL ORDER
	)	
	)	PRJ-169503/LUP-85740
SE 19 th St. Subdivision	)	

APPLICANT/OWNER: Slavik Dezhnyuk, Dez Development LLC
15950 SE 82nd Drive, Clackamas, OR 97015

LOCATION OF PROPOSAL: 10815 SE 19th Street, Vancouver, WA 98664
Tax lot 113095000
Located within the SE ¼ of Section 33, Township 2N, Range 2E

SUMMARY OF REQUEST: Subdivision of a 1.65-acre site into 23 residential lots within the R-22 zoning district utilizing Narrow Lot and Zero Lot Line development standards
The proposal is subject to a Type III process

PROJECT: PRJ-169503/85740
SE 19th St. Subdivision

SEPA DETERMINATION: Final Determination of Nonsignificance (DNS)

APPROVAL CRITERIA: Subdivision – VMC 20.320
Narrow Lot Development – VMC 20.927
Zero Lot Line Development – VMC 20.910

PUBLIC HEARING: July 21, 2026 at 6:00 p.m.

RECORD CLOSED: July 21, 2026

STAFF REPORT:

July 7, 2026

SUMMARY OF DECISION:

The application is **approved**, subject to forty-one (41) conditions of approval

SUMMARY

The City of Vancouver Hearing Examiner reviewed the applicant's proposal to subdivide a 1.65-acre site into 23 lots within the R-22 zoning district in a public hearing pursuant to a Type III review. The proposal uses the narrow lot development standards for the construction of single-family attached zero lot line homes (townhome-style residences) and one single detached single-family home. The proposal was reviewed for compliance with subdivision standards, as well as Narrow Lot and Zero Lot Line development standards, which allow for reduced lot sizes and increased lot coverage. The project will be accessed from existing SE 19th Street, a public road. Two private roads are proposed to be constructed within the subdivision. Eight on-street parking spaces will be provided.

The site is mapped with wetlands and Oregon White Oaks. Two and part of a third wetland on site are proposed to be filled. The applicant will retain one and part of another wetland in a separate tract within the subdivision. The applicant will continue to work with the state Department of Ecology and the United States Army Corps of Engineers with respect to wetland impacts and mitigation. An Oregon white oak that was originally thought to be present on the site was determined to have fallen onto the property from off-site. It will remain in the fallen position to provide continued habitat.

Prior to the public hearing, the proposal was reviewed by the City transportation and stormwater departments. The applicant's critical area and bank use plan was reviewed by the Clark County Wetland Biologist who concurred with its conclusions. Agency comments from Clark County Public Health, United States Army Corps of Engineers, Washington Department of Ecology, and the Washington State Department of Transportation are addressed in conditions of approval in this Final Order.

The Hearing Examiner finds and concludes that the applicant has met its burden of proving consistency of the subdivision proposal with all applicable criteria for approval of a Type III preliminary subdivision (VMC 20.320), and will meet narrow lot subdivision criteria (VMC 20.927) and zero lot line criteria (VMC 20.910.050). The proposal has been appropriately reviewed for compliance with the City's critical areas ordinance, VMC 20.740.130, with respect to wetlands and an Oregon white oak. Compliance with conditions of approval of this Final Order will ensure protection of public health, safety and welfare.

PUBLIC HEARING AND RECORD

An open record, quasi-judicial public hearing on the Application commenced at approximately 6:00 p.m., on Tuesday, July 21, 2026. The hearing took place in an online format using the Microsoft Teams platform with City Staff serving as the host. Applicant representative Jayson Taylor provided testimony and presented the applicant's proposal. The City appeared through Krystal Sanchez, Planner/Case Manager. One interested property owner provided testimony and

asked questions concerning traffic, how a single access point for 23 lots will work, whether a street light could be installed at the corner of SE Ellsworth and 19th, noise, and parking. She also expressed safety concerns. City of Vancouver Hearing Examiner, Stephanie Marshall, presided.

A verbatim recording was made of the public hearing and all testimony was taken under oath. Documents considered include the Staff Report dated July 7, 2026 (Ex. 1), exhibits A through R thereto, a July 20, 2026 letter from Associate Planner to the Hearing Examiner re: Revisions to Staff Report Conditions for PRJ-169503/LUP-85740 Subdivision, and the applicant's presentation at the public hearing (Ex. 2). The public hearing and the record were closed at the conclusion of all testimony. All exhibits and records of testimony are filed at the City of Vancouver.

At the beginning of the hearing, the Examiner described how the hearing would be conducted and how interested persons could participate. The Examiner disclaimed any *ex parte* contacts, bias, and conflicts of interest. The following is a summary of selected testimony and evidence offered at the public hearing.

Applicant's Presentation. Jayson Taylor presented a slideshow presentation of the proposal, including mapping of the site. He noted that the applicant requested revision to proposed condition 4 and removal of proposed conditions 7, 8, 13 and 14. Mr. Taylor testified that, in the R-22 zoning district, the applicant could have proposed as many as 27 lots, or an apartment complex. He noted that the surrounding areas are zoned residential. Mr. Taylor also stated that the updated Comprehensive Plan will go into effect August 1 and that zoning districts R-9, R-6 and R-4 will not

exist thereafter. Mr. Taylor described the proposal with average 1,500 square foot lots, some with shared driveways. He stated that the west end of the property is owned by the Washington State Department of Transportation, but that no improvements within such area are proposed. Because the site slopes away from SE 19th Street, gravity sewer is not an option; grinder pump systems are proposed. Mr. Taylor testified that 2.5 wetlands are proposed to be filled (wetlands A and B and part of D). Wetland C and part of D will be retained. The applicant is continuing to work with the Department of Ecology and the Army Corps of Engineers and intends to purchase mitigation credits at the Columbia River Mitigation Bank.

City's Presentation. Krystal Sanchez, a planner and the case manager, presented a slideshow on behalf of the City. This showed an aerial overview of the site. Ms. Sanchez noted that the applicant proposes two private streets – not one, as stated in the staff report. She testified that a final Determination of Nonsignificance was issued after review of the applicant's environmental checklist. Ms. Sanchez stated that two critical areas exist on site: wetlands and Oregon White Oak. The applicant will purchase 0.051 mitigation credits. This was reviewed by a third party reviewer. Ms. Sanchez noted that the Oregon white oak actually fell onto the property from off-site, but that it will remain in its current location to provide habitat.

Ms. Sanchez addressed public comments submitted concerning density/compatibility, traffic, wetlands and stormwater. She noted that the proposal and the applicant's traffic (Exs. M and O), and stormwater (Ex. R) areas reports were reviewed by the City transportation and stormwater

departments; the critical area and bank use plan (Ex. K) and Oregon white oak memo (Ex. L) were reviewed by a third-party reviewer. The city concurs with the applicant's request to modify proposed condition #4 and to remove proposed conditions # 7, 8, 13 and 14.

Public Testimony. Roseland Hupp provided public testimony. Ms. Hupp stated that she had a couple of questions. First, she wanted to know how traffic will be addressed given that there is a single access point for 23 lots and there are three other developments in the area. She asked if a street light would be installed at the corner of SE Ellsworth and 19th. Ms. Hupp also asked about parking and expressed concerns about noise and safety.

City's Response. Ms. Sanchez answered Ms. Hupp's questions, stating that the transportation department reviewed the proposal and concurred with the applicant's traffic study. Single car garages will be provided on each lot and there will be eight on-street parking spaces. Ms. Sanchez stated that no stop sign or light is proposed at the Ellsworth/19th intersection.

Applicant's Response. Mr. Taylor also addressed public testimony. He stated that the applicant relies on what the City requests to be studied with respect to traffic/transportation. Mr. Taylor noted that the proposed subdivision will only generate 14 p.m. peak hour trips. The applicant will pay fees based on impacted intersections. The applicant will also be making frontage improvements to widen 19th Street. With respect to safety, Mr. Taylor noted that future residents will pay taxes that will support police and fire. Concerning noise, he noted that there is traffic noise from SR-19 and that the homes will be constructed with insulation and windows to help mitigate noise.

