

Anne McEnery-Ogle, Mayor

Bart Hansen • Ty Stober • Erik Paulsen • Sarah J. Fox • Diana H. Perez • Kim D. Harless

February 27, 2023

WORKSHOPS

Vancouver City Hall - Council Chambers - 415 W 6th Street, Vancouver WA

Workshops were conducted in person in the Council Chambers of City Hall. Members of the public were invited to view the meeting in person, via the live broadcast on www.cvtv.org and CVTV cable channels 23 or HD 323, or on the City's Facebook page, or www.facebook.com/VancouverUS.

View the CVTV video recording, including presentations and discussion, for workshops at:

https://www.cvtv.org/vid_link/35427?startStreamAt=0&stopStreamAt=2347

4:00-5:00 p.m. Fourth Plain Safety and Mobility Project Phase II Design

Kate Drennan, Principal Planner, 360-487-7959

Summary

Staff led Council through a discussion of the Fourth Plain Safety and Mobility Project Phase II Design.

Councilmember Harless and Mayor McEnery Ogle were absent for the workshop.

COUNCIL DINNER / EXECUTIVE SESSION RE: LABOR NEGOTIATIONS STRATEGY; POTENTIAL and PENDING LITIGATION (1 HOUR)

Mayor Pro Tem Stober announced the Council would be entering into executive session from 4:20-6:20 p.m. to discuss Labor Negotiations Strategy.

COUNCIL REGULAR MEETING

This meeting was conducted as a hybrid meeting with in person and remote viewing and participation over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting in person, via the live broadcast on www.cvtv.org and CVTV cable channels 23 or HD 323, or on the City's Facebook page, www.facebook.com/VancouverUS. Public access and testimony on Consent Agenda items and under the Community Forum were also facilitated in person and via the GoToMeeting conference call.

*Vancouver City Council meeting minutes are a record of the action taken by Council. To view the CVTV video recording, including presentations, testimony and discussion, for this meeting please visit: https://www.cvtv.org/vid_link/35429?startStreamAt=0&stopStreamAt=6847
Electronic audio recording of City Council meetings are kept on file in the office of the City Clerk for a period of six years.*

Pledge of Allegiance

Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 6:30 p.m. by Mayor Pro Tem Stober. This meeting was conducted as a hybrid meeting, including both in person and remotely over video conference.

Present: Councilmembers Harless, Perez, Fox, Paulsen, Stober, and Hansen

Absent: Mayor McEnerny Ogle

Motion by Councilmember Hansen, seconded by Councilmember Paulsen, and carried unanimously to excuse Mayor McEnerny-Ogle.

Proclamations: Black History Month

Mayor Pro Tem Stober read and presented a proclamation to Yolanda Frazier, President of the NAACP Vancouver, WA, proclaiming February 2023, as Black History Month.

Community Communications

Mayor Pro Tem Stober opened Community Communication and received testimony from the following community members regarding Items 1-12:

- Don Steinke, Vancouver

There being no further testimony, Mayor McEnerny-Ogle closed Community Communication.

Consent Agenda (Items 1-12)

Council requested Items 3 and 9 be pulled for discussion.

Council discussed the Items with staff.

Motion by Councilmember Fox, seconded by Councilmember Paulsen, and carried unanimously to approve Items 1-2, 4-8, 10-12 on the Consent Agenda.

Motion by Councilmember Hansen, seconded by Councilmember Fox, and carried unanimously to approve Item 3 on the Consent Agenda.

Motion by Councilmember Fox, seconded by Councilmember Harless, and carried unanimously to approve Item 9 on the Consent Agenda.

1. Interlocal Agreement with Clark County Community Restitution Crew

Staff Report: 020-23

The City of Vancouver (Public Works/Operations) has contracted with Clark County Corrections for offender labor maintenance services for more than twenty years. This alternative contract partnership has provided the City with an additional resource to complete non-skilled maintenance tasks within available budget.

The attached Interlocal Agreement provides five crews that can be used for up to 988 crew days over the term of the one-year agreement. Activities include, but are not limited to, general litter removal, landscape maintenance and weeding, road right-of-way and median maintenance, and general park and recreation area maintenance for four full-time crews. A fifth crew will be assigned to the Greenway Sensitive Lands program for removal of non-native plant species, assistance in plantings, and general shrub bed maintenance generally within the Bumt Bridge Creek Greenway and at other sensitive lands within the City of Vancouver.

The attached agreement is one year in duration.

Request: Authorize the City Manager or their designee to sign an Interlocal Agreement with Clark County Correction Services for offender restitution crew labor/maintenance services.

Motion approved the request.

2. Contract Amendment for a Cost Increase to Contract No. C-100075 ITB19-09 Landscape Maintenance Service

Staff Report: 021-23

1. *On July 2, 2019, a five (5) year Contract C-100075 was awarded to Distinctive Landscape, LLC for Landscape Maintenance Services with a "not to exceed" cost of \$300,000.00 without Council approval.*
2. *Currently Facilities has utilized \$297,488.18 on City landscape maintenance and irrigation system support out of the \$300,000 approved for the Contract.*
3. *There has been increased usage of the contract due to added City buildings and property, as well as Vancouver Fire Stations utilizing the landscape services more than anticipated. Due to weather events over the last three (3) years, City Staff have been using this landscape company to provide snow and ice removal around City buildings and parking lots. This has increased the spend rate on the contract. Currently we have one (1) year and five (5) months left on this contract but are bumping against the dollar value of the contract.*

Request: Approve contract Amendment #3 for an increase of \$300,000.00 for Contract No. C-100075 Landscape On-call Maintenance and Services and authorize the City Manager, or their designee, to increase the total contract Amount to \$600,000 for the balance of the term of the contract.

Michael Shrum, Facilities Contract Services Supervisor, 360-487-8260

Motion approved the request.

3. Approve ground lease with CW7 LLC for use of City Hall property for temporary construction parking

Staff Report: 022-23

Development activity on the Waterfront is limiting the availability of vacant parcels for temporary construction parking. Initial construction activity on the Waterfront benefited from the many vacant parcels to provide ready access to parking for both visitors and construction workers. As each new parcel begins development, that lot is no longer available as a surface parking lot. In addition, property owners on the Waterfront are prioritizing the remaining vacant parcels for public parking.

Once construction begins on the Block 7 public parking garage, the Waterfront will have at least five active construction projects and not enough temporary parking to serve the construction workers coming to those sites each day. Because daily construction often starts before local business and restaurants

open, construction workers without off-street parking options will use available on-street parking, which reduces the availability of parking for other users. Supporting the development of the Block 7 garage, therefore, is particularly important because the 850-stall public parking structure, once constructed, will support the parking needs of the remaining construction projects, in addition to residents, businesses and visitors to the Waterfront.

The City regularly receives requests from Waterfront and downtown developers and construction firms to assist with parking for construction workers, and in the past has been able to assist with many of these requests. However, options for accommodating these requests are no longer available, leaving the vacant parcels next to City Hall as the last remaining parcels near the Waterfront as possible temporary parking sites. Given the use of the City's existing parking lot on the west side of Esther Street for City employees and fleet, as well as weekend use of that lot by the Farmers Market, the grass lot south of City Hall offers the best potential as temporary parking.

The lease with CW7 LLC is a fixed term lease ending on December 31, 2023, prior to the start of Waterfront Gateway construction, which scheduled for Spring 2024. The lease can also be terminated with 30 days notice in the event the parcel is needed prior to the end of 2023. CW7 LLC is responsible for constructing and removing all necessary improvements to the parcel to accommodate parking. The Lessee will pay a market rate for the use of the parcel and any related taxes and fees.

To make the City Hall parcel suitable for parking, a portion of the property will be covered in gravel and temporary lighting will be installed by the tenant. All existing trees on the lot will be outside of the designated parking area and protected from any damage from either the construction or use of the lot. The southern end of parcel will also be outside of the designated parking area due to the location of ground source wells that support the City Hall HVAC system.

Vehicles will access the lot from Columbia Street using a vacated right of way that is now part of a parcel owned by the Public Facilities District (PFD). An easement to use this portion of land was granted by PFD in December 2022, and PFD will be compensated for this easement.

Request: Approve ground lease with CW7 LLC for use of City Hall property for temporary construction parking.

Patrick Quinton, Economic Prosperity Director, 360-487-7845

Motion approved the request.

4. Ratification of the Collective Bargaining Agreement for Vancouver Fire Department Guild

Staff Report: 023-23

The collective bargaining agreement between the City and the VFDG expired on December 31, 2022. The parties were able to work through a collaborative

process and consensual decision making on many of the provisions for a new three-year agreement. The new labor agreement was recently ratified by the VFDG members and is now being brought to Council for approval.

Request: Authorize the City Manager or their designee to sign the January 1, 2023 to December 31, 2025 Collective Bargaining Agreement with the Vancouver Fire Department Guild (VDFG), by executing the same.

Lisa Takach, Human Resources Director, 360-487-8611

Motion approved the request.

5. Visit Vancouver Washington 2023 Lodging Tax Contract

Staff Report: 024-23

A RESOLUTION relating to the award of lodging tax grant funds to Visit Vancouver Washington for 2023 as recommend by the City Council appointed Lodging Tax Advisory Committee.

RCW 67.28.180 and 67.28.181 allow municipalities to impose a lodging tax of up to 4% on overnight stays in a lodging establishment such as a hotel, motel, bed and breakfast facility, or campground; and these funds can be used by municipalities and community organizations and for the purpose of supporting tourism-related events, activities, and facilities. Of the 4%, 2% goes to pay the debt service on the Convention Center with the other 2% available for tourism activities. RCW 67.28.1816 and 67.28.1817 require that to expend lodging tax funds, municipalities must appoint a Lodging Tax Advisory Committee comprised of equal numbers of lodging tax generators and potential lodging tax recipients who will make recommendations on proposed expenditures to the City Council.

The Lodging Tax Advisory Committee reviewed Visit Vancouver Washington's proposal to provide tourism activities and recommends that \$700,000 of Lodging Tax revenue be allocated to Visit Vancouver Washington. Per state regulations, the City Council only may approve awards recommended by the Lodging Tax Advisory Committee and only at the amount recommended unless Council submits its change in the amount to the LTAC for comment.

Request: Adopt a resolution approving the recommendation of the Lodging Tax Advisory Committee and authorizing the City Manager or their designee to execute a professional service agreement for \$700,000 in Lodging Tax grant funds to Visit Vancouver, Washington.

Teresa Brum, Deputy Economic Development Director, 360-487-7949

Motion adopted Resolution M-4208 to approve the request.

6.

Resolution Approving the Transportation System Plan Big Ideas, Policies and Programs

Staff Report: 025-23

A RESOLUTION approving the Transportation System Plan (TSP) framework of “Big Ideas” and its supporting policies and programs for inclusion in the Transportation System Plan Update

The City began updating the Transportation System Plan (TSP) in 2020 and project staff have met with Council on several occasions to present information, review outreach, discuss values and goals, review policies, projects, and programs, and to discuss how the TSP can use its policies, programs, and design standards to advance the Council’s priorities of advancing safety, equity, and climate action.

The TSP Update chartering process dictates that Council affirm the Transportation System Plan Big Ideas, Programs and Policies via resolution.

Big Ideas, Policies and Programs

The ‘Big Ideas’ within the TSP act as an organizing tool to group policies and programs in a way that meets City goals and priorities. They are presented in a non-ranked list as:

- *Support Thriving Neighborhoods*
- *Create Complete Corridors*
- *Connect People to Transit*
- *Build Low-Stress Networks*
- *Make Growth a Benefit for All*
- *Embrace the Future*

Nested within each ‘Big Idea’ are key policies that act either as a single, significant-organizing policy, or as a major policy under which several other supporting policies and programs live. For example, within Thriving Neighborhoods, there is a key policy of creating 15-Minute Neighborhoods. This policy is described as “Make walking and small mobility convenient through mixed-use zoning and investment in complete corridors to serve all travel modes. Foster redevelopment within strategic development nodes to support 15-minute neighborhoods.” While this policy will largely be implemented through zoning and the Comprehensive Plan Update, there are two transportation-focused programs that support creating 15-minute neighborhoods. They include the existing Neighborhood Traffic Calming Program, and a newly proposed Safe Routes to Schools Program.

The attached TSP Policies and Programs table presents each policy and program as it relates to the Big Ideas framework and provides a description and high-level assessment of resource needs, lead implementing workgroup, and key partners.

Community and Stakeholder Feedback

The Transportation System Plan Big Ideas are derived from the goals previously endorsed by the City Council (10/03/22). These are created from feedback from the Transportation and Mobility Commission and values and needs shared by the community through engagement activities. The goals are Safety, Equity, Climate, Transportation Choice, Regional Connectivity, and Maintain our Assets.

In the Fall of 2022, the TSP project team gathered feedback on the Big Ideas, draft transportation networks, and potential improvements to include in the draft TSP. This round of engagement included an online open house and survey, community roundtables, and in-person events. Key themes from in-person conversations included a concern for growth-related congestion, a desire to prioritize transit within the transportation system, and a desire for more transportation options to move around town. Safety was also a popular topic and described as needing to be a "leading consideration," along with desires for ways to improve existing streetscapes through beautification via artwork, street-trees or other tools. For more details on themes and findings from Round 1 and Round 2 of public engagement, see Attachments "Public Outreach Participation Summary Milestone 1 (April 2022)" and "TSP Public Outreach Participation Summary Milestone 2 (January 2023)".

In addition to public engagement, staff collected feedback on the list of policies and programs from agency partners and area stakeholders. The Big Ideas, policies and programs were vetted and improved by feedback from the TSP Technical Advisory Committee, which includes partners like C-TRAN, RTC, WSDOT, Vancouver and Evergreen Public Schools, Clark County Planning and Public Health staff, Port of Vancouver, Vancouver Police and Fire Departments, as well as representatives from other divisions within the City. In addition, project staff held more than a dozen small group work sessions with staff across the City who will be charged with implementing policies and administering programs to ensure that the recommendations were effective, actionable, and to understand the resources needed to implement them.

Request: Approve the resolution confirming the transportation system plan big ideas, policies, and programs.

Kate Drennan, Principal Planner, 360-487-7959

Motion adopted Resolution M-4209 to approve the request.

7. Comprehensive Plan Charter Resolution

Staff Report: 026-23

A RESOLUTION confirming the chartering process and Council decision making framework for the Comprehensive Plan Update, as described below in Exhibit A

attached herein.

The City of Vancouver's comprehensive plan provides the overall long-term vision and policy direction for managing the built and natural environment in Vancouver and providing necessary public facilities to achieve that vision. The City adopted its first comprehensive plan under Washington's Growth Management Act in 1994 (Chapter 36.70A RCW), with a major re-write occurring in 2004, and a less substantive update occurring most recently in 2011.

Since the last time the plan was updated, significant changes have occurred in the community, including increased population growth, greater diversity in the demographic and socio-economic characteristics of the community, expanded private sector investment and development activity, rising awareness of the impacts of climate change and need for immediate climate action, emergent technologies that have transformed how people move around the region and engage with each other, and, not least, the impacts of a global pandemic and associated public health and economic crises that affected all community members. In addition, Council policy priorities have evolved to prioritize climate action, community safety, and equitable access to opportunities and resources. These trends and priorities require a re-imagining of the City's 20-year growth and development plan and new policies and programs to meet the needs of the Vancouver community now and into the future, reflective of a target year of 2045 for fully achieving the vision outlined in the plan. The Comprehensive Plan update will establish a new community vision and a set of goals, policies, and implementation strategies to achieve it, and will ensure that Vancouver continues to meet and exceed the requirements of the State's Growth Management Act. This effort is broken down into the following five tasks:

- **Co-Creation:** *Establish a process to develop and create the plan with members of the community, conduct community engagement activities in a method consistent with state law, and place an emphasis on elevating the perspectives of communities that have been historically underrepresented, excluded or negatively impacted from public decision-making processes.*
- **Comprehensive Plan:** *Perform a holistic re-write of the existing Comprehensive Plan that includes defining a new set of goals, objectives, policies, and overall strategy that is responsive to issues and needs identified during the process of co-creation with plan stakeholders and the public, while also accounting for long term trends that will affect the community in the future. The plan strategy will establish an overall land use framework that specifies where and how the City will grow and the infrastructure needs necessary to achieve that vision, as well as overall strategies related to housing, climate, environment, resiliency, community health, public facilities and services, economic development and opportunity, and achieving equitable outcomes.*
- **Implementation Strategy:** *Develop a detailed strategy for implementing the goals, objectives, policies, and overall strategy outlined within the revised plan, including recommendations for future programs and policy work, and a*

public facing tool to help staff and members of the public understand how implementation of the plan is progressing over the long term;

- **Land Use Code:** Modify the existing zoning code (Title 20 of the Vancouver Municipal Code) to reflect the goals and policies identified in the revised plan and achieve the community's vision;
- **SEPA:** Complete the Environmental Impact Statement (EIS) process in compliance with the State Environmental Policy Act (SEPA);

Given the number of discrete collective policy decisions that need to be made within each one of these categories over the life of the project, and the level of complexity and interdependency of the various elements included in it, the following steps will be necessary to ensure the final plan is reflective of its identified goals:

1. Establishing an overall decision-making framework to ensure shared understanding and collective ownership of cumulative decisions made during the policy development process;
2. The development of a robust visioning and goal setting process (in partnership with the City's in-process update to the Strategic Plan), to ensure policies, regulations, and implementation methods are rooted in an articulated purpose;
3. Collective formation and buy-in of the established vision and related goals between co-creative partners designing the plan;
4. Divide a highly complex and inter-related process with a wide variety of interested stakeholders into manageable and logically organized phases where each policy decision builds off decisions made earlier in the process and informs those that will come after.

The development of the below decision-making framework and chartering process with City Council is designed to ensure the four steps above are achieved during the plan update process. Based on the project scope of work and consultation with Council at a Feb. 6, 2022, workshop, the project team recommends the following process and structure for Council review and formal action at key points:

Endorsement	Intent	Review / Action	Time Window
Equity Framework	• Structure to ensure disproportionately impacted and historically marginalized populations drive policy design process • Other key process design goals from Council and Planning Commission	• Joint PC / Council Workshop • Council Resolution	1 st / 2 nd quarter of 2023
Community Partnership	• The details on how we Inform, Consult, Involve, Collaborate, and Empower Co-Creative	• PC Workshops • Council	1 st / 2 nd

Framework	- Partners - The who, how, and when this occurs	- Workshops - Council Resolution	quarter of 2023
Goals Framework	- Input from Scenario Planning and Community Partnership efforts - Identification of Plan Chapters & Elements - Prioritization of goals against each other	- PC Workshops - Council Workshops - Council Resolution	2 nd / 3 rd quarter of 2023
Land Use Framework	- Input from Scenario Planning and Community Partnership efforts - Consideration of Capital Facility and Infrastructure needs to support vision - Minimum of 3 alternatives established for EIS process	- TMC Workshops Joint PC / Council Workshop - Additional PC & Council Workshops as needed - Council Resolution	4 th quarter of 2023 / 1 st quarter of 2024
Policies	Tangible policies to mobilize objectives of Goals + Land Use Framework	- PC Workshops - Council Workshops - Council Resolution	1 st quarter of 2024
Code Concepts	- High level concepts for mobilizing the established policy framework through the Land Use Code - Identification of potential early action items, structure, arrangement, and content of code.	Joint PC / Council Workshop - Additional PC & Council Workshops as needed - Council Resolution	2 nd / 3 rd quarter of 2024
Implementation Methods	- Framework for mobilizing policy items not covered under the Land Use Code (dashboards, program development, incentive structures, future sub-area planning) - Framework for measuring success and outcomes of the plan effort - Final review of accountability matrix structure for incorporation	- PC Workshops - Council Workshops - Council Resolution	3 rd / 4 th quarter of 2024

	<i>of feedback into plan outcomes, and long term follow up on implementation</i>		
Code Framework	• Input from Co-Creative partners on Code Concepts • Relevant inputs from Draft EIS • More detailed framework for mobilizing the established policy framework through the Land Use Code	• PC Workshops • Council Workshops • Council Resolution	4 th quarter of 2024 / 1 st quarter of 2025
Plan Adoption	• Final EIS completed at least 60 days prior to adoption • Final Comp Plan Document, Appendices, and Land Use Framework • Final Code Language • Final Implementation Matrix	• PC Recommendation • Adopted by Ordinance (Council)	June 2025

Request: Approve a resolution formally endorsing the proposed chartering framework.

Domenic Martinelli, Senior Planner, 360-487-7943; Rebecca Kennedy, Deputy Community Development Director, 360-487-7896

Motion adopted Resolution M-4210 to approve the request.

8. **Community Roots Affordable Housing Fund Award Amendment**

Staff Report: 027-23

A RESOLUTION relating to low-income housing; providing for adoption of an updated funding award for the Community Roots Collaborative (CRC) O-Street project through the Affordable Housing Fund and authorizing the City Manager to execute agreements and other related documents on behalf of the City of Vancouver consistent with this Council approved funding award; providing for Severability and an Effective Date.

On November 1, 2021, City Council approved an award of \$2,000,000 from the Affordable Housing Fund (AHF) to support Community Roots Collaborative (CRC) St. Johns Village tiny home project. It was noted in the award recommendations that the St. Johns location was under consideration, and CRC did not end up developing homes at that location.

In early 2022, CRC began negotiations on a property at 3600 O-Street that consists of 6 parcels. Three parcels contain a large church, which is under

construction to become an Oxford-style group home managed by a partner agency. This space will consist of 13- individual bedrooms, as well as a shared kitchen, a laundry room, and community space. All residents will be people exiting homelessness.

In addition to the group home, the three adjacent parcels will be developed into 7 two-bedroom tiny homes to support low-income people earning 50% AMI or less. This project will support up to 27 individuals experiencing homelessness and low-income.

The AHF award will support acquisition of the six parcels of land for the project. CRC has received two awards from the Washington State Department of Commerce to support this development: an award for Cottage Home Developments (\$2,555,295) and a Connecting Housing to Infrastructure Program (CHIP) award (\$108,207). The State awards will support the development of the 7 two-bedroom tiny homes.

City staff has reviewed this request and recommends approval of this award amendment in order to move forward with an AHF contract for this project.

Request: Approve the attached resolution amending the AHF award to Community Roots Collaborative and authorize the City Manager or designee to execute any corresponding contract documents.

Samantha Whitley, Housing Programs Manager, 360-487-7952

Motion adopted Resolution M-4211 to approve the request.

9. Kevanna Park Meadows Planned Development

Staff Report: 028-23

AN ORDINANCE approving the concept development plan for the Kevanna Park Meadows Planned Development; and providing for severability and an effective date.

The applicant requests approval of a proposed planned development consisting of a 33-lot single-family subdivision totaling 6.08 acres in the R-6 Lower Density Residential zone.

Planned developments allow for flexibility in certain development standards in order to promote creativity in design and efficient use of the land; increase economic feasibility; and preserve existing landscape features and amenities. The proposed planned development includes over three acres of open space, as well as restoration of the Burnt Bridge Creek riparian management area through the planting of 70 native trees and 920 native shrubs.

Planned developments allow for an increase in density of up to 15% more lots than the maximum density of the R-6 District, which results in up to 33 lots. The proposed development is proposing 33 lots, only four more than is

allowed under the standard R-6 requirement.

On Jan. 17, 2023, a duly noticed public hearing was conducted before the City's Land Use Hearings Examiner. On Feb. 1, 2023, the Hearings Examiner issued findings, conclusions and recommendations. The Hearings Examiner recommends that both the planned development and subdivision ordinance, subject to recommended conditions, be approved by City Council.

Request: On Monday, February 27, 2023, approve the ordinance approving the planned development; and subject to the Council's decision on the proposed ordinance, grant preliminary plat approval of the proposed subdivision, setting date of second reading and public hearing for March 6, 2023.

Andrew Reule, Senior Planner, 360-487-7891

Mayor Pro Tem Stober read the title of the ordinance into the record.

Motion approved the request.

10. Stutesman Rezone Proposal

Staff Report: 029-23

AN ORDINANCE relating to zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver Comprehensive Plan and Zoning map designation for adjacent tax lots 159762000, 158901000, 604757000, and 159800000, located at 9309 NE 52nd Street, and 5204, 5206 and 5118 NE 94th Avenue, respectively; providing for severability; and providing for an effective date.

The approved Comprehensive Plan and zone change was for three adjacent properties, which carried four addresses (9309 NE 52nd St, 5204 NE 94th Avenue, 5205 NE 94th Avenue, 5118 NE 94th Avenue) and four assessor serial numbers (159762000, 158901000, 6047575000, 159800000), because one of the properties included two mobile homes. The adopting ordinance only referenced three parcel numbers and three addresses.

Request: On February 27, 2023 approve the attached ordinance, setting date of second reading and public hearing for March 6, 2023.

Bryan Snodgrass, Principal Planner, 360-487-7946

Mayor Pro Tem Stober read the title of the ordinance into the record.

Motion approved the request.

11. Revisions to Temporary 6-Month Moratorium Ordinance on Large Warehouses greater than 100,000 square feet in the IL Light Industrial and IH Heavy Industrial Districts

AN ORDINANCE amending and restating Vancouver City Ordinance M-4396, an ordinance declaring an emergency and imposing a temporary moratorium for the duration of six months upon the acceptance and processing of applications for permits for the development or expansion of large warehouse and distribution facilities totaling more than 250,000 square feet under the Warehouse/Freight Movement use classification in the Light Industrial (IL) and Heavy Industrial (IH) zoning districts, as defined in Vancouver Municipal Code Title 20 or as otherwise allowed, such as by prior development agreement, based on certain findings of fact justifying such action and adopted by City Council, and establishing an immediate effective date.

- *There have been seven pre-development or development applications for large warehouse and distribution facilities between 275,000 square feet up to 680,000 square feet, which are much larger than typical warehouses, for a total of 3.34 million square feet of proposed new warehouse structures;*
- *These extremely large facilities appear to be a growing trend in response to an increased demand for online shopping and parcel delivery, and the size of these new types of facilities and fast pace of this change is a growing concern in other communities throughout the U.S.;*
- *Such facilities consume vast amounts of limited industrial land, yet provide very few jobs per acre and offer typically low skill and low wage positions, and are therefore not a high priority use in the Clark County Economic Development Plan, which the City has adopted;*
- *A primary concern is the land-intensive nature of these large warehouses and low job creation, but other issues such as air pollution, implications on the City's climate action goals, increase in truck traffic to vulnerable neighborhoods, and appropriately locating such warehouses near major arterial routes and highways need to be analyzed;*
- *On February 6, 2023, City Council affirmed the moratorium but, in order to minimize impacts to local manufacturers or business-to-business storage needs, requested that the scope be narrowed as follows: 1) increase the total size of warehouse projects subject to the moratorium from 100,000 square feet to 250,000 square feet; 2) exempt the Port of Vancouver from the moratorium on property owned by the Port and provided that any warehouse is for shipment of bulk goods, not home delivery of retail goods; and 3) exempt warehouse facilities that are exclusively for traded sector goods;*
- *The initial moratorium was enacted by ordinance, therefore any changes to the scope including exemptions must also be enacted by ordinance, following a public hearing;*

Request: On February 27, 2023, approve the ordinance, setting the date of second reading and public hearing for March 6, 2023.

Chad Eiken, Community Development Director, 360-487-7882

Mayor Pro Tem Stober read the title of the ordinance into the record.

Motion approved the request.

12. Approval of Claim Vouchers

Request: Approve claim vouchers for February 27, 2023.

Motion approved claim vouchers in the amount of \$19,106,839.39.

Public Hearings (Item 13-15)

**13. Development Agreement Amendment (Second Amendment) –
PeaceHealth Southwest Medical Center**

Staff Report: 031-23

A RESOLUTION relating to approval of an amendment to the development agreement pursuant to RCW Chapter 36.70B between the City of Vancouver and PeaceHealth Southwest Medical Center (PeaceHealth) and authorizing the City Manager or their designee to execute the amendment to the development agreement.

The applicant has submitted a request for a proposed second amendment to the 2016 development agreement, which relates to the most recent 2022 master plan amendment. This proposed development agreement amendment would:

- *Extend 10-year term - Amend the effective date to be the date of execution of this proposed 2nd Amendment.*
 - *Effect: Vesting and reservation of 335 weekday PM peak hour trips to run 10 years from the execution of this proposed 2nd amendment rather than from October 10, 2016 (date of the original development agreement). It is not uncommon for development agreements that cover large master-planned areas to have a period of 15 to 20 years.*
- *Update Traffic Mitigation - Incorporate the transportation mitigation measures identified under the most recent master plan amendment approval (PRJ-167480/LUP-81939), as stated in the staff report and decision dated amended March 22, 2022.*
 - *Effect: The list of transportation improvements from the original 2016 DA will be updated as follows:*
 - *Add a requirement to re-align the access on NE 87th Avenue, which is currently located slightly offset from NE 5th Street so that the access aligns with NE 5th Street. Signalize the newly aligned intersection and provide a westbound left-turn lane and a shared thru/right westbound lane.*
 - *Add a requirement to eliminate left-turn exits at the south parking garage access on NE 87th Avenue.*

- *Delete the requirement currently set forth in the existing DA to construct a separate northbound right-turn lane at the intersection of NE 86th Avenue and NE Burton Road.*

Other than the items listed above, the current Traffic Impact Analysis submitted by the applicant did not recommend any further changes to the required improvements contained in the existing DA, which include:

- *Installation of a right-turn only sign (Per MUTCD) southbound at the right-turn only driveway that accesses Mill Plain Blvd near SE 88th Street.*
- *Construction of a second westbound left-turn lane at the intersection of Mill Plain Blvd and Lieser Road, together with all required traffic signal modifications. This includes reconstructing a portion of Lieser Road to provide for a second southbound receiving lane.*
- *Construction of an extension to NE 9th Street to connect the existing NE 9th Street terminus near NE 90th Avenue with NE 87th Avenue.*
- *Construction of a westbound right-turn deceleration lane at the intersection of Mill Plain Blvd and NE 93rd Street.*
- *Construction of a new pedestrian connection to link the PHSW campus to the expansion area adjacent to NE 92nd Avenue, NE 94th Avenue and NE 5th Street.*

Request: Approve Resolution to execute development agreement amendment.

Keith Jones, Senior Planner, 360-487-7887

Keith Jones, Senior Planner, provided an overview of the Development Agreement Amendment for PeaceHealth Southwest Medical Center.

Mayor Pro Tem Stober opened the public hearing.

There being no testimony, Mayor Pro Tem Stober closed the public hearing.

Council discussed the item with staff.

Motion by Councilmember Hansen, seconded by Councilmember Harless, and approved unanimously to approve Resolution M-4212.

14. **Larson Annexation**

Staff Report: 032-23

A RESOLUTION relating to support of an annexation request (Exhibit “E”) using the 60% direct petition method pursuant to RCW 35.13.130; establishing the geographic extent, determining the comprehensive plan and land use designations, and determining whether the property owners will assume all or any portion of existing City indebtedness for the proposed annexation area.

City staff has received a notice of intent to annex from a singular property owner. The subject site is located at the very north peak of the city limits at

5213 NE 95th Street, east of Saint Johns Road. The site is 1.16 acres in size and contains a single-family home. Surrounding uses include single family residential to the north, west, and east and an industrial warehouse to the south. The applicant intends to develop the property in the future with a residential subdivision development.

The proposed annexation will use the “direct petition” annexation method under RCW 35.13.125.

This annexation process requires two meetings with City Council. The first is a meeting at which council votes on a Resolution to allow the annexation process to proceed. The second meeting would be a vote on an adopting ordinance. The initial annexation resolution is required to specify three specific criteria for Council to consider:

1. The physical boundary of the annexation area.
2. The proposed Comprehensive Plan and zoning designations for the annexed area.
3. Whether to require the applicant to assume any City indebtedness.

Annexation Boundary

The boundary of the annexation area is shown graphically on Exhibit B and specifically delineated in the legal description, Exhibit A, attached to the Notice of Intent to Annex. The City is not proposing to annex any of the right of way along 95th Street. Doing so would create uneven pattern of development standards and maintenance consistency under multiple jurisdictions. The option of expanding the annexation area by bringing additional properties into the annexation through the 60% petition method was deemed not viable as there are no abutting properties with existing utility covenants.

The current service providers for the annexation boundary area include:

- Fire District 5 (currently serviced by Vancouver Fire Department)
- Clark Public Utilities water district (will remain) Clark Regional sewer district (will remain)
- Park District B (will change to Vancouver Parks)
- Clark County Sheriff's Office (will change to Vancouver Police Department)
- Development review/ permits (will change to City of Vancouver)

Comprehensive Plan and zoning designation

The current Clark County Comprehensive Plan designation for the site is Urban Low residential (UL) and the current Clark County zoning designation is single family residential R1-6. The applicant's intent is to annex into the City with the most similar City Comprehensive Plan designation of Urban Lower density residential (UL) and a single-family residential R-9 zoning designation.

Assumption of indebtedness

The annexation statutes authorize city councils to require property in an area

being annexed to assume a pro rata share of the city's outstanding indebtedness that had been approved by the voters, incurred prior to the date of annexation. In this case the City Finance Director confirmed that there is not any City indebtedness to pass on to the annexation applicant.

If this resolution passes, the next steps in the process are to have the Clark County Assessor Certify the annexation petition before returning to City Council for a vote on an adopting ordinance.

Request: On Monday February 27, 2023, approve the resolution allowing the annexation process to proceed.

Bryan Monroe, Associate Housing Project Coordinator, 360-487-7958

Bryan Monroe, Associate Housing Project Coordinator, provided an overview of the Larson Annexation.

Mayor Pro Tem Stober opened the public hearing and received testimony from the following community members:

- Adam Larson, Vancouver
- Mark Philip, Vancouver

There being no further testimony, Mayor Pro Tem Stober closed the public hearing.

Council discussed the item with staff.

Motion by Councilmember Hansen, seconded by Councilmember Fox, and approved unanimously to approve Resolution M-4213.

15. **HOME-ARP Allocation Plan**

Staff Report: 033-23

A RESOLUTION relating to homelessness assistance; providing for adoption of the HOME-ARP allocation plan and authorizing the City Manager to execute agreements and other related documents on behalf of the City of Vancouver for the use of monies authorized by Congress through the American Rescue Plan; providing for Severability and an Effective Date.

*Housing Program staff is seeking City Council to adopt a resolution approving the **2023 City of Vancouver HOME-ARP Allocation Plan**. The City received \$2,496,110 to be administered through the HOME Investment Partnerships Program through the American Rescue Plan (ARP). This funding supports activities that benefit people experiencing low-income and homelessness or other vulnerable residents, including: (1) development and support of affordable housing, (2) tenant-based rental assistance, (3) supportive services; and (4) acquisition and development of non-congregate shelter. In order to use these funds, HUD requires the City to develop and adopt an*

allocation plan for HOME-ARP activities in response to community needs. In September 2021, Housing Program staff developed an online survey and requested feedback from over 300 stakeholders, including community members and service providers. Consulted organizations include a variety of homeless and social service providers in Vancouver, as well as housing developers, Veteran organizations, Neighborhood Associations, as well as fair housing and civil rights organizations, and agencies serving people experiencing domestic violence or low-income.

A total of 64% of survey respondents identified people experiencing or at risk of experiencing homelessness as qualifying populations to prioritize for HOME-ARP funds. Out of the eligible activities to serve these populations, survey respondents identified tenant-based rental assistance (25%) and supportive services (29%) as priorities. The full results of the survey are available in the 2022 City of Vancouver HOME-ARP Allocation Plan.

In addition to consulting stakeholders, the plan includes a needs assessment and gap analysis using Census data, 2022 Clark County Point in Time Count data, and other local housing data. According to 2022 Point in Time Count data, the number of people in emergency shelters increased 83% and the number of unsheltered people increased 21% from 2020. Approximately half of all renters in Vancouver are considered cost-burdened (spend 30% or more of their income on housing) (2020 ACS 5-Year Estimates). Additionally, Council for the Homeless indicates that 6,787 households sought assistance with housing through the Housing Hotline in 2021, compared to 3,323 in 2020.

To address these identified needs, Vancouver seeks to utilize HOME-ARP funds to deliver supportive services, including rental assistance for people experiencing homelessness. Services will be targeted to people living in Safe Stay sites and will be available to all qualifying populations who are seeking permanent housing. Services will be provided by partner organizations through HOME-ARP contracts. By offering these services, the City aims to increase the capacity of these alternative shelters by increasing support for people who are successfully moving into housing from these shelters.

City Council is asked to review and approve the **2023 City of Vancouver HOME-ARP Allocation Plan** detailing the planned use of the \$2,496,110 of HOME-ARP funding prior to awarding funds to subrecipients. In February 2023, the draft HOME-ARP plan was available for a 30-day public review and comment period. The plan is published on the City's website and was advertised to the public through a press release and social media. The Housing Department included HOME-ARP funding with its current application process that opened October 3, 2022 for organizations that are interested in delivering homeless supportive services. This application process also includes the City's annual CDBG and HOME funding opportunities. The deadline to submit the HOME-ARP plan to HUD is March 31, 2023. All HOME-ARP funding must be expended by September 30, 2030.

Request: Adopt a resolution approving the 2023 City of Vancouver HOME-ARP Allocation Plan detailing the planned uses of the \$2,496,110 of HOME-ARP funding awarded to the City by HUD.

Samantha Whitley, Housing Programs Manager, 360-487-7952

Samantha Whitley, Housing Programs Manager, provided an overview of the HOME-ARP Allocation Plan.

Mayor Pro Tem Stober opened the public hearing.

There being no testimony, Mayor Pro Tem Stober closed the public hearing.

Council discussed the item with staff.

Motion by Councilmember Fox, seconded by Councilmember Perez, and approved unanimously to approve Resolution M-4214.

Communications

A. From the Council

B. From the Mayor

C. From the City Manager

Police Camera Program Update

Jeff Mori, Chief of Police, discussed the Police Camera Program Update with Council.

Clark County Comprehensive Plan Update-Policy Framework

Bryan Snodgrass, Principal Planner, discussed the Clark County Comprehensive Plan Update-Policy Framework with Council.

Adjournment

8:23 p.m.

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

The written comments below are those of the submitter alone and are not representative of the views of CVTV or the City of Vancouver, its elected or appointed officials, or its employees.

From: [Don Steinke](#)
To: [City Council](#)
Cc: [Cathryn Chudy](#); [Heidi Cody](#)
Subject: my Comments on Warehouse Moratorium
Date: Monday, February 27, 2023 11:36:50 AM

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From Don Steinke

To the Vancouver City Council
cc others

I support the moratorium on large warehouses.

Your Climate Action Framework established an aggressive timeline for reducing ghg emissions.

If new parking lots are built without being EV ready for 100% of the vehicles, then it will be difficult for any truck fleet to switch when EV trucks become more available, because retrofits and remodels are much more expensive than newly built projects.

If Clark Public Utilities can't provide energy for the EV fleets, and if the roof is not solar ready, that will be a problem.

I agree that we don't want fleet operators to drive through Vancouver in old diesel trucks to Minnehaha or North Orchards, and I don't think they want to do that either.

There are no easy answers, but maybe the easiest best answer is:

- to make all warehouse roofs solar ready
- to make all parking lots EV ready, for all vehicles.
- to make all heating systems electric ready.

Many incentives are available from the Inflation Reduction Act, and the previous bipartisan infrastructure bill, and also from Olympia via our two cap and invest programs. Their first auction for pollution permits will be tomorrow, and is expected to raise billions from those who pollute. Maybe our Chamber of Commerce could help businesses identify those opportunities.

Thank you and your staff for being on top of this.

From: [Matt Grady](#)
To: [City Council](#)
Cc: [Quinton, Patrick](#)
Subject: City of Vancouver- City Council Meeting 2-27-23 - Item #3 Consent Agenda - Letter of Support 2-27-23 (002).pdf
Date: Monday, February 27, 2023 9:03:22 AM
Attachments: [City of Vancouver - Item #3 Consent Agenda - Letter of Support 2-27-23 \(002\).pdf](#)

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please accept this letter of support for consent agenda item #3, for the upcoming Council Hearing tonight.

Regards,

Matt Grady
CW7 LLC

[REDACTED]
Tualatin, OR 97062

[REDACTED]



February 27, 2023

Sent Via E-Mail: council@cityofvancouver.us

Mayor Anne McEnery-Ogle
City Council Members
City of Vancouver
415 W 6th Street
Vancouver, WA 98668
Attention: Patrick Quinton

**RE: Item # 3 Consent Agenda- Ground Lease with CW7LLC for use of City Hall
Property for Temporary Construction Parking**

Dear Mayor Anne McEnery-Ogle and Members of the Council:

This letter is to affirm CW7 LLC's full support for the use of this temporary parking to facilitate the new 829 space, 8-story parking garage on Block 7 at the Vancouver Waterfront. Construction has commenced on this project which will result in further shortages of the scarce parking spaces across The Waterfront project site.

Block 7 now adds to the construction parking demands with Blocks 3, 18 and 19 and the Port's Blocks all under construction at the same time.

Your support for this Agreement and issuance of land use and engineering permits to install the temporary gravel is greatly appreciated. The sooner we can get on this site the better.

Regards,

A handwritten signature in blue ink that reads "Matt Grady".

Matt Grady, AICP
Vice President - Director of Development
On Behalf of CW7 LLC

cc: Patrick Quinton

From: [Lehman Holder](#)
To: [City Council](#)
Subject: warehouse moratorium
Date: Monday, February 27, 2023 7:49:06 AM

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CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

City Council members,

I support your moratorium on huge warehouses and the increased moratorium to 250,000 square feet.