Having considered testimony at the public hearing and reviewed the record, the Hearing Examiner enters the following Findings of Fact, Conclusions of Law and Decision.

FINDINGS OF FACT

1. Any Findings of Fact contained in the foregoing Summary and/or Public Hearing and Record Sections are incorporated herein by reference and adopted into these Findings of Fact.

2. The applicant proposes the subdivision of a 1.65-acre site into 23 lots within the R-22 zoning district. Ex. 1; Exs. A, B and C. The proposal utilizes Narrow Lot and Zero Lot Line development standards, which allow for reduced lot sizes and increased lot coverage. The proposed lots are intended to accommodate single-family residential development. The project site has mapping indicators for wetlands and Oregon White Oaks. Ex. 1; Ex. H. One private road will be built (SE 109th Court) to serve the 23 lots and will connect to the existing public street (SE 19th Street). Ex. 1; Exs. A, B, C and J.

A. Procedural History

3. Approval of a preliminary subdivision requires a Type III process. VMC Table 20.210.020-1.

4. A pre-application conference was held on November 12, 2025 (Case No. PIR-85518). The applicant submitted an application on February 10, 2026 (LUP-85740). The City determined the application fully complete on April 16, 2026. By electing to use the concurrent review process, the Applicant waived all land use review timelines within Title 20. Ex. 1; Ex. A.

5. A Staff Report was issued on July 7, 2026. Ex. 1. Staff recommended approval of the Application based on affirmative findings in the Staff Report, subject to 45 proposed conditions of approval. *Id.* Staff's recommendation reflects review of comments received during the comment period. Ex. P. The applicant accepted staff's findings and the conditions proposed in the Staff Report.

6. Notice of the application and hearing procedures were sent out on April 30, 2026, and was completed by city staff in accordance with VMC 20.210.060.E. Exs. D and E. A required 30-day public comment period following the mailing and publication of the Notice of Application was provided in accordance with VMC 20.210.060.F.

7. The City held a Public Hearing on July 21, 2026 at 6:00 p.m.; Vancouver Hearing Examiner Stephanie Marshall presided.

8. City staff determined in affirmative findings in the Staff Report that the proposal does or can comply with applicable regulations, code criteria and standards and that all potential impacts will be mitigated by requirements of the code. Ex. 1. The Examiner adopts and incorporates by reference the affirmative findings in the Staff Report as her own, as modified in these Findings.

B. Property Location, Characteristics and Surrounding Properties

9. The currently vacant site is tax lot 113095000 and is located at 10895 SW 19th Street. Ex. 1; Ex. B. The site is zoned Higher Density Residential (R-22). The site is surrounded by existing residential development and SE 19th Street to the north, SE Ellsworth Rd. to the west and SR-14 to the south. *Id.* The site will be accessed from SW 19th Street; two private roads will be constructed

within the subdivision. *Id.* Wetlands exist on the property. Specific findings concerning wetland impacts and mitigation are set forth below. An Oregon White Oak that was on an adjacent property fell onto the site and will remain to provide habitat.

10. General Site Information is set forth on page 3 of the Staff Report (Ex. 1):

Zoning District	R-22
Adjacent Zoning Designation	North and East: R-22 South and West: Lower Density Residential
Comprehensive Plan Designation	UH
Parcel Size	1.65 acres
Adjacent Land Uses	North: Multi Family Apartments South: SR-14 and Single Family Residential East and West: Single Family Residential
Access Roads	SE 19 th Street
Existing Vegetation	Some trees
Existing Structures	None
Topography	Generally flat
Geologic Hazards	No mapping indicators
Habitat and Species Impacts	Oak Woodland
Flood Plains	Outside Flood Area
Wetlands	Potential Presence
Archaeology	Medium-High and within site buffer
Soils	Non-Hydric / HsB, Non-Hydric/LgB, Non-Hydric / LIB
Park Impact Fee District	District B
School Impact Fee District	Evergreen
Impacted Schools	Ellsworth, Wy East, Mt. View
Traffic Impact Fee District	Cascade
Transportation Analysis Zone	1640
Sewer District	Vancouver
Water District	Vancouver
Fire Service	Vancouver
Neighborhood Association	Ellsworth Springs

C. Environmental

11. Chapter 43.21C RCW, codified in VMC Chapter 20.790, requires the City to conduct an environmental impact review of any action that might have a significant, adverse impact on the environment. A State Environmental Policy Act (SEPA) Determination of Nonsignificance was issued on April 24, 2026 (Ex. I), with an appeal period concluding May 26, 2026. Ex. J. No appeals were received.

D. Agency Comment

12. Clark County Public Health: CCPH issued a Development Review Evaluation for the project dated December 23, 2025. Ex. F.

13. On-Site Sewage Treatment Systems (CCC 24.17, WAC 246-272A, CCC 40.370, RCW 58.17). Public sewer service is proposed and required for this development. No on-site sewage systems were identified in records or during the field site visit performed Dec. 23, 2025. Any OSS tanks or drywells discovered during development must be properly abandoned per CCC 24.17.210. The proposed development must be served by public sewer. A copy of the final acceptance letter from the purveyor or the equivalent shall be submitted along with the Mylar (final plat). Ex. F.

14. Water Systems (WAC 173-160, WAC 246-290, CCC 40.370, RCW 58.17): A municipal water supply is proposed and required for this development. Wells have not been identified on the property in records or during the field site visit. If any wells are discovered on the subject property they must be decommissioned prior to final plat approval per Washington Administrative

Code (WAC) 173-160-381 by a Washington state licensed well driller and documentation provided to CCPH for review. The proposed development must connect to an approved public water system. A copy of the final acceptance letter from the purveyor or the equivalent shall be submitted along with the Mylar (final plat). Ex. F.

15. U.S Army Corps of Engineers. The U.S. Army Corps of Engineers have reviewed the proposed project and have determined that a Corps permit will be required. Ex. Q.

16. Washington State Dept. of Ecology: The proposed wetland impacts would require permitting from the Department of Ecology (Administrative Order or 401 Certification) and potentially the Corps of Engineers, prior to beginning any ground disturbing activities. We would suggest the applicant coordinate with the local government, Ecology, and the Corps for a pre-application discussion and site visit regarding the proposed wetland impacts and required permitting. Ex. Q.

17. Washington State Dept. of Transportation: Additional permitting and review will be required due to the location of a sidewalk and two trees (northwest portion of development) in the WSDOT right of way. A vegetation permit will be required for the two trees and irrigation system located within the WSDOT right of way. Specifically, SF 220-018 Roadside Vegetation & Beautification Permit. The applicant should contact the Southwest Region Development Services Engineer, Jeff Barsness, at Jeff.Barsness@wsdot.wa.gov for further information and to obtain a

Roadside Vegetation & Beautification Permit. A Reimbursable Developer Agreement will be required for the sidewalk located within the WSDOT right of way. Ex. Q.

E. Public Comment

18. Per VMC 20.210.060.F, a 30-day public comment period was held from April 30, 2026, to June 1, 2026. Four (4) public comments were received during this period. Ex. P. The comments were forwarded to the applicant. Public comments addressed concerns regarding density and compatibility, traffic, environmental impacts, stormwater and wetland impacts. The Staff Report includes analysis of written public comments prior to the public hearing. Ex. 1.

19. With respect to concerns regarding lot size, density and consistency with character of existing surrounding neighborhoods, the proposed development meets the minimum and maximum allowed densities of the R-22 Higher Density Residential District. Allegations regarding “compatibility” with other existing neighborhoods is not a criterion for preliminary subdivision approval. Where an applicant meets all criteria for approval of a preliminary subdivision and, in this case, and narrow lot and zero lot line criteria, the application shall be approved. VMC 20.320.020.A.2.