Lehman Holder
Vancouver resident

From: [REDACTED]
Subject: City Council
Date: warehouse moratorium, agenda item # 11 FEB, 26
Sunday, February 26, 2023 7:19:25 PM

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CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank You, Vancouver mayor and city council for taking public comment. Approval of the agenda item #11 regarding a 6 month moratorium on large warehouses should be approved as amended. Further, such large warehouses will consume huge areas of land without creating well-paid jobs, or many jobs at all. The increase in traffic and the pollution that goes with it will not help us reach our climate goals. The warehouses proposed at present are in the most vulnerable low income communities. Further, these facilities should be sited with close access to arterials and even mandated to have south facing roofs so they are ideal for solar panels. Presently trucks are mainly run on diesel which is highly polluting, but they should convert to electric in the foreseeable future. Thank you, Dr. Sharon Bucher 19617 NE Risto rd. Battle ground , Wa.

From: [Jean M. Avery](#)
To: [City Council](#)
Cc: [Person, Mark](#)
Subject: For Monday, 2/27, Council meeting
Date: Sunday, February 26, 2023 12:14:01 PM

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please approve the revised and amended Moratorium Ordinance.

Also, please stop the Prologis warehouse proposal. It is dangerously close to the protected Vancouver Lake Lowlands and the federally designated Important Bird Area.

Thank you,
Jean M. Avery
Vancouver

From: [Cathryn Chudy](#)
To: [City Council](#)
Subject: Item #11 Moratorium on Large Warehouses City Council 2/27 meeting
Date: Monday, February 27, 2023 12:00:47 PM

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Vancouver City Council and staff,

I have testified in support of the Moratorium on large warehouses, and although far outnumbered by economic and business/developer interests who warned of "unintended consequences" and attempted to derail the work underway, I appreciate that the Moratorium in a revised and amended form is before you for approval.

I appreciate that staff will follow through on studying the potential impacts and concerns that many of us in the community have about these large scale warehouses, and in particular those related to climate, public health, safety and livability in all parts of our community.

I remember back in 2019 when our Port of Vancouver was considering a Renewable Energy Policy that committed our Port to excluding new bulk fossil fuel facilities on Port industrial property. There were voices at the time, business and development oriented primarily, that warned of "unintended consequences" saying that business and development would get a negative message about our Port being "open for business" and that our community's economic well being would suffer.

The opposite happened - as far as I know, the Port thrived and even surpassed other West Coast Ports throughout the pandemic years to this day.

I believe the same is true for Vancouver as it looks seriously at the impacts of these large warehouses, with 8 already vested with cumulative community impacts involved. It makes sense to have this pause, to give our city staff the time it will take to ensure wise decisions are made going forward for our city and all in our community who want a healthy and safe, livable future for themselves and their children and grandchildren.

Sincerely,

Cathryn Chudy

Vancouver, WA

From: [Eric Strid](#)
To: [City Council](#)
Subject: Warehouse Moratorium Ordinance
Date: Monday, February 27, 2023 11:56:44 AM

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Thank you for the opportunity to comment on this warehouse ordinance.

I live in White Salmon, Washington and serve on the Hood River County Energy Council. I don't have knowledge of Vancouver's planning or zoning issues, but I have recommendations regarding the energy and emissions issues and opportunities with new or existing warehouses.

In summary, western Washington and Oregon have an energy problem. CETA in Washington and HB 2021 in Oregon require major utilities to decarbonize most of their electricity by 2030, while electrifying transportation and serving a growing population. The best wind and solar resources for such new generation are east of the Cascades, the large loads are west, and permitting new transmission across the Cascades is nearly impossible. The [transmission capacity shortage](#) by 2025 or 2030 is many times the planned new transmission. Thus, the whole I-5 corridor needs to be planning for solar panels in as many places as acceptable. Land use advocates don't want farms turned into solar farms and many communities don't want to see hillsides covered by solar panels.

Warehouses are already eyesores, and their flat roofs are perfect for economical solar arrays. For a typical large commercial roof, solar power generation is about 7.5 watts per square foot; thus each 500,000 square foot warehouse can generate up to 3.8 megawatts, or enough to power about 440 homes. Such arrays could be owned as community solar, owned by the warehouse owner, or owned by anyone. A large warehouse is a perfect location for a good-sized microgrid that can also provide resilient power and high-power EV chargers for DC fast chargers or for the trucks at the loading bays, which will be electrified as those vehicles and charging equipment become available.

Regardless of the council decisions regarding warehouse locations, I recommend that any new warehouse be required to be microgrid-ready, meaning that the roof space is available for anyone to lease for installing and operating PV arrays; that there is space reserved for the power distribution, control, and storage equipment; and that truck parking be EV-ready, meaning conduits are installed and space for charging equipment is reserved. To the degree feasible, existing warehouses should also be required to allow such PV installations on their roofs, plus leasable space for the electrical equipment, etc.

Truck emissions are currently a major concern, but those fleets will mostly be electrified and thus become zero-emission over the next decade.

Thank you for this opportunity to comment on building out new infrastructure.

Eric Strid
White Salmon

From: [City of Vancouver - Office of the City Manager](#)
To: [Dollar, Sarah](#)
Subject: FW: Warehouse Moratorium
Date: Monday, February 6, 2023 12:37:39 PM
Attachments: [image001.png](#)
[image002.png](#)

Thanks!

Shannon Ripp | Support Specialist III



CITY OF VANCOUVER, WASHINGTON
City Manager's Office
P: (360) 487-8607
www.cityofvancouver.us

From: Drew Zaborowski [REDACTED]
Sent: Monday, February 6, 2023 12:17 PM
To: City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>
Subject: Warehouse Moratorium

You don't often get email from [REDACTED] [Learn why this is important](#)

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Good afternoon, Council.

I am unable to attend the meeting tonight but wanted to pass along a few notes. With regards to the warehouse moratorium, I thought it would be prudent to point out a few unintended impacts.

As small family sized development company who develops industrial product, we often develop projects over 100k SF simply by nature of the available land for sale. Economical, readily developable industrial land is scarce and we don't have the luxury of choosing smaller sites vs larger sites. We often build a building to maximize the site attributes and are often limited by size of the parcel. More often than not, that land lends itself to a building larger than 100k SF.

However, these larger buildings are often demised and leased to smaller tenants. Because we are a smaller development firm we often lease facilities to a tenant profile that includes smaller family companies ranging from 10k-50k SF.

I can attest first hand that it does not pencil from an economic perspective to build a smaller facility much below 100k SF. The economy of scale created with a large building is one of the few reasons

projects still “pencil” in this market. In addition, unless you have the perfect small parcel, most parcels would have excess land that has to be purchased but can’t be built into the deal. Thus making the project infeasible from an economic perspective.

Our strategy is to focus on larger pieces of land that create economies of scale to build larger warehouses which we can then demise and lease to smaller tenants with reasonable lease rates. Without these economies of scale, the lease rate for a small industrial facility by itself would be far in excess of “market” and therefore push any smaller local tenant out of the market. In my opinion, The City would be foolish to hinder the economic growth of smaller tenants who live and work in the community.

The warehouse moratorium of any buildings over 100k SF will absolutely have an unintended impact on smaller industrial tenants which are vital to economic growth.

Thank you very much for your consideration.

Drew Zaborowski

Drew Zaborowski | Senior Development Manager

AVENUE55

[REDACTED]

Seattle, WA 98101

[REDACTED]

From: [Delapena, Amanda](#)
To: [Dollar, Sarah](#)
Subject: FW: Moratorium thoughts
Date: Thursday, February 9, 2023 8:57:51 AM

Sarah, please see below.

Can you please check on Don's potential testimony registration from Monday? Please include his comments with the written record.

Amanda Delapena

From: Don Steinke [REDACTED]
Sent: Monday, February 6, 2023 9:06 PM
To: City Council <council@cityofvancouver.us>
Cc: Eiken, Chad <Chad.Eiken@cityofvancouver.us>
Subject: Moratorium thoughts

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From Don Steinke

I thought I registered to speak but received no confirmation. I could have messed up.

After listening to the discussion tonight, I feel that it would be helpful to think about what your regulation might look like after the moratorium. The sooner you envision that, the sooner the moratorium can be ended. What do we want in terms of emissions reduction and protecting public health?

Here is some context that is relevant.

1. A year ago the Columbian reported that the proposed Amazon Development near East Fourth Plain and 143rd Ave, include covered roadways and parking lots.

I was hoping that meant they would cover those canopies with solar panels, but I haven't seen an update yet.

2. I've also heard that Amazon has ordered 100,000 electric delivery vans, and they already have one serving the Camas area.
3. Daimler-Freightliner is building electric semis on Swan Island.
4. Six years ago, the City of Richmond in British Columbia wanted to require electric charging stations in certain projects, but were not allowed to impose building codes distinct from the provincial codes. To get around that restriction, they put the requirement into their land use ordinance.

5. California is now banning diesel trucks built before 2010. Most likely, those trucks will be sold in neighboring states.

6. We need more electricity and it needs to be clean electricity.

7. On January 18, The port of Camas Washougal entered into an agreement with Clark Public Utilities to develop a large community solar project on their warehouse rooftops. It will be the largest one built west of the Cascades.

8. And you have a goal of reducing emissions community wide

With that in mind, a new ordinance might:

- Require that space and water be heated with electric heat pumps.
- Require adequate charging infrastructure for trucks.
- Require enough on-site solar panels to meet or exceed the need for electricity.
- Require all diesel trucks serving the warehouse to be built after 2009.
- Encourage staff to be more deliberate in their SEPA Determinations

Don Steinke

From: [Delapena, Amanda](#)
To: [Dollar, Sarah](#)
Subject: FW: Tardy! Support the moratorium
Date: Monday, February 6, 2023 3:01:48 PM

Sarah,

The email below came in right after 12:00 today. For the Council record on the moratorium item.

Amanda Delapena

From: Jan V [REDACTED]
Sent: Monday, February 6, 2023 12:06 PM
To: City Council <council@cityofvancouver.us>
Subject: Tardy! Support the moratorium

You don't often get email from janowa85@gmail.com. [Learn why this is important](#)

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Sorry, so late. But I'm supporting the moratorium!
Thanks,

[REDACTED]

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#)
Subject: CA stopped covid jabs for kids
Date: Tuesday, February 7, 2023 10:44:26 PM

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<https://www.axios.com/2023/02/05/california-schools-covid-vaccine-mandate>

[California no longer pursuing K-12 COVID vaccine mandate - Axios](#) ☐

2 days ago ... California children will no longer need the COVID-19 vaccine to attend school, state officials announced Friday.

Send this to the d this to the city council and DR. MELNECK. Put on public record and confirmed ...

Send this please to the city councils and Dr. Melneck. Put on public record and confirm that you...
Wynn

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); Sara.Lamnin@hayward-ca.gov; [Rebecca Messinger](#); [Harris, Rep. Paul](#)
Subject: Fwd: People are Dying from the CV19 Vax & It's Preventable – Dr. Pierre Kory
Date: Wednesday, February 8, 2023 10:56:58 AM

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----- Forwarded message -----

From: rcoones102 <[REDACTED]>
Date: Wed, Feb 8, 2023 at 10:35 AM
Subject: People are Dying from the CV19 Vax & It's Preventable – Dr. Pierre Kory
To:

Please put this on public record. Share with the councils and Dr. Melneck, confirm that you did.

Thanks

Wynn

People are Dying from the CV19 Vax & It's Preventable – Dr. Pierre Kory

<https://rumble.com/v28p9og-people-are-dying-from-the-cv19-vax-and-its-preventable-dr.-pierre-kory.html>

Join Greg Hunter as he goes One-on-One with Dr. Pierre Kory, one of the top pulmonary and Covid Critical Care experts on the planet, who is co-founder of the Front Line Covid-19 Critical Care Alliance (flccc.net) and author of the upcoming book "The War on Ivermectin" for 2.7.23.

Sent with [Proton Mail](#) secure email.

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); Sara.Lamnin@hayward-ca.gov; [Rebecca Messinger](#)
Subject: jabs aren't working
Date: Friday, February 10, 2023 9:12:04 AM

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Pfizer Research Director Implicitly Acknowledged Its COVID-19 Vaccines 'Aren't Working': Dr. Robert Malone

*Dr. Malone shares his assessment of the
undercover Project Veritas video*

[Pfizer Research Director Implicitly Acknowledged Its COVID-19
Vaccines 'Aren't Working': Dr. Robert Malone \(theepochtimes.com\)](#)

Send to the city councils, Dr. Melneck. Please put on public record and confirm that you did.

Thanks

Wynn 

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#)
Subject: Watch "Pfizer Director: "Concerning" mRNA Effects on Women"s Reproduction w/ Naomi Wolf – Ask Dr. Drew" on YouTube
Date: Saturday, February 11, 2023 12:19:35 PM

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<https://www.youtube.com/live/HO2nyxCFiGg?feature=share>. Send this to the council members and MELNECK. Put on public record and confirm that you did. Thank you, from Wynn

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#); Sara.Lamnin@hayward-ca.gov
Subject: Watch "Sen. Ron Johnson: CDC Is HIDING mRNA Vaccine Injury Data. LIVE w/ Dr. Kelly Victory – Ask Dr. Drew" on YouTube
Date: Saturday, February 11, 2023 2:12:27 PM

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

<https://www.youtube.com/live/PWqWl7dxh3Q?feature=share>. Send to city council members and MELNECK. Put on public record and confirm that you did. Thank you from Wynn

From: [Wynn Grich](#)
To: [Rebecca Messinger](#); [Dollar, Sarah](#); Sara.Lamnin@hayward-ca.gov
Subject: Fwd: New Study Links Fluoridation To Hypothyroidism In Pregnancy
Date: Sunday, February 12, 2023 11:33:52 AM

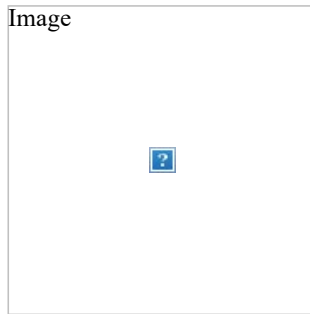
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Send this to the city council members. Put on public record and please confirm that you did. Thanks from Wynn

----- Forwarded message -----

From: Fluoride Action Network <[REDACTED]>
Date: Sun, Feb 12, 2023, 4:02 AM
Subject: New Study Links Fluoridation To Hypothyroidism In Pregnancy
To: [REDACTED]

Image



“Researchers say healthy thyroid function is crucial for fetal brain development and their latest research may explain earlier findings looking at fluoride and children’s IQ”

Dear Friends:

A new study (Hall, et al., 2023) led by scientists from Toronto’s York University in the journal *Science of the Total Environment* linked fluoride exposure with an increased risk of hypothyroidism in pregnant women. Fluoridated water was the main source of fluoride in the cohort. The study also looked at a smaller subset of participants with IQ test results in the children and found that mothers who had been diagnosed with hypothyroidism had boys with lower IQ scores than mothers with normal thyroid function.

Entitled, [*Fluoride Exposure And Hypothyroidism In A Canadian Pregnancy Cohort*](#), the study discovered that a half-milligram-per liter increase in drinking water fluoride levels—roughly the difference in exposure level between the fluoridated and non-fluoridated communities—was associated with a 1.65 increase in odds of having a diagnosis or meeting criteria for hypothyroidism in pregnancy.

According to one study author, clinical neuropsychologist Christine Till, PhD, **“The findings are concerning because**

hypothyroidism is a known cause of brain-based disorders in children.” ([York press release](#))

The study's authors say they hope that policy makers will consider this new research when evaluating the safety of community water fluoridation. They say that the fluoride compounds added to tap water are a major source of fluoride exposure for over 200-million people in North America, since approximately four in 10 Canadians and seven out of 10 Americans on public water supplies have fluoridated drinking water.

Women in general are more at risk of developing hypothyroidism, a condition that can lead to symptoms such as fatigue, weight gain and depression. In pregnancy, the demands put on the thyroid system increase substantially, especially in the first trimester when the fetus is solely reliant on maternal thyroid hormones.

The study followed more than 1,500 women participating in a multi-year study called the Maternal Infant Research On Environmental Chemicals ([MIREC](#)) study, led by Health Canada to investigate the impact of environmental chemicals on vulnerable populations, including pregnant women and infants. Women were recruited from 10 cities across Canada, seven of which have fluoridated drinking water. The study's authors only included women who reported drinking tap water during pregnancy, and they followed participants throughout pregnancy, and followed their children into early childhood.

While fluoride's ability to suppress the thyroid [has been known since the 1930s](#) when it was used to treat overactive thyroid—also known as hyperthyroidism—the mechanism by which fluoride may interfere with thyroid function is not entirely clear. The study's lead author, Meaghan Hall, said that it may interfere with certain enzymes and iodine absorption, which is critical for thyroid hormone production.

This study is the strongest to date showing that fluoride causes hypothyroidism, as well as that the mother's hypothyroidism is associated with lower IQ in the child.

It adds to a growing body of evidence that fluoride exposures from artificially fluoridated water is sufficient to impair thyroid function. Earlier studies finding an effect were in a study of nearly the entire population of England [[Peckham 2015](#)]; a large nationally representative sample from Canada using the CHMS survey [[Malin 2018](#)]; a case-control study in Iran [[Kheradpisheh 2018](#)]; and in a large sample of children in China where mean water and urine fluoride levels are only slightly higher than in areas with artificial fluoridation [[Wang 2020](#)].

Two studies have not found an association between fluoride at levels relevant to fluoridation and decreased thyroid function, but both suffered limitations that may explain why they did not detect effects [[Barberio 2017](#), [Shaik 2019](#)]. The Barberio 2017 study did not consider iodine intake and the Shaik 2019 study selected only children with optimal iodine intake. The Malin 2018 study reanalyzed the same sample as Barberio 2017 but controlled for iodine and found that in those with iodine insufficiency fluoride exposure increased hypothyroidism. This could also explain why no effect was found in the Shaik 2019 study that was restricted to only children with optimal iodine intake.

This latest study's authors also say fluoride levels in tap water may be a more reliable indicator of long-term fluoride

exposure than urinary levels, which might better correlate with short-term exposure, they say.

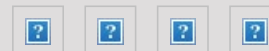
- [Read the press release from York University](#)
- See York's [Twitter Post](#)

Sincerely,

Stuart Cooper
Executive Director
Fluoride Action Network

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Fluoride Action Network
North Sutton, New Hampshire
info@fluoridealert.org



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From: [Wynn Grcich](#)
Subject: Fwd: Geoengineering Watch Global Alert News, February 11, 2023, #392
Date: Sunday, February 12, 2023 11:49:18 AM

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Send to council members. Put on public record. Please confirm that you did. Send to melneck, too.

----- Forwarded message -----

From: **GeoengineeringWatch.org** [REDACTED]
Date: Sat, Feb 11, 2023, 3:39 PM
Subject: Geoengineering Watch Global Alert News, February 11, 2023, #392
To: <[REDACTED]>

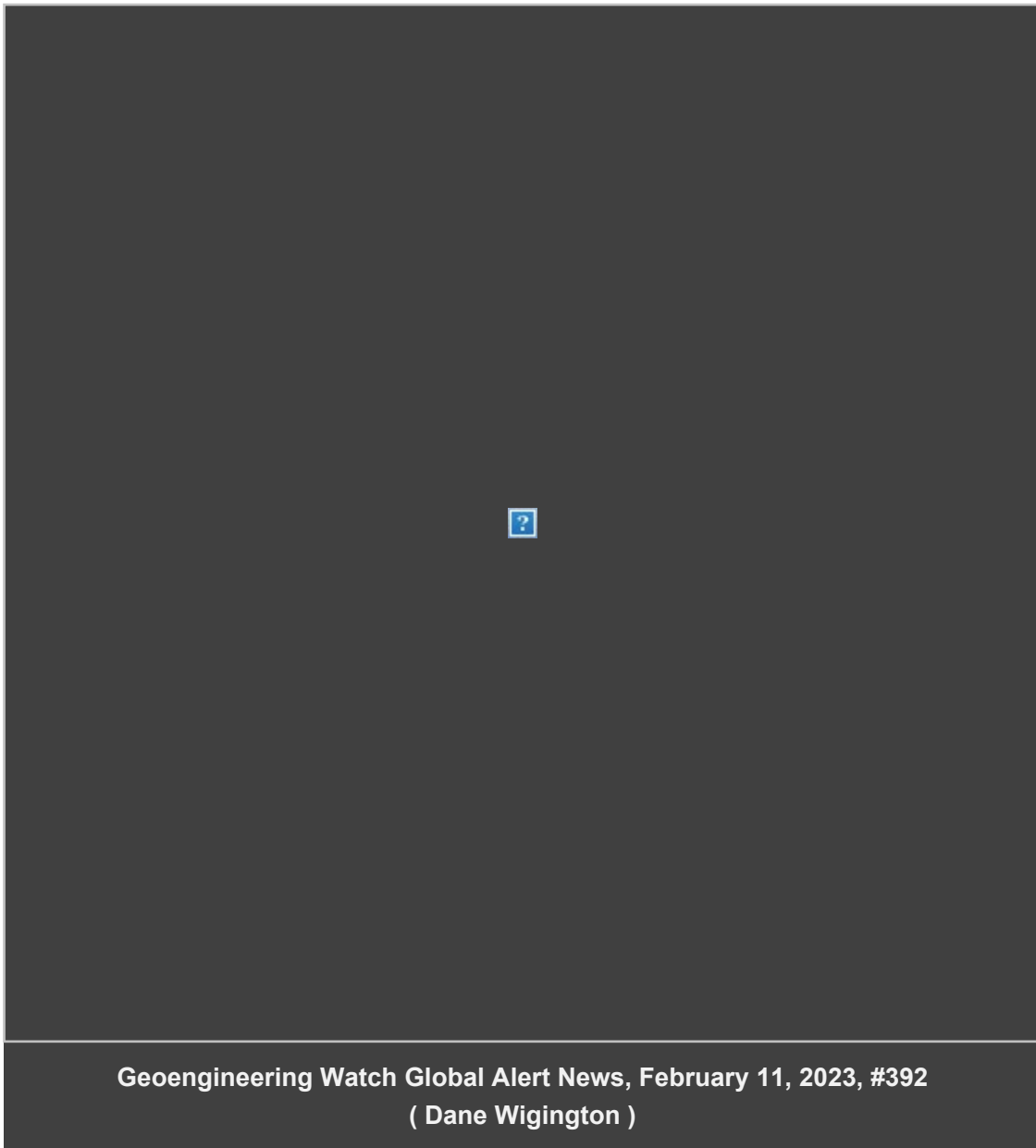
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Geoengineering Watch Global Alert News, February 11, 2023, #392



"Scientists" are now proposing to use moon dust to cool Earth, the ranks of academia continue to lose credibility with each passing day. Micro plastic pollution is in every breath we take. Is it all just from decomposing trash? Or is there much more to the story? The US government is handing out 374 billion dollars that it says will create 100,000 new "green jobs", do you believe them? Geophysical anomalies are wreaking havoc on planet Earth and populations. Is it all just nature behaving badly? How much longer can we survive on a completely polluted planet with life support systems that are breaking down at

blinding speed? The latest installment of Global Alert News is below.



All are needed in [the critical battle to wake populations](#) to what is coming, [we must make every day count](#). Share [credible data](#) from a credible source, make your voice heard. Awareness raising efforts can be carried out from your own home computer.

[Dane Wigington](#)

GeoengineeringWatch.org

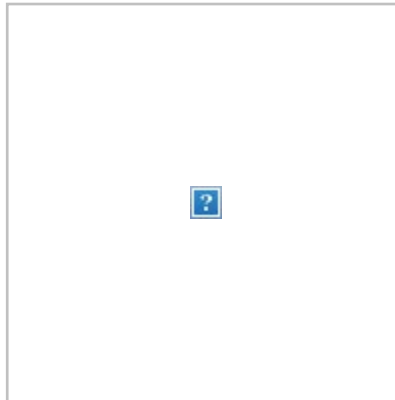
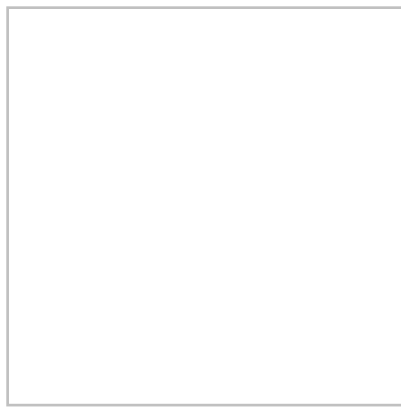
Must view, [THE DIMMING](#), the most comprehensive climate engineering

documentary:



**The Dimming, Full Length Climate Engineering Documentary
(Geoengineering Watch)**

*For Geoengineering Watch awareness materials shown below, click the image
to order.*



Full article: <https://www.geoengineeringwatch.org/geoengineering-watch-global-alert-news-february-11-2023-392/>



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Bella Vista, CA 96008-0009

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From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#)
Subject: Watch "Are Microwave Transmission Facilities Being Used To Trigger Earthquakes?" on YouTube
Date: Wednesday, February 15, 2023 4:39:16 PM

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<https://youtu.be/QBt9rqXkcXo>.

Send to city councils, MELNECK.
Put on public record and confirm you did. THANKS FROM WYNN

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#)
Subject: Watch "VAERS: Are mRNA Adverse Event Reports Accurate? Dr. Jessica Rose w/ Dr. Kelly Victory – Ask Dr. Drew" on YouTube
Date: Wednesday, February 15, 2023 9:53:00 PM

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<https://www.youtube.com/live/E32R6XF0CHU?feature=share>. Send this to the city councils and MELNECK. Please put on public record. Confirm that you did. Thanks from Wynn.

From: [Wynn Grcich](#)
Subject: Watch "Welcome to C40 Cities" on YouTube
Date: Thursday, February 16, 2023 3:49:19 PM

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<https://youtu.be/9FLOXp7jumE>. Send to council members and
MELNECK. Put on public record. Confirm that you did. Thanks from Wynn

From: [Wynn Grcich](#)
To: [Rebecca Messinger](#); [Dollar, Sarah](#); [Harris, Rep. Paul](#)
Subject: teachers union at 33:35 minutes into the video.
Date: Tuesday, February 21, 2023 12:51:50 AM

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[Sen. Ron Johnson: CDC Is HIDING mRNA Vaccine Injury Data. LIVE w/ Dr. Kelly Victory – Ask Dr. Drew \(rumble.com\)](#)

This is very important about the covid hearings and controlled medicines. 33:35 talks about the teachers union forcing the masks.

Share this with the city councils and Melneck. Put on public record and confirm that you did.

Thank you

Wynn

From: [Wynn Grcich](#)
Subject: Fwd: Was C-19 deliberate?
Date: Wednesday, February 22, 2023 12:45:06 PM

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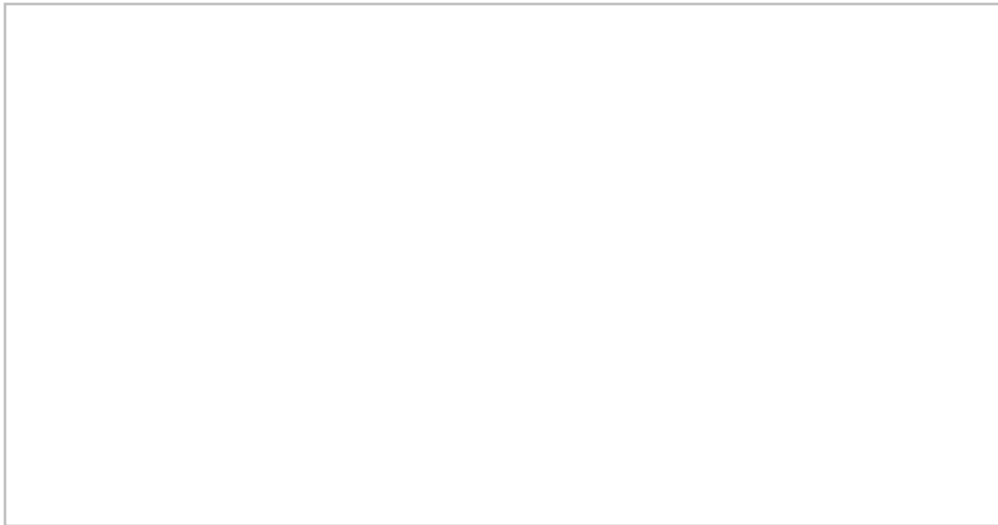
----- Forwarded message -----

From: Vaccines Revealed 2023 <[REDACTED]>
Date: Tue, Feb 21, 2023 at 6:10 AM
Subject: Was C-19 deliberate?
To: Please send to the city councils and Melneck. Put on public record and confirm that you did.
Thanks
Wynn



Hi Wynn,

In his mid-40s, **Adam Rowland** was the fittest he'd ever been, with a promising career working with top professional athletes...



Until two doses of the AstraZeneca COVID-19 vaccine turned his life into “a living hell.”

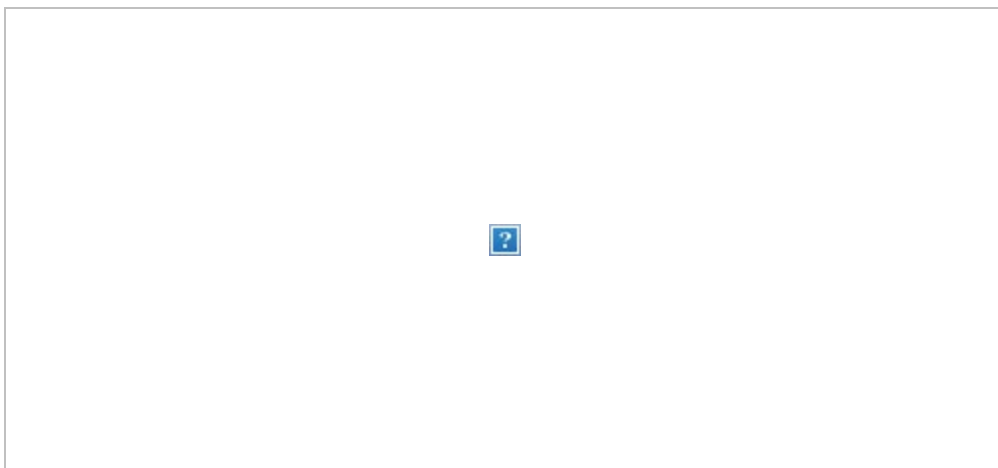
It's stories like this that bring to attention the massive action that needs to be taken against vaccines before more perfectly healthy people are hurt.

Episode 7 is only up until 9 pm EST / 6 pm PST tonight.

[Here's your link to watch now - don't miss it before it's gone.](#)

You don't want to miss this breaking new info
including...

James Lyons-Weiler Ph.d, Part 2!



How one huge avoidable mistake was the reason for C0V1D coming to America (this points to it almost being a deliberate “mistake” with an ulterior motive).

How a mass frenzy of false positives radically flawed data on deaths.

Specific things you can do right now if you are worried about catching a virus.

It’s all going quick...

[Catch all this exclusive info here.](#)

With purpose,

Dr. Patrick Gentempo



PS: So many have responded with gratitude (some in tears) for this series... The tell us, *“Thank you for providing it for free.”*

When you select lifetime access at the Premiere Special Pricing of up to 75% off (for a limited time!), you support our mission and help educate parents of children just like you who could avoid serious injury.

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From: Wynn, Givich
To: Rebecca Messinger; Dollar, Sarah; Harris, Rep. Paul
Subject: Fwd: Autopsies Confirm COVID Jab Hazards in Youth - Dr Mercola
Date: Thursday, February 23, 2023 9:28:42 AM

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Please give this to the city councils and Dr MELNECK. Put on public record and confirm that you did. Thanks from Wynn. Doesn't the council and MELNECK have liability knowing this and doing nothing? MELNECK's jab slide show in January was still promoting the jabs. Doesn't melneck and the councils have plenty of public records that shows he and our county council health board have coerced the public to take the kill jabs, while knowing the jabs kill, injure, cause HIV AND BLOOD CLOTS? The doctor and cancils know the jabs don't work. Michelle B. said there was no mandates in Clark County. Why are they promoting the killer jabs? I would like an answer. Also does MELNECK live in Clark County? Why isn't MELNECK and the council advising Inslee on their knowledge of evidence against the jabs? Why were healthy people told to quarantine at home for a very long time? The bioweapon is in the jabs. You all know that.

----- Forwarded message -----

From: rcoones102 <[REDACTED]>
Date: Thu, Feb 23, 2023, 12:17 AM
Subject: Autopsies Confirm COVID Jab Hazards in Youth - Dr Mercola
To:

Autopsies Confirm COVID Jab Hazards in Youth - Dr Mercola

https://articles.mercola.com/sites/articles/archive/2023/02/23/autopsies-confirm-covid-jab-hazards-in-youth.aspx?ui=551eda515442ee5cc8f0c77cc67b3f3feb63142ec0dc6cef1d4521e5ea666eb&sd=20200307&cid_source=dnI&cid_medium=email&cid_content=art1ReadMore&cid=20230223_HL2&cid=DM1351680&bid=1728747131

Story at-a-glance

- When the COVID shots were first introduced, the U.S. Centers for Disease Control and Prevention made several claims about them that have since been proven completely false, including the claim that the mRNA would remain in the injection site, and that both the mRNA and resulting spike protein would rapidly be eliminated from your body
- The mRNA goes everywhere and can remain intact for a month or more. Ditto for the spike protein your cells produce
- Spike protein has been found in the brains of people with encephalitis (brain inflammation) and in jab-induced shingles lesions. Both mRNA and spike protein have been found in lymph nodes more than 60 days post-jab. Full-length mRNA has also been shown to circulate in people's blood for up to 28 days post-injection, and it's been detected in breastmilk
- Research shows the primary difference between those who developed symptoms of myocarditis and those who didn't was that symptomatic patients had markedly elevated levels of full-length spike protein unbound by antibodies in their plasma. Those who remained asymptomatic had no free spike protein in their blood. This would suggest that free-floating spike protein is a problem
- Autopsies of two teenage boys found dead in their beds three and four days after their second dose of Pfizer concluded jab-induced heart damage was to blame. The myocarditis described in these instances did not have the typical histopathology of myocarditis. Instead, both cases resemble catecholamine-induced injury, similar to the cytokine storm experienced in severe SARS-CoV-2 infection

Sent with [Proton Mail](#) secure email.

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#); [Harris, Rep. Paul](#)
Subject: Fwd: Nanoparticle Contamination Cover-Up: Answers From A Scientist
Date: Thursday, February 23, 2023 9:44:54 AM

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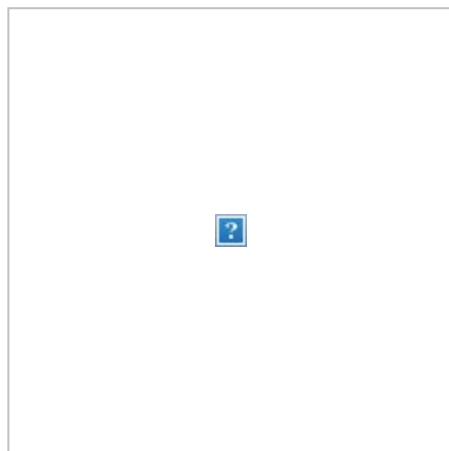
I would like a MSDS REPORT on the chemicals our military is spraying on us. I also want an MSDS report Atrazine, Round Up. Paraquate, and you mosquitoes abatement spray. This should be on the councils' web sites easily found. I should not have to pay for this information request. It is the law. Send this to the councils and MELNECK. Confirm that you did. Put on public record . I also want Bill Gates nano particles of dust he is spraying in the air to block the sun. You are allowing the over our county. The public needs to know what we are breathing. Please reply to my request. Thanks Wynn Grcich

----- Forwarded message -----

From: **GeoengineeringWatch.org** [REDACTED]
Date: Wed, Feb 22, 2023, 3:31 PM
Subject: Nanoparticle Contamination Cover-Up: Answers From A Scientist
To: [REDACTED]

[View this email in your browser](#)

Nanoparticle Contamination Cover-Up: Answers From A Scientist



A must view report from a top scientist covering the climate engineering nanoparticle pollution of our air, water, soils and food supply.

[REDACTED]



Nanoparticle Contamination Cover-Up: Answers From A Scientist

All are needed in [the critical battle to wake populations](#) to what is coming, [we must make every day count](#). Share [credible data](#) from a credible source, make your voice heard. Awareness raising efforts can be carried out from your own home computer.

[Dane Wigington](#)

[GeoengineeringWatch.org](#)

Must view, [THE DIMMING](#), the most comprehensive climate engineering documentary:



The Dimming, Full Length Climate Engineering Documentary
(Geoengineering Watch)

For Geoengineering Watch awareness materials shown below, click the image to order.



GW flyer packet 300





Full article: <https://www.geoengineeringwatch.org/nanoparticle-contamination-cover-up-answers-from-a-scientist/>



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From: [Wynn Grcich](#)
To: [Harris, Rep. Paul](#); [Rebecca Messinger](#); [Dollar, Sarah](#); [Sara.Lamnin@hayward-ca.gov](#)
Subject: Fwd: NTP Will Make Blocked Neurotoxicity Report Public After FAN Legal Action
Date: Thursday, February 23, 2023 10:58:32 AM

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From: Fluoride Action Network [REDACTED]
Date: Thu, Feb 23, 2023 at 9:02 AM
Subject: NTP Will Make Blocked Neurotoxicity Report Public After FAN Legal Action
Send this to the city councils and Melneck. Put on public . Confirm that you did. Thanks from Wynn
We need to STOP flouridation in Vancouver and Clark County. Camas and Battle Ground are fluoridated. Dr. Melneck should advise the County to get the water poisoning stopped.

Image



NTP Will Make Blocked Neurotoxicity Report Public After FAN Legal Action

Dear Friends:

The Fluoride Action Network has won another significant victory involving our federal lawsuit against the U.S. Environmental Protection Agency (EPA) over the neurotoxicity of fluoridation chemicals.

As a result of months of legal motions, subpoenas, and extensive negotiations with the U.S. Department Of Justice (DOJ)—which is representing the EPA in court—our legal council was successful in getting the National Institutes of Health (NIH) **to agree to publicly release the National Toxicology Program's (NTP) completed multi-year systematic review of fluoride's impact on the developing brain.** After being served a subpoena by our attorneys, the National Institute for Environmental Health Sciences (NIEHS)—a branch of NIH—agreed to publicly produce their final report that was intended to be published in May of 2022. **They have until March 15th to upload the documents to the NTP's website, including the monograph, the meta-analysis, and communications between various federal agencies and the NTP about the report.**

[Click Here To Read The Court Order](#)

This victory will allow the public to finally see the report and accompanying documents that were blocked from being published by the leadership at US Health and Human Services (HHS) in May of 2022. Internal CDC emails discovered through Freedom Of Information Act Requests by FAN indicated that the publication of the final NTP report was blocked at the last second due to interference from the Assistant Health Secretary, Rachel Levine. One email from the CDC's Oral Health Director from June 3rd, 2022 stated, "[ASH Levine has put the report on hold until further notice.](#)"

Our attorney, Michael Connett, summed up this victory, saying: "This represents a major reversal in the federal agencies' position, and will ensure that the public has access to these critical documents that would have otherwise remained buried forever."

This victory also sets the stage for the Court to move forward with scheduling the dates of the next phase of trial at the upcoming April 11th status hearing rather than adjudicating our motions to compel the NTP to hand over these documents involuntarily. The judge and our attorneys had indicated that the final stages of the trial could occur as soon as this summer or fall. These documents will play a major role in this final phase of the trial, and now the testimony on them will be accessible to the public rather than occurring behind closed doors as would have happened without this agreement.

Some Background Information

The Court has been awaiting the NTP's monograph on fluoride's neurotoxicity since the summer of 2020, when the judge put the case in abeyance after the first two weeks of trial and expert testimony in court, expecting the monograph to be published shortly thereafter. At the time, the NTP report had already undergone two unprecedented peer-reviews by the National Academies of Sciences, Engineering, And Medicine (NASEM), and its authors had concluded that fluoride was a "presumed developmental neurotoxicant," with 27 out of the 29 highest quality studies showing that fluoride harmed the brains of children, and most of these studies were at levels equivalent to exposures experienced in fluoridated communities.

However, the NTP subjected their fluoride report to additional peer-reviews, beyond the already unprecedented reviews by NASEM and in contrast to previous monographs on other chemicals where there is usually just one public peer-review culminating in a public vote by a panel of scientists.

Freedom of Information Act Requests by FAN and our legal council discovered internal NTP emails confirming that the NTP considered the May 2022 monograph to be their final report. On April 28, 2022, the Director of the NTP's Office of Policy, Review, and Outreach, Dr. Mary Wolfe, [emailed the CDC's Oral Health Division Director](#), stating that the NTP's "analysis and conclusions are set," and that the final report would be made public by "mid/late May" of 2022. Dr. Wolfe later notified the CDC that "we [the NTP] believe the current findings, as stated in the monograph, reflect the scope of our evaluation and the available scientific literature and no revision is needed."

Before FAN even had these communications through FOIA, FAN's legal counsel had become aware that HHS may be exerting undue pressure on NTP. Based on the information that our attorneys had obtained, we filed a motion in September asking the Court to take the case out of abeyance and open up the NTP's final monograph to discovery so we could move forward with a second trial featuring expert testimony on it. The EPA opposed this motion, asking for continued indefinite delay of the trial until the NTP report was officially published, which they admitted might never occur. The Court [ruled in favor](#) of our motion, and our trial moved forward with the Judge asking that the NTP's final report be made available to the Court and to Plaintiffs, but under a protective order so the public wouldn't be able to see it.