20. With respect to transportation, the proposed private road was reviewed by city transportation staff. Findings addressing the street network and circulation are set forth below. Similarly, the proposal was reviewed by the city stormwater staff. Additional findings are set forth below. Finally, with respect to environmental concerns, the applicant submitted an environmental

checklist (Ex. H), reviewed by the City SEPA responsible officials. Notice was issued on April 24, 2025 (Ex. I) and a final DNS was issued on May 12, 2026.

21. Addressing concerns related to wetlands, the applicant provided a critical area report and bank plan to address the indirect and direct impacts to on-site wetlands. Ex. K. The report/plan was reviewed by the Clark County Wetland Biologist who concurred with its conclusions. Agency comments from the Army Corps of Engineers and Department of Ecology were provided and are addressed in conditions of approval in this Final Order.

F. Applicable Regulations

22. VMC Chapters: 11.70 Transportation Concurrency; 11.80 Street and Development Standards; 11.90 Construction in the Right of Way; 14.04 Water and Sewer Use Regulations; 14.16 Water and Sewer Service Connections; 14.24 Erosion Control; 14.25 Stormwater Control; 14.26 Water Resource Protection; 16.04.160 Water Supply and Fire Hydrants; 16.04.150 Fire Apparatus Access; 16.04.170 through 16.04.210 Fire Protection Systems; 16.04.010 Premises Identification; 20.210 Decision Making Procedures; 20.320 Subdivisions; 20.420 Higher Density Residential Districts; 20.710 Archaeological Resource Protections; 20.740 Critical Areas Protection; 20.770 Tree Conservation; 20.790 SEPA Regulations; 20.910.050 Zero Lot Line Developments; 20.915 Impact Fees; 20.925 Landscaping and Open Storage; 20.927 Narrow Lot Developments; 20.945 Parking and Loading; and 20.970 Solid Waste Disposal and Recycling.

23. In addition to the VMC provisions set forth in above, the proposal must be consistent with the City of Vancouver Public Works Publications: General Requirements & Details for Water Main Construction; and General Requirements & Details for Sewer Main Construction, RCW 58.17.110 and the Manual on Uniform Traffic Control Devices.

G. Preliminary Subdivision Standards

24. VMC Chapter 20.320 governs subdivisions. Per VMC 20.320.020.A.2, the hearing examiner shall approve, approve with conditions or deny an application for subdivision preliminary plat by means of a Type III procedure using approval criteria contained in VMC 20.320.040.

25. An applicant must demonstrate compliance with six (6) approval criteria for a preliminary subdivision in VMC 20.320.040 as set forth in the following findings.

26. 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.*” There are adequate public facilities at or near the site to support the development as follows: (a) No mitigation is required for traffic impacts other than the payment of traffic impact fees and clearing of on-site foliage to maintain sight distance at the proposed intersection with SE 19th Street. See the Transportation Impact Study prepared by PLS Engineering (Ex. M); (b) Public water access is available at the site and there is adequate capacity to support the development with minimal impacts; (c) On-site stormwater will be managed according to the

applicable standards. Any offsite impacts will be negligible; (d) A grading plan was included with the application (Ex. C). A SWPPP is included in the Stormwater report (Ex. R). Applicable regulations will be followed to minimize the risk of erosion related impacts; and (e) Public sanitary sewer is available at the site and will be extended to serve all the proposed lots. The Hearing Examiner finds that, as conditioned, the proposal will meet this criterion, subject to civil plan review. This criterion will be met.

27. 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.”* The Hearing Examiner finds that the proposed improvements, with compliance with conditions of approval in this Final Order, are consistent with the city’s current ordinances, standards, and plans. This criterion will be met.

28. 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.”* Applicable park and school impact fees will be paid with building permits. This criterion will be met with compliance with conditions of approval in this Final Order.

29. 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.” A Critical Areas Report and Bank Use Plan was completed by Ecological Land Services on January 5th, 2026. Ex. K. The subdivision design has taken into account the physical characteristics of the site. The main wetland at the south end of the site (Wetland C) is proposed to be retained. With compliance with conditions of approval in this Final Order, this criterion will be met.

30. 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.”* There are no known existing subdivision conditions that apply to the proposed project. This criterion is met.

31. 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.”* The Hearing Examiner finds that, with compliance with conditions of approval, the proposed subdivision will comply with all applicable requirements of VMC Title 20. This criterion will be met.

32. Compliance with state requirements: *“The proposed short subdivision or subdivision complies with the requirements of RCW 58.17.110.”* Based on the foregoing findings, the Hearing Examiner finds that this project complies with RCW 58.17.110.

33. 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. These criteria apply to the proposal and are addressed in the findings below.

34. VMC 20.320.070(A) Subdivision Layout and Required Improvements. Subsection (1) Principles of acceptability, states that the short subdivision or subdivision shall conform to the comprehensive plans. The short subdivision or subdivision shall conform to the requirements of the state law and to the standards established by this title. These include:

- a) Street improvement standards. *All proposed streets and street improvements shall comply with the provisions of Title 11 and approved transportation standards details on file with Transportation Services.* With compliance with conditions of approval, the proposal will comply with this criterion.
- b) Blocks. *The length, width and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated; consideration of the needs for convenient access, circulation, control, safety of motor vehicular, bicycle and pedestrian traffic and recognition of limitations and opportunities of topography.* The site is surrounded by existing development and existing streets. There are no opportunities to create “blocks” with the proposed development. This criterion is met.
- c) Blocks – sizes. *Blocks shall not exceed 1,300 feet in length between street lines, except blocks adjacent to arterial streets or unless a previous adjacent layout or topographical*

condition justifies variation. The recommended minimum distance between intersections of arterial streets is 1,800 feet. Minimum length of a block shall not be less than 180 feet.

The site is surrounded by existing residential development and SE 19th Street to the north, SE Ellsworth Rd. to the west and SR-14 to the south. No additional cross circulation is proposed or necessary with this plat This criterion is met.

d) Easements

1) **Utility lines.** *Easements for sewers, drainage, water lines, electric lines or other public use utilities shall be provided. The size and location of the easement shall be reviewed and approved by the appropriate utility provider. Easements are shown on plan for access and utilities. Utility easements will be reviewed and approved by the appropriate utility provider. All easements located within the project site will be noted on the final plat. Easements are shown on the plan for access and utilities. Utility easements will be reviewed and approved by the appropriate utility provider. This criterion will be met.*

2) **Watercourses.** *If a subdivision is traversed by a watercourse, such as a drainage way, channel or stream, there shall be provided a stormwater easement for the width of the watercourse plus 15 feet on each side of the watercourse. Streets or parkways parallel to a major watercourse may be required. This criterion is inapplicable because no watercourse traverses the property.*

1) **Pedestrian/bicycle ways in and through residential subdivisions.** *In blocks over 800 feet in length, a pedestrian/bicycle way with a minimum width of 16 feet shall be required through the middle of the block when required by the Transportation Manager for public convenience and safety; 12 feet of the 16-foot corridor shall be paved in a durable material. If unusual conditions require blocks longer than 1,200 feet in length, two pedestrian/bicycle ways shall be required. When required by the Transportation Manager for public convenience and safety, pedestrian ways shall be required to connect cul-de-sacs or to pass through unusually shaped lots. This criterion will be met with compliance with conditions of approval.*

- e) Flag lots. *Flag lots may be permitted, provided that the minimum width of the flag stem is 15 feet for a single lot and 20 feet for a shared flag access. No more than four lots may be accessed from a single flag stem. This criterion is inapplicable because no flag lots are proposed.*
- f) Lot side lines. *Side lines, as far as practical, shall run at right angles to the street on which the lot faces. The side lot lines run at right angles to the proposed streets. This criterion is met. This criterion is met.*
- g) Lot frontage. *With the exception of flag lots, all lots shall abut on a public or private street with a minimum frontage of not less than 20 feet. All lots front on the proposed two private*

roads and meet the minimum frontage requirements of 20 feet. This criterion is met.