At the most recent status hearing before the Court in January, the EPA continued to ask for indefinite delay of the trial until the NTP published the monograph themselves, however the Judge acknowledged that "justice delayed is justice denied," [ultimately ruling against them](#). The Court directed the plaintiffs and defendants to start the process of adjudicating whether the final NTP report and accompanying agency comments ought to be made public in preparation for the final phase of the trial.

After months of negotiations and a subpoena, our legal counsel met with NIEHS on February 3rd, and they agreed to

voluntarily release the NTP monograph, as well as comments from representatives of various agencies within HHS, and the NTP's responses to them. The Director of the NIEHS, Dr. Richard Woychik, has claimed that these agency comments led to NTP withholding the monograph from the public.

STAY TUNED! FAN will share these documents with the public as soon as they're made available by the NTP. And don't forget to mark your calendars for the upcoming April 11th status hearing in court, where we're very likely to see the timeline for the final court proceedings set, bringing us a major step closer to a ruling.

Sincerely,

Stuart Cooper
Executive Director
Fluoride Action Network

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Fluoride Action Network
North Sutton, New Hampshire
info@fluoridealert.org



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From: [City of Vancouver - Office of the City Manager](#)
To: [Dollar, Sarah](#)
Subject: FW: Written comments for City Council meeting and members AND CCCouncil ~ CCBoard of Health members.
Date: Wednesday, February 22, 2023 12:05:00 PM

Hello,

This came to the CMO inbox over the weekend.

Thanks,

City Manager's Office

CITY OF VANCOUVER

P.O. Box 1995 • Vancouver, WA 98668-1995

P: 360.487.8600 | F: 360.487.8625

www.cityofvancouver.us

From: Richard Elbon <[REDACTED]>
Sent: Sunday, February 19, 2023 12:41 PM
To: City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>;
we4the4people@aol.com; clerk@ci.lacenter.wa.us; rebecca.messinger@clark.wa.gov
Subject: Written comments for City Council meeting and members AND CCCouncil ~ CCBoard of Health members.

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

NO Vancouver City Council meeting for February 20, 2023 ~ I consider that a break for WE THE PEOPLE to PLAN for ASSEMBLY of WE THE PEOPLE against communism, socialism and marxism here in OUR Local government; which is TYRANNICAL in nature as YOU ARE UNITED NATIONS MEMBERS for 15 years of the ICLEI !\$!\$!\$!\$!\$!\$ You MUST be TRANSPARENT to THE CITIZENS of Vancouver and ACKNOWLEDGE on Your WEB SITE ALL information pertaining to this membership !!!!!!! This is A MUST DO and DO IT WITH TRANSPARENCY NOW !!!!!!! I am planning to write to the CITIZENS of ALL of Vancouver and Clark County and mail THE CITIZENS all information as to what this Local Government is doing UNDER United Nations agendas and policies to take down America and Her PEOPLE ~ ~ ~ NOT ON MY WATCH !!!!!!! I will write about the City Manager and the Clark County Manager; as THEY ARE NOT ELECTED and ARE following the take down of America, one City at a time. I will also be contacting ALL Washington State Cities that also follow the ICLEI and STOP this TYRANNICAL takeover of A FREE PEOPLE !!!!!!! I will say here now, that if anything happens to Me or My Loved Ones; I have it on record to look into My SERVICE and DUTY to The People of Clark County and who would have an interest in harming Me or Others !!! I take this possibility very seriously; as the mayor had threatened to Criminally Trespass Me six months ago at her office door as We Spoke to eachOther. I said back to her, "I won't do anything criminal for you to trespass Me !!!" On October 24, 2022 I Believe she took charge in attempting to trespass Me. God Works In Mysterious Ways for Those Called according to His Purpose ~ and here We are today. That action by the mayor of Vancouver WILL WAKE Citizens up to her/their agendas !!! When Clark County Citizens wake up with this news and the nightmare caused by FOLLOWING a UN entity and the PLAN to have a one

world order and depopulation ~ what will The People do ? I know of two incidents where Citizens were so devastated as to 'the planneDemic' and what is actually going on in the world; they shot two council members to death !!! WE THE PEOPLE do not want this type of 'fix'; WE WILL ASSEMBLE with God, The Constitution including OUR first and second Amendment Rights !!! The Time is near. I will explain to The Citizens as to this Council's behavior and plans for The People; giving evidence of shutting down the Community Forum that allowed Free Speech monthly, now down to four times a year !\$!\$ Your evil doings will follow this Council and THE PEOPLE WILL wake up !!! SHAME on ALL people that moved here to carry out an agenda that WE Pacific Northwesterners WILL NOT comply to any longer. It IS EVIDENT that this Council and other Councils such as the CCCouncil and CCBoard of Health which are one in the same as is VCC and the Transportation Council ~ have become too big of a government. Our ForeFathers WARNED US of your type of government and WE WILL ASSEMBLE your 'bosses - WE THE PEOPLE - to Fight The Good Fight for GOD FAMILY and COUNTRY Amen. WE WILL GO VIRAL and WE WILL STOP this Tyrannical Local Government that has proven to be NOT under GOD and His People; but follow the UN and not The Constitution of which WE THE PEOPLE Trusted You would follow !\$!\$ To those that are COMPLYING to this Local Government agenda to be a one world order city by city and DePoPulate the American population by covid propaganda WILL NOT BE TOLERATED any longer !!!!!!! Seek Your Maker and ask The Spirit if You are doing Gods Work or following those that have the above agendas !!! WE THE PEOPLE have put TRUTH into the VCC, CCC and CCBOH PUBLIC RECORDS !!! YOU HAVE NO EXCUSE when judgement comes !!! Who did You follow ??? I am un-covid-'vaccinated', I am a Parent, I Love Jesus. The Biden criminal agenda has put a name to Citizens like Me ~ "domestic terrorists" and that WILL NOT happen on My watch. HB 1333 is an example of this UN agenda takedown. SHAME on those that are following these agendas ~ SHAME !!! I took an OATH to PROTECT American and Her People from foreign and DOMESTIC ENEMIES and that is what My Calling is here in My Local Government - as VCC, CCC and the CCBOH ARE DOMESTIC ENEMIES as they DO FOLLOW a United Nations agenda to have a socialistic Local Government takeover in America !\$!\$ DO NOT COMPLY !!! What You think You gain here in the world will be made clear; and I can ask ~ are You Serving the world or God ??? The zoom sleep IS OVER as WE THE PEOPLE WILL wake them up to this nightmare. I'll also ask ~ how many of you were EXEMPT from the covid-jab ??? Why were you exempted ??? The PEOPLE want to know and will know soon !!! How will The Citizens feel or react when THE TRUTH comes out as Our Local Government follows Medicine Man Melnick, the CC 'doctor' !!! They followed the orders of medicine man Melnick to jab and boost !!!!!!! WE have Groups of Citizens that will show vaccine-INJURY evidence. SHAME on ALL involved in this nightmare !!! VCC ~ give US OUR COMMUNITY FORUM back for every month NOW or I do Believe you will be witness to God Working In Mysterious Ways; and if You are not His ~ well, your choice. This IS not political - It's GOOD against evil. Choose your side. And just to say here; I would greatly appreciate any WHISTLEblowers that have decided what is happening is actually inHumane and can no longer, with a clear conscience and partake in the Agenda 21 - 2030 agenda. JBS.org has True information. Also go to YouTube - Benjamin Barber - "Why mayors should rule the world" - it mentions the ICLEI and what is really happening around the world by inHumane elitists and controllers !!! The Vancouver mayor IS AN EXAMPLE of a socialism takeover in action !!! I ask Citizens to watch the Vancouver City Council meeting of October 24, 2022 and see SOCIALISM COMMUNISM and MARXISM IN ACTION LIVE !!! Thankfully The Lord Blessed Me with a Godly Attorney that has taken this case and I intend to follow God and WAKE CLARK COUNTY CITIZENS and BUSINESSES UP !!!!!!! AMEN.

Kimberlee Goheen Elbon ~ Serving God Family Country with all My Heart Amen.
Clark County Life Citizen



A Reply is Requested to my concerns -

Customer Comment Card

Name: Kimberlee Elbon 4:52pm

Address: La Center, wa

Phone: [REDACTED] Email: [REDACTED]

Date: Feb. 13, 23 a Monday at what SHOULD BE
A PUBLIC council meeting with plenty of
Room for Citizens to participate;
We appreciate your feedback - thank you!
Comments will be forwarded to the appropriate department for review and response.

However, the ONLINE TIME for today's meeting
was shown as 6:30pm! The correct time ONLY
showed up today! I DO NOT Believe this
meeting complies to the "Public" Meetings
Law; as the "Public" did NOT have
accurate time! This is also by DESIGN.
This council, the CC council/BOH, city & county
managers - *NOT ELECTED* - DO NOT WANT THE
citizens to interrupt their Local Tyrannical
Un-Constitutional government - Following
continue next page

Continued--- the United Nations, W.H.O.
C.D.C, W.H.I. and ELETISTS that are now
carrying out AGENDA 21-2030 for a

Name:

Address:

Phone:

Email:

Date:

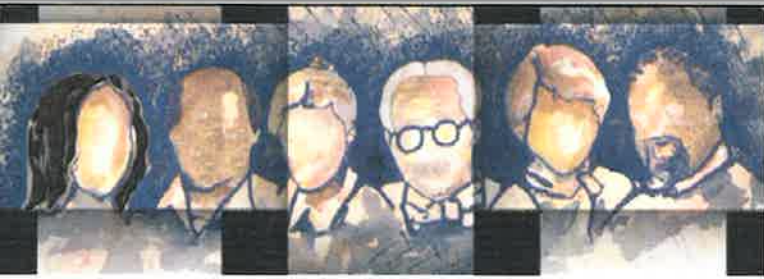
one world order government AND
Depopulate. Do not tell me you
are not aware of this. The Citizens
are about to wake up to this nightmare
that you ALL comply to.
We appreciate your feedback - thank you!

Comments will be forwarded to the appropriate department for review and response.

I drove over 25 miles to attend this
meeting IN PERSON and I Believe I
have been Discriminated against,
as I am the only Person who is here,
turned down & said to listen in the
Aspen Room! I also request how many
People were in attendance in the Birch
Room & what is the maximum capacity?
I received no materials that others
part took and The "Public" Notice was
NOT transparent. Kimberlee Elbon

2 of 2

copies made, and
handed in City Hall 2-13-23



Vanc. City council
members of the UN
called the ICLEI -
(JBS.org) they follow
a two fold agenda -
1. weaken America for a
one world socialistic
governmental order
2. Depopulated Public
Records will show

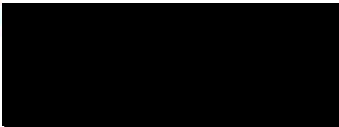
At the City of Vancouver, →

We Respect, Support and Value diversity.

<http://citynet/CMO/Diversity>

at the Clark County
Council / Board of
Health Public Records

Watch Oct. 24, 22
play last 10 minutes
I see socialism in
action. That is Me
and I have a notice
of Lawsuit!
Katherine Elton



Tyre Nichols was KILLED by the Cops.

And it will happen again if we don't get control of our Police.

Vancouver Mayor Anne McEnerny-Ogle and Police Chief Mori made statements about Tyre Nichols "death" saying "it would not be tolerated here," yet since 2017 VPD has "tolerated" KILLING at least 7 of our neighbors. Their names are:

Andrew Williams
William Abbe
Justin Burton
David W. Hamilton
Clayton Joseph
Michael Pierce
Carlos Hunter

Since 2020, Clark County Sheriff's Deputies have KILLED at least 4, including:

Kevin Peterson Jr
Jenoah Donald
Kfin Karou, "KDROD"
& Vancouver Police Officer Donald Sahota

The residents of Vancouver don't have control of our police.
The VANCOUVER POLICE OFFICERS GUILD & City Staff negotiate their own rules and "Accountability", But the neighbors who they police and kill are left out.
Until we DEMAND LOCAL NEIGHBORHOOD CONTROL OF POLICE, we will continue to experience their abuse of power. We must stop looking to Police or The City to meet our needs, its not working. No amount of money or reform can change our system from functioning as designed: to maximize profit and control. Instead lets empower the residents and start with this:
IF YOU SEND PEOPLE TO POLICE US, WE WANT CONTROL OF THEM

MEMORANDUM

DATE: March 20, 2023

TO: City Council and Planning Commission

FROM: Eric Homes, City Manager

RE: **City Council and Planning Commission Joint Work Session – Equity Framework**

CC: Chad Eiken, Director, CDD; Rebecca Kennedy, Deputy Director, CDD; Domenic Martinelli, Senior Long-Range Planner, Bryan Snodgrass, Principal Planner

Intent

Provide an initial opportunity for the Council and Planning Commission to discuss integrating equitable processes and outcomes into the Comprehensive Plan Update, and collect initial thoughts and feedback that will feed into the Plan's Equity Framework.

Background

The City of Vancouver's Comprehensive Plan provides the overall long-term vision and policy direction for managing the built and natural environment in Vancouver and providing necessary public facilities to achieve that vision. The City adopted its first comprehensive plan under Washington's Growth Management Act in 1994 (Chapter 36.70A RCW), with a major re-write occurring in 2004, and a less substantive update occurring most recently in 2011.

On February 27, 2023, City Council authorized a resolution which established a chartering process to update the City's Comprehensive Plan and Title 20 Land Use Code, consistent with regulatory requirements under the Growth Management Act, and in response to recent changes that have occurred in the community. The first major milestone in that charter is to develop an overarching equity framework that serves as a foundation for the overall effort and does the following:

- Acknowledge existing and historical inequities as well as local efforts to catalyze change to achieve different outcomes in the future;
- Clearly articulate how historically underrepresented, excluded and negatively impacted communities will be elevated during the process;
- Ensures such communities have meaningful and tangible opportunities to lead process and policy design;
- Define what equity means for the project and how success will be measured;
- Differentiate between equitable process development and equitable outcomes; and
- Serve as a decision-making framework for which goals, objectives, policies, and implementation methods are established.

Project Scope

The equity framework that is established will directly influence how the remaining process will be designed, facilitated and executed. Below are the five key tasks that have been identified during the scoping process, and how they relate to the chartering framework that was adopted:

Task	Chartering Element	Description
Community Partnership	▪ Equity Framework ▪ Community Partnership Framework	Establish a process to develop and create the plan with members of the community, and conduct community engagement activities in a method consistent with state law.
Comprehensive Plan	▪ Goals Framework ▪ Land Use Framework ▪ Policies	Perform a holistic re-write of the existing Comprehensive Plan, that includes defining a new set of goals, objectives, policies, and overall strategy that responds to the issues and needs identified during the process of co-creation with plan stakeholders and the public as well as data and analysis of long-term trends that will affect the community in the future. The plan strategy will establish an overall land use framework that specifies where and how the City will grow and the infrastructure needs necessary to achieve that vision, as well as overall strategies related to housing, climate, environment, resiliency, community health, public facilities and services, economic development and opportunity, and achieving equitable outcomes.
Implementation Strategy	▪ Implementation Methods	Develop a detailed strategy for implementing the goals, objectives, policies, and overall strategy outlined within the revised plan, including recommendations for future programs and policy work, and a public facing tool to help staff and members of the public understand how implementation of the plan is progressing over the long term.
Title 20 Land Use Code Update	▪ Code Concepts ▪ Code Framework	Modify the existing zoning code (Title 20 of the Vancouver Municipal Code) to reflect the goals and policies identified in the revised plan and achieve the community's vision;
SEPA	▪ Inputs will be derived from preferred alternative identified in the Land Use Framework	Complete the Environmental Impact Statement (EIS) process in compliance with the State Environmental Policy Act (SEPA);

Workshop Structure

As an initial step in developing the plan's equity framework, this workshop is intended to provide information and examples of how equity has been integrated into land use planning processes in other jurisdictions, and gather initial thoughts and feedback from the Council and Planning

Commission on integrating equity into the City of Vancouver's process. The workshop will be centered around evaluating and reviewing key takeaways from three relevant case studies where a specific equity framework was established to guide either an overall planning effort or initiative.

1. [Richmond, VA Equity Agenda](#)
2. [NYC Parks: Framework for an Equitable Future](#)
3. [Renton, WA Equity Lens](#)

Schedule

- **4:00 p.m. – Welcome**
 - Purpose and Objectives
 - Agenda Overview
- **4:10 p.m. – Key Takeaways from Equity Framework Examples**
- **4:30 p.m. – Break**
- **4:35 p.m. – Breakout Discussions**
 - Group 1: [Richmond, VA Equity Agenda](#)
 - Group 2: [NYC Parks: Framework for an Equitable Future](#)
 - Group 3: [Renton, WA Equity Lens](#)

Discussion Questions

- *What resonates with you about the equity and racial equity frameworks broadly?*
- *What challenges you?*
- *What resonates with you about (insert specific topic related to framework being discussed, i.e. equity definitions, process steps, guiding principles, etc.)?*
- **5:15 p.m. – Breakout Group Report Outs**
- **5:30 p.m. – Closing Discussion**
 - *Are there key takeaways or lessons from the examples you looked at that are applicable to this effort?*
 - *What does an equitable future look like for the City of Vancouver? What needs to change in order to realize that vision?*
- **5:55 p.m. – Next Steps**
- **6:00 p.m. – Adjourn**

Groups

Group 1	Group 2	Group 3
Facilitator: Radhika Nair Staff: Lon Pluckhahn Notetaker: Wren Barulich	Facilitator: Nicole McDermott Staff: Eric Holmes Notetaker: MJ Jackson	Facilitator: Anne Pressentin Staff: Lisa Brandl Notetaker: Alexis Lorenz
CC/PC Members		
Mayor Anne McEnery-Ogle	Bart Hansen	Kim Harless
Sarah Fox	Diana Perez	Chair Marjorie Ledell
Larry Blaufus	Steve Schulte	Melissa von Borstel
Zachary Pyle, Vice Chair	Patrick Adigweme	Nena Ceval

Next Steps

After conclusion of the workshop, City Staff will compile feedback and input received from the Council and Planning Commission and gather additional information from the project's Equity Team and City staff leading community engagement and Diversity, Equity and Inclusion (DEI) efforts. The project team will return for two additional workshops in May to discuss both the draft Equity Framework and Community Partnership Framework.

Staff Contacts

Rebecca Kennedy, Deputy Director, Community Development,
Rebecca.Kennedy@cityofvancouver.us

Domenic Martinelli, Senior Long Range Planner, Community Development;
Domenic.Martinelli@cityofvancouver.us

Attachments:

Equity Frameworks: Summary of Examples
NYC Parks Framework
Renton Equity Lens
Richmond Equity Agenda



March 7, 2023

Equity Frameworks: Summary of Examples

RICHMOND EQUITY AGENDA

Hyperlink - Website: <https://www.rva.gov/rvaequity>

Ordinance: <https://www.rva.gov/sites/default/files/2021-07/Res.%20No%20%282%29.pdf>

Project Overview

Overall equity “framework” to guide the City. The purpose of the Equity Agenda is to realize the City’s definition of equity (see Definitions/Key Terms below).

Main Elements/Structure

10 guiding principles. Under each principle they list recent city initiatives and goals for the city related to the principle.

1. Addressing and Preventing Health Disparities
2. Housing as a Vaccine For Poverty
3. Ensuring Equitable Transit and Mobility for Residents
4. Building Community Wealth to Combat Economic Inequality
5. Supporting and Varying for our Children and Families
6. Creating Equitable Climate Action and Resilience
7. Reimagining Public Safety
8. Telling the Real History Of Richmond
9. Strengthening Community Engagement and Trust
10. Utilizing Economic Development to Create Economic Justice

Definitions/Key Terms

- “Equity” is the empowerment of communities that have experienced past injustices by removing barriers to access and opportunity.
- “Equality” means treating everyone the same regardless of skin color, gender, or socio-economic status. Equity does more – it acknowledges that people have different needs based on their history and identity.
- “The Lost Cause” refers to attempts to cast the Confederate Army defeat in the best possible light (e.g., claims that the war was not about slavery)
- “Structural racism”- racism that is embedded in historical, political, cultural, social, and economic systems and institutions
- Inclusionary zoning (no definition provided)

Identified Communities

No formal list is included; however, the following are identified throughout the agenda:

- Communities of color/Minorities
- Black and Brown pregnant women and their children
- Children
- Lower income families
- LGBTQ+
- Those experiencing substance use disorder
- Those suffering from a mental health crisis

Considerations

- This is a citywide guidance and not for a specific comprehensive plan or other planning effort
- Idealistic language/jargon (e.g., “a vaccine for poverty”)
- Includes an acknowledgement and apology for past harms
- Included a public engagement period for the public to review/comment on the draft agenda
- Contains the reasons/rationale for the agenda that includes both moral/ethical reasons as well as economic – e.g., “research shows that every region of the country would be financially stronger with racial inclusion”
- Addresses equity as it relates to climate resiliency

NYC FRAMEWORK FOR AN EQUITABLE FUTURE

Project Overview

Equitable distribution of resources for better public parks and to provide a strategic framework to develop innovative and data-driven approaches to designing, planning, developing, and delivering services in parks.

Main Elements/Structure

The 9 “milestones” serve as the main steps for the agency to reach its goals. The framework is built around these milestones and these come across more as action items that will lead to equitable outcomes for neighborhoods across the city’s five boroughs.

9 near-term milestones which define the framework initiatives:

1. Community Parks Initiative
 - \$130 capital investment program to improve parks and connect local stakeholders with city resources (capital investment, programming, partnerships, and maintenance).
2. Programming for Neighborhoods in Need
 - Launching interagency partnerships to deliver recreational programming and services at targeted locations
3. Standardized Maintenance
 - Deploying additional maintenance and horticulture staff as well as expanding pilot operations and maintenance efficiency programs
4. Streamlined Capital Process
 - Address inefficiencies in the capital process and launch publicly accessible capital projects tracking tool
5. Parks Needs Assessment
 - Develop and implement a parks needs and assessment strategy
6. Utilization Program
 - Comprehensive study of park user rates, attitudes, and activities
7. Parkland Expansion
 - Updates parkland development strategy
8. Recreation Center Renovations
 - Advance a physical improvement program to increase the quality and quantity of existing facilities
9. Regional Parks Strategy
 - Follow Community Parks Initiative approach to find opportunities for investment for accessible recreational amenities

Tasks included in the NYC example that could be applied to broader planning project, such as a comprehensive plan:

- Developing plans and programs to invest capital and other resources where the need is the greatest
- Standardize, modernize, and implement leading asset management systems and maintenance practices across agencies (or city departments) to track and target resources where they are needed most
- Strengthen and elevate the planning function of the agency, enhancing policymaking, community engagement, and metric-and needs-based assessments
- Create structures to maximize partner contributions, engage New Yorkers in helping us provide more and better services to park users in all boroughs
- Collaborate closely with communities to establish and prioritize goals for parks and public space

- Develop a more proactive capital strategy and re-engineer the capital process to improve efficiency of delivery and add transparency to the process
- Improve technology implementation to gain data integrity for decision making
- Multi-agency and public-private partnerships

Definitions/Key Terms

- Community Parks Initiative (CPI)
- CPI zones are communities with small parks that are densely populated, growing, and home to a higher-than-average percentage of individuals and families with incomes below the poverty line
- Capital process is the process by which funds from New York City are allocated to city agencies and departments such as the NYC Parks.

Identified Communities

Five NYC boroughs; includes 29,000 acres of parkland. CPI targets 55 neighborhoods in 5 boroughs

Considerations

- Equity is not explicitly defined
- Group identity is an important concept for developing an equity framework. NYC has well established neighborhoods which helps to define impact communities and plan strategies.
- “Creating priorities based on need is the hallmark of equity-based planning.”
- Priority communities with the most need are targeted for improvements
- Initiatives such as the Community Parks Initiative (CPI) aim to create a more efficient capital process, i.e., how capital dollars are distributed into the NYC parks system
- Coalition building is a key pillar of initiatives such as the Community Parks Initiative. In addition to funding, NYC Parks is aiming to help community partners building their own capacity to use and program their local parks
- Capital projects are supported by a community outreach coordinator who helps facilitate community engagement and develop long-term local partners and friends-of groups
- Targeted investment to specific communities and CPI zones
- There is a set of quantitative and qualitative “before” and “after” metrics to track performance of the CPI.

RENTON EQUITY LENS

Hyperlink: [Equity Lens – Renton \(2019\) \(mrsc.org\)](https://www.mrsc.org/equity-lens-renton)

Project Overview

This Equity Lens is focused on identifying and analyzing the impacts to social identity groups. Different city departments such as Human Resources, Administrative Services, Community and Economic Development, Renton Police, Community Services, and the Municipal Court. One example is the Municipal Court which used Equity Lens to partner with the Mayor in creating processes to create a uniform City-wide process for translation of documents and interpreters at City events.

Main Elements/Structure

The city of Renton follows an Equity Lens Process through a 6-step flowchart



Definitions/Key Terms

- An equity lens is a systematic examination of how different social identity groups will likely be affected by a proposed action or decision. This is a vital tool used to reduce, eliminate and prevent discrimination and inequities.
- A Social identity is the portion of an individual's self-concept derived from perceived membership in a relevant social group. Examples of social identity groups include but are not limited to: gender identification, class, language, sexual orientation, religion/spiritual beliefs, physical/developmental/mental abilities, race, ethnicity, age, etc.

Identified Communities

Generally applies to the City of Renton but there is an emphasis on social identity groups that have a history or potential of adverse impacts

Considerations

- An equity lens analysis is useful during the decision-making process, by the decision-making group, prior to enacting new proposals. Can be used to inform decisions such as environmental impact statements, fiscal impact reports and workplace risk assessments.
- This equity lens is focused on identifying and analyzing benefits for social identity groups.
- Important questions to consider include:
- What does this policy/program analysis seek to accomplish? Will it reduce disparities or discrimination? Will it advance equity and inclusion?
- Have stakeholders from different social identity groups – especially those most adversely impacted – been informed, meaningfully involved and authentically represented in this analysis? Who's missing and how can they be engaged?
- Which social identity groups are currently most advantaged and most disadvantaged by the policy / program this analysis seeks to address?
- What positive impacts on equity and inclusion, if any, could result from this policy / program? Which social identity groups could benefit?
- What are the success indicators and progress benchmarks? How will impacts be documented and evaluated?
- At what point in time should an evaluation and report take place? What will be reported? To whom? How will we act on the report information?

EQUITY FRAMEWORK COMPARISONS

- Each framework takes a different angle towards addressing equity. The City of Richmond, NYC Parks, and the City of Renton are broad in scope and associate equity with developing policy and programming.
- Equity Frameworks are applied at different geographic scales. The cities of Richmond and Renton are city specific. The NYC Parks framework is also city specific, but it tends to focus on the Community Parks Initiative, which identifies programs for specific neighborhoods.
- Equity is explicitly defined in the City of Richmond Equity Framework but not in the City of Renton or NYC Parks.
- Where equity is explicitly defined, the City of Renton defines impacted communities and demographic groups by putting them into a broader category within the framework.

- Communities are not always well defined in the equity frameworks. NYC Parks identifies characteristics of certain neighborhoods while the other three frameworks focus on physical and social characteristics of communities that may be impacted by a project, policy, or program. For example, the City of Renton identifies “social identity groups” that may have a history of adverse impacts.
- The City of Richmond framework discuss the historical context of disparities and adverse impacts to the identified communities in the equity framework.
- Each framework addresses public engagement to some degree. For example, the NYC Parks framework includes the support of a community outreach coordinator.
- Evaluation metrics or progress benchmarks are addressed in each of the equity frameworks. NYC Parks is the most detailed as it mentions metrics to track the performance of its CPI program.
- The City of Richmond is the only framework to call out the difference between equity and equality.
- Certain frameworks use idealistic language/jargon more than others. The City of Richmond is the best example of this, using language like “housing as a vaccine for poverty”.
- Funding mechanisms that are tied to equitable outcomes are mentioned specifically in the NYC Parks framework but are less explicit in the other two frameworks.

NYC Parks: Framework for an Equitable Future



NYC Parks



A NOTE FROM MAYOR DE BLASIO AND COMMISSIONER SILVER

FALL 2014

Dear Friends,

Our administration is committed to the creation and maintenance of vibrant parks and public spaces in all five boroughs. NYC Parks: Framework for an Equitable Future lays out our plans to restore and create thriving public spaces for all New Yorkers that connect our neighborhoods and are at the center of healthy, active communities.

To create a brighter, greener future for New York City, we are renewing our commitment to a more inclusive and innovative park system. The Community Parks Initiative is our first major step in re-creating parks in communities with the greatest need for open-space improvements.

This dynamic framework for action will engage New Yorkers and address system-wide needs with solutions that build on the best practices of NYC Parks, our other City agencies and Parks' partners. We will invest capital dollars, provide better maintenance, and add new programming to ensure that our parks remain an integral part of communities throughout the five boroughs.

Through planning and innovation we will expand access to public spaces, strengthen our parks system and build a healthier, more prosperous city. These spaces will also be resilient – built or adapted to the realities of a changing climate. We will apply new ideas and rely on data to determine where our parks needs are the greatest.

We are grateful for the input of all New Yorkers as, together, we begin this important journey.

BILL DE BLASIO

MAYOR
CITY OF NEW YORK

MITCHELL J. SILVER, FAICP

COMMISSIONER
DEPARTMENT OF PARKS & RECREATION

NYC Parks: Framework for an Equitable Future

NYC Parks: Framework for an Equitable Future is the New York City Department of Parks and Recreation’s commitment to creating thriving public spaces for all New Yorkers. Creating a bright, green future for New York City’s parks requires a more inclusive and innovative park system.

The New York City Department of Parks and Recreation (NYC Parks) will focus on a comprehensive series of immediate steps and long-term initiatives to support sustainable, equitable park development and make targeted level of service improvements across the park system.

These efforts will focus on protecting the extraordinary investment in parks and public spaces that we have already made, while taking steps toward increasing the accessibility and quality of those parks that serve all of New York City’s diverse neighborhoods throughout the five boroughs.

As stewards of one of the largest urban park systems in the country with over 29,000 acres of parkland—nearly 14 percent of New York City’s land—NYC Parks builds and maintains clean, safe, and accessible parks citywide and programs those spaces with recreational, cultural, and educational activities for people of all ages. Through this work, NYC Parks improves quality of life in the city by providing outlets for creative expression, opportunities for healthy recreation, and exposure to the restorative beauty of the natural world.

To protect, maintain, and grow this resource, continued innovation and ongoing improvement are essential to the health of the open spaces used by New Yorkers every day. Not only are parks part of our critical urban infrastructure, they are also part of the fabric that connects our communities.

To respond to growing demand and to target more equitable distribution of resources for better public parks that meet the open space needs across New York

City, we have put in place a framework for a dynamic new approach to strategically allocate resources, make our city cleaner, greener, and more resilient, incorporate substantial community and stakeholder engagement, and to develop innovative and data-driven approaches to designing, planning, developing, and delivering services in our parks.

This program brief highlights the principles and goals of NYC Parks’ new Framework for an Equitable Future—a future in which parks and parklands better serve every New Yorker. It presents in detail the Community Parks Initiative—our leading park equity initiative that will invest \$130 million capital dollars and bring enhanced programming, maintenance, and community partnership building to neighborhood parks in our city’s more densely populated, faster-growing, and higher-poverty communities.

A New Framework

NYC Parks has defined action-oriented objectives that will help us to deliver meaningful improvements to parks and public spaces in every corner of the city. NYC Parks aims to ensure every New Yorker can benefit from accessible, vibrant public places, and that our processes for creating and maintaining parks are also accessible and transparent.

This section defines NYC Parks’ approach to improving parks and park services, outlines our key objectives, and highlights nine immediate steps that will be near-term milestones on the road to a greener and greater, more inclusive, and more forward-looking park system.



Formerly a parking lot, River Avenue Playground on 157th Street in the Bronx was transformed into a vibrant play space for neighborhood children.



With a capital investment of \$2.26 million, NYC Parks built South Oxford Park in Brooklyn, enlivening the area.

IMMEDIATE STEPS, NEAR-TERM MILESTONES

These first steps will guide New York City’s ongoing work to improve the quality, accessibility, efficiency, and sustainability of the overall park system and of the parks that serve the diverse neighborhoods throughout the five boroughs. In the coming year, we will achieve the following near-term milestones:

- 1

Community Parks Initiative
Launch program to invest in under-resourced parks that serve New York City’s poorer, more densely populated, and fastest-growing communities through a \$130 million capital program that promotes full re-creation of these parks. We will support and sustain this capital investment with targeted maintenance and programming, while building the next generation of parks stewards by connecting local stakeholders to their parks and to City resources. CPI is highlighted in this report.
- 2

Programming for Neighborhoods in Need
Launch interagency partnerships to efficiently deliver expanded recreational programming and services at targeted locations, such as through the Mayor’s Office of Criminal Justice NYCHA Initiative and partnering with the Mayor’s Fund to Advance New York City’s Open Spaces/Play Spaces program, and on additional programs with the Administration for Children’s Services.
- 3

Standardized Maintenance
Deploy additional maintenance and horticulture staff to underperforming districts and expand pilot operations and maintenance efficiency programs citywide.
- 4

Streamlined Capital Process:
Work internally and externally to address inefficiencies in the capital process. Introduce added transparency by releasing a publicly accessible capital projects tracking tool as the first in a series of improvements.
- 5

Parks Needs Assessment
Develop and implement a citywide parks needs assessment strategy.
- 6

Utilization Program
Pilot NYC Parks’ first citywide, comprehensive study of park user rates, attitudes, and activities.
- 7

Parkland Expansion
Update our parkland development strategy to align with the demands of growing neighborhoods, making a concentrated effort to serve under-resourced neighborhoods and areas outside a 10-minute walk of a park.
- 8

Recreation Center Renovations
Advance into design a major physical improvement program at 17 NYC Parks recreation centers throughout the city to increase the quality and capacity of our existing facilities and better serve our neighborhoods with year-round programs and classes.
- 9

Regional Parks Strategy
Follow the Community Parks Initiative approach to analyze opportunities to finance, invest in, and sustain improvements to the larger parks that provide a wider array of recreational amenities that are accessible to multiple neighborhoods and serve diverse constituencies.
- As we achieve each of these near-term milestones, NYC Parks will strive to meet existing needs and anticipate new ones as neighborhoods and demands on parks grow and change. We are committed to inclusive, community-oriented planning, and enhancing that process by gathering and understanding data about our parks and park users. We will use innovation, technology, and transparency to improve the park system’s operational efficiency.

For more information and to follow the progress of each of our Framework initiatives, visit www.nyc.gov/parks/framework.



Bruckner Playground in the Bronx received \$878,000 worth of reconstruction and now includes a new skate park designed for beginner to intermediate pre-teen skaters, a basketball court, and numerous aesthetic enhancements.

Goals for a Bright, Green Future

NYC Parks will apply innovative practices and tactics to ensure the long-term success and sustainability of our parks by working to:

- Develop plans and programs to invest capital and other resources where the need is greatest
- Standardize, modernize, and implement leading asset management systems and maintenance practices across the agency to track and target resources where they are needed most
- Strengthen and elevate the planning function of the agency, enhancing policymaking, community engagement, and metric- and needs-based assessments
- Create structures to maximize partner contributions, engage New Yorkers in helping us provide more and better services to park users in all boroughs
- Collaborate closely with communities to establish and prioritize goals for parks and public space
- Pursue new opportunities for open space, such as expanding access to existing parkland, identifying new park acquisitions, developing undeveloped parkland, and targeting resources to underserved areas

- Develop a more proactive capital strategy and re-engineer the capital process to improve efficiency of delivery and add transparency to the process
- Improve technology implementation to gain data integrity for decision making

Our approach to equitable planning and development builds on past successes. In recent decades, New York City has made important investments in parks and public spaces through capital projects, policy initiatives, and regulations that have dramatically expanded and improved the quality of our open spaces. For example, multi-agency and public-private partnerships have generated creative strategies for reusing unconventional sites and added to the city’s open space resources in unexpected ways; Elmhurst Park in Queens, Concrete Plant Park on the Bronx River waterfront, Transmitter Park in Brooklyn, and Staten Island’s Freshkills Park are examples of new approaches to adaptive reuse of open space and creating flagship public spaces that have transformed the way that people in New York City and around the world view urban parks. The city’s most recent comprehensive environmental policy, PlaNYC 2030, focused citywide attention and effort on implementing high-impact projects both large

and small, from reinvesting in flagship parks, to transforming school playgrounds into shared public play spaces, to planting individual street trees. NYC Parks has continued this trend in active investment in our parkland. Currently, NYC Parks has over 400 active capital projects across all five boroughs, totaling more than \$740 million in investment.

Today, our task is to apply these lessons from across our park system to ensure the benefits of accessible, high-quality open space reach every community. The nine immediate steps outlined on the previous page establish NYC Parks’ framework for reaching our goals for a bright, green future. Our framework is intended to be dynamic and adaptable. We will continue to draw on established best practices from both within NYC Parks and from our agency and parks partners, and make further commitments to improving what needs to work better by adding to our goals as programs evolve and as new needs are identified.

New York City has renewed its dedication to building and fostering the growth of economic opportunity, social equity, and livable neighborhoods. Each of our initiatives will join Mayor Bill de Blasio’s other programs to aggressively tackle equity issues in our communities. The Community Parks Initiative, detailed on the following pages, is NYC Parks’ leading effort to comprehensively invest in New York City’s under-resourced communities.

NEW YORK CITY’S COMMITMENTS TO LIVEABLE NEIGHBORHOODS

Mayor Bill de Blasio has made building and fostering the growth of economic opportunity, social equity, and livable neighborhoods a priority and has committed New York City to:

AFFORDABLE HOUSING

Building and preserving 200,000 affordable housing units over 10 years with an unprecedented investment of over \$40 billion

UNIVERSAL PRE-K

Lifting up all children and aggressively tackling inequality through full-day, high-quality UPK, including increased support in high-need areas

MIDDLE SCHOOL AFTER SCHOOL

Investing over \$130 million in targeted athletic, cultural, and academic programs for middle-school-age children at a critical time in their development

VISION ZERO ACTION PLAN

Creating the safest city streets and putting an end to traffic deaths and injuries

RESILIENCE

Rebuilding stronger, more resilient communities to protect against risks of a changing climate, and better engaging communities in the process. Becoming more resilient is a citywide effort with agencies like the Department of Environmental Protection making significant investments in green infrastructure and climate change management.

Building on these and other City efforts to grow and enhance neighborhoods and improve quality of life, NYC Parks commits to ensuring that the benefits of open space reach every community.



Community Parks Initiative: Invest in Neighborhood Parks with the Greatest Need

The Community Parks Initiative is a comprehensive investment in the smaller public parks that are located in New York City’s densely populated and growing neighborhoods where there are higher-than-average concentrations of poverty.

The Community Parks Initiative (CPI) introduces a new and more coordinated approach to targeting investment to parks serving high-need communities. This approach brings together the key elements of good park development: capital investment, programming, partnerships, and maintenance. Through this initiative, NYC Parks will engage New Yorkers in rebuilding their local parks, and implement sustainable park designs through a more efficient capital process. NYC Parks will increase resources available in CPI communities to expand recreational programming, and as capital projects are completed, we will increase our maintenance and gardening staff in CPI communities as well. We’ll also help

community partners, such as local friends-of groups, to build their own capacity to use and program their local parks.

Access to recreation and exposure to green space are crucial features of livable urban neighborhoods. Parks should be safe, well-maintained, and vibrant places where people can gather, play, and connect. In many corners of the city, however, there are parks that don’t yet live up to their potential. While NYC Parks has invested approximately \$5.7 billion to build new parks and improve existing ones during the past two decades (1992-2013), we need to do more. Although a significant fiscal commitment in itself, this figure does not even

account for capital dollars spent on parks by other New York City public agencies and authorities, private sector developers, or conservancies. Yet despite this high-value investment, the existing capital need across the system remains extensive.

We can do more in every park and every community. Overall, NYC Parks: Framework for an Equitable Future sets out strategies to measure, understand, and project the highest-priority needs and opportunities for New York City’s park system. Creating priorities based on need is the hallmark of equity-based planning. For CPI, NYC Parks has sought out parks where our resources can be maximized, both through our financial investment and through our mobilization of underrepresented constituencies.

Through this initiative, NYC Parks is investing first in parks that are an important part of our daily lives. Community parks are those smaller open spaces located within neighborhoods throughout the city that New Yorkers use to relax and play every day. These are our playgrounds, our quiet benches, our basketball courts, our gathering places.¹

Benefits of Great Community Parks

It is important that we address the parks that directly serve communities every day because the impacts of a great 21st-century urban park system are felt beyond the parks themselves. Parks are at the center of healthy, active communities, and give children space to play, grow, and learn. Adults, too, can gather, exercise, or enjoy a community garden. Parks help our city to be more environmentally resilient, and a well-maintained park can beautify an entire neighborhood.