- h) Parks and playgrounds. *The review authority shall see that appropriate provision is made for parks and playgrounds to serve the proposed subdivision.* Park impact fees will be paid at the time of building permit issuance for each lot. This criterion will be met with compliance with conditions of approval of this Final Order.
- i) Narrow Lots. *Land divisions which contain one or more residential lots having a width of less than 40 feet shall meet the development standards of VMC 20.927.040.* The narrow lots comply with VMC 20.927 as further discussed below. This criterion is met.
- j) Existing trees. *All subdivision developments shall comply with the tree and vegetation management provisions contained in VMC Chapter 20.770 Tree Conservation.* As conditioned in this Final Order, the proposal will comply with VMC 20.770. Existing trees are addressed in the tree plan provided with the application (Ex. C) and are discussed in more detail below. This criterion will be met.

35. VMC 20.420.030 Higher Density Residential Uses. Per Table 20.410.030-1, detached and attached single-family dwellings are permitted outright in the R-22 zoning district provided the minimum required residential density is met, on an overall project basis.

36. VMC 20.420.040 Minimum and Maximum Densities. On sites that contain critical or sensitive areas, all or a portion of those areas may be deducted from the net building area before the minimum and maximum densities are calculated at the discretion of the development applicant. The

project site contains 0.36 acres of critical areas. Ex. 1; Ex. K. The net buildable area for this site is 1.29 acres. The minimum required density for the R-22 higher residential density zone is 18.1 units per acre. For a net buildable area of 1.29 acres, this requires a minimum of 23 units and a maximum of 28 units. The applicant is proposing 23 units which meets this requirement. Ex. 1.

37. VMC 20.420.050-1 Development Standards in Higher Density Residential Zones.

The subject property is subject to the development standards and permitted uses in VMC 20.420 Higher Density Residential District. Project compliance with setbacks, building height, and landscaping standards will be verified at the time of building permit review. The preliminary plat demonstrates that these standards can be met. All proposed lots fall within the minimum and maximum lot size standards of this section. All proposed lots exceed the minimum lot width and depth standards of this section. The requirements of this section will be met with compliance with conditions of approval.

38. Per VMC 20.420.030, the following standards are in addition to the requirements in Table 20.420.050-1:

- i. *Garages.* The width of the garage door facing the street may be up to 50 percent of the width of the street-facing building façade or 10 feet in length, whichever is greater. Garage limitations do not apply to residential development accessed through rear alleys, or where the garage is located in the rear of the lot.
- ii. *Main Entrances.* Main entrances shall be visible from the street and must have a porch or entry and face the street or be oriented at an angle of not more than 45 degrees from the street-facing façade. Corner lot homes may face either street.
- iii. *Front Façade Variety.* Duplicative front façades of detached single-family structures facing the same street are prohibited. Sufficient differences can be achieved through meeting at least three of the following design features:

- i. Varied or staggered front setbacks, with variations of at least five feet;
 - ii. Different building heights, with the two heights varying by at least five feet;
 - iii. Varied rooflines such as hipped or pitched roofs;
 - iv. Different window opening locations and designs;
 - v. Different garage location, configuration, and design.
- iv. *Alleys*. Where alleys are present, all garages and on-site parking shall be accessible from the alley. In R-17 zones, single-family residential developments shall utilize rear alley loading as follows:
 - i. Alleys shall be required for developments on sites of four acres or larger where the proposed average new lot size is less than 3,000 square feet unless the application demonstrates and the planning official agrees that alleys are unfeasible due to significant site constraints such as significant variations in topography, irregular site shape, or presence of natural resource constraints.
 - ii. Alleys are encouraged in all other cases.
- v. *Compliance with Narrow Lot Development Standards*. Developments within the R-17 zoning district shall be subject to Chapter 20.927 VMC, Narrow Lot Developments, with the exception of VMC 20.927.040(A)(6)(d) garage width standards.
- vi. *Location and configuration of driveways*. Driveways shall be located to preserve space for on-street parking by meeting one of the following requirements:
 - i. For housing units or developments on corner lots, off-street parking areas shall be accessed on the back façade or located in the rear yard. No off-street parking shall be allowed in the front yard or side yard.
 - ii. Driveways providing access to the front façade must be consolidated for adjacent dwellings.
 - iii. Consolidated driveways shall be tapered (i.e., narrower where they connect to the street and wider at the back of the driveway) to minimize the width of curb cuts and to enhance pedestrian safety.
 - iv. Individual driveways must be separated by at least 20 feet as measured from the edge of the driveway apron.
 - vii. Solid Waste Provisions. The development application shall include a plan for access for solid waste and recycling collection service, indicating common or individual unit collection points with demonstrated access and turning space for solid waste vehicles.

39. Compliance with garage, main entrance, and front façade variety requirements will be verified at the time of building permit review. Compliance with Narrow Lot Development Standards is addressed in the findings below. Driveway locations and configurations are depicted on the plans (Ex. C), but it is not clear if the driveways for Lots 1-23 are located to preserve space for on-street parking. With compliance with conditions of approval, the proposal will meet one of the requirements of 20.410.050(B)(1)(f). Solid waste provisions are addressed in the findings below.

40. VMC 20.710 Archaeological Resource Protection. The site is mapped as High for Archaeological Probability. An archaeological pre-determination report was provided by the applicant and forwarded to the city's contracted archaeologist for review. An Archaeological Predetermination for this site was done by Applied Archaeological Research (AAR). A site visit was performed December 8, 2025, which found no cultural material. Ex. 1. The report concludes that no further archaeological work is necessary. The city's contracted archaeologist reviewed the report and fieldwork, determined that the predetermination adequately addressed the study objectives, and concurred that no additional archaeological work is necessary. With compliance with conditions of approval, the proposal will be consistent with requirements of VMC 20.710.

41. VMC 20.740 Critical Areas Protection. The subject property is mapped as containing wetlands and Oregon white oaks. The applicant submitted a critical area report and bank use plan from Ecological Land Services dated January 5, 2025. Ex. K. The applicant also submitted a memo with findings regarding historic Oregon White Oak from Ecological Land Services dated December

9, 2025 Ex. L. ELS biologists conducted a site visit on November 30, 2025, to evaluate the area and determine the condition and origin of the reported oak tree. The evidence indicates that the Oregon white oak referenced during the pre-application conference was not removed from the project site. Instead, the tree naturally fell from the adjacent eastern parcel, with the upper portion extending onto the project property and now providing habitat value within Wetland C. The downed oak will remain within Wetland C and function as a habitat feature.

42. VMC 20.740.060 Approval Criteria. Any activity subject to this Chapter, unless otherwise provided for in this Chapter, shall be reviewed and approved, approved with conditions, or denied based on the proposal's ability to comply with all of the following criteria. The city may condition the proposed activity as necessary to mitigate impacts to critical areas and their buffers and to conform to the standards required by this Chapter. Activities shall protect the functions of the critical areas and buffers on the site.

A. Avoid Impacts. *The applicant shall first seek to avoid all impacts that degrade the functions and values of a critical area. This may necessitate redesign of the proposal.* The applicant provided a critical area report (Ex. K) that indicates the project will not be able to avoid impacts but that the selected site layout represents the least impactful design while meeting regulatory requirements with the parcel's zoning designation of Urban High Density Residential (R-22).

B. Minimize Impacts. *Where avoidance is not feasible, the applicant shall minimize the impact*

of the activity and mitigate to the extent necessary to achieve the activity's purpose and the purpose of this ordinance. The applicant shall seek to minimize the fragmentation of the resource to the greatest extent possible. Areas proposed for impact currently provide minimal habitat, are predominantly mowed grasses and forbs with scattered invasive blackberry, while the critical areas to remain undisturbed provide greater ecological functions, more diverse vegetation, and valuable habitat.