We know that activity and exposure to green spaces are key components of good health, and that parks provide physical space for opportunities to address other community needs, such as youth development and education. As New York City’s neighborhood centers grow, maintaining parks as both green oases and vibrant civic spaces is critical—just as it was critical in 1853, when New York State authorized the City to seek out space for what would become Central Park to balance what was then an unprecedented degree of urban growth, and as critical as it was in the first decades of the 20th century, when reformist planners and advocates of the playground movement saw the creation of neighborhood parks and play spaces as a chance to revitalize inner city areas.² In today’s densely built urban environment, we see that smaller spaces can also have a big impact. Living near green space, particularly in dense urban areas, has a sustained, positive effect on an individual’s health.³

OUR INITIATIVE

The Community Parks Initiative will improve community parks in underserved neighborhoods and engage New Yorkers in re-creating their parks as an integral part of neighborhood building. To accomplish the goals of this initiative, New York City is making a \$130 million capital investment, supported by an increase in staff and resources across critical categories

CPI CORE PROGRAM

CPI targets **55** neighborhoods in **5** boroughs

Capital projects will rebuild **35** community parks

\$130 million in capital dollars will be targeted to densely populated, growing, and high-poverty communities and includes nearly **\$20 million** in funds from elected officials and grants

Capital projects will be **supported by a community outreach coordinator** to facilitate—with NYC Parks’ design team—community engagement and develop long-term local partners and friends-of groups

70 new seasonal recreational programming and maintenance staff, funded through **\$1.4 million** in annual mayoral funding, will activate and improve parks in all CPI communities

Parks will create immediate impacts with targeted improvements at **55** parks

Enhanced sustainability features on CPI capital project sites, funded in partnership with the New York City Department of Environmental Protection (DEP), will introduce **more resilient park design** to capture stormwater and reduce environmental impacts

CPI in My Community

For more information about the Community Parks Initiative’s capital work, new recreational programs, our progress on CPI projects, or to get involved in your community, visit www.nyc.gov/parks/cpi.

CAPITAL INVESTMENT BY NYC PARKS IN PUBLIC PARKLAND, 1992-2013

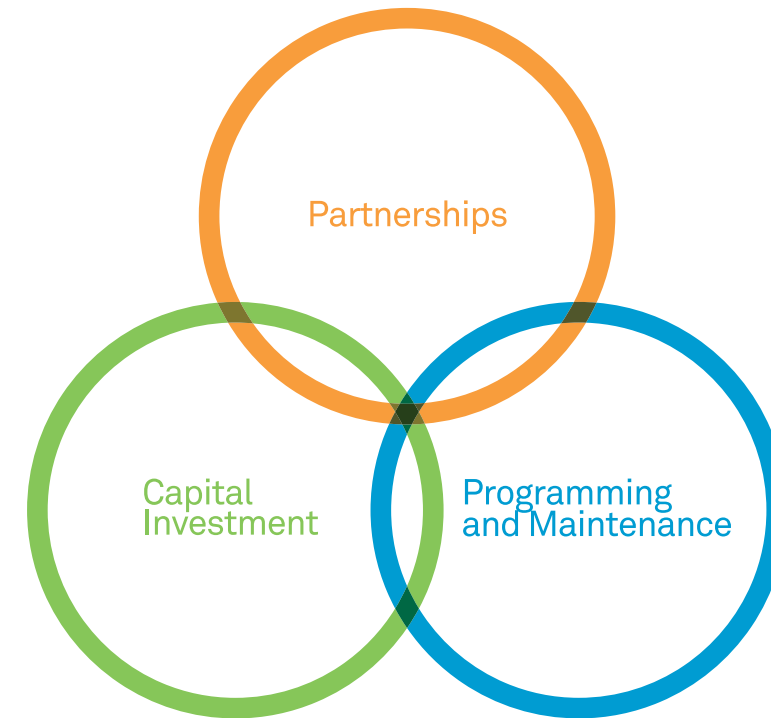
NYC Parks spent approximately \$5.7 billion on capital improvements to its parkland over the last 20 years. However, there are 215 parks across the city that received less than \$250,000 in capital investment in these two decades, between 1992 and 2013. See last page for information on exclusions to our analysis.

- Less than \$250K
- \$250K - \$2M
- \$2M - \$10M
- More than \$10M
- All Public Parkland



FOUNDATIONS OF GOOD PARK DEVELOPMENT

Community Parks Initiative projects are supported by the foundations of good park development. Each of these are areas where NYC Parks already focuses its efforts as developer, manager, caretaker, and steward of New York City's park system. NYC Parks' equity initiatives bring these traditional areas of NYC Parks' work together through increased coordination, planning, and innovation.



including community outreach, capital and planning, recreational programming, and park maintenance. This \$130 million represents an initial investment; New York City will continue to identify resources that can expand the reach and impact of this program in more and more communities.

Through the Community Parks Initiative, NYC Parks will work with communities, sister agencies, local leaders, open space advocacy groups, and other partners to create dynamic public places to enjoy the outdoors, encourage physical activity and recreation, enhance sustainability and resiliency, and promote community economic development.

Our approach will be transformative. It will go beyond capital or physical improvements. Rather than just patching and repairing poor-quality open spaces, we will undertake redesign projects that will expand recreational opportunities, increase green space and park access, and promote a sense of place. We will bring stakeholders together to envision new, shared design principles and programs for community parks, and facilitate the ongoing participation of community members throughout the capital process and beyond.

We will leverage our capital investments by activating spaces with dynamic programming, supporting sites with additional maintenance resources, and stewarding sites into the future by building strong community partnerships and helping local friends-of groups to

grow. With the New York City Department of Environmental Protection (DEP) as a key program partner, we will dramatically increase the environmentally sustainable features of our project sites and make them greener. And we will work with the New York City Department of Education (DOE), the New York City Housing Authority (NYCHA), the Administration for Children's Services (ACS) and the New York City Department of Health and Mental Hygiene (DOHMH) to coordinate project implementation. Each program component and the resources dedicated to support it will be outlined in the following pages.

COMMUNITY PARKS INITIATIVE ZONES

Through CPI, NYC Parks will target investment to under-resourced, small parks in communities that are densely populated, growing, and home to a higher-than-average percentage of individuals and families with incomes below the poverty line. Communities where both demographic need and capital need align are the highest priorities for investment under this initiative. Each priority community, or Community Parks Initiative zone, will be the focus of the initiative's full suite of components: capital investment, extended recreational programs, increased maintenance staffing, and physical park repairs. Clustered at multiple sites within CPI zones, improvements will create visible results for neighborhoods.



Concrete Plant Park in the Bronx was developed in 2009 by NYC Parks and the Bronx River Alliance, in close partnership with community organizations and public agencies. The project revitalized this formerly abandoned site, transforming it into a vital waterfront public space.

Prioritizing Parks and Communities

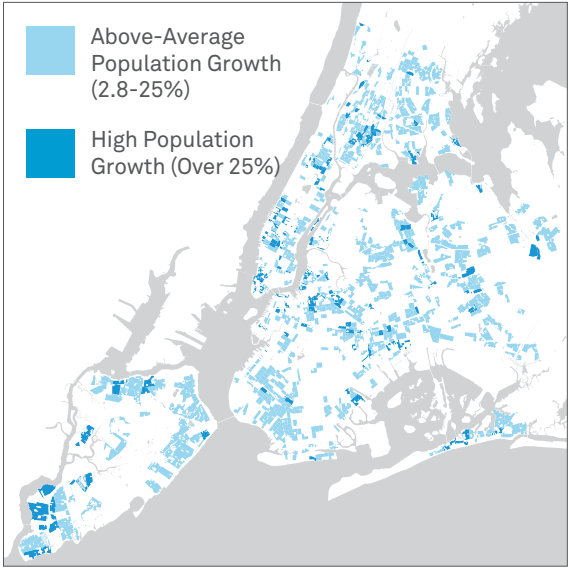
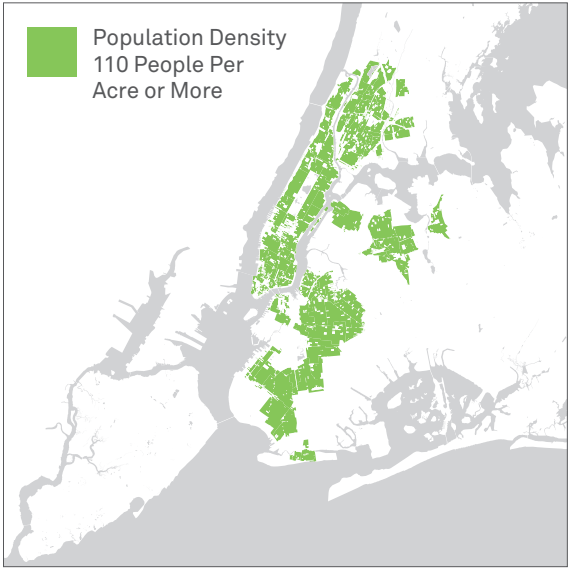
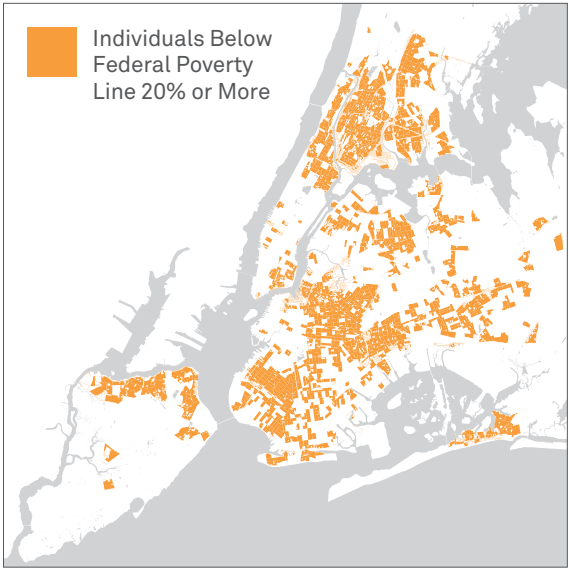
Our approach first defined and identified under-resourced parks. The process to screen for park sites included the following steps:

- NYC Parks analyzed 20 years of capital data to identify parks with less than \$250,000 of capital investment, focusing on the years between 1992-2013.⁴
- We assessed each park’s suitability for this program, and specifically sought out existing parks that are accessible to nearby neighborhoods, provide diverse recreational opportunities, have features for multiple age groups, accommodate different kinds of amenities, and serve a primarily local population.⁵
- We performed detailed, on-the-ground surveys of more than a hundred parks within demographic catchment areas to identify parks with a strong need for physical improvement.
- We reviewed our inspection data, maintenance and operations reports, and consulted with NYC Parks field staff.

- We evaluated possible programming opportunities and the presence of local groups for partnership-building.

From this process, we identified many community parks that we will target for capital improvement through CPI. These parks are shown on the program map on the following page.

In parallel, we looked at the communities these potential project sites serve. Using demographic data, we screened for neighborhoods with high potential need. For this program, we defined high-need communities as geographic areas with above-average density, evidence of recent population growth, and an above-average percentage of residents living below the federal poverty line. Our method identified a total of 134 parks that had extreme capital needs and that served residents in densely populated, growing, and lower-income neighborhoods. We have prioritized a total of 35 of these parks that will receive over \$110 million in mayoral funding and that will leverage almost \$20 million from elected officials and grants for complete redesign projects.



WHY THESE CRITERIA?

Poverty

Of the parks in our 20-year investment analysis that had received \$250,000 or less in capital investment over the past two decades, 54% were parks that directly served Census tracts with above-average levels of poverty (20% poverty and higher). In other words, just over half of these under-resourced parks have locations that serve poorer neighborhoods. However, as shown in the map at left, those poorer neighborhoods are geographically concentrated. The under-investment in parks in these areas creates a similar concentrated, or disproportionate effect on access to community parks. We found that nearly one quarter of the parks in our analysis were located in the 14 Community Districts with the highest concentration of people living below the federal poverty level.⁶

Population Density and Growth

Parks play a critical role in enhancing quality of life in all neighborhoods, but are in especially high demand in those neighborhoods where populations cluster and grow. We analyzed Census data to determine which of New York City’s neighborhoods were most densely populated and growing in order to gauge where the parks system likely has unmet local demand on facilities, programs, and upkeep. When more people use a park, it places a strain on that park’s facilities and may result in wear and tear and reduced quality as reflected in user experience and lower inspection ratings. Our program focuses on areas of above average population density (110 people per acre or more citywide), and identifies areas where spikes in population growth (25% or more) often tracked with both population influx and new development.

Data sources: Population growth and density data from the 2010 Decennial Census, U.S. Census Bureau, poverty data from the 2008-2012 American Community Survey, U.S. Census Bureau. Growth data represented at the Census block level.

NYC PARKS PROJECTS IN COMMUNITY PARKS INITIATIVE ZONES

CPI consists of 35 capital projects that will be the center of our community outreach and act as hubs within the CPI zones for the initiative’s full set of program components. Capital investment in these communities is just the start. In each Community Parks Initiative zone, we will focus expanded resources and strategies, creating a catalytic program that builds not just one park, but expands parks’ positive impacts across a community.

NYC Parks will continue to work with communities and public agency partners to identify and prioritize more opportunities for capital investment, programs, and other improvements to the community park networks in CPI zones.

Activating Community Parks

Playground associates are seasonal staff that will provide a presence at the parks indicated here to offer programs and maintenance within CPI zones. Locations shown on the map at right are subject to change as CPI capital work on some of those sites advances.

Parks at Work in a Neighborhood Near You

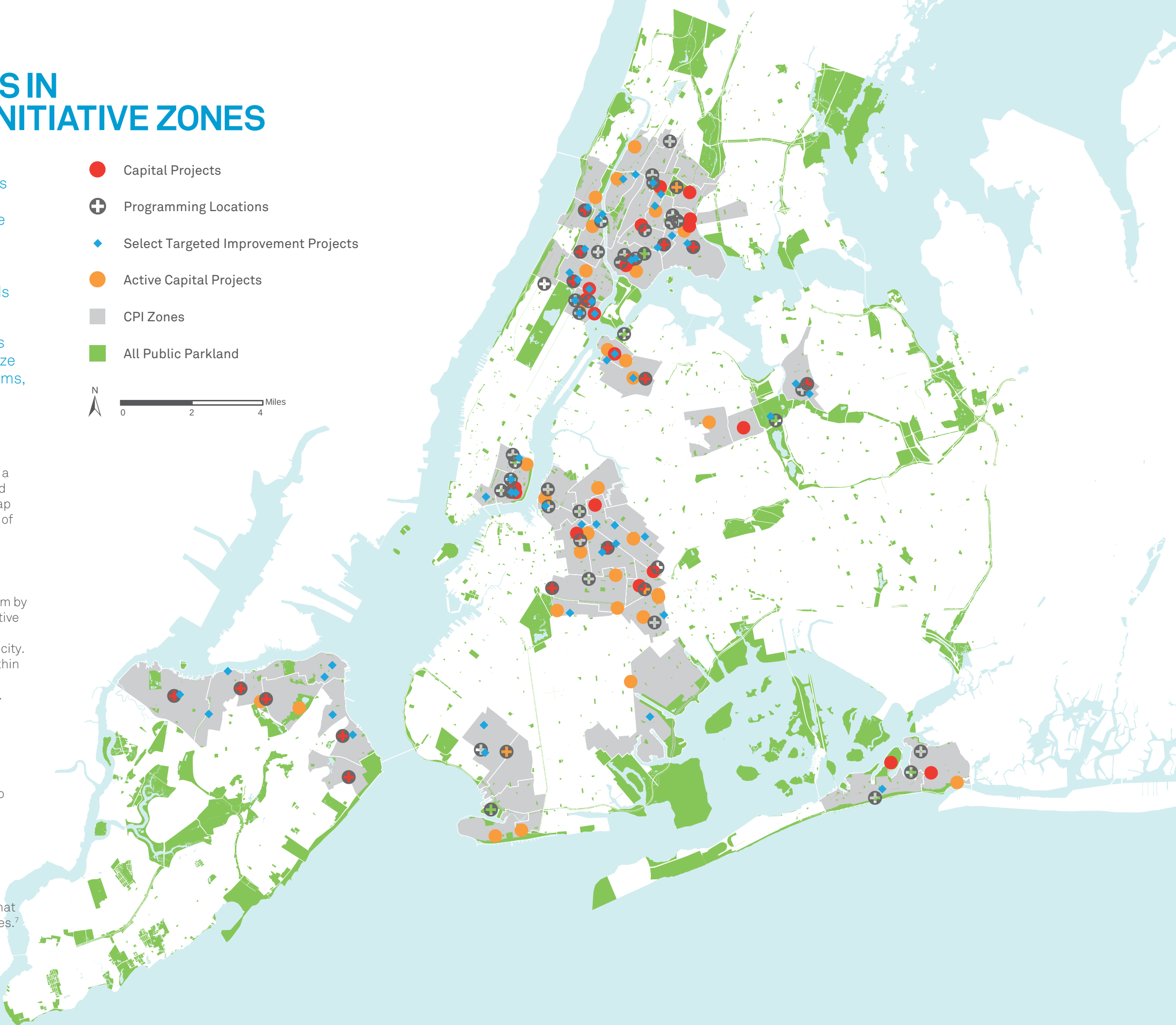
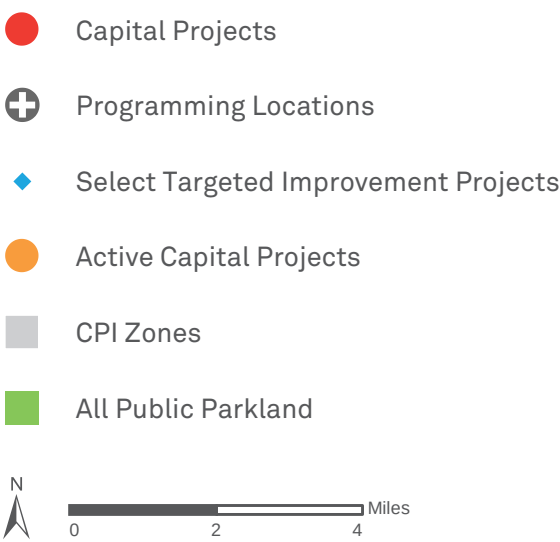
NYC Parks is already implementing projects in parks in CPI zones and this work will complement the CPI capital program by improving park resources in the same communities. The active capital projects on this map represent only a portion of the more than 400 projects currently underway throughout the city. 44 of these active capital projects are already underway within CPI zones, representing a total budget of over \$60 million. These active capital projects are shown on the map at right.

The Future of CPI

Through our analysis and fieldwork, we identified more community parks than we could fully address with our capital budget. An expanded CPI program would require additional investment and further analysis, and respond to community priorities.

About CPI Zone Boundaries

Neighborhoods and communities can be hard to define on a map. Our CPI zones are based on the New York City Department of City Planning’s Neighborhood Tabulation Area (NTA) boundaries. NTAs are statistical geographies that generally align with New York City neighborhood boundaries.⁷





In December 2013, the ribbon was cut on a new \$3 million playground in Canarsie Park, complete with play equipment, a spray shower, swings, climbing units, music features, and abundant plantings.

HOW WE'LL GET THERE: PROGRAM COMPONENTS AND IMPLEMENTATION

Capital Investment

Parks and Re-Creation: Mayor Bill de Blasio has committed more than \$110 million to rebuild 35 community parks. NYC Parks will plan with communities to facilitate catalytic capital projects. At each location, we will analyze site condition and usage, conduct community planning and outreach, leverage partnerships, reprogram and redesign the park, and deliver a completed capital project. Each of these capital projects will be developed with community

input on design principles and program. In some instances, we have identified certain facilities that will add to existing projects to make them complete. The addition and refurbishment of comfort stations, for example, extends the utility of a park and lets NYC Parks provide all-day recreational programs.

To support all of this capital work, a dedicated team of designers and project managers will facilitate the design and development of parks funded through CPI.

Leveraging Investments, Maximizing Resources: CPI leverages nearly \$20 million in outside funds including allocations by local City Council members, borough presidents, and private and state grant funds.

Additionally, NYC Parks is partnering with the New York City Department of Environmental Protection (DEP) to identify opportunities to incorporate more permeable surfaces, green infrastructure, and water detention features in capital projects through CPI. DEP will provide important financial and technical support to significantly increase the sustainability components of Parks' designs. NYC Parks will also be collaborating closely with the Department of Education (DOE) and the New York City Housing Authority (NYCHA) to implement CPI projects on playground sites where NYC Parks shares jurisdiction.

Targeted Improvements: NYC Parks will carry out smaller-scale park improvement projects that

can be completed on a faster schedule to bring immediate impacts to priority communities. Targeted improvement projects at parks within every CPI zone will complement capital projects and extend the useable lifecycle of under-resourced parks. Small changes can make a big difference in the quality of a space, and our program of targeted, modest physical improvements can represent quick wins for open space offerings in communities. This work is expected to include a combination of efforts (not all efforts on every site) such as: landscape and horticultural improvements and greening; sports coating and surface sealing; repair, replacement, or repainting of benches, game tables, and fences; pathway repair; repair, replacement, or repainting of play equipment and safety surface; athletic field repair.

Partnerships

Engaging Stakeholders, Building Stewards:

Successful, sustainable parks are often the result of transformative and creative partnerships between communities, the City, and other stakeholders. The Community Parks Initiative will grow the capacity of local stewards and institutions to program, care for, and advocate for their parks beyond the capital project phase. NYC Parks will provide staff support, trainings, grants, visioning tools, and other resources to our community partners. We will work with Partnerships for Parks, a joint program of the City Parks Foundation, to implement the established Catalyst Program approach to building community engagement, connecting partners to the public process, and investing in local leadership to sustain strong, local advocates. Mayoral funding of \$780,000 will support the hiring of new community planners, organizers and outreach coordinators to facilitate these activities.

Additionally, NYC Parks will work with non-profit and other park partners, such as the Mayor's Fund to Advance New York City, to enhance the programmatic elements and reach of CPI.

Programming and Maintenance

Youth and Adult Sports and Fitness: Increased recreational programming will encourage physical activity and promote healthy living in CPI communities. Programming will activate parks both before and after capital investment. Our core program deploys a total of 58 seasonal playground associates to bring children's programs to sites throughout CPI zones—with even more sites covered by mobile fitness programs for kids and adults, like Kids in Motion, Shape Up NYC, and the Summer Sports Experience.

Local community partners are also a great resource for developing new and innovative programs that help Parks meet local needs, activate public spaces, and



Partnerships for Parks staff facilitate a community visioning meeting hosted by NYC Parks.

bring people together. CPI will promote collaboration on programming through its community partnership development component.

Community Parks Programming and Maintenance Expansion: Through CPI, we will increase the presence of staff at sites throughout the priority communities. NYC Parks will achieve this through new Mayoral commitments, allowing NYC Parks to fund and recruit more than 70 seasonal and full-time maintenance and programming staff. There is also an opportunity for expanded partnership with the New York City Council, which has demonstrated leadership in prioritizing funding for parks stewardship. In addition to activating parks, new staff will enable an expanded maintenance program to allow improvements to parks in need across the city, providing NYC Parks with the flexibility to both track impacts of increased staffing at fixed locations, and to move crews on an on-demand basis to address target areas.

BENEFITS, IMPACTS, AND MEASURING SUCCESS

It can be challenging to measure success of any individual urban initiative given the complexity of factors that influence neighborhood development. However, to track the performance of the Community Parks Initiative, NYC Parks will deploy a set of quantitative and qualitative “before” and “after” metrics. A key component to this is understanding the baseline conditions at a sample of our project sites by conducting a utilization survey at representative parks in CPI zones. The survey includes both user counts and questions about how people use and view their parks, and will generate a representative baseline against which to measure the impact of the program and to track its performance. We can use this data to make general assumptions about our CPI zones, such as whether overall park quality is improving.

Other measures of short-term success will include close tracking of community participation in scoping meetings and other related events, number of participants in our recreational programs, monitoring of website traffic, and social media impacts. Over the long term, we will also be able to quantify success in our community partnership building efforts, such as through tracking the formation of new park user and stewardship groups in CPI communities.

ADVANCING THE COMMUNITY PARKS INITIATIVE

The Community Parks Initiative represents the combined efforts of NYC Parks working together with multiple constituencies including community, public agency, and other parks partners toward a common goal of improving quality of life in our neighborhoods by providing better public parks for all New Yorkers.

NYC Parks will begin rolling out the Community Parks Initiative in 2014. This includes:

- Initiating partnership building and engagement of community members and stakeholder groups
- Placing new, seasonal Playground Associates and City Parks Workers at parks throughout CPI zones to increase access to programs for children and to improve cleanliness in our parks
- Conducting a baseline usership analysis and opinion survey of representative parks in CPI zones scheduled for capital and other improvements through the program
- Commencing community outreach and organization, holding initial community visioning sessions around capital project sites
- Kicking off the capital process, scheduling and staffing capital projects in all five boroughs, to be completed by a dedicated CPI capital design and project management team
- Generating immediate, visible impacts with quick-win, targeted park improvement projects

CONCLUSION

With these initial milestones, the Community Parks Initiative will bring NYC Parks’ agency resources together in a coordinated way to better leverage our investments, efficiently targeting Parks’ resources to address open space needs in underserved communities through a multi-faceted approach. As implementation of CPI continues during the community input, design, and construction phases of the individual capital projects, we will simultaneously grow our community outreach and partnership development efforts.

CPI is a scalable program; we can continue our needs-based approach to identifying parks and communities for investment, and bring each program component to new projects in CPI zones. There are many opportunities to

SEEDING PARKS, GROWING NEIGHBORHOODS

Working with communities to evaluate, plan, and program their parks is a core element of the Community Parks Initiative. Essential to this initiative’s approach is the establishment of long-term community partnerships that generate stewards to sustain our ongoing investment in the City’s parkland. Community outreach, visioning, and incorporation of park users and potential stewards in the planning process can also help us to deliver dynamic, diverse open spaces. Reprogramming parks to meet changing needs of new and growing populations, uses, and interests is important to ensure the success of our investments.

To accomplish this, we will look to the success of the Partnerships for Parks Catalyst program. Partnerships for Parks is a jointly operated program between NYC Parks and City Parks Foundation. Connections between people, parks, and agency resources are facilitated to increase the community’s capacity to sustain parks as a key component of strong, healthy neighborhoods. Outreach coordinators, who are on the ground in communities across the city every day, organize community groups to build local investment in parks. They connect the park stewards to NYC Parks and City Parks Foundation resources, including grants and trainings, to address community priorities and to create leadership capacity at the local level.

The Community Parks Initiative follows Partnerships for Parks’ Catalyst Program:

Build: Engage in extensive community outreach to identify local partners.

Connect: Facilitate visioning and collaboration among local stakeholders, including elected officials.

Sustain: Invest in local leadership through trainings, fiscal sponsorship, and other resources to sustain strong, local advocates.

IMPACTS OF THE
COMMUNITY PARKS
INITIATIVE

Improved park access and quality for approximately **220,000** New Yorkers who live within a 10-minute walk of the **35** parks targeted for capital investment

Improved park access, quality, amenities, and maintenance across communities in **55** CPI zones

The full CPI program will reach **24** New York City Community Districts with a total population of **3,270,000**, where **36%** live below the poverty line and **41%** are under age 18

35 capital projects will directly improve **65.5** acres of urban parkland

Engagement of community members and stakeholders around local parks priorities affecting each CPI zone

Parks-staffed recreational programs for kids and mobile fitness classes, and programs generated by community stewards, will promote healthy living and active lifestyles at **nearly 100** parks in our target communities

More than 70 new seasonal and full-time jobs in park maintenance, horticulture, and recreational programming, as well as approximately **15** permanent design and **14** outreach, planning, and other supporting staff positions created



Mayor Bill de Blasio, NBA Commissioner Adam Silver, and NY Knicks and Nets players were joined by local officials and community schoolchildren at the ribbon-cutting of Midland Beach Playground and Basketball Court in Staten Island, which were damaged in Hurricane Sandy.

consider future work following the same model. Today, CPI represents an initial investment in neighborhood parks with the greatest need, and this is a need that goes beyond the 35 capital projects that NYC Parks has prioritized with this first infusion of capital. We will continue to measure, understand, and project parks needs and opportunities—with your input.

The Community Parks Initiative is an intensive approach to improving small parks, but it is also just one component of our overall approach for increasing equity in the park system. The improvement of these small parks provides the backdrop for an enriched quality of neighborhood life, and for an ongoing partnership between NYC Parks and communities. It is also a multi-faceted program that we believe will transform not just the quality of our parks, but of our own way of working collaboratively across NYC Parks, and with our sister agencies, not-for-profit partners, and communities to expand place-based programming offerings at reconstructed parks, identify and support new community partners and friends-of groups, and generate new parks priorities within Community Parks Initiative zones.

The Community Parks Initiative and our forthcoming suite of nine park equity initiatives will continue to inform and expand the scope of our efforts, shaping our longer-term strategies. We will undertake ongoing analysis and engagement with stakeholders, expanding and updating our plan. Through each of these initiatives and projects, we look forward to working with you to plan and lay the foundations of sustainable park development as we plan and build a brighter, greener, more equitable future for every New Yorker.

NOTES

- ¹ Small to mid-sized parks included in the CPI program analysis range from 0.15 acres to 5.0 acres.
- ² See: Loukaitou-Sideris, Anastasia. “Urban Form and Social Context: Cultural Differentiation in the Uses of Urban Parks.” *Journal of Planning Education and Research* 14:89-102. Association of Collegiate Schools of Planning, 1995. and Cranz, Galen. *The Politics of Park Design: A History of Urban Parks in America*. Cambridge: MIT Press, 1982.
- ³ Physical and mental health benefits of parks are both common sense and well studied. For example, recent work on the long-term benefits of living in urban areas with green space has been documented in *Longitudinal Effects on Mental Health of Moving to Greener and Less Green Urban Areas*, Alcock et. al. *Environ. Sci. Technol.*, 2014, 48 (2), pp 1247–1255. Publication Date (Web): December 9, 2013.
- ⁴ NYC Parks analyzed 20 years of its own capital data to determine a minimal threshold for investment as an indicator of capital need. We then identified those parks that have not met that threshold. There are 215 parks (a total of 369.5 acres) across the city that received less than \$250,000 in capital investment in the two decades between 1992 and 2013.
- ⁵ Not included in our capital investment analysis are Parks properties that do not meet our operational and physical definitions of a community park, such as: buildings; gardens; historic house parks; cemeteries; park strips or malls; parkways; undeveloped natural areas; sites that cannot be developed for physical or regulatory reasons; any site smaller than 0.15 acres; triangles and plazas smaller than .5 acres.
- ⁶ Concentration is defined here as Community Districts where 80% or more of the land area is made up of Census tracts where 20% or more of residents live below the federal poverty level.
- ⁷ For more information on NTAs or to view detailed demographic information about any of these neighborhoods, please visit NYCDGP online at <http://www.nyc.gov/html/dcp/html/census/popdiv.shtml>.



NYC Parks

City of New York Parks & Recreation
Bill de Blasio, Mayor
Mitchell J. Silver, FAICP, Commissioner

Renton Equity Lens

What is an equity lens?

A systematic examination of how different social identity groups will likely be affected by a proposed action or decision. An equity lens is used to minimize unanticipated adverse consequences in a variety of contexts, including the analysis of proposed policies, institutional practices, programs, plans and budgetary decisions. The equity lens is a vital tool for preventing adverse and / or disparate outcomes and for identifying new options to remedy long-standing inequities. An equity lens process is an analysis conducted by a decision-making group.

Why is an equity lens needed?

Equity lens are used to reduce, eliminate and prevent discrimination and inequities. The persistence of deep disparities and divisions across social identity groups is the routine, often invisible and unintentional, production of inequitable social opportunities and outcomes.

What are social identity groups?

A social identity is the portion of an individual's self-concept derived from perceived membership in a relevant social group. Examples of social identity groups include but are not limited to: gender identification, class, language, sexual orientation, religion / spiritual beliefs, physical / developmental / mental abilities, race, ethnicity, age, etc.

When should an equity lens be used?

An equity lens analysis is best conducted during the decision-making process, by the decision-making group, prior to enacting new proposals. It is used to inform decisions, much like environmental impact statements, fiscal impact reports and workplace risk assessments.

Renton Equity Lens Process



Renton Equity Lens Process

1. Set Outcomes (Clarifying the Purpose)

- a. What does this policy / program analysis seek to accomplish? Will it reduce disparities or discrimination? Will it advance equity and inclusion?

2. Identify and Involve Stakeholders

- a. Which social identity groups may be most affected by and concerned with the policy / program being analyzed? Have stakeholders from different social identity groups – especially those most adversely impacted – been informed, meaningfully involved and authentically represented in this analysis? Who's missing and how can they be engaged?

3. Determine Benefit and / or Burden (Data Analysis)

- a. Gather and analyze data: Which social identity groups are currently most advantaged and most disadvantaged by the policy / program this analysis seeks to address? How are they affected differently? What quantitative and qualitative evidence of inequity exists? What evidence is missing or needed?
- b. Examining the Causes: What factors may be producing and perpetuating inequities associated with this policy / program? How did the inequities arise? Are they expanding or narrowing? Does this analysis address root causes? If not, how could it?

4. Advance Opportunity or Minimize Harm (Policy, Program or Decision Analysis and/or Action)

- a. Advance Opportunity: What positive impacts on equity and inclusion, if any, could result from this policy / program? Which social identity groups could benefit?
- b. Minimize Harm: What adverse impacts or unintended consequences could result from this policy? How could adverse impacts be prevented or minimized? Are there better ways to reduce disparities and advance opportunity?
- c. What action will be taken to prevent or minimize adverse impact?

5. Evaluate. Raise Equity Awareness. Be Accountable.

- a. What are the success indicators and progress benchmarks? How will impacts be documented and evaluated? How will the level, diversity and quality of ongoing stakeholder engagement be assessed? How will unresolved issues be documented?

6. Report Back

- a. At what point in time should an evaluation and report take place? What will be reported? To whom? How will we act on the report information?

Renton Equity Lens Examples of Use:

- **Human Resources:** Renton Equity Lens was used to engage stakeholders in providing feedback on their experience with the City's recruitment and hiring process. NeoGov data was disaggregated by gender and race to analyze applicant flow through the hiring process. Based on findings of this analysis, research was conducted to find ways to make the hiring process even more inclusive and equitable. Findings were reported in the HR Inclusion Tactical Plan recommending adoption of sixteen strategies fostering inclusion and equity. Strategies were affirmed by the Mayor's staff and City Council.
- **Administrative Services:** ASD will be using the Renton Equity Lens in exploring how to incorporate inclusion into the City's Purchasing, Bidding and Contracting Policy (250-02) by examining current status and future possibilities for greater utilization of Minority / Women Owned and Disadvantaged Small Businesses in doing business with the City. ASD engaged internal stakeholders in decisions and to form a core group of influencers. They identified the lack of a tracking system to collect M/WBE data among current vendors and contractors; so beginning in 2018, ASD implemented a system for vendors / contractors to self-identify as M/WBE on vendor forms and business license applications. They will be developing strategies to further inclusion and equity in working with these businesses through outreach, vendor open houses and disseminating opportunities for bidding for work. Plans are for training and tools to be provided to city staff to reduce implicit bias in vendor selection, enhance inclusion and consistently provide inclusive competitive bidding processes.
- **Community and Economic Development:** CED has a long-standing record of using an Equity Lens to insure resident input in planning as evidenced by strategies used in creating the Benson Hill Community Plan in 2013 and the Renton Downtown Civic Core Vision and Action Plan in 2018. The Renton Equity Lens has helped fine-tune ongoing processes to engage stakeholders in providing input in the design and implementation process of economic development endeavors, and to enhance this process in current and future opportunities such as affordable housing.
- **City Attorney:** The Chief Prosecuting Attorney uses the Equity Lens to gather data on inclusion and equity strategies to insure equitable outcomes for victims and defendants.
- **Public Works:** Used the Renton Equity Lens to surface the need to outreach to non-traditional applicants for intern positions. As a result, resources have been allocated for intern positions.
- **Renton Police:** The Equity Lens was used to partner with Renton School District to expand outreach and participation in the Summer Teen Academy. This resulted in the largest and most diverse group of student participants in 2018. The Equity Lens has also helped the department identify specific community groups with whom to work on

relationship building and alleviating fear of law enforcement in order to serve these communities equitably.

- Community Services: They have used the Equity Lens to identify opportunities to provide more inclusive services in the community. This has resulted in targeting outreach for applicants for summer jobs, development of Meadow Crest Playground (an inclusive playground for kids, families and their caretakers), and establishing a women's swim time at Henry Moses Pool to create equity for certain faith-based groups. They have also used the Equity Lens to engage community in decision-making at the Senior Activity Center and in the Parks, Recreation and Natural Areas Plan process. Human Services used the Equity Lens to create several processes for targeted outreach in communities that have not always been aware of or accessed needed services.
- Executive: The Mayor used the Equity Lens to engage partners in building a community center in an underserved part of the City in collaboration with Community Services. Partners include Seattle Seahawk Doug Baldwin and Renton School District to bring to fruition the Family First Center in the Cascade neighborhood. Emergency Management used the Equity Lens to engage community in identifying the needs of the most vulnerable communities in the event of a disaster.
- Municipal Court: Used Equity Lens to partner with Executive in creating processes to create a uniform City-wide process for translation of documents and interpreters at City events.

INTRODUCED: May 24, 2021

A RESOLUTION No. 2021-R032

To express the City's support for achieving equity and justice in access to resources and opportunities through the implementation of the City of Richmond's Equity Agenda.

Patrons – Mayor Stoney, Ms. Lynch and Vice President Robertson

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUN 14 2021 AT 6 P.M.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the Council hereby expresses its support for achieving equity and justice in access to resources and opportunities through the implementation of an equity agenda as set forth in the document entitled "The City of Richmond's Equity Agenda," a copy of which is attached to this resolution, and legislative action consistent with and in vigorous support of such equity agenda, and hereby encourages other organizations and individuals to support these proposals.

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JUN 14 2021 REJECTED: _____ STRICKEN: _____

THE CITY OF RICHMOND'S EQUITY AGENDA

WHEREAS, the City of Richmond (further referred to as “City”) recognizes that 2020 was a year of reckoning for our communities, families, cities, and nation; and,

WHEREAS, the COVID-19 pandemic has devastated our local economy and families, highlighting decades of inequities in health care, housing, education, and access to other resources; and,

WHEREAS, the City recognizes that even though much work has been done to make our city more equitable and inclusive, there is still much work to be accomplished; and,

WHEREAS, the City acknowledges and apologizes for harms it caused in years past, such as redlining, annexation, and erecting monuments to the Lost Cause, that divided our community and broke trust; and,

WHEREAS, the City wants to engage and join in dialogue with Richmond residents to begin the healing process to ensure a more united community; and,

WHEREAS, on May 7, 2020, the Mayor proclaimed that the city of Richmond is a “City of Compassion” in affirmation of the mission of the Charter for Compassion organization and, in accordance with this proclamation, the City will continue efforts to move the city of Richmond forward using innovation and a lens of compassion; and,

WHEREAS, the City recognizes that racial inequity is the result of structural racism that is embedded in our historical, political, cultural, social, and economic systems and institutions; and,

WHEREAS, City residents who live at the intersections of multiple marginalized identities in addition to race, such as gender identity, disability, economic status, sexual orientation, or age, face compounding barriers to their ability to thrive and be well; and,

WHEREAS, the City’s definition of “equity” is to “empower people and communities that have experienced past injustices by removing barriers to access and opportunity;” and,

WHEREAS, the City recognizes its duty is to remove barriers (including educational, economic, and physical barriers, such as roads and access to affordable housing) to ensure greater access to resources and opportunities; and,

WHEREAS, the City understands and appreciates that advancing racial equity not only improves the lives of those who have faced injustice, but also leads to a higher quality of life for people of all backgrounds; and,

WHEREAS, research shows that every region of the country would be financially stronger with racial inclusion. Specifically, the American economy would gain approximately \$2.3 trillion in gross domestic product every year by closing its racial equity gaps in income¹; and,

¹ <https://policylink.app.box.com/v/equity-brief>

WHEREAS, the City recognizes that there is an economic and moral cost to racial inequities. Racial equity would have a positive effect in Richmond – for families who are struggling to make ends meet, for the businesses that depend on them as customers, and for places that rely on their well-being; and,

WHEREAS, the City has an opportunity to meet its moment by addressing historic injustices and inequities by working with community and trusted health experts to ensure access to the COVID-19 vaccine, which is one of the keys to economic recovery; and,

WHEREAS, the most recent budget forecast anticipates that the City will experience a deficit in Fiscal Year 2021 and in Fiscal Year 2022; and,

WHEREAS, to meet additional needs, the City strongly advocates for additional flexible direct aid from the federal and state government to assist with vaccine distribution and to support the needs of our community; and,

WHEREAS, despite budgetary constraints, the City will continue to promote its “Equity Agenda” and find innovative solutions to solve problems, listening to and working alongside Richmond residents.

EQUITY AGENDA

That the Council, in support of the Administration’s priorities and objectives as set forth in this document, hereby identifies the urgent economic and moral duty to promote equity and justice and appreciates the collective input to establish a City Equity Agenda to realize the City’s definition of equity. That the Council hereby joins the Mayor and his Administration in support of a City Equity Agenda and urges other sectors, such as culture, tourism and business, to also promote and support equity and justice initiatives in the City of Richmond.

That the Council recognizes that this foundational document is only a starting point and will be a living document to guide the City in its support of all neighborhoods and community members, regardless of race, religion, gender identity, or sexual orientation.

That the Council supports the creation of an Office of Equity and Inclusion within the Office of the Deputy Chief Administrative Officer for Human Services to support and guide the implementation of the Equity Agenda.

That the Council supports the establishment of “equity assessment tools” to track progress on the City’s Equity Agenda.

That the Council supports the following City Equity Agenda priority areas and initiatives, a number of which are also included in the Richmond 300 Master Plan, recognizing that this is not an exhaustive list and that additions will be needed as the City moves forward:

1. Addressing and Preventing Health Disparities

- a. Continue to ensure access to Covid-19 testing, vaccine, and healthcare, especially in communities of color;

- b. Continue to ensure access to masks and sanitizer during the Covid-19 pandemic, especially in communities of color;
- c. Continue to support the City's contact tracing pilot program to provide integrated services to those who test positive for Covid-19;
- d. Support opportunities to expand access to healthcare, such as education campaigns, outreach in targeted communities, and mobile health events;
- e. Create a mental and behavioral health and substance use disorder pilot program utilizing Richmond City Health District health centers in Richmond Redevelopment and Housing Authority communities and continue to partner with both of these agencies and the Richmond Behavioral Health Authority to assist those experiencing substance use disorder;
- f. Ensure public safety officials have access to and are trained in the application of naloxone to help save lives;
- g. Support the "Doula Fund" to help close health disparities for Black and Brown pregnant women and their children;
- h. Increase access to healthy, affordable foods and food education for lower income families; and
- i. Establish an evidence-based model for gun violence prevention, approaching it as a public health issue and elevating community voices and experiences, with support from VCU, VCU Health, Richmond City Health District, and the Office of the Deputy Chief Administrative Officer for Human Services.

2. *Housing as a Vaccine for Poverty*

- a. Continue to provide and advocate for rent and mortgage relief for families during the Covid-19 pandemic;
- b. Implement the comprehensive zoning changes recommended in the Richmond 300 Master Plan to provide greater housing opportunities in all neighborhoods;
- c. Implement the proposed Equitable and Affordable Housing Plan, as set forth in the document entitled "One Richmond: An Equitable Affordable Housing Plan," which, once approved by City Council, will provide clear pathways to support both renters and homeowners and combat gentrification;
- d. Utilize the funding stream for the Affordable Housing Trust Fund to help meet a 10,000 unit need over 10 years – or 1,000 new units of affordable housing per year – partnering with the non-profit and private sectors;
- e. Collaborate with the Richmond Redevelopment and Housing Authority to establish a memorandum of understanding with the City to provide greater oversight and a stronger working relationship;
- f. Work with the Richmond Redevelopment and Housing Authority to advocate on the federal level for additional HUD dollars to support public housing redevelopment;
- g. Continue to fund Richmond's Eviction Diversion Program and expand it to include eviction prevention and education funding;

- h. Implement the City of Richmond Strategic Plan to End Homelessness 2020-2030, adopted by Resolution No. 2020-R031, adopted May 11, 2020 and utilize the recommendations from the Homelessness Advisory Council to close gaps in our current system;
 - i. Support proactive efforts to ensure that protections from discrimination in housing and public accommodations (such as shelter) under Chapter 1140 of the Acts of Assembly of 2020, also known as the Virginia Values Act, are implemented, working with the Commonwealth of Virginia;
 - j. Transfer up to 100 City owned parcels to the Maggie Walker Community Land Trust over the next four years to help with homeownership opportunities; and
 - k. Advocate at the state level for legislative changes, such as inclusionary zoning and stronger building codes, to support housing affordability.
3. *Ensuring Equitable Transit and Mobility for Residents*
- a. Advocate for the City as a member of the Central Virginia Transportation Authority (CVTA);
 - b. Support the Office of Transit and Mobility and establish resources for office needs;
 - c. Create a “Mobility Action Plan” that prioritizes pedestrians’ mobility choices and their safety using an equity lens;
 - d. Invest in Complete Streets Projects;
 - e. Continue to prioritize Vision Zero initiatives in high-need areas, based on data;
 - f. Collaborate with federal lawmakers to provide infrastructure funding directly to localities to improve the City’s roads, bridges, and water systems;
 - g. Advocate and work to secure funding for a North/South BRT;
 - h. Collaborate with the Greater Richmond Transit Co. to maintain zero fare beyond the Covid-19 pandemic and expand route frequency; and
 - i. Paint the Pulse “bus only” lanes red to ensure the safety and timeliness of the Pulse, partnering with the Virginia Department of Rail and Public Transportation.
4. *Building Community Wealth to Combat Economic Inequity*
- a. Work with the Virginia Governor and General Assembly to fully legalize cannabis and ensure future revenues are reinvested in Virginia’s children and advocate for additional criminal justice reforms on the state-level;
 - b. Continue to invest in City workforce development programs for youth and adults, creating pathways to careers, and the Office of Community Wealth Building’s workforce programs, including the Community Ambassador program;
 - c. Conduct targeted outreach to underserved communities to provide connections to jobs and resources;
 - d. Continue to support the Richmond Resilience Initiative;
 - e. Strengthen City policies and practices and partner with community organizations to create greater reentry support and outcomes; and
 - f. Conduct a disparity study in order to identify with particularity the existence of any discrimination suffered by minorities for the purposes of meeting federal

constitutional requirements for the City's use of race-conscious measures to promote greater minority participation in public contracting.

5. *Supporting and Caring for our Children and Families*

- a. Continue to build out the Office of Children and Families, using a multigenerational lens;
- b. Construct two schools over the next four years: George Wythe and Tech High School;
- c. Continue to support and expand out of school opportunities for youth and community center improvements;
- d. Continue to support and enhance the "community connectors" program, which has helped to ensure students are successful in a virtual learning environment;
- e. Create a Youth Advisory Council to advise the Mayor and City Council;
- f. Advocate at the state and local level to increase LGBTQ+ affirming foster care placements that reduce the disproportionate impact of aging out of care on LGBTQ+ youth and LGBTQ+ youth of color on long-term housing instability;
- g. Establish an Educator Task Force to assist with recommendations on college and career preparation for students in grades 6-12 and guidance for planning a year-round academic calendar;
- h. Continue to assist and collaborate with childcare providers to support families;
- i. Advocate for state support for preschool and create a local framework for universal preschool for all three- and four-year-olds in Richmond; and
- j. Ensure that all Richmonders benefit from robust preparation for careers and college by supporting youth apprenticeship, mentoring, and employment opportunities across the city.

6. *Creating Equitable Climate Action and Resilience*

- a. Continue the work and establish resources to implement RVA Green 2050 equity-centered Net Zero and climate resilience goals;
- b. Continue to equitably expand access to green space under the leadership of the Richmond Department of Parks, Recreation, and Community Facilities, using the Climate Equity Index established by the Office of Sustainability;
- c. Invest more in green infrastructure and use the Envision framework for city infrastructure projects to help mitigate the effects of climate change within the community;
- d. Lead by example and implement a comprehensive plan to transition the passenger and light-duty municipal fleet to zero-emission vehicles and to improve the way the City designs, constructs, maintains and renovates its buildings for enhanced energy efficiency, resilience and renewable energy;
- e. Work with community leaders and stakeholders to develop a comprehensive high performance building policy for private development- creating spaces that are highly energy efficient, healthier, resilient, and powered by renewable energy; and

- f. Continue support of the Department of Public Utilities lead service line replacement program to help homeowners with the cost of replacing lead water service lines running from the water meter serving their property into their homes.

7. *Reimagining Public Safety*

- a. Establish a Marcus Alert System, working with community and state partners, to ensure a more appropriate response to those suffering from a mental health crisis;
- b. Create a Civilian Review Board;
- c. Evaluate and implement recommendations of the Task Force to Reimagine Public Safety (currently 27 out of 31 recommendations are either in progress or under evaluation) to create greater accountability, transparency, and community involvement; and
- d. Continue to advocate for necessary changes at the state level, such as a statewide law enforcement officer misconduct database.

8. *Telling the Real History of Richmond*

- a. Invest in the Shockoe Historical Heritage Campus, to ensure appropriate preservation and memorialization;
- b. Work with the Richmond History and Culture Commission to ensure the complete history of Richmond is told and commemorated;
- c. Implement City art installations at City Hall and other City-owned spaces with community input; and
- d. Reimagine Monument Avenue working with the Richmond community and other partners, such as the Commonwealth of Virginia and the VMFA, to ensure that it is inclusive of all Richmonders.

9. *Strengthening Community Engagement and Trust*

- a. Create an Office of Public Information and Engagement to provide consistent and reliable engagement opportunities for residents and ensure clear and inclusive citywide communications and responsiveness;
- b. Utilize the new RVA.gov website to increase resident education and understanding of services and also ensure the availability of information in the many languages Richmonders use;
- c. Provide a reliable avenue for digital engagement to help residents provide active feedback on City projects;
- d. Ensure that RVA311 is an easy to access and well-utilized platform for residents.
- e. Double the number of Community Ambassadors in the Office of Community Wealth Building from 20 to 40 to ensure that the City is connecting with its residents and ensure that such expansion includes bilingual staff;
- f. Establish a Culture Advisory Council, within the Office of Multicultural Affairs, to advise on issues related to Richmond's growing diversity of cultures;
- g. Create a Community Events Calendar on RVA.gov to uplift community-driven events and resources;

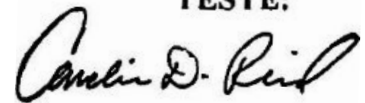
- h. Continue to collaborate with LGBTQ+ leaders to empower and support the LGBTQ + community through policy change, events, and direct dialogue;
- i. Implement racial equity, diversity, and inclusion training for City staff, to include departmental racial equity action plans, and conduct a City equity study/analysis to ensure the City is removing barriers that create inequities; and
- j. Share resources, empowering the people in our community who are rich with lived experiences and knowledge and low on resources to help lead solutions.

10. Utilizing Economic Development to Create Economic Justice

- a. Continue to support the Office of Equitable Development to facilitate the creation of the more sustainable, beautiful and equitable city envisioned by Richmonders in the Master Plan;
- b. Continue to work with and support small businesses through the Department of Economic Development and the Office of Minority Business Development;
- c. Establish a Downtown Task Force to assist with revitalizing the City's downtown core, working with business owners, Venture Richmond, and Richmond Region Tourism;
- d. Redevelop core areas of the City, prioritizing community benefits, such as green space, affordable housing, and job opportunities for Richmonders;
- e. Require community benefits agreements from all developers that purchase City-owned land for redevelopment, or that receive a financial benefit from the City for economic development to ensure greater equity in job education and training, contracting, business opportunities and investment;
- f. Establish an Equitable Economic Development Scorecard; and
- g. Provide the use of City-owned real estate through the surplus property process to encourage affordable housing, community building, and economic development projects.

A TRUE COPY:

TESTE:



City Clerk



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

O&R

REQUEST

DATE: May 17, 2021

EDITION: 2

TO: The Honorable Members of City Council

THROUGH: Lincoln Saunders, Acting Chief Administrative Officer

THROUGH: Sharon Ebert, DCAO of Planning and Economic Development

THROUGH: Robert Steidel, DCAO of Operations

THROUGH: Reginald Gordon, DCAO of Human Services

THROUGH: Jay Brown, Director of Budget and Strategic Planning

THROUGH: Peter Breil, Director of Citizen Service and Response

THROUGH: Gerald Smith, Chief of Police

THROUGH: Melvin Carter, Chief of Fire

THROUGH: Stephen Willoughby, Director of Emergency Communications

FROM: The Honorable Levar M. Stoney, Mayor

RE: Resolution Establishing a City of Richmond Equity Agenda

ORD. OR RES. No. _____

PURPOSE: To express the City of Richmond's support of achieving greater equity and justice through the implementation of a collective "Equity Agenda."

REASON: The City of Richmond recognizes its duty to remove barriers to ensure greater access to resources and opportunities for Richmond residents, especially those who have been historically marginalized. As such, the Equity Agenda establishes the City's roadmap to a more inclusive and thriving city, which is outlined within 10 guiding principles. The City appreciates the extensive community input and research on both the moral and economic benefits of achieving equity, such as through eliminating health disparities and providing pathways for economic justice—all facets that will ultimately aide in the positive well-being of Richmonders. This Equity Agenda will help the City of Richmond prioritize resident needs, in addition to basic city services.

RECOMMENDATION: Approval is recommended by the City Administration.

BACKGROUND: A memorandum summarizing the work that went into establishing the Equity Agenda is attached.

FISCAL IMPACT / COST: N/A

FISCAL IMPLICATIONS: N/A

BUDGET AMENDMENT NECESSARY: N/A

REVENUE TO CITY: N/A

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: May 24, 2021

CITY COUNCIL PUBLIC HEARING DATE: June 14, 2021

REQUESTED AGENDA: Consent agenda.

RECOMMENDED COUNCIL COMMITTEE: Education and Human Services Committee

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None.

AFFECTED AGENCIES: All City Departments and Offices are subject to implement the City's Equity Agenda.

RELATIONSHIP TO EXISTING ORD. OR RES.: N/A

REQUIRED CHANGES TO WORK PROGRAM(S): All City Departments and Offices are subject to implement the City's Equity Agenda.

ATTACHMENTS: Memorandum summarizing the work that went into establishing the City's Equity Agenda.

STAFF: Maggie Anderson, Acting Chief of Staff, Office of the Mayor



DATE: May 24, 2021

TO: Members of Richmond City Council

FROM: Mayor Levar M. Stoney

RE: Equity Agenda Feedback and Analysis

Purpose

Continuing to build One Richmond relies upon improving the way Richmonders engage and take stake in the policies and administrative processes that impact their overall well-being. Actualizing equity through governance will continue to be an ongoing process, as the City intentionally collaborates with those that have been historically excluded from vital conversations. The City's working definition of equity is: **the empowerment of people and communities that have experienced past injustices by removing barriers to access and opportunity.**

Mayor Stoney established Richmond's Equity Agenda as our shared mission in his 2021 State of the City address. We have the responsibility to act intentionally in righting the wrongs of our shared history and actualizing the opportunity this city should afford all its residents. Our roadmap to a more inclusive and thriving city is the Equity Agenda, which will be formally introduced to Richmond City Council as a resolution on May 24, 2021.

There are ten policy categories, or principles, within the Equity Agenda:

1. *Addressing and Preventing Health Disparities*
2. *Housing as a Vaccine for Poverty*
3. *Ensuring Equitable Transit and Mobility for Residents*
4. *Building Community Wealth to Combat Economic Inequity*
5. *Supporting and Caring for our Children and Families*
6. *Creating Equitable Climate Action and Resilience*
7. *Reimagining Public Safety*
8. *Telling the Real History of Richmond*
9. *Strengthening Community Engagement and Trust*
10. *Utilizing Economic Development to Create Economic Justice*

Engagement Timeline

Mayor Stoney announced the availability of the draft Equity Agenda on February 23, 2021. The Agenda was available for commenting on an open feedback platform on RVA.gov called Konveio from February 23 – April 18.

During this time, the Office of Community Wealth Building (OCWB) supplemented digital data collection by conducting in-person and phone interviews of Richmond Redevelopment and Housing Authority (RRHA) residents. The Office of Multicultural Affairs (OMA) solicited in-person feedback from Richmond's Latino community through coordination with partners at community events. The targeted engagement efforts of OCWB and OMA surpassed the traditional engagement deadline due to the unique nature of their outreach channels.

Summary of Data Collection

To gather feedback on the Equity Agenda, the City of Richmond solicited feedback three ways: (1) online forum; (2) in-person; (3) through a series of virtual meetings

Engagement Type	Channel	Feedback	Notes
Online	Konveio	431 unique comments; 1,421 reactions (thumbs up/agreement; thumbs down/disagreement to comments)	14 tag categories
In-person	Canvassing and community conversations with RRHA residents	3,000 points of contact	OCWB Ambassadors
	Print surveys with Latino residents	380 unique comments; 463 tags	Office of Multicultural Affairs + Community Partners. Tags were used as a method to categorize themes mentioned in each unique comment (example; "Community Latina (sic) not involved in the development of the city" was tagged as "engagement")

Advertisement of Engagement Opportunity

The opportunity to provide online feedback at any time during the engagement window was heavily advertised.

The city used the following methods to promote the opportunity: presentation at an informal council meeting, launch and ongoing promotion during the mayor's weekly press conferences, earned media solicitation, promotional coordination with partner organizations through a toolkit, regular posting on the city's enterprise social media accounts, and two monetized digital advertisement campaigns.

The digital advertisement campaigns resulted in roughly 35,200 impressions in total. An impression is a way of quantifying when a live person has actually viewed or interacted with the advertisement.

The city did not rely entirely on digital advertising. The OCWB Community Ambassadors distributed 10,000 flyers throughout the RRHA communities that explained the intention of the project and included a QR code to facilitate mobile phone engagement.

****The next two pages include examples of advertisements shared with the community***

THE RICHMOND EQUITY AGENDA

How to get involved:



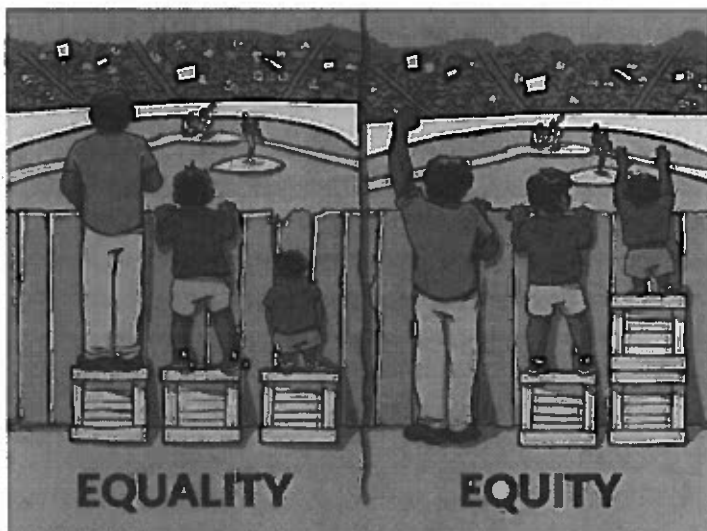
WHAT IS IT?

Our roadmap to a more inclusive and thriving city is the Equity Agenda, which will be formally introduced to Richmond City Council as a resolution. But before it's introduced, we want to be sure it reflects the city's vision - that includes yours.

WHAT IS EQUITY?

Equality means treating everyone the same regardless of skin color, gender, socio-economic status. **Equity does more – it acknowledges that people have different needs based on their history and identity.**

The city's working definition of true equity is the empowerment of communities that have experienced past injustices by removing barriers to access and opportunity. A visual example of equality vs. equity is shown below:



Interaction Institute for Social Change | Artist: Angus Maquire

INVOLVEMENT

Mayor Stoney established this as our shared mission in his 2021 State of the City address.

We have the responsibility to act intentionally in righting the wrongs of our shared history and actualizing the opportunity this city should afford all its residents.

Read the draft and let us know what you think before it becomes formal.

1. To review the agenda, go to rva.gov/rvaequity.
 2. Explore the principles and what the city is proposing.
 3. Add what you think directly to the document.
-

Provide feedback until April 18th.

The Richmond Equity Agenda

- | | | | |
|---|---|----|--|
| 1 | Addressing and Preventing Health Disparities | 6 | Creating Equitable Climate Action and Resilience |
| 2 | Housing as a Vaccine for Poverty | 7 | Reimagining Public Safety |
| 3 | Equitable Transit and Mobility | 8 | Telling the Real History of Richmond |
| 4 | Community Wealth to Combat Economic Inequity | 9 | Community Engagement and Trust |
| 5 | Supporting and Caring for our Children and Families | 10 | Economic Development |

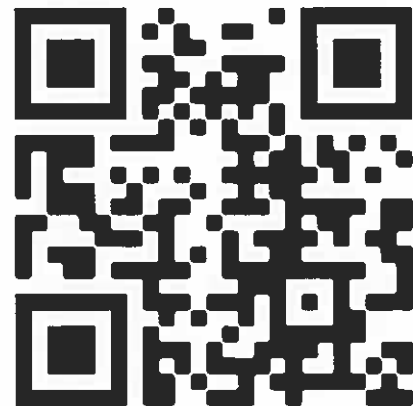
Our roadmap to a more inclusive and thriving city is the Equity Agenda, which will be formally introduced to Richmond City Council as a resolution. But before it's introduced, we want to be sure it reflects the city's vision - **that includes yours.**

SCAN HERE:

**Do you see
any gaps?**

**ADD YOUR INPUT
BEFORE APRIL 18.**

RVA.GOV/RVAEQUITY



Analysis of Feedback

Total number of comments: 5,232 (includes agreement and disagreement reactions)

SOURCE	Top Three Issues
<u>Konveio</u>	(1) Housing/homelessness (2) Economic justice (3) Public safety reform
In-person (RRHA communities)	(1) Public safety/gun violence prevention (2) Opioid crisis (3) Joblessness/Economic justice
In-person (Latino outreach)	(1) Improved City Engagement (2) Health/Wellness (3) Jobs/Economic justice

NOTE: We did our best to limit outreach to Richmond residents. However, we cannot guarantee that all online comments are from Richmonders. Additionally, the main goal of engaging with the community on this foundational document was to determine gaps not addressed in the resolution or action items. Every comment is not reflected word-perfect in the final equity agenda, instead common themes were incorporated where applicable.

Summary:

Staff thematically tagged each comment received via Konveio and the Office of Multicultural Affairs that related to a principle outlined in the Equity Agenda.

Examples of Prevalent Themes Captured via Digital Data Collection (Konveio)

Housing, Public Safety, and Economic justice ranked highest amongst comments received.

Housing (10.3%)

- Commenters provided their thoughts on diversifying housing stock within city limits, supportive/transitional housing, and increase shelter space for those experiencing homelessness.
- Action item, “2B. Implement the comprehensive zoning changes recommended in the Richmond 300 Master Plan to provide greater housing opportunities in all neighborhoods,” was added to illustrate the need for continued collaboration between the Department of Planning and Review, Richmond City Council and residents of the city, to collectively update zoning ordinances to support affordable mixed-use developments, supportive housing and shelter space, within all neighborhoods. Creating pathways for Richmonders to have the choice in which neighborhood they call home, despite income, eliminates the stigma of “otherness,” in hopes of increasing well-being.

Public Safety (10.3%):

- Commenters brought attention to public safety needs that were highlighted collectively by civil unrest seen across the nation during the summer of 2020. Thorough hiring practices, alternative response systems for calls to service, and civilian oversight committees were highlighted by those who interacted with the Equity Agenda via Konveio.
- It is important to note that many of the comments related to public safety expansion in the City of Richmond were addressed prior to the introduction of the Equity Agenda through Mayor Stoney's Task Force to Reimagine Public Safety. The task force convened for 90 days, and supplied recommendations to the administration that address use of force policies, designate approaches to public safety that use a human services lens, as well as methods to prioritize community healing and engagement.
- Staff edited action item 7C to clarify the status of the task force recommendations, indicating that 27 out of the 31 recommendations are in progress or under evaluation for feasible implementation.

Examples of Prevalent Themes Captured via In-Person Data Collection (RRHA Residents and Latino Community)

Data collection in, and of itself, illustrated barriers for marginalized communities being unable to fully engage with the digital platforms used to capture resident comments. To close this engagement gap, Community Ambassadors of the Office of Community Wealth Building utilized hard copy flyers and questionnaires, which deconstructed the equity agenda to highlight the major ten equity focus areas outlined in the resolution (flyer examples attached).

Staff gathered that it was difficult for Richmond's Black and Brown community members to engage fully with the Equity Agenda as day-today challenges (gun violence, substance use, etc.) superseded certain action items that related to "Ensuring Equitable Transit and Mobility for Residents" and "Creating Equitable Climate Action and Resilience."

Prevalent themes that were derived from RRHA in-person data collection majorly involved needs reflected within the barriers to fully engage with certain aspects of the document. RRHA residents noted needs for elevating public safety, implementing gun violence prevention strategies, supports to combat substance use disorder, and access to sustainable career and job opportunities. Action item, "4C. Conduct targeted outreach to underserved communities to provide connections to jobs and resources" was added to support efforts to support joblessness and inform residents of alternative career pathways.

Prevalent themes derived from OMA's engagement with the Latino community majorly involved improving health disparities via more affordable options, need for better City engagement, and more access to better paying jobs. Although healthcare costs are not controlled by City of Richmond offices, the comments that were collected illustrate an opportunity for the City to

engage more with local clinics to increase awareness of preventative health options and resources that are already available to Richmond's Latino community. Action item, "1D. Support opportunities to expand access to healthcare, such as education campaigns, outreach in targeted communities, and mobile health events" was added to support this effort.

Next Steps

With approval of the resolution from City Council, action items outlined from the ten principles will be assigned to their respective portfolio within city departments (i.e.; "1D. Ensure public safety officers have access to and are trained in the application of Narcan to help save lives" will be coordinated by the Richmond City Health District and Richmond Police Department; "3H. Collaborate with GRTC to maintain zero fare beyond the COVID-19 pandemic and expand route frequency" will be coordinated by the Office of Equitable Transit and Mobility-DPW).

With Council support of the creation of the Office of Equity and Inclusion (FY22 budget) within the Office of the Deputy Chief Administrative Officer for Human Services, this infrastructure will provide city support and guide the implementation of the Equity Agenda. The creation of this office will facilitate a streamlined systems approach to ensuring respective departments are listening to residents, incorporating best practices and feedback, and implementing policies and strategies that are representative of the residents in which they are intended to support.

The newly created Office of Public Information and Engagement will provide the outreach structure needed to continue this conversation and the communications infrastructure to provide vital public updates. Ultimately, the engagement effort around the Equity Agenda is far from over. This foundational document will inform ongoing dialogue and aid in the effort to close the trust gap between city government and the city's residents.

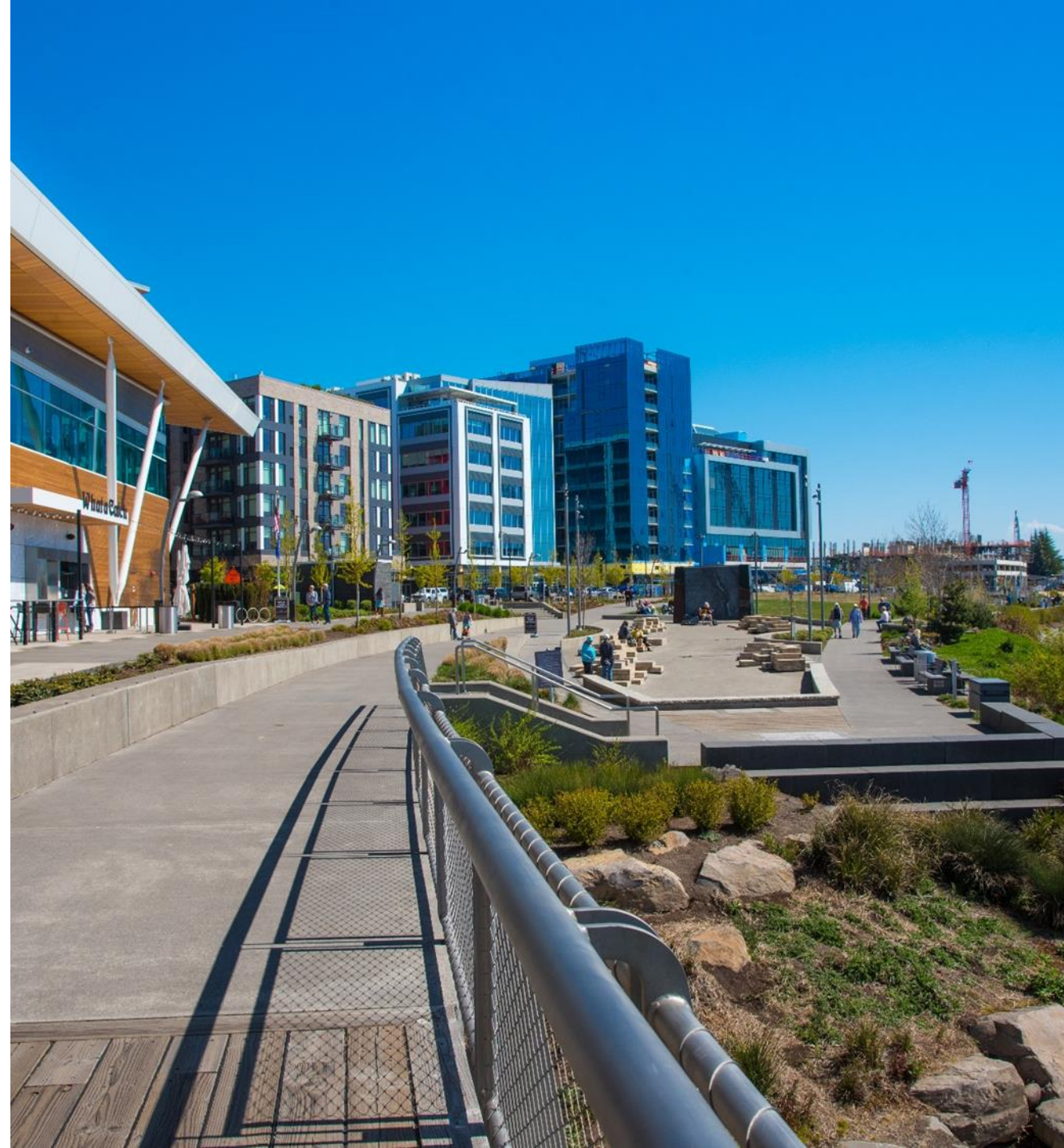
Joint Workshop: Equity Frameworks

Planning Commission &
City Council
March 20th, 2023



Agenda

- Context Setting, Purpose & Intent, and Approach
- Staff Introductions
- Equity Framework Examples
- Breakout Discussions
- Report Outs
- Closing Discussion
- Next Steps



Introductory Comments and Relevant Background

- Today the goal is to start the conversation and process of developing a shared understanding of how we can integrate equity into the Comprehensive Plan update
 - The presentation today will include examples of efforts to build both process and outcome equity
 - Discussion today will feed into the Equity Framework, which we'll be bringing back to Council for review and endorsement in the coming months
 - Encourage all of you to begin imagining what a future more equitable Vancouver looks like, and what it will take to get there
- This is the first joint Council and Planning Commission workshop in a decade or more, and also is the first in a series of three that are planning as part of the Comprehensive Plan Update.
 - We welcome your feedback on all aspects of the workshop-materials, format, structure, etc.

Purpose + Intent

- Learn about and start to identify meaningful strategies to center disproportionately impacted and marginalized communities during the Comprehensive Plan Update process.

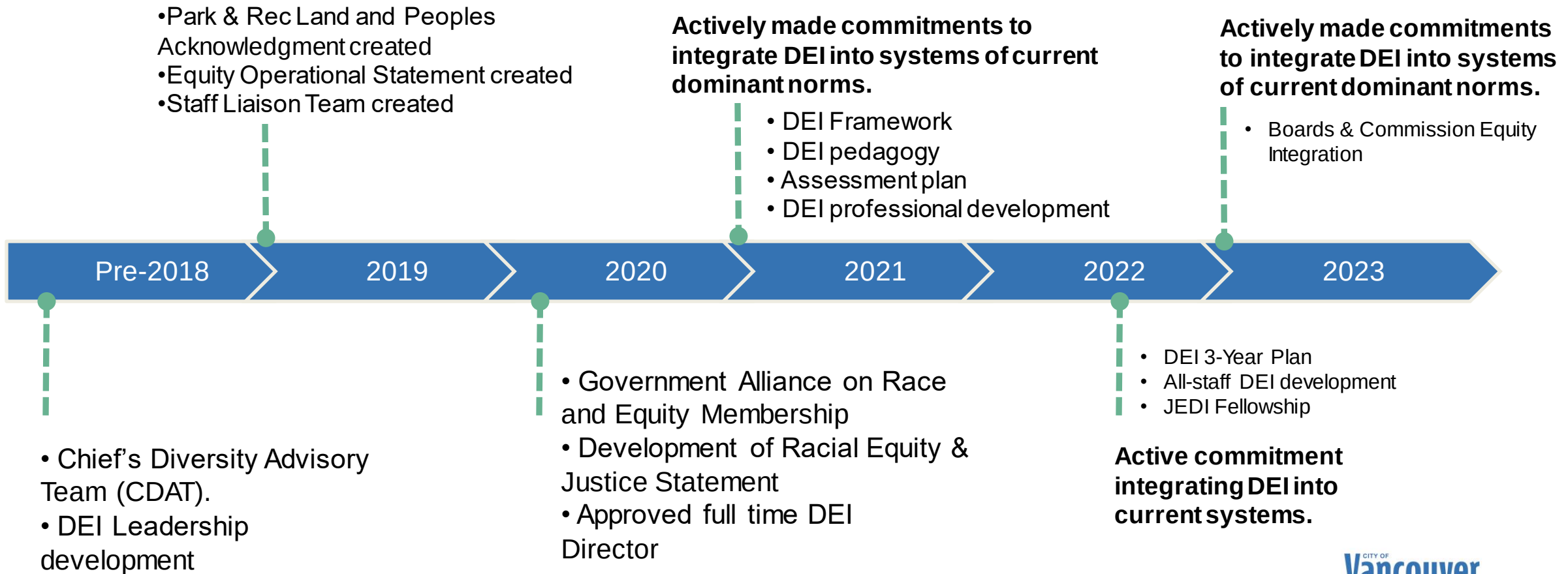


Approach



- Examine three case studies where a guiding equity framework was used to guide an overall effort or initiative.
- Explore key takeaways from each of these examples and identify how they could be incorporated in the Comprehensive Plan's Equity Framework.
- Share key takeaways from examples that you found compelling or challenging, and your thoughts on what a more equitable Vancouver could look like.

City of Vancouver's Diversity, Equity & Inclusion Journey (DEI)



Staff Introductions



City Staff: Community Development

- Rebecca Kennedy, Deputy Director
- Domenic Martinelli, Senior Long-Range Planner

City Staff: City Manager's Office

- Alicia Sojourner, Director of Diversity, Equity & Inclusion
- William Cooley, Community Engagement Manager

Table Facilitators:

- Radhika Nair, Seva Workshop
- Nicole McDermott, WSP
- Anne Pressentin, WSP

Equity Framework Examples



**Equity Agenda
Richmond, VA**



**Framework for an
Equitable Future
NYC Parks**



**Equity Lens
Renton, WA**

Example: Equity Agenda Richmond, Virginia (Group 1)

- ▶ Addressing and Preventing Health Disparities
- ▶ Housing as a Vaccine for Poverty
- ▶ Ensuring Equitable Transit and Mobility for Residents
- ▶ Building Community Wealth to Combat Economic Inequity
- ▶ Supporting and Caring for our Children and Families
- ▶ Creating Equitable Climate Action and Resilience
- ▶ Reimagining Public Safety
- ▶ Telling the Real History of Richmond
- ▶ Strengthening Community Engagement and Trust
- ▶ Utilizing Economic Development to Create Economic Justice

- 10 guiding principles
- Identifies actions the city has taken
- Identifies actions the city will take under the Equity Agenda

Equity Agenda - Richmond, Virginia

Overview

- Citywide guidance, not specific to a project or planning effort
- Includes an acknowledgment and apology for past harms
- Provides an explanation of the reasons and rationale for the agenda
- Addresses equity as it relates to climate resiliency
- Provides definitions for key terms including equity and equality

Example: Framework for an Equitable Future New York City Parks (Group 2)



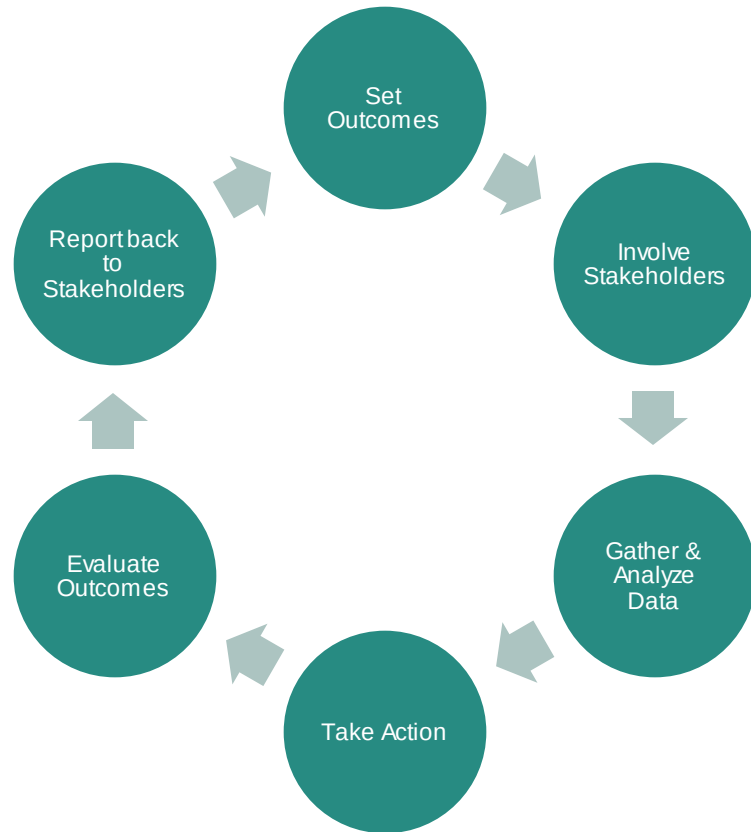
- 9 near-term milestones to be achieved in the first year
- Identifies actions that will lead to equitable outcomes
- Focused on equitable distribution of resources

Framework for an Equitable Future - NYC

Overview

- Equity is not explicitly defined
- Identifies zones with the most need – areas with small parks, dense population, experiencing growth, and higher than average poverty
- Investment is prioritized based on need
- Includes coalition building as a key pillar to help community partners build capacity to implement future programs
- Includes quantitative and qualitative metrics to track performance

Example: Equity Lens Renton, Washington (Group 3)



- 6 step equity lens process
- Used during the decision-making process to inform decisions and minimize unanticipated adverse consequences
- Applies to all city departments

Equity Lens – Renton, Washington

Overview

- Focused on identifying and analyzing impacts to “social identity groups”
- Includes examples of social identity groups (gender identification, class, language, race, ethnicity, age, sexual orientation, physical/developmental/mental abilities, etc.)
- Includes a list of specific questions the decision-making body should consider during the decision-making process
- Does not include a definition of equity

Breakout Groups

Logistics

- Each group will discuss one of the example frameworks
- Breakout discussions will last 40 minutes
- A facilitator will help keep the conversation on track and a notetaker will record input.
- First task in the breakout group: identify who will provide the report out

Breakout Groups

Discussion Questions

1. What resonates with you about the equity and racial equity frameworks?
2. What challenges you?
3. What resonates with you about a specific element of the frameworks:

Group 1: the guiding principles in the Richmond example?

Group 2: the near-term milestones in the NYC example?

Group 3: the process steps in the Renton example?

Breakout Group Report Out

Key takeaways from
the discussion



- Group 1: Equity Agenda – Richmond, VA
- Group 2: Framework for an Equitable Future – NYC Parks
- Group 3: Equity Lens – Renton, WA

Closing Discussion

Questions

- Are there key takeaways or lessons from the examples you looked at that are applicable to this effort?
- What does an equitable future look like for the City of Vancouver? What changes are needed to realize this vision?

Next Steps

- Input from today's workshop will be incorporated into draft Equity Framework
- Additional input into draft equity framework:
 - Review from City's Equity Team and Community Partners
 - Other City Departments and Staff
- Two workshops scheduled on 5/8 and 5/22 to discuss:
 - Draft Equity Framework
 - Draft Community Partnership Framework



Thank You

To learn more, visit beheardvancouver.org/plan2045





Staff Report: 039-23

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 3/20/2023

SUBJECT Bid Award for the Water Station 4 Wellhouse 4B Replacement Project, per Bid #23-04

Key Points

- Water Station 4 is one of Vancouver's drinking water production sites with six well pumps including Well 4B.
- The existing Well 4B wellhouse is structurally failing. This project replaces that wellhouse and upgrades electrical.
- Five bids were received and Odyssey Contracting of Yacolt, Washington was determined to be the lowest responsive and responsible bidder.
- The Contractor proposes exceeding the City's apprenticeship utilization goal of 3%.

Strategic Plan Alignment

Goal 1, Objective 1.2: Ensure our infrastructure, including buildings and utilities, is safe, environmentally responsible and well maintained

Present Situation

Water Station 4 is one of Vancouver's larger drinking water production sites. The site is located at 4203 East 5th Street and contains six groundwater wells, including Well 4B, a booster pump station, and treatment facilities. The wellhouse protecting Well 4B has signs of structural failure in the form of cracked and offset walls. The building has been temporarily shored up and needs replacement. This project will replace that building with a new building of similar type and style but with improved construction materials and methods for longevity and seismic resiliency. Along with replacing the wellhouse building, upgrades will be made to electrical components that will include new instrumentation to monitor power and flow. This will provide water operations staff the ability to monitor the energy efficiency of the existing well pump and motor utilizing the water system control network.

On February 28, 2023, the City received five bids for the subject project and the low bidder, Odyssey Contracting, LLC of Yacolt, Washington was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
Odyssey Contracting, LLC, Yacolt, WA	\$505,348.38
Western United Civil Group, LLC, Yacolt, WA	\$521,334.30
Clark and Sons Excavating, Inc., Battle Ground, WA	\$523,478.06
Tapani, Inc., Battle Ground, WA	\$603,848.58
Pease & Sons, Inc, Tacoma, WA	\$780,055.34
Engineers' Estimate	\$600,000.00

Odyssey Contracting, LLC of Yacolt, Washington has completed similar jobs and is the lowest responsive and responsible bidder.