- C. Compensatory Mitigation. *The applicant shall compensate for unavoidable impacts by replacing each of the affected functions to the extent feasible. The compensatory mitigation shall be designed to achieve the functions as soon as practicable. Compensatory mitigation shall be in-kind and on-site, when feasible, and sufficient to maintain the functions of the critical area, and to prevent risk from a hazard posed by a critical area to a development or by a development to a critical area.* The applicant has submitted a critical area report and bank plan (Ex. K) which were reviewed by the Clark County Wetland and Habitat review biologist. The total proposed bank credits required to compensate for both the direct and indirect project impacts is 0.051. Clark County Wetland/Habitat Review staff concur with 0.051 wetland credits for the proposed direct and indirect wetland impacts.
- D. No Net Loss. *The proposal protects the critical area functions and values and results in no net loss of critical area functions and values.* Based on the applicant's critical areas reports, and review by the Clark County Wetland and Habitat Review manager, the required

mitigation should result in no net loss of critical area functions and values as conditioned.

E. Consistency with General Purposes. *The proposal is consistent with the general purposes of this Chapter and does not pose a significant threat to public health, safety, or welfare on or off the development site.* Based on the minimization of impacts and required mitigation, the proposal is consistent with the general purpose of maintaining and enhancing wildlife habitat and wetlands and does not pose a significant threat to public health, safety, or welfare on or off the development site.

F. Performance Standards. *The proposal meets the specific performance standards of VMC 20.740.130, Geologic hazard areas.* Per the review by the Clark County Wetland and Habitat Review biologist, the proposal is found to comply with the performance standards for wetlands. The Hearings Officer finds that, as conditioned in this Final Order, the proposal will comply with the requirements of the critical areas ordinance for geological hazards.

43. VMC 20.770 Tree, Vegetation, and Soil Conservation. The site is approximately 1.65 acres, requiring 50 tree units. The applicant is proposing plant 59 new trees. However, nine of the proposed trees are considered street trees and do not count towards tree density since the development is detached and attached single-family dwellings. Since the nine street trees are removed from the new tree total, 50 tree units are currently proposed which meets the required tree density. With compliance with conditions of approval, the proposal will be consistent with VMC 20.770.080.

44. VMC 20.915 Impact Fees. This project is subject to park, transportation, and school

impact fees. This site is in the Evergreen School District requiring \$6,432 per dwelling unit; Park District B requiring \$6,130 per dwelling unit; and the Cascade transportation zone requiring \$323 per average daily trip (ADT). Impact fees will be calculated at current rate in effect at the time of building permit submittal and collected prior to building permit issuance unless approved to be deferred per VMC 20.915.075 or VMC 20.915.076. Impact fee deferrals require a signed agreement and lien document. With compliance with conditions of approval in this Final Order, the proposal will be consistent with VMC 20.915.

45. VMC 20.910.050 Zero Lot Line Developments. The applicant indicates that most lots will utilize zero lot line standards. The following conditions shall exist before any building permit is issued for zero lot line development:

- A. Side-yard setbacks. The setback on the adjacent lot to the zero setback side yard lot shall be either zero or at least five feet; for exceptions, see Section 20.902.020 VMC.
- B. Covenants. Covenants running with the land, approved by the city attorney, which guarantee that the opposite side yard setback of not less than five feet shall be kept perpetually free of permanent obstructions (for exception, see Section 20.902.020), shall be filed with the deed(s) or noted on a plat.
- C. Building Walls.
 - 1. The building wall on the zero-foot yard setback shall be constructed of window-free, fire resistive construction per the Building Code standards of Title 17, no portion of which shall project over any property line. The construction shall be subject to review by the building official.
 - 2. Covenants running with the land, approved by the city attorney, shall convey
 - a) The parcel is within the R-9, R-6, R-4 or R-2 zoning.
 - b) The parcel is two and one-half acres or smaller in area.
 - c) The proposed development can and will be served by urban services at the time

of final plat or development approval.

- d) There is urban development abutting the subject site on at least 50 percent of its nonstreet perimeter a 4-foot maintenance easement with a 1-1/2-foot encroachment into the easement provision, in order to permit variations in design from the adjoining lot. No windows shall be allowed along this wall in any case.

3. Zero lot line (common-wall) construction may be permitted, provided adjoining walls are fire-resistive and constructed according to the standards of sound transmission, per the Building Code standards of Title 17. Common walls must be attached a minimum 60% of the length of the entire building wall.

- D. Exception. Zero lot line development standards do not apply to free-standing fences and/or walls that are not directly connected to a roof structure. Setbacks will be checked at the time of building permit review. The Building Department reviewed this proposal for compliance with Title 17.

As conditioned in this Final Order, the requirements of this section will be met.

46. VMC 20.925 Landscaping and Open Storage. A total of 10 percent of the net lot area of each lot must be landscaped. Compliance with this standard will be verified at the time of building permit review.

47. VMC 20.927 Narrow Lot Development Standards. The approval criteria and development standards of this chapter apply to any residential short subdivision or subdivision, including infill development, which has one or more narrow lots, defined as a lot with less than 40 feet in width, exclusive of flag lot. These standards apply to the proposed preliminary subdivision.

48. VMC 20.927.030 Narrow Lot Development Approval Criteria.

- a) Conflicts on narrow lots shall be eliminated. *The development has been designed to eliminate conflicts between on-site and off-site improvements and features associated with*

narrow lots. Specifically, the location, size, and design of features including driveways, public and private utilities (water, fire hydrants, sewer, roof infiltration, gas, cable, phone, electricity, etc.), on-street parking spaces, street trees, existing trees, light poles, common mailboxes, street signs, etc., has been considered in the design of the development and coordinated to eliminate conflicts with one another and meet minimum spacing requirements. The applicant provided a Narrow Lot Preliminary Plat. The plat demonstrates that no conflicts due to lot width are present. The specific criteria outlined above has been addressed in their respective sections of this report, including but not limited to, transportation, urban forestry, and utilities. This criterion is met.

- b) Adequate guest parking shall be provided. *The development has been designed to provide at least one guest parking space for every three narrow lots in the development. Such spaces may be located on-street (on local access or loop classification roadways only) or in common parking areas subject to the development standards of 20.927.040A2. The development has been designed to provide ample street parking. One guest parking space is required for every three narrow lots. This development is required to provide eight guest parking spaces. Nine guest parking spaces are provided on the south side of SE 19th Street along the site frontage. With compliance with conditions of approval, this criterion will be met.*
- c) Solid waste and recycling collection and access shall be provided. *The development shall*

be designed to provide for safe access and maneuvering by solid waste and recycling collection vehicles to designated collection points for each lot. The development has been designed to provide for safe access and maneuvering by solid waste and recycling collection vehicles along public roadways. General locations of solid waste collection areas are shown on the proposed narrow lot subdivision. With compliance with conditions of approval, this criterion will be met.

49. VMC 20.927.040 Narrow Lot Development Standards.

- 1) On and off-site improvements plan required. *A development plan that demonstrates that utilities, driveways, street trees, etc., have been located and designed to minimize conflicts with one another shall be submitted with the preliminary land division application and incorporated into the civil engineering plan set.* The applicant submitted development plans (Ex. C) showing that utilities, driveways, street trees, etc. have been located and designed to minimize conflicts with one another. This criterion is met.
- 2) Standards for guest parking in common areas.
 - a) *Common areas reserved for guest parking shall have no more than five parking stalls in each area unless applicant demonstrates required parking cannot otherwise be provided.* No common guest parking areas are proposed for this development. No common guest parking areas are proposed for this development. All required guest parking will be provided on-street on the south side of SE 19th Street along the site

frontage.