Odyssey Contracting, LLC acknowledges the City's requirement for Apprenticeship Utilization and is proposing to exceed the project's goal of 3% with their goal of 11% by using 150 apprentice hours out of the total 1,289 project hours

Advantage(s)

1. The new seismically resilient building will protect the existing well, well pump, and related equipment.
2. Provides for electrical upgrades to monitor energy in the form of power and hydraulic flow for energy efficiency.
3. Provides for a secure and well-maintained water utility system.

Disadvantage(s)

None

Budget Impact

The funds for this project are budgeted in the 2023-2024 Water Capital Improvement Budget as PRJ100240.

Prior Council Review

Approved in the 2023-2024 Capital Budget, as a specific project in the Water Capital Fund.

Action Requested

On March 20, 2023, award a construction contract for the Water Station 4 Wellhouse 4B Replacement project to the lowest responsive and responsible bidder, Odyssey Contracting, LLC of Yacolt, Washington at their bid price of \$505,348.38, which includes Washington State sales tax, and authorize the City Manager or designee to execute the same.

Michelle Henry, Senior Civil Engineer, 360-487-7155

ATTACHMENTS:

- ▯ Contract for the Water Station 4 Wellhouse 4B Replacement



CONSTRUCTION CONTRACT # C-101164
BID 23-04: WATER STATION 4 WELL HOUSE 4B REPLACEMENT

This Contract (hereinafter referred to as the "Contract") is entered into by and between the City of Vancouver, Washington, a municipal corporation organized under the laws of the State of Washington (hereinafter referred to as the "City") and Odyssey Contracting, LLC, 18003 NE Silvan Dr, Yacolt, WA 98675 (hereinafter referred to as the "Contractor"). The City and Contractor may be collectively referred to herein as the "parties" or individually as a "party".

WHEREAS, the City desires to engage the Contractor to provide public works construction and other related services for the work described herein;

WHEREAS, Contractor has agreed to offer its services to perform said work per the City issued Invitation to Bid (ITB) No. 23-04 and all addenda thereto, Contractor's Bid to said ITB, the Project Plan Set and Special Provisions, and City Council's approval on March 20, 2023 per Staff Report No. ~~##-##~~; and

WHEREAS, the Contractor represents by entering into this Contract that it is fully qualified to perform the work to which it will be assigned in a competent and professional manner, and to the standards required by the City.

NOW, THEREFORE, in consideration of the terms, conditions, covenants, and performance contained herein, or attached and incorporated and made a part hereof, the parties hereto agree as follows:

- 1. STATEMENT OF WORK:** The Contractor hereby agrees to furnish all materials, labor, tools, machinery and implements of every description necessary to complete the work in a professional manner within the time limits stated in this Contract for the construction and installation of the following improvements and will make all necessary arrangements for the obtaining of permits from the United States, State of Washington, and/or any of its agencies as may be necessary to do the work required and covered by this Contract.

This Contract provides for the demolition and replacement of an existing well house building that houses a well and well pump that are to remain; upgrade the building electrical along with the motor controller; provide additional instrumentation and controls; expand the paved maintenance road; improve site drainage; and provide all improvements and other work, all in accordance with the attached Contract Plans, these Contract Provisions, and the Standard Specifications.

The Contract work shall be fully complete within one hundred (100) Working Days from the Notice to Proceed (NTP).

2. **EFFECTIVE DATE:** This Contract is effective as of the last signature of the Contract.
3. **E-VERIFY PROGRAM:** Contractor shall register and enter into a Memorandum of Understanding (MOU) with the Department of Homeland Security E-Verify program within sixty (60) days after execution of this Contract. Contractor shall ensure all Contractor employees and any sub-contractor(s) assigned to perform work under this Contract are eligible to work in the United States. Contractor shall provide verification of compliance upon City request. Failure by Contractor to comply with this subsection shall be considered a material breach.
4. **CONTRACTOR RESPONSIBILITIES FOR SUBCONTRACTORS:** The Contractor shall include the language of this section in all tier subcontracts and shall require each of its subcontractors to include the same language of this section in each of their subcontracts, adjusting only as necessary the terms used for the contracting parties. The requirements of this section apply to all subcontractors regardless of tier. The Contractor shall require all subcontractors to comply with all relevant federal, state and municipal laws, rules and regulations whatsoever.

At the time of subcontract execution, the Contractor shall verify that all tier subcontractors meet the following bidder responsibility criteria:

1. Have a current certificate of registration in compliance with chapter 18.27 RCW, which must have been in effect at the time of subcontract bid submittal;
 2. Have a current Washington Unified Business Identifier (UBI) number;
 3. Have received training on the requirements related to public works and prevailing wage as required by RCW 39.04.350;
 4. Within the three-year period immediately preceding the date of the bid solicitation, not have been determined by a final and binding citation and notice of assessment issued by the department of labor and industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in RCW 49.48.082, any provision of chapter 49.46, 49.48, or 49.52 RCW.
 5. If applicable, have:
 - i. Have Industrial Insurance (workers' compensation) coverage for the subcontractor's employees working in Washington, as required in Title 51 RCW;
 - ii. A Washington Employment Security Department reference number, as required in Title 50 RCW;
 - iii. A Washington Department of Revenue state excise tax registration number, as required in Title 82 RCW;
 - iv. An electrical contractor license, if required by Chapter 19.28 RCW;
 - v. An elevator contractor license, if required by Chapter 70.87 RCW.
 6. Not be disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065 (3).
5. **DELINQUENT STATE TAXES:** The Contractor shall not owe delinquent taxes to the Washington State Department of Revenue without a payment plan approved by the Department

of Revenue.

6. **COMPENSATION AND SCHEDULE OF PAYMENTS:** In consideration of the promises and agreements of the Contractor as set forth herein, and in consideration of the faithful performance and furnishing of the work and materials required by this Contract to the satisfaction of the City, the City agrees to pay to the Contractor as prescribed in the solicitation and Contractor's Bid, and in accordance with the ordinances of the City of Vancouver and the laws of the State of Washington, the following sum as indicated, which amount does includes 8.6% Washington State Sales Tax (if applicable) \$505,348.38 USD.

The amount finally to be paid is, however, variable upon the Work actually performed and final payment will be made upon the basis of the amount of work performed and the materials furnished, and at the lump sum or unit prices fixed in the Contractor's Bid and as modified by any and all approved Change Orders.

7. **CONTRACTOR'S INSURANCE:** The Contractor agrees to the following requirements relating to insurance coverage. Provide a Certificate of Liability Insurance. Said certificate must be provided on a standard "ACORD" form, or its equivalent, and must provide that coverage shall not be canceled or modified without 30 days prior written notice to the City of Vancouver.

In addition, all policies shall be issued by an insurance company licensed to do business in the State of Washington. The City of Vancouver may inspect all policies and copies shall be provided to the City upon request.

The Contractor agrees to procure insurance coverage as required below:

COVERAGE	LIMITS OF LIABILITY
I. Commercial General Liability:	
Policy shall include Bodily Injury, Property Damage, Personal Injury and Broad Form Contractual Liability	
Each Occurrence	\$1,000,000
General Aggregate Per Occurrence	\$2,000,000
Products & Completed Operations Aggregate	\$2,000,000
Personal and Advertising Injury	\$1,000,000
Blanket Contractual Liability	\$1,000,000
II. Commercial Automobile Liability	
Policy shall include Bodily Injury and Property Damage, for any owned, Hired, and/or Non-owned vehicles used in the operation, installation and maintenance of facilities under this Contract.	
Combined Single Limit	\$1,000,000
III. Workers' Compensation (applicable to the State of Washington)	
Per Occurrence	Statutory
Employer's Liability	\$1,000,000

COVERAGE	LIMITS OF LIABILITY
Disease Each Employee	\$1,000,000
Disease Policy Limit	\$1,000,000
Each Claim	\$1,000,000
Annual Aggregate	\$2,000,000
IV. Pollution Legal Liability	
Each Claim	\$3,000,000
Annual Aggregate	\$6,000,000
V. Builders Risk	
Builder's "All Risk" Property Insurance a. Coverage to include personal property of others in the care, custody and control of the contractor. Coverage should be written for 100% of the completed value. b. For additions or repairs of existing building structures, coverage to include contractor's interest in improvements, repairs, additions, alterations to completed buildings and subject to items described in "a".	Contract Value

In addition to the coverage and limits listed above the Contractor's insurance must all contain the following:

- a. City Listed as an Additional Insured. The City of Vancouver, its Agents, Representatives, Officers, Directors, Elected and Appointed Officials, and Employees must be named as an additional insured. The required Additional Insured endorsements shall be at least as broad as ISO CG 20 10 11 85, or its equivalent CG 20 10 07 04 and CG 20 37 07 04 must be included with the Certificate of Insurance.
- b. Either the Commercial General Liability or the Workers' Compensation policy must be endorsed to include "Washington Stop Gap" insurance. The limits and aggregates referenced must apply to the Stop Gap coverage as well and must be indicated on the certificate.
- c. Employment Security. The Contractor shall comply with all employment security laws of the State in which services are provided and shall timely make all required payments in connection therewith.
- d. The City of Vancouver shall be listed on the Certificate as the Certificate Holder.

- e. **Coverage Trigger:** The insurance must be written on an “occurrence” basis. This must be indicated on the Certificate.

Contractor shall provide evidence of all insurance required, at the City’s request, by submitting an insurance certificate to the City on a standard “ACORD” or comparable form.

All policies shall be issued by an insurance company licensed to do business in the State of Washington. The City of Vancouver may inspect all policies and copies shall be provided to the City upon request.

- 8. **CONTRACTOR’S BOND:** The Contractor agrees that before it undertakes performance of this Contract, it will file with the City of Vancouver a Performance Bond and Payment Bond, in the forms prescribed by the City of Vancouver, in the full amount of the Contract price with a company authorized to do business in the State of Washington as a surety. The bonds shall comply with the laws of the State of Washington, and especially with the provisions of Chapter 39.08 RCW.
- 9. **DISPUTE RESOLUTION:** In the event of a dispute between the Parties which cannot be resolved by the contract managers, the Contractor and the City shall review such dispute and may attempt to resolve the dispute. Any controversy or claim arising out of or relating to this Contract or the alleged breach of this Contract that cannot be resolved by the Parties within 30 days of receipt of written notice may be submitted to mediation. If the dispute cannot be resolved through mediation, either party may initiate litigation pursuant to the governing law and venue provisions of this Contract. The Parties agree to pay their own attorneys’ fees and expenses.
- 10. **GOVERNING LAW/VENUE:** This Contract shall be deemed to have been executed and delivered within the State of Washington, and the rights and obligations of the parties hereunder shall be construed and enforced in accordance with, and governed by, the laws of the State of Washington without regard to the principles of conflict of laws. Any action or suit brought in connection with this Contract shall be brought in the Superior Court of Clark County, Washington.
- 11. **EMPLOYMENT OF LABOR:** The Contractor agrees that all persons employed by Contractor and by any of its subcontractors and any of their lower tier contractors in work performed pursuant to this Contract shall not be employed in excess of eight (8) hours in any one day, except as provided or allowed by Chapter 49.28 RCW and WAC 296-127 and any amendment thereto.
- 12. **PAYMENT OF LABOR:** The Contractor agrees that all laborers, workers, or mechanics employed by it or by any subcontractor in the performance of this Contract will be paid not less than the prevailing rate of wage for an hours work, in accordance with the provisions of the Chapter 39.12 RCW, and all rules and regulations promulgated pursuant thereto.

The prevailing wage rates in effect at the time of the bid submittal deadline shall apply for the duration of the project, no matter how long it lasts. However, if the Contract is awarded more

than six (6) months after the bids were due, the prevailing wage rates in effect on the award date shall apply.

In case any dispute arises as to what the prevailing rates of wages for work of a similar nature are and such dispute cannot be adjusted by the parties involved, the matter shall be referred to the director of the Department of Labor and Industries of the State of Washington for arbitration, and the director's decision shall be final, conclusive and binding on all parties involved in the dispute.

- 13. PAYMENT TO THE CONTRACTOR:** Progress payments to the Contractor shall be made within 30 days of a fully executed Pay Estimate pending all compliance with all contractual requirements. A sum equal to 5% may be reserved and retained from monies earned by the Contractor in accordance with Chapter 60.28 RCW. The City reserves the right to require Contractor to correct any submitted or paid erroneous invoices according to the rates set forth herein. City and Contractor agree that any amount paid in error by City does not constitute a change in the agreed upon amount; Contractor agrees to issue a refund of any overages paid in error by the City.

Release of the retained percentage or the retainage bond shall be in accordance with Chapter 60.28 RCW. Every person performing labor or furnishing supplies toward the completion of said improvement of work shall have a lien upon said monies so reserved; provided, that such notice of the lien of such claimant shall be given in the manner provided in RCW 39.08.030 and within the time provided in Chapter 60.28 RCW as now existing and in accordance with any amendments that may hereafter be made thereto.

No payment shall be made to the Contractor, however, until the Contractor and all subcontractors who have performed work shall have filed and received approval of a Statement of Intent to Pay Prevailing Wage as required by RCW 39.12.040 from the Washington State Department a Labor and Industries. Said Contractor and all subcontractors shall also keep accurate payroll records for three years from the date of acceptance as described in RCW 39.12.120. A Contractor and all subcontractors shall, file a copy of its certified payroll records using the Department of Labor and Industries online system on a monthly basis. A Contractor's noncompliance with this section shall constitute a violation of RCW 39.12.050.

- 14. INDEMNIFICATION:** Contractor agrees to indemnify, defend, save and hold harmless the City, its officials, employees and agents from any and all liability, including but not limited to demands, claims, causes of action, suits or judgments, claims of copyright or patent infringement, including costs, attorney fees and expenses incurred in connection therewith, or whatsoever kind or nature, arising out of, or in connection with, or incident to, the performance of services by Contractor pursuant to this Contract.

In the event that any suit based on such a claim, demand, loss, damage, cost, or cause of action is brought against the Contractor, the City retains the right to participate in said suit.

This indemnity and hold harmless shall include any claim made against the City by an employee of Contractor or subcontractor or agent of the Contractor, even if Contractor is thus otherwise immune from liability pursuant to the workers' compensation statute, Title 51 RCW.

To the extent that such liability arises from the concurrent negligence of both the City and the Contractor, such cost, fees and expenses shall be shared between the City and the Contractor in proportion to their relative degrees of negligence. This indemnity and hold harmless shall NOT apply in the case where liability arises from the sole negligence of the City. Contractor specifically acknowledges that the provisions contained herein have been mutually negotiated by the Parties and it is the intent of the Parties that Contractor provide the broadest scope of indemnity permitted by RCW 4.24.115.

- 15. OWNERSHIP OF RECORDS AND DOCUMENTS:** Any and all work product prepared by the Contractor in the course of performing this Contract shall immediately become the property of the City. In consideration of the compensation provided for by this Contract, the Contractor hereby further assigns all copyright interests in such work product to the City. A copy may be retained by the Contractor. Previously owned intellectual property of Contractor or any third party, and any know-how, methodologies or processes used by Contractor to provide the services or project deliverables under this Contract shall remain property of the original City.
- 16. PUBLIC DISCLOSURE COMPLIANCE:** The parties acknowledge that the City is an “agency” within the meaning of the Washington Public Records Act, Chapter 42.56 RCW, and that materials submitted by the Contractor to the City become public record. Such records may be subject to public disclosure, in whole or part and may be required to be released by the City in the event of a request for disclosure. In the event the City receives a public record request for any data or deliverable that is provided to the City and that is licensed from the Contractor, the City shall notify the Contractor of such request and withhold disclosure of such information for not less than five (5) business days, to permit the Contractor to seek judicial protection of such information, provided that the Contractor shall be responsible for attorney fees and costs in such action and shall save and hold harmless the City from any costs, attorney fees or penalty assessment under Chapter 42.17 RCW for withholding or delaying public disclosure of such information.
- 17. AMENDMENTS:** All changes to this Contract, including changes to the statement of work and compensation, must be made by written Change Order and/or Amendment and signed by all parties to this Contract.
- 18. AUTHORIZATION AND COMPLIANCE WITH THE LAW:** The Contractor certifies that the person signing the Contract is legally authorized to enter into this binding Contract and that the Contractor shall fully comply with all relevant, federal, state and municipal laws, rules, regulations and policies.
- 19. RELATION OF PARTIES:** The Contractor, its subcontractors, agents and employees are independent contractors performing services for The City and are not employees of City; shall not, as a result of this Contract, accrue leave, retirement, insurance, bonding or any other benefits afforded to City employees; and, shall not have the authority to bind the City in any way except as may be specifically provided in the Statement of Work.

20. ASSIGNMENT: This Contract is binding on each party, its successors, assigns, and legal representatives and may not, under any circumstances, be assigned or transferred by either party without the other party's express written authorization.

21. TERMINATION FOR CONVENIENCE: The City, at its sole discretion, may terminate this Contract for convenience at any time for any reason deemed appropriate. Termination is effective immediately upon notice of termination given by the City.

In the event this Contract is terminated prior to the completion of Work, Contractor will only be paid for the Work completed at the time of termination of the Contract.

22. TERMINATION FOR CAUSE: In the event the Contractor is, or has been, in violation of the terms of this Contract, including the solicitation, the City reserves the right, upon written notice to the Contractor, to cancel, terminate, or suspend this contract in whole or in part for default. Termination shall be affected by serving a notice of termination on the Contractor setting forth the manner in which the Contractor is in default. The Contractor will be paid only the contract price for services performed in accordance with the manner of performance set forth in the Contract.

If it is later determined by the City that the Contractor had an excusable reason for not performing, such as a strike, fire, or flood, or events which are not the fault of or are beyond the control of the Contractor, the City after setting up a new delivery or performance schedule, may allow the Contractor to continue work or treat the termination as a termination for convenience.

23. OPPORTUNITY TO CURE: The City at its sole discretion may in lieu of a termination allow the Contractor to cure the defect(s), by providing a "Notice to Cure" to Contractor setting forth the remedies sought by City and the deadline to accomplish the remedies. If the Contractor fails to remedy to the City's satisfaction the breach or default of any of the terms, covenants, or conditions of this Contract within the time stated time, the City shall have the right to terminate the Contract without any further obligation to the Contractor. Any such termination for default shall not in any way operate to preclude the City from also pursuing all available remedies against the Contractor and its sureties for said breach or default, including but not limited to termination of this Contract for convenience.

24. WAIVER AND REMEDIES: City's failure to enforce the terms or conditions herein or to exercise any right or privilege, or the City's waiver of any breach hereunder shall not thereafter waive any other term, condition, or privilege, whether of the same or similar type. Remedies under this Contract are cumulative; the use of one remedy shall not be taken to exclude or waive the right to use another.

25. ENTIRETY OF CONTRACT: This Contract incorporates all the agreements, covenants and understanding between the parties hereto and are merged into this written Contract. No prior agreement or prior understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless set forth in this Contract.

- 26. USE OF CITY'S NAME:** Contractor may not use any of City's name, trademark, service marks, or logo in connection with the services contemplated by this Contract or otherwise without the prior written permission of City, which permission may be withheld for any or no reason and may be subject to certain conditions.
- 27. NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY:** During the term of this Contract, Contractor will not discriminate against any employee or applicant for employment in accordance with RCW Chapter 49.60, including, but not limited to creed, religion, race, color, age, sex, marital status, sexual orientation, sexual identity, pregnancy, military status, political ideology, ancestry, national origin, or the presence of any sensory, mental or physical disability, unless based upon a bona fide occupational qualification. The Contractor will take affirmative action to ensure that applicants and employees are treated fairly, without regard to their creed, religion, race, color, sex, national origin, or the presence of any sensory, mental or physical disability. Such action shall include all terms and conditions of employment, compensation, and benefits, including apprenticeship.
- 28. BINDING EFFECT:** The provisions, covenants and conditions in this Contract bind the parties, their legal heirs, representatives, successors, and assigns.
- 29. RATIFICATION:** Acts taken pursuant to this Contract but prior to its effective date are hereby ratified and confirmed.
- 30. CONTRACT DOCUMENTS AND ORDER OF PRECEDENCE:** The complete Contract includes these parts and any inconsistency in the parts of the contract shall be resolved by following this order of precedence (e.g., 1 presiding over 2, 2 over 3, 3 over 4, and so forth):
1. Amendments to the Contract,
 2. This Contract,
 3. Addenda to the Solicitation,
 4. The Solicitation,
 5. Contractor's Bid,
 6. Construction Documents Project Manual,
 7. Contract Plan Set,
 8. Supplemental Conditions,
 9. EJCDC Standard General Conditions of the Construction Contract,
 10. WSDOT Standard Plans.
- 31. NOTICES:** All notices which are given or required to be given pursuant to this Contract shall be hand delivered, mailed postage paid, or sent by electronic mail as follows:

For the Owner:
Anna Vogel
City of Vancouver
415 W 6th Street
P O Box 1995
Vancouver WA 98668-1995
anna.vogel@cityofvancouver.us

For the Contractor:
Luke Williamson
Odyssey Contracting, LLC
18003 NE Silvan Dr
Yacolt, WA 98675
luke@odyssey-contracting.com

The undersigned, as the authorized representatives of the Owner and Contractor respectively, agree to all of the terms and conditions contained in this Contract, as of the dates set forth below.

CITY OF VANCOUVER

A municipal corporation

CONTRACTOR:

Odyssey Contracting, LLC

Eric Holmes, City Manager

Signature

Date

Printed Name /Title

Attest:

Date

Natasha Ramras, City Clerk

Approved as to form:

Jonathan Young, City Attorney



Staff Report: 040-23

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 3/20/2023

SUBJECT Contract with Avolve Software to upgrade electronic plan review software to cloud-hosted platform

Key Points

- The City currently uses Avolve's electronic plan review software, ProjectDox, to allow customers to submit plans online.
- After 2024, Avolve will no longer be supporting the on-premise version of ProjectDox. Only the cloud-hosted version will be supported.
- A decision package was approved in the 2023-2024 budget to fund the migration to the cloud-hosted version of ProjectDox.

Strategic Plan Alignment

N/A

Present Situation

The City implemented the current Avolve ProjectDox system in 2013 as an on-premise server solution. ProjectDox allows customers to submit plans electronically to the City and allows staff the ability to mark up plans and route them internally.

Avolve will no longer be supporting its on-premise solution after 2024 and will solely be providing a cloud-hosted solution moving forward.

In anticipation of this change, a decision package was submitted and approved in the 2023-2025 budget to fund the migration of the City's ProjectDox environment to Avolve's cloud-based solution.

Advantage(s)

- Migrating to Avolve's cloud-hosted platform will allow the City to continue receiving support for the system from the vendor.

- Annual maintenance, support and software upgrade costs are included in the contract, keeping the software up to date on the latest version.
- The cloud-hosted software provides for 24x7 monitoring and managed services. It eliminates the internal costs for the operating system and hardware associated with the current on-premise ProjectDox servers.
- The City will have the benefits of a secured system with a backup architecture that spans multiple geographic locations.

Disadvantage(s)

None

Budget Impact

Council has appropriated \$160,000 in 2023, which include implementation services, and \$150,000 per year following for the ongoing cloud-hosted software service.

Prior Council Review

Approved decision package within the City's 2023-2024 Biennial Budget.

Action Requested

Authorize the City Manager or their designee to sign the contract with Avolve Software Solutions for their cloud-hosted electronic plan review system.

Jason Nortz, Development Review Division Manager, 360-487-7844; Rich McKee, Interim Application Services Manager, 360-487-7670

ATTACHMENTS:

- Agreement

AVOLVE SOFTWARE SALES ORDER

ProjectDox Subscription

After signing this Avolve SaaS Order From ("Software Sales Order"), please either mail or fax to Avolve Software Corporation, 21001 N Tatum Blvd Ste 1630-503, Phoenix AZ 85050 or e-mail scanned image to tward@avolvesoftware.com

Order Date: _____

CUSTOMER INFORMATION

Customer Name: City of Vancouver, WA

Customer Mailing Address: 415 West 6th Street

City: Vancouver State: WA Zip: 98660

CUSTOMER CONTACTS

PRIMARY

Name: Jason Nortz

Phone: 360-487-7844

E-mail: jason.nortz@cityofvancouver.us

SECONDARY

Name: _____

Phone: _____

E-mail: _____

Licenses and Services	Fees (USD)
ProjectDox SaaS Subscription	\$122,592.00
Implementation Services	\$17,775.00
Total Fees:	\$140,342.00
Total SaaS Fees Invoiced on Signing:	\$122,592.00

** See Quote and/or relevant Schedules for details concerning fees. Fees do not include applicable sales, withholdings or value-added taxes. All fees are in United States Dollars.*

Authorized Business Unit(s): City of Vancouver, WA

Initial Maintenance Term (if applicable): The renewal date shall be calculated from the ProjectDox SaaS Test Environment install Date.

License Term (if applicable): 1 Year Initial Subscription for ProjectDox

Payment Method: EFT

#“Go Live Date” is defined as the date that the Software is first made available by Avolve to the Customer to release and use in a live, production mode.

Schedules: *The following Schedules are hereby incorporated by reference into this Software Sales Order.*

Schedule A	General Terms and Conditions
Schedule B	Statement of Work for ProjectDox Implementation (SOW)

Signature

IN WITNESS WHEREOF, the parties hereto, each by a duly authorized representative, have executed this Software Sales Order as of the Order Date first set forth above:

Customer: Avolve Software	Vancouver, WA
Signature:	Signature:
Printed:	Printed:
Title:	Title:
Date: _____, 2023	Date: _____, 2023

AVOLVE SOFTWARE CORPORATION

Software as a Services Agreement

This agreement ("Agreement") is made this _____ ("Effective Date") by and between Avolve Software Corporation, a Delaware corporation with offices at 21001 N Tatum Blvd Ste 1630-503, Phoenix AZ 85050, United States of America, ("Avolve" or "Services Provider") and City of Vancouver, WA ("Customer").

WHEREAS Avolve offers remotely hosted subscription, software-as-a-service access (on hardware owned or operated on behalf of Avolve by a third party hosting service provider such as Microsoft Corporation) to Avolve's software (collectively, such hosted electronic plan review and project information management, collaboration and review system, including all software applications, application program interfaces, modules, databases, hardware, infrastructure, documentation and system administration, management and monitoring activities that Avolve provides for the software shall be referred to herein as the "Avolve SAAS Solution");

WHEREAS Avolve provides professional services ("Professional Services") to assist customers with among other things, implementation of the Avolve SAAS Solution and training;

WHEREAS the Customer desires to purchase use rights for the Avolve SAAS Solution and related Professional Services (the "Initial Purchase") from Avolve and, pay for such purchases either directly or pursuant to an agreement between the Customer and a third party financing source reasonably acceptable to Avolve (the "Financing Company"); and

WHEREAS Avolve and Customer now desire to provide the terms and conditions under which Avolve will provide the Initial Purchase to Customer, as well provide the terms and conditions for the Customer to purchase other Professional Services from Avolve, with or without the assistance of Financing Company or another paying agent;

NOW THEREFORE, in consideration of the foregoing and of the mutual covenants and promises set forth herein, Avolve and Customer agree as follows.

SECTION A. – AVOLVE SAAS SOLUTION

1. Avolve SAAS Solution.

- a. Use Rights. Subject to Customer's compliance with all the terms and conditions of this Agreement, Avolve grants to Customer a non-exclusive, non-transferable, non-sublicensable right during the subscription term ("Subscription Term") identified in the Implementation SOW (attached hereto as Exhibit 2) to permit Users to use the Avolve SAAS Solution identified in the Implementation SOW for Customer's internal business operations, solely for the specific Business Unit(s) as further set forth in the Implementation SOW. Should Customer desire to reorganize any such Business Unit, it shall provide Avolve written notice as soon as possible following the determination of reorganization, so that Avolve may review the planned reorganization to determine if it is consistent with the Business Unit limitation in this use rights grant and, if not, what additional fees will be required due to Customer's reorganization to include additional Business Units. As used in this Agreement, "User" means authorized Customer employees and third parties that require access to the Avolve SAAS Solution in connection with the Customer's internal business operations, such as the Customer's administrators, contractors, reviewers, and applicants. There may be different types/levels of Users for the Avolve SAAS Solution, such as administrator Users, if so identified in the Implementation SOW.
- b. Storage. The Avolve SAAS Solution will include for the initial Subscription Term the amount of storage set forth in the Implementation SOW. Customer acknowledges that should Customer exceed the included storage limits after Avolve has sent notice to Customer in accordance with

Avolve's then-current standard storage limits and data backup practices (available upon request), additional charges will be incurred by Customer. Avolve shall invoice Customer for any such additional incurred charges, and Customer shall pay such invoices, in accordance with Section C of this Agreement. Avolve may, in its sole discretion, modify the amount of standard storage included at no additional charge with the Avolve SAAS Solution, with such modification to become effective upon the effective date of any renewal term provided that Avolve provides Customer written notice of such modification at least ninety days in advance of the expiration of the then-current Subscription Term.

- c. Restrictions on Use. Customer will not, and will ensure that its Users do not: (i) except as expressly stated herein, copy, reproduce, distribute, republish, download, display, host or transmit in any form or by any means, including but not limited to electronic, mechanical, photocopying, recording, or other means, any part of Avolve SAAS Solution or any other Avolve materials; (ii) use the Avolve SAAS Solution or any other Avolve materials to provide services to third parties (e.g., business process outsourcing, service bureau applications or third party training); (iii) assign, sublicense, sell, lease, loan, resell, sublicense or otherwise distribute or transfer or convey the Avolve SAAS Solution or any other Avolve materials, or pledge as security or otherwise encumber Customer's rights under this Agreement; (iii) make any use of or perform any acts with respect to the Avolve SAAS Solution or any other Avolve materials other than as expressly permitted in accordance with the terms of this Agreement; or (iv) use the Avolve SAAS Solution components other than those specifically identified in the Implementation SOW and then only as part of Avolve SAAS Solution as a whole, even if it is also technically possible for Customer to access other Avolve SAAS Solution components; or (v) modify, further develop or create any derivative works of, disassemble, decompile, reverse engineer or otherwise attempt to obtain or perceive the source code from which any part of Avolve SAAS Solution is compiled or interpreted, or access or use Avolve SAAS Solution in order to build a similar or competitive product or service; (vi) allow use of the Avolve SAAS Solution or any other Avolve materials by anyone other than authorized Users; (vii) publish any results of benchmark tests run on Avolve SAAS Solution; (viii) unless otherwise expressly authorized in writing by Avolve, use the Avolve SAAS Solution in connection with any software product or tools, or any other software as a service not provided by Avolve; and (ix) input, upload, transmit or otherwise provide to or through Avolve SAAS Solution or any systems used by Avolve anything that is unlawful, injurious, or contains, transmits or activates any harmful code. Customer acknowledges that nothing herein will be construed to grant Customer any right to obtain or use the source code from which Avolve SAAS Solution is delivered. Customer shall not tamper with or attempt to disable any security device or protection used by Avolve SAAS Solution or any other Avolve materials, nor shall Customer damage, destroy, disrupt or otherwise impede or harm in any manner the Avolve SAAS Solution or any systems used by Avolve. Customer agrees to take all commercially reasonable steps to ensure that Users abide by the terms of this Agreement and expressly agrees to indemnify Avolve, its officers, employees, agents and subcontractors from and against all claims, liabilities, losses, damages and costs (including reasonable attorney fees) suffered by Avolve arising from a breach by the User of the conditions of this Agreement.
- d. High-Risk Activities. The Avolve SAAS Solution is not fault-tolerant and is not designed, manufactured, or intended for use or resale as online control equipment in hazardous environments requiring fail-safe performance, such as in the operation of nuclear facilities, aircraft navigation or communication systems, air traffic control, direct life support machines or weapons systems, in which the failure of the Avolve SAAS Solution or derived binaries could lead directly to death, personal injury, or severe physical or environmental damage. The Avolve SAAS Solution is also not designed or intended for use with Federal Tax Information (FTI) as defined in the Internal Revenue Service Publication 1075 (IRS 1075) or criminal justice information ("CJI"), such as fingerprint records and criminal histories. Customer shall not use the Avolve SAAS Solution for any

of these high-risk activities, including without limitation transmitting, storing or otherwise processing any FTI or CJI with the Avolve SAAS Solution.

- e. Project Administrator. Customer agrees, if not already designed in the Implementation SOW, to promptly designate in writing one person to be the Customer's point person responsible for all communications with Avolve (the Customer's "Project Administrator"). The Project Administrator is responsible for project administration duties as documented in the Avolve systems guides, statements of work, and documentation (collectively, the "Documentation"), as provided for time to time by Avolve to Customer.
- f. Customer Connection. During the Term, the Customer is responsible for obtaining and maintaining connection to the Avolve SAAS Solution, including the Internet connection. Avolve shall not be responsible for any inadequacy or lack of functionality of Customer's connection to the Avolve SAAS Solution or the inability of the Customer's computer, telecommunications provider, or other equipment and capabilities to access or use the Avolve SAAS Solution.
- g. Third Party Service Providers and Components. Notwithstanding anything to the contrary in this Agreement or any other documents between Avolve and Customer, Customer acknowledges and agrees as follows.
 - 1. The Avolve SAAS Solution and its component parts are protected by copyright and other propriety rights of Avolve and one or more third party software vendors (including Oracle and Open Text Corporation ("OTC") (all such third party vendors, including without limitation Oracle and OTC, shall be referred to herein as "third party vendors" or "third party software vendors"). Customer may be held directly responsible by such third party vendors for acts relating to the Avolve SAAS Solution component parts that are not authorized by this Agreement. Customer's use of such third party software is limited to only in conjunction with Avolve SAAS Solution and Customer acknowledges that it is not allowed to modify such third party software or use it independent from Avolve SAAS Solution. TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE CUSTOMER WAIVES, AND WILL CAUSE ITS USERS TO WAIVE, ALL CLAIMS AND CAUSES OF ACTION AGAINST SUCH THIRD PARTY SOFTWARE VENDORS THAT ARISE UNDER THIS AGREEMENT.
 - 2. If Customer purchases from Avolve hosting of the Avolve SAAS Solution on the Microsoft® Windows Azure™ platform, the terms and conditions for such cloud services as such may be updated by Microsoft Corporation from time to time, are found online on at <https://www.microsoft.com/licensing/docs/customeragreement>. Customer should review the documents available on this website carefully to be sure that Customer reviews the appropriate customer agreement. If Customer has purchased Microsoft Cloud for US Government, review the customer agreement for Microsoft Cloud for US Government. If Customer is purchasing commercial access, the customer agreement for commercial access for the United States applies. Upon Customer's request, Avolve will provide Customer with assistance on finding and/or a copy of the appropriate Microsoft customer agreement. Customer acknowledges and agrees THAT (A) THE HOSTED SERVICES WILL BE PERFORMED SOLELY AND EXCLUSIVELY SUBJECT TO THE APPLICABLE MICROSOFT CORPORATION'S CUSTOMER AGREEMENT (the "Microsoft Customer Agreement) , (B) THAT AVOLVE DOES NOT GUARANTY MICROSOFT CORPORATION'S OBLIGATIONS PURSUANT TO THE MICROSOFT CUSTOMER AGREEMENT, AND (C) NOR CAN AVOLVE GRANT ANY WARRANTIES OR

ADDITIONAL TERMS TO THE CUSTOMER AS TO THE HOSTED SERVICES UNDER THIS AGREEMENT. THE HOSTED SERVICES ARE SOLELY GOVERNED BY THE MICROSOFT CUSTOMER AGREEMENT, TO WHICH AVOVLE IS NOT A PARTY. Microsoft Corporation makes certain service level commitments to its customers, which are available online in the Microsoft Corporation's SLAs at <https://azure.microsoft.com/en-us/support/legal/sla/summary/>. If Customer desires to make a claim under the Microsoft Corporation SLAs, Customer shall submit the claim through Avolve. Avolve will escalate the claim to Microsoft Corporation for review. If Microsoft Corporation determines that a credit is due, Avolve will credit Customer the amount Microsoft Corporation has paid to Avolve for the SLA credit promptly after receiving the credit from Microsoft Corporation.

- h. Compatibility Updates. Avolve will make commercially reasonable efforts to update the Avolve SAAS Solution, if and as required, to cause it to operate under new versions or releases of current operating systems and internet browsers, within fifteen (15) months of general availability.
- i. Passwords, Access. Customer may designate and add Users and shall provide and assign unique passwords and user names to each authorized User pursuant to Avolve's then-current protocols. At Avolve's discretion, Users may be added either by Avolve or directly by Customer. Customer shall ensure that multiple Users do not share a password or user name. Customer further acknowledges and agrees that it is prohibited from sharing passwords and/or user names with unauthorized users. Customer will be responsible for the confidentiality and use of its Users passwords and user names. Avolve will act as though any electronic communications it receives under such passwords, user names, and/or account numbers have been sent by Customer. Customer agrees to immediately notify Avolve if it becomes aware of any loss or theft or unauthorized use of any of passwords, user names, and/or account numbers. Customer agrees not to access Avolve Cloud by any means other than through the interfaces that are provided by Avolve.
- j. Transmission Of Data. Customer understands that the technical processing and transmission of Customer Data is necessary to use of the Avolve SAAS Solution, and consent to Avolve's interception and storage of Customer Data. Customer understands that its Users or Avolve may be transmitting Customer Data over the Internet, and over various networks, only part of which may be owned by Avolve. Avolve is not responsible for any portions of Customer Data that are lost, altered, intercepted or stored without authorization during the transmission of Customer Data across networks not owned by Avolve.
- k. Customer Responsibilities. Customer will (a) be responsible for Users' compliance with this Agreement, (b) be responsible for the accuracy, quality and legality of Customer Data and the means by which it acquired Customer Data, (c) be responsible for cooperating and assisting Avolve as reasonably requested by Avolve to facilitate performance of its obligations and exercising of its rights under this Agreement, (d) use the Avolve SAAS Solution and any other materials provided by Avolve only in accordance with the Documentation and applicable laws and government regulations, including complying with all applicable legal requirements regarding privacy and data protection so as to not violate the intellectual property, privacy or any other rights of any third parties, and (e) use commercially reasonable efforts to prevent any security breach, including any unauthorized access to or use of the Avolve SAAS Solution. Should Customer become aware of any actual or threatened security breach, Customer shall promptly notify Avolve and take all reasonable and lawful measures within its control that are necessary to stop the activity or threatened activity and to mitigate its effects (including, where applicable, by discontinuing and preventing any unauthorized access to the Avolve SAAS Solution). Customer shall provide sufficient notice to, and obtain sufficient consent from, its Users and any other party providing

personal data to Avolve and its suppliers (including the Microsoft Corporation) to permit the processing of data by Avolve and its supplier, and their respective affiliates, subsidiaries, and service providers solely to the extent such processing of data is expressly allowed for under this Agreement, including for the purpose of disclosing it to law enforcement or other governmental authorities as directed by Avolve solely to the extent Avolve is required to do so by law, or otherwise mutually agreed to in writing by the parties.

- I. Data Backup. The Avolve SAAS Solution is programmed to perform data backups of Customer Data stored within the Avolve SAAS Solution in accordance with Avolve's then-current standard storage limits and data backup practices (available upon request). Additional data backups may be purchased for an additional fee from Avolve and such additional data backup services shall be documented in an SOW pursuant to Section B of this Agreement. In the event of any loss, destruction, damage or corruption of Customer Data caused by Avolve or the Avolve SAAS Solution, Avolve, as its sole obligation and liability and as Customer's sole remedy, will use commercially reasonable efforts to restore Customer Data from Avolve's most current backup of Customer Data.
 - m. Ownership. Customer acknowledges and agrees that Avolve owns all right, title, and interest in and to all intellectual property rights (including all derivatives or improvements thereof) in the Avolve SAAS Solution and any suggestions, enhancements requests, feedback, recommendations or other information provided by Customer or any of its Users related to the Avolve SAAS Solution. Customer's use rights to the Avolve SAAS Solution and the related materials supplied by Avolve pursuant to this Agreement are strictly limited to the right to use the proprietary rights in accordance with the terms of this Agreement. No right of ownership, expressed or implied, is granted under this Agreement.
2. Security. The security, privacy and data protection commitments set forth in this Agreement only apply to products and services provided by Avolve directly to Customer and do not include any products or services resold by Avolve hereunder, including any hosting services provided by Microsoft Corporation pursuant to the Customer's Microsoft Customer Agreement.
 - a. Security Program. Avolve has implemented and maintains an information security program that incorporates administrative, technical, and physical safeguards designed to protect the security, confidentiality, and integrity of the Customer Data provided by Customer and its Users to Avolve in accordance with this Agreement.
 - b. Annual Audit. Avolve will use commercially reasonable efforts to conduct an annual security audit of Avolve using an independent third party selected by Avolve. Upon the Customer's written request, a copy of the final report from any such audit shall be promptly provided the Customer. The Customer agrees that any such reports or other information provided to Customer concerning any audit shall be the Confidential Information of Avolve.
 - c. Security Breach. Avolve will notify Customer promptly and in no event later than one (1) business day following Avolve's discovery of a Data Security Breach (defined below) and shall (i) undertake a reasonable investigation of the reasons for and the circumstances surrounding such Data Security Breach and (ii) reasonably cooperate with Customer in connection with such investigation, including by providing Customer with an initial summary of the results of Avolve's investigation as soon as possible, but in all cases within two (2) business days after the date Avolve discovered or reasonably suspected a Data Security Breach, and then regular updates on the investigation as it progresses; (iii) not make any public announcements relating to such Data Security Breach without Customer's prior written approval, which shall not be unreasonably withheld; (iv) use commercially reasonable efforts to take all necessary and appropriate corrective action reasonably possible on Avolve's part designed to prevent a recurrence of such Data Security Breach; (v) collect and preserve evidence concerning the discovery, cause, vulnerability, remedial actions and impact

related to such Data Security Breach, which shall meet reasonable expectations of forensic admissibility; and (vi) if requested by Customer, at Customer's cost, provide notice to individuals or entities whose Confidential Information was or may have been affected in a manner and format specified by Customer. In the event of any Data Security Breach is caused by Avolve, Customer shall have, in addition to all other rights and remedies available under this Agreement, law and equity, the right to terminate the Agreement upon thirty (30) days prior written notice. For purposes of this Agreement, the term "Data Security Breach" shall mean any of the following occurring in connection with Customer Data in connection with Customer's and its Users' authorized use of the Avolve SAAS Solution: (a) the loss or misuse of Customer Data; and (b) disclosure to, or acquisition, access or use by, any person not authorized to receive Customer Data, other than in circumstances in which the disclosure, acquisition, access or use is made in good faith and within the course and scope of the employment with Avolve or other professional relationship with Avolve and does not result in any further unauthorized disclosure, acquisition, access or use of Customer Data.