- b) *Common guest parking areas shall be improved to city parking lot standards including a permanent surface, striping, curbing, 3-foot-tall screening, and treatment of stormwater runoff. Use of pervious paving is encouraged.* No common guest parking areas are proposed for this development. All required guest parking will be provided on-street on the south side of SE 19th Street along the site frontage.
- c) *Such spaces may be designed to allow for backing movements directly into local access or loop streets only.* No common guest parking areas are proposed for this development. All required guest parking will be provided on-street on the south side of SE 19th Street along the site frontage.
- d) *Common parking areas shall be maintained by a homeowners' association according to a maintenance agreement to be recorded with the plat.* No common guest parking areas are proposed for this development. All required guest parking will be provided on-street on the south side of SE 19th Street along the site frontage.

50. VMC 20.945 Parking and Loading. One parking space is required per single-family dwelling unit. It appears the proposal can meet this requirement. Parking will be verified at the time of building permit review. With compliance with conditions of approval, the proposal will be consistent with applicable requirements of VMC 20.945.

51. VMC 20.970 Solid Waste Disposal and Recycling. Narrow lot developments are

subject to specific standards with regard to solid waste collection established by VMC 20.927.040.A.3. The proposed subdivision must plan for future garbage and recycling service. The proposed SE 19th Street Subdivision with 23 lots will have to plan for future garbage and recycling service. Each lot will be most likely served as a single- family customer; each will have a cart for garbage, a cart for recycling and a bin for glass. Organics collection using an additional cart is optional. As proposed in 004 Preliminary Plat and Narrow Lot Development Plan.pdf V2, several common collection points (“grouped setouts”) would be used for cart storage on collection day. Common collection points are not labeled with the lots they are intended to serve. As set forth in the Staff Report (Ex. 1), the proposal shall be modified to satisfy solid waste requirements for providing adequate cart set out and storage area for non-collection days, as conditioned.

52. The proposed public loop/cul-de-sac with a width of approximately 26 feet at its narrowest point appears sufficient for collection trucks to safely access and service the development. Turnaround appears feasible using the proposed cul-de-sac. An earlier Plan proposed an island on SE 109th Court surrounded by three parking spots. After discussion with Waste Connections and City of Vancouver Transportation staff, the island and associated parking were removed to ensure that the collection truck could circulate safely with minimal backing. With compliance with conditions of approval, the proposal will satisfy solid waste requirements for providing collector access.

53. VMC 11.04 Transportation – Street Numbering and Naming. The applicant is

proposing a 23-lot subdivision utilizing the narrow lot development standards for the construction of single-family attached zero lot line homes (townhome-style residences) and a single detached single-family home. The project is located at 10815 SE 19th Street (tax parcel 113095000). The site is currently vacant. Access to the lots will be by way of a new public street intersecting SE 19th Street, and small internal private streets extending from the new public street. With compliance with conditions of approval, the proposal will comply with applicable requirements of this section.

54. VMC 11.70 Transportation – Concurrency. The applicant submitted a Trip Generation and Distribution Report dated Nov. 24, 2025, from PLS Engineering. (Ex. M). The report developed trip generation rates based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, utilizing Land Use Codes 210 (Single-Family Detached Housing) and 215 (Single-Family Detached Housing). Based on this information, the proposed project will generate 168 new ADT, including 12 new a.m. peak hour trips, and 14 new p.m. peak hour trips.

55. Trip generation rates in the report were based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, utilizing Land Use Code 215 (Single-family Attached Housing). The city adopted the 12th Edition of the ITE Trip Generation Manual Jan. 1, 2026. Staff will honor the calculations provided in the trip report and will adjust the entries into the city's trip tracking software as necessary to match the trip numbers provided in the report. Ex. 1.

56. The proposed use is located within the 1640 Transportation Analysis Zone. The proposed project contributes p.m. peak hour trips to the following Transportation Management

Zones:

Corridor Name	Corridor Limit	PM Peak Trips
Mill Plain Blvd.	Andresen Road to I-205	1
Mill Plain Blvd.	I-205 to 136 th Ave.	2
Mill Plain Blvd.	136 th Ave. to 164 th Ave.	1
Mill Plain Blvd.	164 th Ave. to 192 nd Ave.	1
112 th Ave.	Mill Plain Blvd. to 28 th Street	1
112 th Ave.	28 th Street to 51 st Street	1
136 th /137 th Ave.	Mill Plain Blvd. to NE 28 th St.	1

57. A condition of approval is included in this Final Order requiring that, prior to the issuance of civil plan approval, the applicant shall pay concurrency modeling fees totaling \$568. The project will not distribute trips to any other Transportation Management Zones. Ex. M. Transportation Impact Fees (TIF) are imposed per VMC 20.915. The applicant's submitted documentation fulfills the city's requirements for concurrency analysis.

58. VMC 11.80 Transportation – Street & Development Standards. The applicant is proposing a 23-lot subdivision utilizing the narrow lot development standards for the construction of single-family attached zero lot line homes (townhome-style residences) and a single detached single-family home. The project is located at 10815 SE 19th Street (tax parcel 113095000). The site is currently vacant. Access to the lots will be by way of a new public street intersecting SE 19th Street, and small internal private streets extending from the new public street. Ellsworth Road is within Washington State Department of Transportation (WSDOT) right of way. No frontage improvements are required along Ellsworth Road. However, the applicant is required to submit a copy of the civil

plans to WSDOT for review and approval. Southeast 19th Street is designated a neighborhood circulator which requires 54 feet full-width right of way and 36 feet paved street width per city standard plan T10-14. The existing road along the property frontage of SE 19th Street includes asphalt roadway only.

59. Southeast 109th Court is designated a Loop/Cul-De Sac which requires a minimum 50 feet full-width right of way and 28 feet paved street full-width per city standard plan T10-16. This street does not currently exist but will be newly constructed with the subdivision. The street standard requires both sides of the street to be built with vertical curb, detached 5-foot sidewalk, and 5-foot planter strip. The applicant submitted a request for a road modification to construct the street with a shed section and install rolled curbing and 5-foot curb-tight attached sidewalk along all lots that will have direct driveway access. Street trees will be installed behind the sidewalk. The portions of the street frontage that will not have driveways will be built with vertical curb, detached 5-foot sidewalk, and 5-foot planter strip, per the typical street standard. Per VMC 11.80.110.B(1), driveways providing access to non-arterial streets must be spaced a minimum of five feet from the nearest property line. The applicant submitted a request for a road modification to allow driveways in this narrow-lot subdivision to be located less than five feet from the property line. The purpose of both road modification requests is to better accommodate the construction of driveway access for this narrow lot subdivision. These road modification requests were reviewed and approved by city staff.

60. Some of the proposed lots will take access by way of two private streets that will

extend from SE 109th Court. The applicant shall, at a minimum, meet the requirements of VMC 11.80.050 and VMC 11.80.060 and city standard plan T10-18. The applicant shall also provide a shared access and maintenance agreement for the private streets to cover the cost of maintaining and operating street surface, signs and markings, and drainage system, as it applies to private streets and shared driveways. Any shared accesses shall be called out on the plat.

61. Street lighting is required on public streets per VMC 11.80.090. Any substandard street lighting shall be required to be upgraded to current city standards as part of this project. A street light analysis plan for the right of way is required if existing lighting exceeds maximum spacing requirements per T21-01A and development doesn't propose addition lighting. Lighting shall be installed/updated to design standards T21-01A through T21-01D. In new development, if the lighting proposal doesn't exceed city maximum spacing requirements per T21-01A standard, then photometrics are not required. Any new or existing lights that are within 10 feet of primary power and/neutral lines, will require the developer to raise the power lines. The developer will need to work with Clark Public Utilities for requirements and costs. Moving existing streetlights will require the applicant to meet NEC standards and T21-18A, B, C, D and E shall be required.

62. A right of way construction permit is required for any project that intends to close or alter a sidewalk or curb ramp for construction purposes. Each permit must include a Pedestrian Traffic Control Plan (PTCP). In general, the PTCP must limit sidewalk closures and avoid detouring of pedestrians to the opposite side of the street during construction.

63. As conditioned in this Final Order, the proposal will comply with the requirements of VMC 11.80.

64. VMC 14.04 Water. The applicant has demonstrated that the standards for public water can be met as conditioned.

65. VMC 14.06 Sewer. Public sanitary sewer fronts the site to the north in SE 19th Street and is available for service. The site is currently vacant. The application was reviewed for sanitary sewer in March. Sewer service is mentioned on pages 3 and 10 of the application narrative (Ex. B). Proposed sewer facilities are shown on sheet 7 of the associated civil plans (Ex. C). Lots 18-23 will be served with gravity laterals connected to the existing sewer main in SE 19th Street. Because of the limited depth of the existing sewer the remaining lots (1-17) will be served by a shared public pressure main extended south into the site. These lots will require individual private grinder pumps for discharge. The proposal generally satisfies the code's service requirements. This is a concurrent application, and the associated civil plans have undergone two rounds of reviews. The plans have been deemed complete with respect to sewer. Ex. 1.

66. VMC 14.24 Erosion Control. Currently, the site consists of a 1.65-acre undeveloped lot. The site is currently covered in native vegetation and receives some flow-on from property to the north via a culvert running beneath SE 19th Street. The property abuts WSDOT right of way to the west and south. The majority of the site will be disturbed during construction, with the exception of existing Category IV wetlands located on the southern end of the parcel, designated as Tract A, which

are to be protected. The size of this project will trigger coverage under the Construction General Permit and requires a full SWPPP for review. A Construction General Permit and an erosion control plan were submitted with ENG-85741 for civil review. As conditioned, the proposal will meet the erosion control ordinance.

67. VMC 14.25 Stormwater. Currently, there are no known existing stormwater controls on the site. New impervious surfaces will be created with the construction of the single-family residences and associated improvements. The proposed development is subject to minimum requirements 1 through 9 of the 2019 SWMMWW and the current version of the City of Vancouver Surface Water General Requirements. New underground injection control (UIC) facilities are subject to the requirements of the 2024 SWMMWW. The proposed plans include runoff treatment facilities and flow control facilities to meet the requirements of the ordinance. The soils on-site are suitable for infiltration and all runoff will be retained on-site. Overflow from on-site infiltration systems will be dispersed into Tract A. With compliance with conditions of approval, stormwater requirements in VMC 14.25 will be met.

68. VMC 14.26 Water Resources Protection. The proposed project site is located in a Critical Aquifer Recharge Area (CARA). Minimum Standards in VMC 14.26.120 are applicable to all sites within the City of Vancouver. The proposed project site is located within a Wellhead Protection Zone due to its proximity to municipal well Ellsworth WTP Well 2 WW owned by the City of Vancouver. The applicant must provide a technical analysis prepared by a qualified

professional to address pollutant loading potential and hydrogeological susceptibility. As conditioned, the applicant has demonstrated that the City of Vancouver water resources protection ordinance can be met.

69. Fire Title 16. VMC 16.04.010 -Adoption of the International Fire Code. (IFC). The proposal was reviewed against the following IFC chapters: Ch. 3 Fire Code General Requirements, Ch. 4 Emergency Planning and Preparedness, Ch. 5 Fire Service Features, Ch. 6 Building Services and Systems, Ch. 7 Fire and Smoke Protection Features, Ch. 9 Fire Protection and Life Safety Systems, Ch 33 Fire Safety During Construction and Demolition, and VMC 16.04.010 – 16.04.290. Ex. 1. The project can be approved through the fire and life safety fire plans review and permit process with compliance with applicable related code and national standard requirements. As conditioned in this Final Order, the proposal will be consistent with Title 16.

70. Building Title 17. Per VMC 17.08.090, building department plan review and building permits will be required for this project. Buildings shall comply with the applicable codes listed in VMC 17.08.010 in effect at the time of building permit application. Filing of building permit applications with required fees and review material is required for a complete building code review. The proposed preliminary subdivision appears acceptable for building codes related issues and accessibility issues; however, a complete building plan review will be required to determine final compliance. Ex. 1. The Hearing Examiner adopts staff's findings that, as submitted and conditioned

herein, the project could be approved under 2021 building code requirements pertaining to the proposed preliminary subdivision and could meet design requirements.

Based upon the foregoing Findings of Fact, the Hearing Examiner makes the following:

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over the parties and the subject matter.
2. Any Conclusions of Law contained in the foregoing Background, Public Hearing and Record, and/or Findings of Fact sections of this Final Order are hereby incorporated herein by reference and adopted by the Hearing Examiner as her Conclusions of Law.
3. All public notice requirements for the application and notice for the public hearing were met. VMC 20.210.120; VMC 20.210.060.E and .F.
4. The Hearing Examiner conducted the public hearing in accordance with requirements set forth in VMC 20.210.120.B.4.
5. All SEPA requirements for this application have been met. A final DNS was issued on May 12, 2026.
6. The applicant submitted for and attended a pre-application conference in compliance with VMC 20.210.080.
7. The applicant met its burden of proving consistency with applicable criteria required for a standard subdivision in VMC 20.320, narrow lot criteria in VMC 20.927, and zero lot line criteria in VMC 20.910.050.

8. The proposal is consistent with applicable criteria and development standards in VMC 20.420, Higher Density Residential District.
9. Applicable water and sewer provision and connection requirements in VMC 14.04 and 14.16 will be met as conditioned.
10. Applicable erosion control, stormwater management and water protection requirements in VMC 14.24, 14.25 and 14.26 will be met as conditioned.
11. Applicable fire protection standards, including water supply and fire hydrants, fire access and premises identification requirements in VMC 16.04 will be met as conditioned.
12. The proposal will comply with applicable Public Health requirements as conditioned.
13. Concurrency requirements in VMC 11.70 will be met as conditioned.
14. The proposal is consistent with applicable requirements in the Manual on Uniform Traffic Control Devices.
15. Applicable street and development standards and construction in right-of-way requirements in VMC 11.80 and 11.90 will be met as conditioned.
16. Applicable Archeological Resource Protection requirements in VMC 20.710 will be met as conditioned.
17. Applicable critical areas protection requirements in VMC 20.740 will be met as conditioned.
18. Applicable tree conservation requirements in VMC 20.770 will be met as conditioned.

19. Impact fee requirements in VMC 20.915 will be met as conditioned.
20. Applicable landscaping requirements in VMC 20.925 will be met as conditioned.
21. Applicable solid waste disposal and collection requirements in VMC 20.927.040.A.3 will be met as conditioned.
22. Applicable parking and loading requirements in VMC 20.945 will be met as conditioned.
23. Approval of the Type III preliminary subdivision, as conditioned, will comply with all applicable requirements in the Vancouver Municipal Code.
24. Approval of the Type III preliminary subdivision, as conditioned, is consistent with RCW Chapter 58.17.
25. This Final Order is issued within ten (10) working days after the public record closed.
26. The Decision in this Final Order shall become final, if not appealed, on August 17, 2026.
27. The Application is approved subject to the conditions set forth below.