- d. Signatures. The parties shall use electronic signatures for all agreements unless otherwise prohibited by law. Prior to any public disclosure of any document containing a signature, the signature shall be redacted by the disclosing party in a manner which renders it illegible and unable to be copied.
3. Suspension Right. Avolve reserves the right to include disabling devices in the service and software provided under this Agreement and to use such disabling devices to suspend access and/or use when any payment is overdue or when Avolve believes that Users are using the Avolve SAAS Solution and/or any other materials or services provided by Avolve hereunder not in accordance with the Documentation, this Agreement and/or applicable laws and government regulations. In addition, if Customer is using Microsoft Corporation for hosting services, Microsoft Corporation may terminate or suspend Customer's hosting services in accordance with the Customer's Microsoft Customer Agreement and, should this happen, Customer will not be able to access the Avolve SAAS Solution. Customer agrees that Avolve shall not be liable to Customer, Users or to any third party for any suspension or inability to access the Avolve SAAS Solution pursuant to this Section A(3). If suspended for failure to pay, upon payment in full of all amounts overdue (including any interest owed), Customer may request the reactivation of its account. Avolve shall reactivate promptly after receiving in advance all applicable reactivation fees, provided that Avolve has not already terminated this Agreement.
4. Ownership and Disposition of Customer Owned Data, Hosting Location. "Customer Data" refers to the data provided by the Customer that resides in the Customer's Avolve SAAS Solution environment, including any plan review, project drawings and associated project documents. Customer shall own all Customer Data that may reside within Avolve's hosting environment, to include Disaster recovery site, equipment and media. Contractor is granted no rights hereunder to use the Customer Data except to the extent necessary to fulfill its obligations to Customer under this Agreement. Avolve shall host the Avolve SAAS Solution provided to Customer hereunder from a data center located within the United States. Upon termination or expiration of Customer's right to use the Avolve SAAS Solution for any reason other than Customer's uncured material breach, for the first thirty (30) calendar days following termination or expiration, Customer may request in writing that Avolve provide an copy of Customer's then-current Customer Data and, for no additional cost, Avolve shall provide a copy in a mutually agreed upon format on media supplied by the Customer. If the parties are unable to mutually agree upon the format or the media supplied by Customer is not acceptable to Avolve, Avolve will use commercially reasonable efforts to still provide a copy of the Customer Data but Avolve may charge a reasonable professional services fee for increased costs incurred. After this thirty day time period has expired, Avolve has no further obligation to retain the Customer Data and shall use commercially reasonable efforts to promptly delete all Customer Data from the Avolve SAAS Solution within the shorter of Avolve's standard practice or any reasonably requested time period provided in advance in writing from Customer.

5. Verification. Avolve shall be permitted to audit (at least once annually and in accordance with Avolve standard procedures, which may include on-site and/or remote audit) the usage of the Avolve SAAS Solution and any other materials provided by Avolve to Customer. Customer shall cooperate reasonably in the conduct of such audits. In the event an audit reveals that (i) Customer underpaid fees to Avolve and/or (ii) that Customer has used in excess of the use rights granted herein, Customer shall pay such underpaid fees for such excess usage. Reasonable costs of Avolve's audit shall be paid by Customer if the audit results indicate usage in excess of the authorized quantities or levels. Avolve reserves all rights at law and equity with respect to both Customer's underpayment of fees and usage in excess of the authorized quantities or levels.

SECTION B. – PROFESSIONAL SERVICES AND SOWS

1. Statements of Work. From time-to-time during the Term of this Agreement, the parties may enter into statements-of-work (each being an "SOW") for Avolve SAAS Solution use rights (including additional storage) and/or Professional Services on terms mutually agreed in writing between the parties in the SOW, including, without limitation, scope of services, expected deliverables, milestone dates, acceptance procedures and criteria, fees and other such matters. No SOW shall be binding until executed by both parties. Each SOW will be incorporated into and subject to this Agreement. In the case of any conflict between the SOW and this Agreement, this Agreement shall control unless the SOW specifically states otherwise.

SECTION C. – GENERAL TERMS AND CONDITIONS

1. Fees.
 - a. Implementation SOW and Additional Storage Fees. The Implementation SOW includes the Avolve SAAS Solution subscription fees, as well as the training and implementation professional services; which, unless set forth otherwise in the Implementation SOW, shall be invoiced by Avolve in full, in advance on the Effective Date. Additional storage fees shall be as set forth in the then-current standard storage limits and data backup practices document, a copy of which is available from Avolve upon request. Additional storage fees will be invoiced in accordance with the then-current standard storage limits and data backup practices document.
 - b. Other SOWs. Any SOWs that Avolve and the Customer may execute from time to time during the Term of this Agreement shall include within them the applicable fees, including whether the Avolve SAAS Solution subscription fees and/or Professional Services fees are being paid by Customer through Financing Company, by Customer through another paying agent, or by Customer directly to Avolve. Unless otherwise specified in the SOW, Professional Services fees will be invoiced as the Professional Services are delivered and Avolve SAAS Solution subscription fees will be invoiced yearly, in advance, in full at the time the SOW is executed.
 - c. General Terms. Unless set forth otherwise in an SOW, payment on all invoiced amounts shall be due thirty (30) days from receipt of invoice, with past due amounts accruing interest at the rate of the lesser of either 18% per annum or the maximum amount as allowed by law.

Avolve will invoice for the Avolve SAAS Solution subscription fees yearly, in advance, with the first invoice being issued on the Effective Date of this Agreement. The Customer agrees to pay all invoiced subscription fees net thirty (30) days from receipt of invoice, with past due amounts accruing interest at the rate of the lesser of either 18% per annum or the maximum amount as allowed by law. All fees are due in advance, irrevocable and non-refundable (except as expressly set forth otherwise in this Agreement). Customer agrees to provide Avolve with complete and accurate billing and contact information.

2. Taxes. Fees and other charges described in this Agreement do not include federal, state or local sales, foreign withholding, use, property, excise, service, or similar transaction taxes ("Tax(es)") now or hereafter

levied, all of which shall be for Customer's account. Any applicable direct pay permits or valid tax-exempt certificates must be provided to Avolve prior to the execution of this Agreement. If Avolve is required to pay Taxes, Customer shall reimburse Avolve for such amounts.

3. Term. Except if terminated earlier in accordance with this Section C(3), this Agreement shall commence on the Effective Date and shall continue for the longer of either (a) the expiration of the Subscription Term for the Avolve SAAS Solution or (b) the completion of all Professional Services under all SOWs. Except as otherwise provided in any SOW, UPON THE EXPIRATION OF THE INITIAL TERM, THE SUBSCRIPTION TERM SHALL AUTOMATICALLY RENEW FOR UP TO FOUR INDIVIDUAL, SUCCESSIVE RENEWAL TERMS, EACH EQUAL TO TWELVE (12) MONTHS, AT AVOLVE'S THEN CURRENT FEES FOR CUSTOMER'S THEN CURRENT USAGE, UNLESS EITHER PARTY PROVIDES NOTICE OF NON-RENEWAL AS SET FORTH IN THIS SECTION C(3). NOTWITHSTANDING, THE FOREGOING AVOLVE WILL NOT INCREASE THE COST FOR YEAR 2 AND 3 OF THE RENEWAL. IN YEARS 4 AND 5, AVOLVE WILL HAVE OPTION TO INCREASE THE RENEWAL UP TO 4% EACH YEAR. Avolve will provide notice of non-renewal or a notice of the fees due for each Renewal Term at least sixty (60) days prior to the commencement of the Renewal Term. If a notice of fees is provided, it will be in the form of an invoice. Customer acknowledges that it is its responsibility to provide a current email address to Avolve and to monitor such address for such notices. Customer may elect not to renew a Subscription Term by providing notice to Avolve at least thirty (30) days prior to the commencement of the Renewal Term.
4. Termination. In addition to any termination rights that may be set forth in a specific SOW, either party may terminate this Agreement immediately upon written notice in the event that the other party materially breaches this Agreement and thereafter has failed to cure such material breach (or commenced diligent efforts to cure such breach that are reasonably acceptable to the terminating party) within thirty (30) days after receiving written notice thereof. In addition, the Customer may terminate this agreement at any time for convenience upon 60 days prior written notice. Upon termination for convenience, the Customer shall be refunded any unused, prepaid fees on a pro-rated basis. Without prejudice to either party's rights to terminate set forth in the prior sentence, if Customer has purchased from Avolve hosting of the Avolve SAAS Solution on the Microsoft® Windows Azure™ platform, and Microsoft Corporation terminates the Customer's Microsoft Customer Agreement during a Subscription Term, Avolve and Customer shall act in good faith to determine a mutually acceptable replacement provider promptly upon receiving notice of Microsoft Corporation's intent to terminate the Customer's Microsoft Customer Agreement.
5. Force Majeure. Any delay or nonperformance of any provision of this Agreement (other than for the payment of amounts due hereunder) caused by conditions beyond the reasonable control of the performing party shall not constitute a breach of this Agreement, and the time for performance of such provision, if any, shall be deemed to be extended for a period equal to the duration of the conditions preventing performance.
6. Confidentiality. Each party shall use commercially reasonable efforts to hold confidential information ("Confidential Information") of the other in confidence. All Confidential Information (including but not limited to data) shall (i) remain the sole property of the disclosing party and (ii) be used by the receiving party only as authorized herein. Information will not be considered to be Confidential Information if (i) available to the public other than by a breach of this agreement; (ii) rightfully received from a third party not in breach of any obligation of confidentiality, (iii) independently developed by or for a party without access to Confidential Information of the other; (iv) lawfully known to the receiving party at the time of disclosure, (v) produced in compliance with applicable law, securities reporting requirement or a government or court order, provided the other party is given notice and an opportunity to intervene; or (vi) it does not constitute a trade secret and more than three (3) years have elapsed from the date of disclosure. If Avolve receives a request for Customer Data (either directly or as redirected to Avolve by the Microsoft Corporation), then Avolve shall redirect the law enforcement agency to request that data directly from Customer. If compelled to disclose Customer Data to law enforcement, then Avolve shall promptly notify Customer and provide a copy of the demand, unless legally prohibited from doing so. To the extent required

by law, Customer shall notify individual Users that their data may be processed for the purpose of disclosing it to law enforcement of other governmental authorities as directed by Avolve, and shall obtain the User's consent to the same.

7. Insurance:

- a. During the Term of this Agreement, Avolve shall maintain, at its own expense, the insurance identified in this section and any other insurance which it deems reasonable and necessary for its business and the performance of its obligations hereunder. Avolve will, upon reasonable advanced notice, provide Customer with a copy of its certificate(s) of insurance.
- b. Avolve will maintain at its own expense the following insurance, with companies authorized to do insurance business in the any states where work is performed or eligible surplus lines insurers having an A.M. Best Rating of A:-VII or better, and in amounts not less than the following limits of coverage:
- c. Commercial General Liability Insurance with limits of not less than:
 - 1. Each Occurrence Limit \$1,000,000
 - 2. Personal & Advertising Injury \$1,000,000
 - 3. General Aggregate \$2,000,000
 - 4. Products - Completed Operations Aggregate \$2,000,000

Avolve's Commercial General Liability policy will be issued on a form that, subject to its terms, conditions and exclusions insures Avolve's liability for damages on account of bodily injury (including death), property damage, and personal and advertising injury.

- d. Cyber Liability that provides coverage against claims involving privacy violations, data breach, information, theft, damage to or destruction of electronic information, intentional and/or unintentional release of private information, and alteration of electronic information, extortion and network security, with limits of not less than \$2,000,000.
- e. Customer shall be named as an additional insured under each policy, except for Workers Compensation and hired and non-owned auto liability policies.
- f. The insurance coverage carried by Avolve as set forth herein shall not in any way expand Avolve's liability or modify or affect the limitations of liability set forth in the Agreement or any Addenda.

8. Indemnification; Limitation of Liability.

- a. Indemnification. If a third party makes a claim against the Customer that any Customer's use of the Avolve SAAS Solution in accordance with the terms of this Agreement infringes such third party's intellectual property rights, Avolve, at its sole cost and expense, will defend Customer against the claim and indemnify Customer from the damages, losses, liabilities, costs and expenses awarded by the court to the third party claiming infringement or the settlement agreed to by Avolve, provided that Customer: (i) notifies Avolve promptly in writing of the claim; (ii) gives Avolve sole control of the defense and any settlement negotiations; and (iii) gives Avolve reasonable assistance in the defense of such claim. If Avolve believes or it is determined that the Avolve SAAS Solution has violated a third party's intellectual property rights, Avolve may choose to either modify the Avolve SAAS Solution to be non-infringing or obtain a license to allow for continued use, or if these alternatives are not commercially reasonable, Avolve may terminate Customer's use rights and refund any unused, prepaid fees Customer may have paid to Avolve. Avolve will not indemnify the Customer to the extent that the alleged infringement arises from (1) the

combination, operation, or use of the Avolve SAAS Solution with products, services, information, materials, technologies, business methods or processes not furnished by Avolve; (2) modifications to the Avolve SAAS Solution, which modifications are not made by Avolve; (3) failure to use updates to the Avolve SAAS Solution provided by Avolve; or (4) use of Avolve SAAS Solution except in accordance with any applicable Documentation or specifications. This section provides THE SOLE, EXCLUSIVE, AND ENTIRE LIABILITY OF AVOLVE AND ITS LICENSORS TO CUSTOMER, AND IS CUSTOMER'S SOLE REMEDY, WITH RESPECT TO THE INFRINGEMENT OR MISAPPROPRIATION OF INTELLECTUAL PROPERTY RIGHTS.

- b. Limitation of Liability. In no event will Avolve be liable for special, indirect, incidental, consequential, or exemplary damages, including, without limitation, any damages resulting from loss of use, loss of data, interruption of business activities, or failure to realize savings arising out of or in connection with this agreement, including without limitation use of the Avolve SAAS Solution and the provision of the Professional Services. Except for direct damages and expenses associated with Avolve's obligation to indemnify Customer pursuant to Section C (8) (a), Avolve's aggregate, cumulative liability for damages and expenses arising out of this Agreement, whether based on a theory of contract or tort, including negligence and strict liability, will be limited to the amount of fees received by Avolve under this Agreement (which fees may have been received by Avolve from Financing Company or directly from Customer). Such fees reflect and are set in reliance upon this limitation of liability. The limited remedies set forth in this Agreement shall apply notwithstanding the failure of their essential purpose.

9. Support; Warranties.

- a. Support. During the Customer's Subscription Term, at no additional cost to the Customer, Avolve shall provide the Avolve SAAS Solution in accordance with Avolve's Service Level Agreement (attached hereto as Exhibit 1).
- b. Warranties. Customer warrants and covenants that it owns or otherwise has and will have the necessary rights and consents in and relating to the Customer Data so that, as received by Avolve and processed in accordance with this Agreement, they do not and will not infringe, misappropriate or otherwise violate any intellectual property rights, or any privacy or other rights of any third party or violate any applicable laws or and government regulations, including but not limited to all foreign, United States federal and United States state recording laws. If Customer is purchasing from Avolve resold rights to Microsoft Cloud for US Government, Customer further warrants that it is one of the following: (i) a bureau, office, agency, department or other entity of the United States Government; (ii) any agency of a state or local government in the United States; (iii) any United States county, borough, commonwealth, city, municipality, town, township, special purpose district, or other similar type of governmental instrumentality established by the laws of Customer's state and located within Customer's state jurisdiction and geographic boundaries; or (iv) a federally-recognized tribal entity performing tribal governmental functions and eligible for funding and services from the US Department of Interior by virtue of its status as an Indian tribe.
- c. Disclaimer. Avolve AND ITS SUPPLIERS AND LICENSORS DISCLAIM ALL OTHER WARRANTIES STATUTORY, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF TITLE, NON-INFRINGEMENT, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. NO WARRANTY IS GIVEN AS TO ACCURACY, ERROR-FREE OR UNINTERRUPTED SERVICE. CUSTOMER ASSUMES ALL RESPONSIBILITY FOR DETERMINING WHETHER THE SERVICES, ANY AVOLVE MATERIALS, THE AVOLVE SAAS SOLUTION OR THE INFORMATION GENERATED THEREBY IS ACCURATE OR SUFFICIENT FOR ITS PURPOSES. EACH PARTY DISCLAIMS ALL LIABILITY AND INDEMNIFICATION OBLIGATIONS FOR ANY HARM OR DAMAGES CAUSED BY ANY THIRD-PARTY HOSTING PROVIDERS. Avolve makes no warranties or conditions as to any services or products distributed under a third-party name, copyright, trademark or trade name that may be offered

with or incorporated with the Avolve SAAS Solution or Professional Services provided by Avolve hereunder (such as the Microsoft hosting services). To the maximum extent permitted by law, Avolve will have no liability in connection with the third-party services or products.

10. Notices: Any notices being given by this Agreement shall be in writing and shall be effective if delivered personally, sent by prepaid courier service, sent by prepaid mail, or sent by facsimile or electronic communication (confirmed on the same or following day by prepaid mail). All correspondence shall be addressed to the parties as follows:

If to Avolve:
Mr. Jay Mayne

CFO
Avolve Software Corporation
4835 E. Cactus Rd., Suite 420
Scottsdale, AZ 85254

If to Customer:
Customer Contact Name
Title
City of Vancouver, WA
415 West 6th Street
Vancouver, WA 85050

11. Governing Law. This Agreement will be governed by and construed in accordance with the laws of Customer's state of domicile.
12. Entire Agreement. This Agreement, together with any SOWs, constitutes the entire agreement and understanding between the parties and supersedes any prior agreements, representation, or understandings, whether oral or written, relating to the services provided hereunder.
13. Severability. Should any court of competent jurisdiction declare any term of this Agreement void or unenforceable, such declaration shall have no effect on the remaining terms hereof.
14. Assignment. These services and any other information or rights provided by Avolve, may not be sold, leased, assigned, sublicensed or otherwise transferred in whole or in part. Customer may not assign this Agreement or the benefits there from in whole or in part without the prior written consent of Avolve, which consent shall not be unreasonably withheld. Any assignment made in conflict with this provision shall be voidable at the option of Avolve. Avolve shall not assign this Agreement in whole without the written consent of Customer; provided, however that Avolve may assign this Agreement in whole without the prior written consent of Customer to any person or entity who succeeds to all or substantially all of Avolve's business whether by sale of assets, sale of securities, merger, operation of law or otherwise. In addition, Avolve may use subcontractors of its election to provide components of the services set forth herein, including Microsoft Corporation.
15. Independent Contractor. Avolve is an independent contractor and not an employee of the Customer. Any personnel performing services under this Agreement on behalf of Avolve shall at all times be under Avolve's exclusive direction and control. Avolve shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of services under this Agreement and as required by law. Avolve shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance, and worker's compensation insurance.
16. Amendment. This Agreement may only be modified by written amendment signed by authorized representatives of both parties.
17. Hierarchy. The following order of precedence shall be applied in the event of conflict or inconsistency between provisions of the components of this Agreement: (i) this Agreement and (ii) the applicable Avolve Support SLA or SOW signed by authorized representatives of the parties. Notwithstanding the foregoing, if

any part of the Avolve Support SLA or SOW expressly states that it shall control over the Agreement, it shall so control.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the dates set forth below.

Avolve Software Corporation

By: _____

Name: _____

Title: _____

Date: _____

City of Vancouver, WA

By: _____

Name: _____

Title: _____

Date: _____

EXHIBIT 1 – SERVICES SERVICE LEVEL AGREEMENT (SLA) SUPPORT PROCESS AND SERVICE LEVEL AGREEMENT

Avolve’s current support process and service level commitments (“Support”) are defined below.

Support Portal. Avolve provides Support through its Support Portal (<https://support.avolvesoftware.com>). All issues can be logged using the portal or through an on-call support number. Customer personnel receive Support Portal login credentials promptly following purchase of rights to use the Avolve SAAS Solution. After a login is received, the Customer may enter, track, update, and report on trouble ticket, as well as communicate with Avolve helpdesk staff via phone, email, web meeting, and/or ticket notes. Help, FAQs, Documentation, and a Knowledge-base are also available at the Avolve support portal.

Support Hours. 8 AM – 5 PM MST.

Planned Downtime. Avolve or its third-party agent may render the Avolve SAAS Solution unavailable in order to perform upgrades, updates, patches, enhancements and routine maintenance activities, so long as the Avolve SAAS Solution is only unavailable to Customer and its Customer Users outside of the hours of 7 AM through 9 PM East Coast Time on business days during the Subscription Term. Avolve shall provide no less than five (5) days advance notice to Customer of any planned downtime. Customer acknowledges that in the case of emergencies, Avolve or its third-party agents may render the Avolve SAAS Solution unavailable in order to address the emergency. In such situations, if reasonably feasible, Avolve will provide notice to Customer in advance of rendering the Avolve SAAS Solution unavailable or, if not reasonably feasible, notice to Customer promptly following the rendering of the Avolve SAAS Solution unavailable. Customer understands and agrees that Avolve shall not be liable for any such interruption in access to the Avolve SAAS Solution for downtime occurring pursuant to this paragraph (collectively, referred to herein as “Planned Downtime”).

On-Site Emergency Support. Customer may request on-site emergency operational support services as a separate and distinct billable service. In such cases and at its discretion, Avolve will dispatch appropriate technical staff to deliver on-site technical services.

Problem Determination and Resolution. Avolve resources are allocated to resolve reported problems based on the severity level as described in the following table. Avolve uses commercially reasonable efforts to provide a prompt acknowledgement, acceptable resolution, workaround, or a plan for the provision of a resolution or acceptable workaround in the timeframe set forth below:

Incident Response, Resolution, and Restoration Times					
Severity Level	System Down	Critical	High	Medium	Low
Response Time	1 hour	4 business hours	12 business hours	24 business hours	48 business hours
Resolution Time	Reasonable Best Effort	Reasonable Best Effort	Reasonable Best Effort	Reasonable Best Effort	Reasonable Best Effort
Incident Reports	24 Hours	n/a	n/a	n/a	n/a

*Normal Business Hours: 8:00 a.m. through 5:00 p.m. Mountain Standard Time, Monday through Friday (excluding standard holidays).

Support Classification Definitions:

- **Response Time.** Once a problem has been reported, the Customer receives an acknowledgement by email, chat, phone or the through the support portal. Avolve will begin the process of problem

determination and resolution at this point. The time the ticket is submitted, and the response time will be logged to ensure SLA is met.

- **Status Updates.** During the problem determination and resolution process, Customer may receive regular communications, via email, chat, phone, or the support portal, as to the status of the problem determination and resolution. All communications should be logged in Avolve's support system including date, time, and contact name. This helps Avolve and the customer determine the status and duration of the issue reported. Any communications outside the support portal, unless scheduled by Avolve Support such as an online conference (e.g., Zoom or Teams), will not be considered as part of Avolve's SLA. Tickets forwarded to Avolve Development/QA or 3rd Party Software company for further analysis or patch development, may result to delayed updates to the customer.
- **Resolution Time.** It is the time the issue should be resolved. In some instances, a resolution may still be a temporary fix beyond the viable workaround. This incident occurs if the solution requires a product patch and/or product upgrade that result to a longer resolution schedule.
- **Severity Re-classification.** Avolve and the Customer can reclassify the severity of a ticket if required.

Severity Type Definitions:

- **System Down:** A complete system failure impacting Customer's ability to use the system that affects their business operations. From a time management perspective, it is urgent and important. Examples of a system down severity is when all users are unable to login or various errors occur simultaneously for all users. Avolve Support will respond to the ticket within 1 hour and try to restore the system within 4 hours. Customer's administrators, IT, and/or users experiencing the issue may need to be available to help address specific tickets. If it requires further investigation and longer resolution time, a temporary workaround (i.e., restoration) will be determined with the Customer to allow operations to proceed during business or non-business hours. Status updates will be provided periodically, on a System Down tickets 24x7 until resolution. Infrastructure issues are often resolved quickly by service or system restart. Any potential system alerts will be promptly addressed in an effort to avoid issues from reoccurring. Avolve will create a new ticket with a low severity rating if the issue has been resolved but require further root-cause analysis.
- **Critical:** An application failure impacting 1 or more end-users' ability to use the system and affects critical operations that need to be addressed immediately. From a time management perspective, it is urgent and important for some users. Examples of a critical severity is when 1 or more users are unable to upload files, batch stamp approved plans, open several files, or run reports after several attempts. Avolve Support will respond to the issue within 4 hours and try to resolve the issue within 6 hours. Customer's administrators, IT, and/or users experiencing the issue may need to be available to help address specific issues. If it requires further investigation and longer resolution time, a temporary workaround (i.e., restoration) will be determined with the customer to allow operations to proceed during business hours. Critical tickets will be immediately worked on until restoration from Monday to Friday (excluding US holidays) and within business hours. Any issue that requires work beyond work hours will be addressed on the following workday and within business hours. Avolve will create a new ticket with a low severity rating if the issue has been resolved but require further root-cause analysis.
- **High:** An error that causes Avolve product to fail with minimal business impact. From a time management perspective, it is not urgent but important. Examples of a high severity are intermittent but frequent operational errors that need to be addressed. Avolve Support will respond to the issue within 12 business hours and try to resolve the issue within 24 business hours. If it requires further investigation and longer resolution time, a temporary workaround will be determined with the customer to allow operations to proceed during business hours. Support will work on the issue from Monday to Friday (excluding US holidays) and within business hours. Any issue that requires work

beyond business hours will be addressed on the following workday and within business hours. Avolve will create a new ticket with a low severity rating if the issue has been resolved but require further root-cause analysis.

- **Medium:** An error that causes Avolve product to fail with no significant business impact. From a time management perspective, it is not urgent and slightly important to some users. Examples of a medium severity are how-to questions, or specific issues only occurring to a single end-user. Avolve Support will respond to the issue within 24 business hours and resolve the issue within reasonable best efforts. Support will work on the issue from Monday to Friday (excluding US holidays) and within business hours. Any issue that requires work beyond business hours will be addressed on the following workday and within business hours.
- **Low:** A service request for a new feature, additional documentation, or an explanation of product functionality that does not impact business operations. From a time management perspective, it is not urgent with low importance. Avolve Support will respond to the issue within 48 business hours and resolve the issue within reasonable best efforts. Support will work on the issue from Monday to Friday (excluding US holidays) and within business hours. Any issue that requires work beyond business hours will be addressed on the following workday and within business hours.

Unsupported Issues. Avolve does not cover under Support, and the SLA does not include the following conditions (collectively, the “Unsupported Issues”).

- Any Avolve SAAS Solution use not covered by an active support contract and/or not in compliance with a valid agreement with Avolve. Authorized users of the Avolve SAAS Solution are entitled to Support as part of their use fee.
- End-user’s computer hardware/software configurations such as OS (e.g., Linux or older Windows versions) or browser versions not supported by Avolve.
- Problems caused by misuse or misapplication of the Avolve SAAS Solution, including any anomalies and/or failures in test or production operating environments that impact the Avolve SAAS Solution and are determined to have their cause due to unwarranted Customer decisions, actions, system configuration/ modification, policies and/or procedures.
- Problems caused by Customer’s custom application code authorized to be developed using Avolve APIs as set forth in the documentation accompanying such API and the Customer’s Agreement.
- Problems caused by updates or upgrades of 3rd party applications that are integrated with Avolve products and/or services.
- All Training programs, regardless of software version updates and/or upgrades.
- On-premises type of support including but not limited to: (a) End-user’s Windows configuration issues; (b) On-prem firewall or other security device configuration; (c) On-prem VPN, proxy servers, or other internal devices that connect to the Avolve SaaS solution; (d) Customer DNS, SSL certifications, or Azure AD configurations and updates if used for the Avolve SaaS solution; (d) On-prem or end-user’s network performance monitoring and updates; (e) End-User browser support; (f) User-modified and new workflows or eforms. Additional services may be purchased for an additional fee.
- Any other reasons set forth in the Customer’s Agreement, including without limitation any down-time due to Microsoft Corporation.

Avolve, in its sole discretion, shall determine whether any of the foregoing exclusions are applicable to Customer. Any services provided for exclusions shall be paid by Customer at Avolve's then-current rates, as well as all travel and other expenses incurred by Avolve in providing such services.

Customer's Obligations for Operational Support. To facilitate clear and consistent communication and timely issue resolution, Customer shall designate up to two contact persons for technical support processes. These individuals are responsible for initiating support requests, communicating with Avolve technical support personnel, and monitoring the support process with Avolve. Timely Customer response to Avolve requests for information during issue resolution is a necessary pre-requisite to Avolve's providing Support. Avolve also requires remote access to the Customer system for the purpose of problem determination and analysis. Where reasonably necessary to provide Support, Customer shall provide Avolve's technical support personnel reasonable, remote access capabilities into Customer's systems. Upon Avolve's request, Customer will also provide reasonable supporting data to aid in the identification and resolution of the issue.

Service Level Commitments

Uptime commitment. Per Avolve's SaaS agreement, Avolve will use commercially reasonable efforts to make the Avolve SAAS Solution available. The Annual Uptime Percentage has 2 components: The infrastructure uptime, which is dependent on Microsoft's SLA; Avolve software, which is 99.5%, excluding Planned Downtime. In the event that Avolve does not meet this uptime commitment, Customer will be eligible to receive a service credit for 1% of the monthly fee for each one (1) hour of downtime during Customer's normal business hours, up to 50% of Customer's Pro-Rated Monthly Subscription Fee.

Definitions

- "Annual Uptime Percentage" is calculated by subtracting from 100% the percentage of 10-minute periods during a calendar month in which the Avolve SAAS Solutions was Unavailable to Customer.
- "Availability" means the ability to log into the Avolve SAAS Solution.
- "Claim" means a claim for a service credit Customer submits by opening a support case with Avolve, on the basis that the hosted Avolve SaaS Product infrastructure has been Unavailable to Customer during a service month.
- "Pro-Rated Monthly Subscription Fee" is calculated by dividing the Customer's applicable annual Avolve SAAS Solution subscription fee by twelve.
- "Unavailability" means the inability to log into the Avolve SAAS Solution.

Service Credit Requests

To receive a service credit, Customer must notify Avolve and submit a Claim within thirty (30) days from the incident that would be the basis for the claim. To be eligible, the Claim must include (a) the dates, times, description and duration of each incident experienced; and (b) the Customer's event logs or any other system telemetry that document the errors and corroborate the claimed Unavailability (any confidential or sensitive information should be removed). Failure to provide a timely Claim, which includes all the required information, will disqualify the Claim and Customer from receiving a service credit. If Avolve validates the Claim, then Avolve will promptly issue the service credit.

Service Credit Provisions

Service credits are Customer's sole and exclusive remedy for any failure of Avolve to provide the Avolve SAAS Solution in accordance with the terms of the Agreement. Service credits shall be a credit toward future services only

and do not entitle Customer to any refund or other payment from Avolve. Service credits may not be transferred, applied to another account, exchanged for, or converted to monetary amounts.

The maximum service credits awarded with respect to Claims the Customer submits in any calendar month shall not, under any circumstance, exceed in the aggregate 50% of the Customer's Pro-Rated Monthly Subscription Fee for such month. Avolve will use all information reasonably available to it to validate Claims and make a good faith judgment on whether a service credit should be applied to the Claim.

SLA Exclusions

This SLA does not apply to any Availability or Unavailability of the Avolve SAAS Solution:

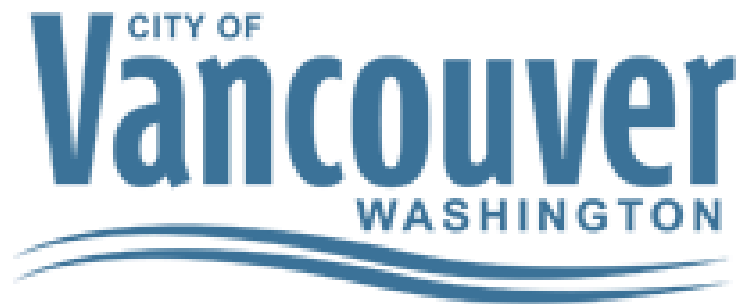
- During Planned Downtime;
- Caused by Unsupported Issues;
- Caused by factors outside of Avolve's control, including any force majeure event or interruption or impediment to Internet access or related problems;
- That result from Customer's equipment, software or other technology and/or third party equipment, software or other technology, including any third party hosting providers;
- That resulted from Planned Maintenance or associated to beta, evaluation, non-production systems, and trial services accounts;
- That result from any actions or inactions from Customer or any third party, including employees, Users, agents, contractors, or vendors, or anyone gaining access to the hosted Avolve SaaS Product infrastructure by means of Customer's (and its Users') passwords or equipment;
- Arising from Avolve's suspension and termination of Customer's right to use the hosted infrastructure in accordance with the Agreement; and
- That result from Avolve application software implementation errors caused by configuration, customization, installation, or human errors.
- Avolve, in its sole discretion, shall determine whether any of the foregoing exclusions are applicable to Customer. Avolve may, but is not obligated to, issue a Service Credit in Avolve's sole discretion where Customer's use of the Avolve SAAS Solution may be Unavailable due to factors other than expressly provided here in this SLA.



City of Vancouver, WA

ProjectDox® ePlan Solution Proposal

December 21, 2022



Quote Delivered To

Jason Nortz
4400 NE 77th Avenue
Vancouver, WA
98668

jason.nortz@cityofvancouver.us

City of Vancouver, WA
(360) 487-7844

Date of Quote: 2/16/23

Quote Valid Until: 3/31/2023

ProjectDox ePlan Solution Pricing Agreement

SAAS

Product Name	Product Code	Description	Qty	Unit Price	Discount	Total Price
Production Environment Entry-Level Capacity ProjectDox SaaS License	SAAS.PDOX- P.E	Software as a Service (SaaS) for ProjectDox on a Production Environment. Designed for organizations who have approximately 100 concurrent users and 7,000 permits per year. Software included for Production: • ProjectDox Software Subscription • Unlimited Workflow license Services included for SaaS Production: • Set up and installation of ProjectDox • Managed services • Annual ProjectDox upgrades Production Environment Safeguard: Avolve security policy limits access to the Production environment. External users including the customer's IT will not be allowed direct access to the Production servers and database. Any development or testing can be performed on the Test environment.	12.00	\$9,000.00	12.00 %	\$95,040.00
Test Environment Entry-Level Capacity ProjectDox SaaS License	SAAS.PDOX- T.E	Software as a Service (SaaS) for ProjectDox on a Test Environment with. Designed for organizations who plan to use the system for development and/or testing with approximately 10 concurrent users and approximately 2,000 permits per year.	12.00	\$2,000.00	12.00 %	\$21,120.00

		Software included for Test: • ProjectDox Software Subscription • Unlimited Workflow license Services included for SaaS Test: • Set up and installation of ProjectDox • Managed services • Annual ProjectDox upgrades • Technical Support Test Environment Safeguard: Avolve security policy limits access to the Test environment. External users including the customer's IT can be provided limited VPN access to the Test servers and database such as creation and testing of custom reports. VPN access will be made available upon request at an additional cost.				
Avolve Cloud Additional Storage	Host-Store	Additional File and Database Storage per GB per year.	2,000.00	\$1.44		\$2,880.00
VPN-650Mbps	VPM-650	Microsoft Azure VPN Gateway allows the customer to connect from their internal network in to the Avolve Cloud environment. The secured VPN Gateway will be used for M2M connections between the Avolve Cloud and Customer on premises environments (hybrid environments). 650Mbps Based on monthly cost of \$196/mo., invoiced annually.	1.00	\$2,352.00		\$2,352.00
Avolve IAM/SSO Integration	SaaS-IAM.SSO	Avolve Identity and Access Management (IAM) and Single Sign-on (SSO) supports OAuth and SAML protocols and provide a more secure authentication framework. The technology uses Azure Active Directory platform for ensuring proper authentication security controls are in place. The system is limited to 50,000 Monthly Active Users (MAU) for a maximum of 2 environments (Test & Production). Avolve IAM/SSO supports SSO integration with Azure AD B2B, Azure AD B2C, and 3rd party SSO	1.00	\$1,200.00		\$1,200.00

		commercial applications such as Okta and Ping.				
SaaS Sub-Total:						\$122,592.00

PROFESSIONAL SERVICES

Product Name	Product Code	Description	Qty	Unit Price	Discount	Total Price
Avolve Cloud Data Migration	PS-DATA-MIG	Migration of existing customer data onto the Avolve Cloud.	71.00	\$225.00		\$15,975.00
Avolve IAM/SSO	PS-IAM.SSO	Avolve configuration services to implement Avolve IAM/SSO integration for a maximum of 2 environments (Test & Production). The integration setup and configuration should not exceed 8 hours. Additional hours can be purchased as needed. Custom SSO applications may require additional hours.	8	\$225.00		\$1,800.00
Professional Services Sub-Total:						\$17,775.00

Unless otherwise stated, pricing does not include any applicable taxes that may be applied at invoicing. Travel and Expenses are not included in this total and will be invoiced as incurred. First year SaaS shall be invoiced upon execution of Agreement. Payment for the total amount is due net thirty (30) days from the date of Initial Invoice. The City will be invoiced monthly based on the agreement signature date for the number of Professional Services hours (excludes training and client success services) at the hourly rate (\$225) consumed during the previous month. A short description of each time entry and a time tracking spreadsheet will accompany the invoice each month and the number of hours remaining in the project budget. Payment for the remaining amount is due net thirty days (30) from project completion.	Grand Total:	\$140,367.00
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Vancouver, WA

ProjectDox SaaS Migration Statement of Work (SOW)

2/7/2023



Prepared by your Avolve Software Representative

Troy Ward
Director of Sales
21001 N Tatum Blvd
Suite 1630-503
Phoenix, AZ 85050
www.avolvesoftware.com
Telephone: 520.609.5725
Email: tward@avolvesoftware.com

Executive Summary

This Statement of Work focuses on the migration and deployment of the current Production and Test Environments from the customer's on-premises environment to Avolve's SaaS Infrastructure and includes the overall time and cost required to migrate the system in its entirety including setup, testing, and initial support.

High Level Scope of Work

SETUP (ON PREMISE TO AVOLVE SAAS MIGRATION 9.2.8.914 to 9.2.96xx latest version)

The project includes 6 (six) 30-minute weekly status meetings to cover the length of this 9 week project.

Production Environment Setup

- Provision and configure Production environment
- Configure VPN
 - Verify Customer's VPN endpoint compatibility against Azure's supported VPN devices.
<https://docs.microsoft.com/en-us/azure/vpn-gateway/vpn-gateway-about-vpn-devices>
- Customer setup/configuration of the VPN to their environment. This will include a meeting to discuss protocols and subnets as part of the configuration.
- Avolve shall request a backup of any Avolve product databases and installation directories to be shared using one of the following methods: Avolve's encrypted OneDrive shared file server solution, SyncThing or Azure Migrate.
 - The customer is responsible for providing a copy of the requested databases and installation directories utilizing one of the agreed upon methods listed above. Installation directories are listed below.
 - ProjectDox Web Server (folders below will vary per customer)
 - \ProjectDox
 - \ProjectDox.Web.UI
 - \ProjectDox.Web.API
 - \PDSF\WFlowDllCache (if NOT over 50GB in size compressed)
 - \Program Files (x86)\Avolve
 - ProjectDox Application Server (all ProjectDox Services installation folders)
 - \Program Files (x86)\Avolve
 - ProjectDox Database Server (latest Full Backup of databases listed below which will vary per customer)
 - ProjectDox Database
 - WorkflowPersistenceStore Database
- SyncThing, if utilized, shall be installed and configured on the Avolve SaaS file server for the customer's new environment and the Customer will install SyncThing on their on-premises system with assistance from Avolve Software. This will create a point-to-point network between two servers and environments for the transfer.

- o ProjectDox Share Folders shall be configured within the SyncThing application on the customer's side.
 - UserFilesSource
 - UserFilesPublish
 - WFlowDLLCache (only if over 50GB in size compressed)
 - o The same ProjectDox Share Folders are configured within the SyncThing application on the in the Avolve SaaS environment.
 - UserFilesSource
 - UserFilesPublish
 - WFlowDLLCache (only if over 50GB in size compressed)
 - o SyncThing application has a unique GUID created upon installation and configured in each corresponding application so that communication can only occur between those two servers.
- Azure Migrate requires the installation of the Azure Migrate Agent on a temporary dedicated VM (Virtual Machine) server/workstation which will create an exact copy of the source server(s) where the ProjectDox File Share folders exist. This could be one or more servers depending on the customer's hardware configuration.