DECISION

Based on the findings, discussion, and conclusions above, incorporated herein, the Hearing Examiner hereby **approves** PRJ-169503/LUP-85740 SE 19th St. Subdivision, subject to the following:

CONDITIONS OF APPROVAL

Prior to Civil Plan Approval

1. Modify the location and/or configuration of driveways to meet a requirement of VMC 20.410.050(f).
2. Place a note on civil plans that reads; “If any cultural or historical resources are discovered during development, construction shall cease until a qualified archaeologist assesses the find.”
3. Obtain approval from the U.S. Army Corps of Engineers.
4. Obtain approval from WSDOT if there are improvements proposed within WSDOT right of way.
5. Receive Ecology approval for the direct wetland impacts.
6. Provide proof of purchase of 0.051 wetland credits from the Columbia River Mitigation Bank to city staff prior to any impacts within the wetland or wetland buffer.
7. Collection points and receptacle footprints for all lots, truck turning for the side-loader truck, driveways, and street parking must all be shown on the solid waste and recycling access and collection plan. Adequate minimum frontage shall be provided; 5-foot set out for each lot is the minimum. A template for the side-loader truck to model truck turning is available at <https://www.cityofvancouver.us/publicworks/page/truck-turning-radius>.
8. Pay transportation concurrency modeling fees totaling \$568.
9. Complete the water design on the civil drawings. Prepare according to Vancouver’s current Public Water Design and Construction Standards. Address redline comments and submit the final design for civil plan approval.
10. 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.
11. Dispersion systems must meet the design specifications of the stormwater design manual.

12. Natural drainage patterns shall be maintained to the maximum extent practicable. Sufficient information shall be provided to describe how drainage to and from adjacent properties will be affected by the project.
13. Public storm facilities must be located in the public right of way or in an easement or tract dedicated to the City of Vancouver. Unobstructed access from the public right of way to public facilities must be provided.

Prior to Commencing Public Improvement Construction

14. All fire hydrants for emergency use shall be established and maintained clear for emergency use.
15. Fire apparatus access roads shall be established.
16. On-site and downstream wetlands that are not permitted to be removed and adjacent properties must be protected from erosion and siltation throughout construction. The existing WSDOT conveyance ditch adjacent to the site must not be impacted by construction activity.

During Public Improvement Construction

17. Secure construction permits and schedule and attend a pre-construction meeting. Construct the water facilities as shown on the approved civil plans. Satisfy construction services testing and inspection requirements and secure construction acceptance.
18. Satisfy submittal and other requirements itemized in the Notification of Civil Plan Approval and secure final civil project acceptance.
19. Secure construction permits and schedule and attend a pre-construction meeting. Construct the new sewer facilities as shown on the approved civil plans. Satisfy construction services testing and inspection requirements and secure construction acceptance.
20. CONSTRUCTION SITE SAFETY FORM – Refer to this link and submit this form with the building plans (CMI permit) after fully completing: <https://www.cityofvancouver.us/wp-content/uploads/2025/08/Construction-Site-Safety-Form-and-Plan-Instructions.pdf>.
21. Temporary address signage shall be visible and legible from the street fronting the property for emergency response during construction.

22. Fire hydrants shall not be obstructed in any manner.
23. Fire apparatus access roads shall be maintained clear for emergency response.
24. FDC/Standpipes shall be provided and accessible during construction, if applicable.
25. Fire extinguishers and no smoking signs shall be provided during construction.

Prior to Final Grading

26. 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 to planreview@cityofvancouver.us.

Prior to Final Plat Approval

27. Submit a final plat application. Applications can be found under Building, Planning and Environment on the City of Vancouver website, www.cityofvancouver.us.
28. Shared access and maintenance agreements shall be recorded on all parcels that are party to the private roadway.
29. Provide the following improvements to SE 19th Street, per City of Vancouver standards:
 - Dedicate additional right of way as necessary to meet the minimum right of way half-width requirement per the designated street standard.
 - Install additional pavement width as necessary to meet the minimum paved street half-width requirement per the designated street standard. The resulting curb-to-curb paved street width must be at least 36 feet.
 - Construct City of Vancouver standard frontage improvements including curb, gutter, detached sidewalk, and planting strip.
 - Install a ped ramp at the intersection with Ellsworth Road and install a new stop bar and ped crossing markings.
 - Street lighting must be installed or updated to current standards. See street lighting comments.
 - Utility trenching must be restored per T05-04A&B and T05-05. 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 SE 109th Court, per City of Vancouver standards:

- Dedicate right of way as necessary to meet the minimum right of way requirement per the designated street standard.
- Construct a new stop-controlled intersection on SE 19th Street, per city standards.
- Construct full street improvements for the new cul-de-sac, including street pavement, curb, gutter, sidewalks, and street trees, per the conditions of the road modifications and applicable City of Vancouver standards.
- Street lighting must be installed to current standards. See street lighting comments.

31. Provide the following improvements to the private streets, per City of Vancouver standards:

- Dedicate an appropriate easement or private tract to accommodate the required street improvements.
- Per VMC Table 11.80.060.F-1 and T10-18, install a paved street surface with a minimum width of 16 feet. (The applicant may opt to increase the width of the street, if desired.)
- Per VMC 11.80.050, since each private street serves four lots or less, curb, gutter, sidewalks, and streetlights are not required.
- Install standard driveway approaches where the private streets intersect with the public street.
- Per the requirements of VMC 11.80.060.F-3, must install 'No Parking – Fire Lane' signs at appropriate spacing along both sides of the streets.

32. 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 submittal.
- Roof runoff shall be infiltrated per the approved civil plan.

- Development within this subdivision is subject to an approved tree plan. Tree removal is subject to approval by the City of Vancouver. All trees shall be planted prior to occupancy per the approved plan.
- 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.
- Easements dedicated or granted to the City of Vancouver on this plat may be modified by 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 recording an updated plat.
- 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 electric, telephone, TV, cable, and water.
- 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.
- 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 Certificate of Occupancy

33. Show, note, and specify new public sewer easements over the private roads and record with the plat with standard required plat easement language. Indicate on the plat the lots requiring private individual grinder pumps for sewer service and reference the civil plans.
34. Pay application fees and secure sewer connection permits. Connect new building sewers according to the plumbing code.
35. Pay application fees and secure water connection permits. Connect new building water meters according to the plumbing code. Pay application fees and secure water connection permits. Connect new building water meters according to the plumbing code.

Prior to Issuance of any Building/Development Permits

36. Pay all required fees, including impact fees, unless the impact fees are approved to be deferred.

37. Lights shall be down shielded and directed away from the remaining wetland.
38. Only treated runoff shall be directed towards the wetland.
39. The location of the outer perimeter of the wetland and buffer shall be marked in the field, and such marking shall be approved by the planning official prior to the commencement of permitted activities. Such field markings shall be maintained throughout the duration of the permit.
40. A permanent physical demarcation along the upland boundary of the wetland buffer shall be installed and thereafter maintained. Such demarcation may consist of fencing, hedging or other prominent physical marking that allows wildlife passage, blends with the wetland environment, and is approved by the planning official.
41. Permanent signs shall be posted at an interval of one per lot for single-family residential uses or at a maximum interval of 200 feet, or as otherwise determined by the planning official, and must be perpetually maintained by the property owner. The sign shall be worded as follows or with alternative language approved by the planning official: "The area beyond this sign is a wetland or wetland buffer. Alteration or disturbance is prohibited by law. Please call the City of Vancouver for more information."

DATED this 3rd day of August, 2026



STEPHANIE E. MARSHALL
CITY OF VANCOUVER HEARING EXAMINER

This Decision was distributed on August 3, 2026.

A copy of the complete case file, including this Decision may be obtained by contacting the case manager, Krystal Sanchez by telephone at 360-487-7820, or by e-mail at krystal.sanchez@cityofvancouver.us.

Appeal Right

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, no later than August 17, 2026. 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

Hearing Examiner Final Order

PRJ-169503/LUP-85740

Page 48 of 49

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). The appeal review process is described in VMC 20.210.130.C.

A fee of \$2,537.00 must accompany the appeal. However, if the aggrieved party is a recognized neighborhood association, the fee assessed is \$191.00. 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 e-mail 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 360-487-7820, or by e-mail at krystal.sanchez@cityofvancouver.us.