Production Environment Data Migration and Configuration

- Avolve shall install the matching SaaS Solution version of the software to the Customer's current on-premises version.
- Avolve shall restore copies of system databases to the new SaaS server environments.
- Avolve shall make necessary site configuration updates for the new SaaS environments.
- Avolve shall restore the ProjectDox integrations.
- Avolve with assistance from the customer, will initiate the SyncThing/Azure Migrate file transfer providing a gradual transfer of copies of the files from the customer's on-premises installation to the new Avolve SaaS environment in the background.
 - o Once all files have been copied from each of the folders, SyncThing will continually monitor real-time any changes that occur in the folders keeping the production environment up to date until the cut-over date.
 - o Customer may be requested to restart SyncThing/Azure Recovery Agent as required for the on-premises environment.

Customer Tasks

- Provide final copy of Production databases after system lockout to Avolve provided Storage Account in Azure
 - o ProjectDox Database
 - o WorkflowPersistenceStore Database
- Send notification of System outage for SaaS Migration cutover date to Customer's ProjectDox Users

- Update any documentation relevant to the move to SaaS (i.e., new website URL)
- Update integration URLs as required
- Verify all files have been transferred via SyncThing/Azure Migrate to the SaaS Cloud environment for items below and upon verification, PAUSE all active Folder Syncs.
 - UserFilesPublish (UFP)
 - UserFilesSource (UFS)
 - WorkflowDLLCache (only if over 50GB in size compressed)
- Apply redirect of DNS for existing site URL to point to new Avolve Production SaaS URL
- Install IE11/Edge in IE Mode Brava Viewer Components as required for internal or external staff members of the Customer requiring the use of IE11/Edge in IE Mode for file viewing and markup functionality
- Refreshed SaaS Production Environment Signoff
- Uninstall SyncThing/Azure Migrate
- Decommission on-premises ProjectDox Production environment after 2 weeks of cut-over to SaaS

User Acceptance Testing

Upon completion of the setup and configuration of the production environment the Customer will be provided access to provide end-to-end testing to validate the system setup and functionality (system configuration, emails, integration) and document any identified issues into the issues log located on the Avolve sponsored SharePoint site for the project. Avolve will resolve any identified issues to allow the customer retest to gain acceptance.

- Test both new and existing projects for ProjectFlow and Standard/Legacy for each type of workflow
- Test integration both new and existing projects for ProjectFlow and Standard/Legacy for each type of workflow, as applicable
- Test Export and Import Process, as applicable

SaaS Production Launch

The on-premises system will be placed in maintenance mode and allow the final preparations and data transfers for the Avolve SaaS Production Environment to be conducted, including all configuration updates. After the final data cutover, the customer will conduct a final end-to-end test leading into final launch/go-live.

- Customer will provide new backups of the production system databases for the Avolve team to apply for the scheduled production cutover date to the SaaS environment.
- Avolve will restore the provided backups in the new SaaS environment.
- The ProjectDox configurations will be updated to match the new server environment for SaaS.
- ProjectDox integrations will be restored.
- The customer is responsible for redirecting the existing on-premises URL DNS for the production site to point to the new Avolve SaaS URL and disabling of the on-premises environment.

- SyncThing/Azure Migrate will be disabled on both the on-premises file server and the Avolve SaaS file server.
- Customer will be responsible for the disabling/removing of SyncThing/Azure Migrate from their on-premises environment.

Launch/Project Close Out

The Avolve project manager will assist the customer with any product-related errors or questions about the software for 5-business days post-go-live. After the 5-business day go-live period the project will be considered complete, and the customer shall be introduced and transitioned to the Avolve support team. The extension of support from the project manager can be extended with the purchase of post go live subscription services program.

- Go-Live
- Transition to Support

Test Environment Setup

- Avolve shall provision new servers in the Avolve SaaS Environment for the Test Environment.
 - o The customer is responsible for providing a copy of the required Test system databases per the request utilizing Avolve's encrypted OneDrive shared file server solution.
 - ProjectDox Installation Folder/Directory
 - Project Creator Service Installation Folder/ Directory
 - ProjectDox Utility Service Installation Folder/ Directory
 - ProjectDox.Web.UI
 - ProjectDox.Web.API
 - WWF Service Installation Folder/ Directory
 - WCF Service Installation Folder/ Directory
 - ProjectDox Database
 - WorkflowPersistenceStore Database
- The Customer will assist with the setup/configuration of the VPN to their Test environment. This will include a meeting to discuss protocols and subnets as part of the configuration.
 - o ProjectDox Share Folders shall be configured within the SyncThing/Azure Recovery Agent application on the customer's side.
 - UserFilesSource
 - UserFilesPublish
 - WFlowDLLCache
 - o The same ProjectDox Share Folders are configured within the SyncThing/Azure Recovery Agent application on the in the Avolve SaaS environment.
 - UserFilesSource
 - UserFilesPublish
 - WFlowDLLCache

- o Both SyncThing/Azure Migrate applications have a unique GUID that is created upon installation and the GUID is configured in each of the corresponding applications so that communication can only occur between those two servers.

Test Environment Data Migration and Configuration

- Avolve shall install the matching SaaS Solution version of the software to the Customer's current on-premises version.
- Avolve shall restore copies of system databases to the new SaaS server environments.
- Avolve shall make necessary site configuration updates for the new SaaS environments.
- Avolve shall restore ProjectDox integrations.
 - o Avolve with assistance from the customer, will initiate the SyncThing/Azure Migrate file transfer provides a gradual transfer of copies of the files from the customer's on-premises installation to the new Avolve SaaS environment in the background.
 - o Once all files have been copied from each of the folders, SyncThing/Azure Migrate will continually monitor real-time any changes that occur in the folders keeping the production environment up to date until the cut-over date.
 - o Customer may be requested to restart SyncThing/Azure Migrate as required for the on-premises environment.
- Customer is responsible for updating and redirecting the existing on-premises URL DNS for the test site to point to the new Avolve SaaS URL and disabling the on-premises environment.
- SyncThing/Azure Migrate will be disabled on both the on-premises file server and the Avolve SaaS file server for the test environments.
- The Customer will be responsible for disabling/removing SyncThing/Azure Migrate from their on-premises test environment.

User Acceptance Testing

Upon completion of the setup and configuration of the test environment the Customer will be provided access to provide end-to-end testing to validate the system setup and functionality. UAT (User Acceptance Testing) is allocated for a 5-business day period and upon acceptance will initiate the next phase of the project to upgrade to the latest version release of 9.2.

ProjectDox Upgrade to latest version of 9.2.8.96xx

The Avolve Project Manager will now work with the City and the Installation team to upgrade ProjectDox to the latest version of the 9.2.8.96xx release on the Test site first and then on the Production Site. The upgrade to the new version will consist of setting up and configuring the new "Avolve Login" screens. Any configuration updates or changes to

workflows, formlets or anything process related are not in scope for this project. If desired, any additional out of scope work could be completed through use of Custom Success Services (formerly known as Assurance Services).

Project Close Out

The Avolve project manager will be engaged to assist the customer with any product-related errors or questions about the software for 5 business days post-live. After the 5-business day go-live period, the project will be considered complete, and the customer shall resume using the support portal for assistance. The project manager's support extension can be extended with assurance service hours on a time and material basis.

ACCEPTANCE PROCESS

There will be Key Deliverables, as identified in the Project Activities/Deliverable Payment Schedule, which will be subject to acceptance by the Customer ("Acceptance"). Upon completion of each Key Deliverable, Avolve will request from the Customer a written response within five (5) business days after receipt thereof. Notwithstanding the foregoing or anything to the contrary in the Purchase Agreement, all other Deliverables provided under this Statement of Work shall be deemed to have been accepted by the Customer upon delivery. If Customer does not approve, reasons for rejection must be clearly noted. Avolve will then work with the Customer to come to agreement on obtaining approval. The Customer shall be deemed to accept any such Key Deliverable which the Customer does not accept or reject within such period. This acceptance will initiate the invoice of the applicable milestone.

PROJECT ASSUMPTIONS AND CAVEATS

1. Avolve will have full access to all Project team members from the customer as needed to complete the successful implementation and roll out of ProjectDox. This access may require the team members of the customer to dedicate specific time to specific detailed tasks within the Project Plan. Team member tasks will be more clearly defined during the kickoff and planning sessions and documented in the Project Plan.
2. Customer and its third parties and/or subcontractors will fulfill any hardware/software requirements, as identified to allow communication between Avolve Software and the Customer's permitting system in a timely fashion to keep the Project Plan on schedule.
3. Customer and its third parties and/or subcontractors will fulfill the hardware and network requirements, as outlined in the ProjectDox/OAS Implementation Guide (a standard end user document that accompanies each version of the Software) in a timely fashion to keep the Project Plan on schedule.
4. This best approach package to implementation relies on partnership with the jurisdiction to achieve desired go-live goals. To that end, a Not-to-Exceed 71 hours have been allocated to services and training on this project. Should the customer cause or contribute to the delay of any Deliverable, extend scope of schedule, a Change Request(s) may be issued for the incremental costs associated with delay or expansion.
5. Cancellation or reschedule requests within 72 hours (about 3 days) of the upgrade/training date may result in a 20% cancellation fee. The 20% fee will be calculated on the total services for the project minus any Assurance Services.
6. All parties will prioritize their efforts to meet the Project Plan schedule to achieve a rapid roll out model. It is understood by all parties that multiple tasks may be in process at one time and Avolve may have more than one Professional Services team member working on the project at one time.

7. Client will provide adequate Project management for their own resources, and/or third parties, to collaborate with Avolve's project manager. Client subject matter experts and applicable users will be accessible and available in a timely fashion and for adequate and reasonable durations. Avolve will ensure that meeting scheduling is adequately before these resource allocations.
8. Any optional items chosen in the Purchase Agreement/Sales Order are not included here and would require a modification to this Statement of Work.
9. Avolve and Customer agree to cooperate in good faith to complete the Services and Deliverables quickly and efficiently.
10. Formatting, data and/or alterations to customized reports are not covered under this Statement of Work unless explicitly identified in the scope of work.
11. Workflow, Project template, and/or Report enhancements are not covered under this Statement of Work unless explicitly identified in the scope of work.
12. In the event the Customer delays the progression of the implementation and Avolve Software resources are placed on-hold and/or removed from the project a Change Request will be issued and all hours that have been completed to that point will be invoiced. Avolve Software will not guarantee Project Managers and/or Technical Avolve resources will be available to re-deploy immediately upon resolution of the issue. Avolve requires 4 weeks' notice of intent to restart the project, to assess available resources to determine the next available timeframe and communicate any restart costs to restart the project.

CHANGE CONTROL PROCESS

The "Change Control Process" is that process which shall govern changes to the scope of the Project during the life of the Project. The Change Control Process will apply to new components and to enhancements of existing components. The Change Control Process will commence at the start of the Project and will continue throughout the Project's duration. Additional procedures and responsibilities may be outlined by the Project Manager identified on the signature page to the Agreement and will be included in the Project Plan if mutually accepted.

Under the Change Control Process, a written "Change Request" (attached) will be the vehicle for communicating any desired changes to the Project. It will describe the proposed change; the reason for the change and the effect the change may have on the Project. The Project Manager of the requesting party will submit a written Change Request to the Project Manager for the other parties.

All parties must sign the approval portion of the Change Request to authorize the implementation of any change that affects the Project's scope, schedule, or price. Furthermore, any such changes that affect the scope of this SOW, schedule or price will require an amendment to the SOW and/or any other part of the Purchase Agreement.

PRICING, TRAVEL AND EXPENSE

Pricing and payment terms are as set forth in the Purchase Agreement/Sales Order.

- Professional Service hours will be invoiced monthly as time and materials based on the rate for the applicable resources. The rate for Professional Service is \$225.00/hour.
- Training will be invoiced as courses are completed at the identified fixed price provided in the Purchase Agreement/Sales Order.

- No Travel and Expenses are estimated for this project. If onsite work is requested by the customer will be invoiced as incurred for trips to the Customer offices. Customer will only be invoiced for actual expenses incurred.

PROJECT ACTIVITIES / DELIVERABLES PAYMENT SCHEDULE

This is a preliminary deliverable and payment schedule that is subject to change based on discussions to occur post the kick-off of the project, provided that both the City and Avolve Software agree to the new terms in writing. This scope of work is based on 9-week implementation schedule.

Week	Phase	Deliverable	Deliverable/Acceptance Criteria
Week 1	Kickoff	• Project Kick Off Meeting • Project Plan	
Week 2	Setup SaaS Production Environment		
Week 3	Configure SaaS Production Environment	Deliver Functional SaaS Production System	
Week 4	UAT SaaS Production Environment		Sign off Acceptance Document
Week 5	Setup SaaS Test Environment	Deliver Functional SaaS Test System	
Week 6	Cutover SaaS Production Environment	Deliver Functional SaaS Production System	
Week 6	Go Live SaaS Production Environment	Production SaaS Live	Setup and SaaS Renewal Sign Off
Week 7	Configuration SaaS Test Environment	Deliver Functional ProjectDox	
Week 8	UAT SaaS Test Environment		Sign off Acceptance Document
Week 9	Project Completion		Sign off Acceptance Document
	Assurance Services	Invoiced monthly as time and materials	

STATEMENT OF WORK ACCEPTANCE

Once fully executed, this document will become the Statement of Work for the Project defined in this document. Avolve and Customer's signatures below authorizes Avolve to begin the services described above and indicates Customer's agreement to pay the invoices associated with these services delivered as described.



Staff Report: 041-23

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 3/20/2023

SUBJECT Interlocal Agreement with Clark County - Curtin Creek Community Park

Key Points

- In 1999, Vancouver-Clark Parks & Recreation Department purchased 38 acres located at 12601 NE 72nd Avenue for the construction of a fire station and for park purposes.
- At the time of purchase, zoning would not allow subdividing of the property, and as a result, ownership of the entire 38 acres vested with the City of Vancouver.
- A fire station was constructed on the five acres adjacent to NE 72nd Avenue leaving the remaining 33 acres for future park development.

Strategic Plan Alignment

Goal 4, Objective 4.1: Increase recreational opportunities in our parks

Present Situation

The City of Vancouver currently owns 38 acres located at 12601 NE 72nd Avenue. This property was purchased in 1999 by Vancouver fire district #5 and Vancouver-Clark Parks & Recreation for the construction of a fire station and for park purposes.

In 2007 City of Vancouver Fire Station #7 was constructed on the five acres that are adjacent to NE 72nd Avenue, which left the remaining 33 acres of the property for future park development. In May of 2013, the City conveyed an easement for “park purposes” to Clark County over the eastern 33 acres of the property. Clark County is currently moving forward with the development of the Curtin Creek Community Park on a portion of the remaining 33 acres.

The purpose of this interlocal agreement is to permit the parties to work together to transfer the necessary property rights from the City of Vancouver to Clark County, which are needed to provide legal access for the general public to cross city property to utilize the park. The interlocal agreement also allows various utility agencies to provide the necessary services for the operation of the park, and completion of frontage improvements along the entire length of the City’s property. In addition, the interlocal agreement will provide authorization for the county to represent

the City, as owners of the property, to sign all documents required as part of the Clark County community development land use and engineering approval processes associated with the park.

Advantage(s)

1. City and County partnering to improve community access to recreation
2. Provides for the development of a community park

Disadvantage(s)

No disadvantages are foreseen.

Budget Impact

None

Prior Council Review

City Manager weekend update - March 3, 2023

Action Requested

Authorize the City Manager or designee to execute an Interlocal Agreement with Clark County for the transfer of right-of-way and granting of access and utility easement rights related to the Curtin Creek Community Park Development.

Linda Carlson, Property Management Specialist, 360-487-8423

ATTACHMENTS:

- ▣ Interlocal Agreement
- ▣ Preferred Alternative - Curtin Creek Community Park

To be posted on City webpage

**INTERLOCAL AGREEMENT
BETWEEN CLARK COUNTY
AND THE CITY OF VANCOUVER
FOR THE TRANSFER OF RIGHT-OF-WAY AND THE GRANTING OF ACCESS AND
UTILITY EASEMENT RIGHTS RELATED TO CURTIN CREEK COMMUNITY PARK**

THIS IS AN INTERLOCAL AGREEMENT for the granting of property rights, entered into under the authority of the Interlocal Cooperation Act, Chapter 39.34 RCW, between Clark County, a political subdivision of the State of Washington (“the County”), and the City of Vancouver, a municipal corporation and charter city of the first class the State of Washington (“the City”).

WHEREAS, Clark County Parks and Lands Division plans to develop Curtin Creek Community Park (“the Park”), located at 12601 Northeast 72nd Avenue, Vancouver, Washington, 98686, and situated within parcel 198555000; and

WHEREAS, in 1999, Vancouver-Clark Parks & Recreation Department purchased parcel 198555000, containing approximately 38 acres, for \$744,000, which was intended to be used for both a fire station and for park purposes, with Vancouver Fire District # 5 funding \$375,000 of the total purchase price and the County funding the remaining balance; and

WHEREAS, on May 9, 2013, the City conveyed an easement for “Park Purposes” to the County over the eastern 33 acres of the property; and,

WHEREAS, on December 13th, 2013, the Vancouver-Clark Parks and Recreation department dissolved; and,

WHEREAS, a fire station was constructed on the five (5) acres that are adjacent to Northeast 72nd Ave and not subject to the abovesaid easement, leaving the remaining 33 acres of the property for future park development and use; and,

WHEREAS, the County desires to move forward with the development, construction and operation of the Park on a portion of the remaining 33 acres; and,

WHEREAS, the County may be required, as part of the engineering approval process for the Park, to obtain right-of-way from the City for frontage improvements on Northeast 72nd Avenue along the entire length of the City's property; and,

WHEREAS, the County will also likely be required to obtain access and utility easements from the City for development of the Park; and,

WHEREAS, the County desires to obtain limited authorization to sign as the representative for the City on documents required as part of the Clark County Community Development review process associated with development of the Park, so as to be compliant with current land use and engineering design approval; and,

WHEREAS, the County desires the support and participation of the City to complete the subdividing of the City's property in a manner that separates the City's assets from the County assets; and,

WHEREAS, the County requires a permanent easement across the City's asset, the unencumbered 5 acres, to allow public access and utilities to the proposed Park;

NOW, THEREFORE, pursuant to RCW 39.34 and in consideration of the terms, conditions, covenants, and performances contained herein, as well as any attached Exhibits which are incorporated and made a part hereof,

The parties agree as follows:

1. **PURPOSE.** The purpose of this Agreement is to permit the parties to work together to transfer the necessary property rights from the City to the County that are needed to provide legal access for the general public to cross City property to utilize the Park, as well as various utility agencies to provide the necessary utilities for the operation of the Park, complete frontage improvements along the entire length of the City's property, and to obtain authorization for the County to represent the City, as owner of the property, in order to efficiently sign all documents required as part of the Clark County Community Development land use and engineering approval process associated with the Park.
2. **RECITALS ADOPTED.** The recitals set forth above are hereby adopted as the factual basis for this Agreement.
3. **BILLING METHOD AND PROCESS.** Any payments associated with acquiring right-of-way for required frontage improvements along Northeast 72nd Avenue will be remitted to the following address:

City of Vancouver
Finance Department
PO BOX 8995
Vancouver WA 98668-8995
4. **ADMINISTRATION/COMMUNICATIONS.** Managers designated by each party shall administer this Agreement and monitor service level and budget provisions of this Agreement.

No new or separate legal or administrative entity is created to administer the terms of this Agreement. The parties hereto shall each be responsible for their own individual performance of this Agreement. Communication shall be via telephone or e-mail to relay information, answer questions, or raise concerns. However, all notices required under the Agreement must be in writing, in accordance with Section 10 of this Agreement.

5. DISPUTE RESOLUTION. In the event of a dispute between the parties which cannot be resolved by the managers designated pursuant to Section 4, above,, the County Manager and the City Manager or their designated representatives shall review such dispute and may attempt to resolve the dispute.

- 5.1. Any controversy or claim arising out of or relating to this Agreement or the alleged breach of this Agreement that cannot be resolved by the County Manager and the City Manager shall be submitted to mediation. If the dispute is not resolved through mediation, it may be submitted to binding arbitration in accordance with the rules and procedures set forth in Chapter 7.04A RCW, upon agreement of both parties.

- 5.2. In the event that either Party deems it necessary to institute legal action or proceedings to enforce any right or obligation under this Agreement, the parties agree that any such action or proceedings shall be brought in the Superior Court of Clark County, Washington.

6. INDEPENDENT CONTRACTOR. Both parties shall be deemed independent contractors for all purposes, and the employees of each party and any of its contractors, subcontractors, consultants, and the employees thereof, shall not in any manner be deemed to be the employees of the other party. Each party shall retain all authority for provision of services, standards of performance, discipline and control of its own personnel, and other matters incident to its

performance of services pursuant to this Agreement. Nothing in this Agreement shall make any employee of the County an employee of the City or any employee of the City an employee of the County for any purpose, including but not limited to, withholding of taxes, payment of benefits, workers' compensation pursuant to Title 51 RCW, or any other rights or privileges accorded their respective employees by virtue of their employment.

7. **HOLD HARMLESS/INDEMNIFICATION.** To the extent authorized by law, the County and the City shall indemnify and hold harmless one another and their employees, officers, contractors, and agents, from, and shall process and defend at their own expense, any and all claims, demands, suits at law or equity, actions, penalties, losses, damages (both to persons and/or property), or cost, of whatsoever kind or nature, brought against the one party arising out of, in connection with, or incident to the other party's performance or failure to perform any aspect of this Agreement, provided, that if such claims are caused by or result from the concurrent negligence of (a) the County and (b) the City, their respective employees, officers, contractors or agents, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the County or the City, and provided further, that nothing herein shall require the County or City to hold harmless or defend the other or its employees, officers, contractors or agents from any claims arising from that Party's sole negligence or that of its employees, officers, contractors or agents. The terms of this section shall survive the termination of this Agreement.

7.1. In the event that any suit based on such a claim, demand, loss, damage, cost, or cause of action is brought against either party, each party retains the right to participate in said suit if any principle of public law is involved.

7.2. This indemnity and hold harmless provision shall include any claim made against either

party by an employee, officer, contractor, subcontractor, or agent of the other party, even if the other party is thus otherwise immune from liability pursuant to the workers' compensation statute, Title 51 RCW, except to the extent that such liability arises from the sole negligence of the first party. Both parties specifically acknowledge that the provisions contained herein have been mutually negotiated by the parties and it is the intent of the parties that each party provide the other party with the broadest scope of indemnity permitted by RCW 4.24.115.

8. ATTORNEYS FEES AND COSTS. The parties shall bear their own costs of enforcing the rights and responsibilities under this Agreement.
9. NO THIRD-PARTY BENEFICIARY. The County does not intend by this Agreement to assume any contractual obligations to anyone other than the City. The City does not intend by this Agreement to assume any contractual obligations to anyone other than the County. The County and the City do not intend there be any third-party beneficiary to this Agreement.
10. NOTICE. Any notices to be given under this Agreement shall at minimum be delivered, postage prepaid and addressed to:

To the City:

CITY OF VANCOUVER
P.O. Box 1995
Vancouver, Washington 98668-1995
Attention: City Manager

To the County:

CLARK COUNTY
PO Box 9810
Vancouver, WA 98666-9810
Attention: County Administrator

The name and address to which notices shall be directed may be changed by either party giving

the other written notice of such change to the other.

11. WAIVER. No waiver by either party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach, whether of the same or different provision.
12. TERM. The term of this Agreement is for a period of three (3) years, from _____, 2022 through _____, 2025.
13. EXTENSIONS. The term of this Agreement shall automatically be extended in one-year increments, up to a maximum of five (5) additional years, through _____, 2030, without further authorization of the Board of County Commissioners or the City Council, provided, however, that each legislative body has appropriated sufficient funds as may be necessary for the specific purposes described herein, prior to each additional extension year. Either party may choose to terminate such extension of this Agreement by notifying the other party in writing ninety (90) days prior to termination.
14. TERMINATION. Either party may choose to terminate this Agreement by notifying the other party in writing ninety (90) days prior to termination.
15. INTERLOCAL COOPERATION ACT COMPLIANCE. This is an Agreement entered into pursuant to Chapter 39.34 RCW. Its purpose is as set forth in Section 1. Its duration is as specified in Sections 12 (Term), 13 (Extensions), and 14 (Termination).
16. ENTIRE AGREEMENT. This Agreement contains all of the agreements of the parties with respect to the subject matter covered or mentioned therein, and no prior agreements shall be effective to the contrary.

17. AMENDMENT. The provisions of this Agreement may be amended with the mutual consent of the parties. No additions to, or alterations of, the terms of this Agreement shall be valid unless made in writing and formally approved and executed by the City Manager and the County Manager, or their respective designees, and legislative bodies of both parties, except as provided in previous sections.

18. DOCUMENT EXECUTION AND FILING. The County and the City agree that there shall be two (2) duplicate originals of this Agreement procured and distributed for signature by the necessary officials of the County and the City. Upon execution, one executed original of this Agreement shall be retained by the Vancouver City Clerk and one shall be retained by the County. The Vancouver City Clerk shall cause a copy of this agreement to be posted on the City website pursuant to RCW 39.34.040. Upon execution of the originals and posting of a copy on the City's website, each such duplicate original shall constitute an agreement binding upon all parties. One each of the duplicate originals shall be distributed to the designated agents of the parties, named as follows:

Director of Public Works
City of Vancouver
P.O. Box 1995
Vancouver, Washington 98668-1995

Director of Public Works
Clark County
PO Box 9810
Vancouver, WA 98666-9810

19. RATIFICATION. Acts taken in conformity with this Agreement prior to its execution are hereby ratified and affirmed by the Parties.

20. SEVERABILITY. If any section or part of this Agreement is held by a court to be invalid, such action shall not affect the validity of any other part of this Agreement.

IN WITNESS WHEREOF, the County and City have caused this Agreement to be executed in their respective names by their duly authorized officers and have caused this Agreement to be dated as of the _____ day of _____, 2022.

CLARK COUNTY,
a municipal corporation

CITY OF VANCOUVER,
a municipal corporation

By: _____
Kathleen Otto
County Manager

By: _____
Eric Holmes
City Manager

Attest:

By: _____

City Clerk

Approved as to Form Only:
Anthony F. Golik
Prosecuting Attorney

Approved as to Form:

By: _____
William Richardson
Deputy Civil Attorney
Clark County

By: _____
David A. Galazin
Assistant City Attorney
City of Vancouver

Preferred Conceptual Master Plan



- | | | | | |
|---|--------------------------------|------------------------------------|---|-----------------------------|
| 1 Natural Grass Rugby/Soccer Field (360'x210') | 4 Tennis/Pickleball Courts | 7 Restroom Building w/ Storage | 10 All-Inclusive Playground | 13 Open Lawn Space |
| 2 Synthetic Turf Soccer (110 yd. x 70 yd.) / Little League (200') w/ lights | 5 Basketball/Futsal Court | 8 Connection to existing Disc Golf | 11 Natural Feature | 14 Picnic Area with Shelter |
| 3 Parking (160 Stalls) | 6 Solid Waste/Recycling Center | 9 Drop-off Area / Entry Plaza | 12 Trail/Bike Path (concrete & asphalt) | 15 Wetland Viewpoints |



Staff Report: 042-23

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 3/20/2023

SUBJECT Park Land Acquisition - Expansion of George & Hazel Stein Neighborhood Park

Key Points

- In 2016 the City of Vancouver accepted a 0.80-acre land donation from Mrs. Hazel Stein for expansion of Tanglewood Neighborhood Park. The donation was contingent upon renaming the park to George and Hazel Stein Neighborhood Park.
- Concurrent with the donation, Mrs. Stein offered a First Right of Refusal to the City to purchase her remaining ownership (0.52-acre parcel) adjoining the park following her death. Mrs. Stein passed away in 2020 and the property deed was transferred from the estate to Evergreen Bible Church as her beneficiary per the provisions of Mrs. Stein's will.
- Evergreen Bible Church proposes a direct sale to expedite the City purchase rather than proceed with the typical process identified in the Right of First Refusal at a later date. A direct sale would avoid the risk of appreciation of real estate costs in the future.
- The acquisition is identified in the Vancouver Parks, Recreation & Cultural Services Comprehensive Plan and CFP as a priority acquisition to serve this neighborhood.
- The property is located in PIF District B in the vicinity of Peace Health Hospital at the heart of an older residential area with a moderate to moderately high equity index score. The current Level of Service for the PIF District is 1.3 acres of park land per 1,000 residents, or 65% of the adopted standard.
- The additional ½-acre expands future development opportunities to meet the recreational needs of this underserved area. The parcel would more than double park frontage on NE 97th Avenue to significantly expand access from the west to notably improve access, visibility and public safety.
- The property is currently assessed at \$536,071 and appraised at \$590,000. The negotiated purchase price is at \$659,000. Appropriated funding is available through PIF District B revenue and reasonable due diligence has been completed.
- The proposal is consistent with the standards, policies and priorities identified in the Parks, Recreation and Cultural Services Comprehensive Plan, Capital Facilities Plan, the PIF Technical Document, and the Climate Action Framework.

Strategic Plan Alignment

Goal 4: Ensure that Vancouver's parks and trails system is the highest quality and most complete in the region

Present Situation

Context & Background:

In 1975, Clark County acquired 0.77 acres for a future park through Builder's Fund, a pre-PIF funding source. Then known as Tanglewood Neighborhood Park, the site was included in the area annexed into the City sometime between 1991 and 2000. Over the years, multiple acquisitions were proposed without success to expand or relocate the park to meet Neighborhood Park area standards for the area.

On May 23, 2016, the City accepted a 0.80-acre land donation valued at \$100,000 from Mrs. Hazel Stein for expansion of the park. The Stein land donation was contingent upon renaming the park to George and Hazel Stein Neighborhood Park. The donation triggered notable community engagement and prompted a unique opportunity to purchase an additional parcel (Lyons-1.9 acres) north of the donation to expand the park further and provide park frontage on NE 97th Avenue.

The park dedication and renaming ceremony occurred on September 10, 2016, to coincide with celebrating Mrs. Stein's 100th birthday. Mrs. Stein also offered a First Right of Refusal (FRR) to the City to purchase the remaining 0.52-acre parcel that included her residence for park expansion following her death. The FRR provides the City with the option to match a third party offer and purchase the parcel when her beneficiary chooses to sell in the future. Acquisition of this remaining parcel has been identified as a priority acquisition in our CFP since 2016.

George & Hazel Stein Neighborhood Park is located in Park Impact Fee District B with an estimated population of 65,000 residents. The current level of service (LOS) for the district is 1.3 acres per 1,000 for neighborhood park land. The LOS metric is based upon a comparison of existing conditions and the adopted Neighborhood Park standard of 2 acres per 1,000 residents. The census tracks encompassing the park and associated ½-mile service area have a moderate to moderately high equity index ranging from 51 to 72.

Marrion school park is located approximately ½-mile to the north of this site. However, public access to school grounds subject to the interlocal agreement continue to be at risk due to school expansion to meet enrollment demands and increasing security concerns.

Present Situation:

Mrs. Stein passed away in February of 2020 and the property deed recently transferred to Evergreen Bible Church as her heir per the provisions of Mrs. Stein's will. Church leadership notified the City of their interest to proceed with a direct sale to the City rather than the seemingly unnecessary delay of putting the property on the market per the provisions of the FRR at some later date.

The Evergreen Bible Church parcel is currently assessed at \$536,071 and appraised at \$590,000. An independent appraisal review confirmed the appraised market value. Staff negotiated purchase of the property for \$649,000 through the attached Purchase and Sale Agreement. The purchase price is based upon 110% of the appraised value. In the event the transaction does not close as proposed, the City will retain the FRR for future purchase of the

property.

In the current residential market, it is commonplace for competitive bidding and over asking price offers. In addition, according to the RMLS the median sale price for residential properties for this area increased 12.6% from January 2021 to January 2022, with the subject property increasing in assessed value by 14% in the same one year period. These considerations validate the proposed purchase price above appraised value to secure the park expansion to approximately four acres and improve public access to greenspace for this vicinity. Expediting the land purchase as proposed allows the City to fulfill the intent of the FRR, avoids the continuing appreciation of property values if postponed, and secures public access for park expansion while dedicated funding is available. It is also important to note that the acquisition more than doubles the frontage on NE 97th Avenue, which is critical to safe access and visibility as an entry into the park from the west, and the additional acreage expands recreation development opportunities.

The purchase is eligible for PIF funding and a strong candidate for consideration as a future grant project for reimbursement of up to 50% of the total acquisition cost, (estimated at \$300,000 to \$350,000).

The proposal is consistent with the standards, policies and priorities identified in the Parks, Recreation and Cultural Services Comprehensive Plan, Capital Facilities Plan, and the PIF Technical Document. The purchase also aligns with the Climate Action Framework by preserving green spaces and tree canopy for carbon storage, connecting neighborhoods and urban wildlife habitat (Strategy NS-1).

The acquisition was reviewed by the Parks and Recreation Advisory Commission (PRAC) at a public meeting on February 15, 2023, with a recommendation to City Council for approval of the acquisition.

Due Diligence:

- An environmental site assessment provides a historical review of land uses to identify any risk of environmental contamination that may warrant additional inspection to limit public health risks or liability to the City. An environmental site assessment on the remnant parcel was completed concurrently with the Stein donation and Lyons purchase in 2016, with no concern of site contamination identified.
- A boundary survey was completed in association with the earlier park expansion and encroachments were resolved at that time.
- Archaeological survey – An archaeological survey was completed on the adjoining Stein donation and Lyons parcel with no archaeological findings. Since the proposed acquisition site has a developed residence, the likelihood of archaeological or cultural significance is limited. Staff considers it reasonable to forego further archaeological reviews until triggered by a grant award or park development. The delay necessary for completion of additional study at this time could jeopardize the transaction.
- The property includes a two-story 2,200 square foot residence constructed in 1964. A home inspection will be completed upon approval of the PSA. Following site inspection, staff will determine if the house should be razed or rented in the interim until funds are available for park development.

Advantage(s)

1. Purchase of the Evergreen Bible Church property expands the neighborhood park footprint to improve service to local residents and reduce the park deficit in PIF District B.
2. Expansion of existing properties is a cost-effective approach to maximize current park property investments when opportunities for large acreage purchases are limited to establish additional parks and natural areas.
3. The proposed acquisition expands park frontage on 97th Avenue by 113 feet for improved access, visibility, and public safety. The additional acreage also expands the opportunity for recreational assets in future site improvements.
4. The purchase will be a strong candidate for grant funding through the Washington Recreation and Conservation Office to supplement future park capital projects.

Disadvantage(s)

Site maintenance expenses will increase minimally with the proposed acquisition. However, interim maintenance costs may be reduced if it is determined that the residence is in good condition and suitable for lease until funding is available for park development.

Budget Impact

Budget appropriation from Park Impact Fee District B has been included in the 2023-24 Biennial Budget.

Prior Council Review

The Stein land donation went before Council on May 23, 2016. Project memorandums regarding the proposed acquisition of the remainder parcel were provided to Council on December 19, 2022 and January 23, 2023.

Action Requested

Authorize the City Manager, or their authorized designee, to accept the Purchase and Sale Agreement for acquisition of the Evergreen Bible Church property through a Bargain and Sale Deed.

Monica Tubberville, Senior Planner, 360-487-8353

ATTACHMENTS:

- ▢ Evergreen Bible Church COV_Stein PSA

REAL ESTATE PURCHASE AND SALE AGREEMENT

THIS REAL ESTATE PURCHASE AND SALE AGREEMENT (this “Agreement” or “PSA”) is made and entered into this _____ day of February, 2023 (the “Effective Date”), by and between Evergreen Bible Church, a Washington nonprofit corporation (“Seller”), and City of Vancouver, a Washington municipal corporation (“Buyer” or “City”).

BACKGROUND

A. WHEREAS, Seller acquired that certain real property located at 701 NE 97th Avenue, Vancouver, Washington 98664 as further defined herein (the “Property”) as a bequest from the Estate of Hazel E. Stein pursuant to a Personal Representative’s Deed recorded in Clark County, Washington on December 14, 2022; and

B. WHEREAS, the City holds a First Right of Refusal to Purchase Real Estate dated May 2, 2016 (the “Right of Refusal”) on the Property granted by Hazel E. Stein (“Stein”) that provides the City an opportunity to meet the terms of any bona fide third party offer to purchase the Property that Seller desires to accept, with that Right of Refusal continuing until the City acquires the Property or expressly declines to exercise such right; and

C. WHEREAS, in conjunction with the grant of the Right of First Refusal for the approximately half-acre Property, in 2016 Stein also generously donated nearly an acre of land, situated adjacent to the Property, to the City for the purpose of expanding the park formerly known as Tanglewood Neighborhood Park and renamed the George & Hazel Stein Park as a condition of that donation.;

D. WHEREAS, Seller commissioned an as-is fee simple value MAI certified appraisal of the Property that was issued on December 30, 2022 with a valuation of \$590,000 (“Seller’s Appraisal”) and the City commissioned an independent MAI certified review of Seller’s Appraisal that confirmed that valuation as of January 19, 2023; and

E. WHEREAS, acquisition of the Property serves the public purpose of expanding the George & Hazel Stein Neighborhood Park in compliance with the 2022 – 2031 Vancouver Parks, Recreation and Cultural Services Comprehensive Plan; and

F. WHEREAS, a negotiated transaction initiated directly by Seller as beneficiary of Stein’s bequest serves to expedite public access to the Property, limit market appreciation of the Property cost, and reduce transactional costs due to no real estate broker involvement and exclusion of a third party offer; and

G. WHEREAS, in the event the transaction contemplated by this Agreement does not close, the City will retain the Right of First Refusal on the Property.

NOW THEREFORE, for mutual good and valuable consideration, the sufficiency of which is hereby acknowledged, Seller and Buyer hereby agree as follows:

AGREEMENT

1. Property.

- (a) On and subject to the terms and conditions set forth in this Agreement, Seller shall sell, convey, transfer, and deliver to Buyer, and Buyer shall purchase from Seller, the following properties and Property:
 - (i) All that certain lot, tract or parcel of land together with the buildings and improvements erected thereon located at 701 NE 97th Avenue, Vancouver, Washington 98664, with the Clark County parcel identification number 165377000, and the abbreviated legal description #12 SEC 28 T2N R2EWM .52A, as more particularly described in Exhibit A attached hereto and made part hereof (the "Property"), together with all rights, title and interest of Seller, if any, in and to the land lying in the bed of any street or highway in front of or adjoining the Property to the center line thereof and to any unpaid award for any taking by condemnation or any damage to the Property by reason of a change of grade of any street or highway. The Property is improved as single family residential real property.
 - (ii) All appurtenances and the estate and rights of Seller in and to the Property, which appurtenances shall include all right, title, and interest of Seller, if any, in and to: (i) streets, easements, rights-of-way, and vehicle parking rights used in connection with the Property; (ii) any strips or gores of land between the Property and abutting or adjacent properties; (iii) any service contracts; (iv) all licenses, permits, certificates of occupancy and other approvals issued by any state, federal, or local authority relating to the use, maintenance, or operation of the Property to the extent that they may be transferred or assigned; (v) all warranties or guaranties, if any, applicable to the Property, to the extent such warranties or guaranties are assignable, (all of which is hereinafter collectively referred to as the "Appurtenances").
 - (iii) All of Seller's right, title, and interest, if any, in and to all furniture, fixtures, equipment, and other personal property located in or on the Property and used in the operation or maintenance of the Property, to the extent the same are owned by Seller and itemized on the attached Exhibit B, as may be amended from time to time by mutual agreement of the parties during the Inspection Period (the "Personal Property").
- (b) The Property, Appurtenances, and Personal Property are collectively referred to herein as the "Property".

2. Purchase Price and Manner of Payment.

- (a) In exchange for the Property, Buyer will pay to Seller, and Seller will accept from Buyer, the purchase price (the "Purchase Price") in the sum of Six Hundred Forty-Nine Thousand and No One Hundredths Dollars (\$649,000.00), which Purchase Price shall be payable in the following manner:
 - (i) Within three (3) business days following the Effective Date, Buyer shall deliver a promissory note, substantially in the form attached hereto as Exhibit C, for the sum of Sixteen Thousand Two Hundred Twenty Five and No One Hundredths Dollars

(\$16,225.00), as earnest money ("Deposit") to Melissa Miller, Senior Escrow Officer, Fidelity National Title, 655 West Columbia Way, Suite 200, Vancouver, WA 98660 (direct: 360.903.8405; email: Melissa.Miller@fnf.com) as escrow agent ("Escrow Agent") to be retained by Escrow Agent pending Closing (as hereinafter defined) or sooner cancellation of this Agreement. The Deposit shall convert to cash and remain with the Escrow Agent in the event that Buyer does not terminate the Agreement prior to expiration of the Inspection Period (as hereinafter defined). If Buyer fully consummates and funds the transactions contemplated by this Agreement on or before the Closing Date, the Deposit, plus any interest accrued thereon, shall be applied as payment toward the Purchase Price. This Agreement shall constitute instructions to the Escrow Agent. Subject to the provisions of this Agreement, the Deposit shall be nonrefundable to Buyer except in the event of a default by Seller in the performance of its obligations hereunder.

- (ii) The balance of the Purchase Price, as further adjusted in accordance with the provisions of this Agreement, shall be payable with US dollars wire transfer to Escrow Agent at Closing.

3. Closing. The closing of this transaction (the "Closing") will be conducted by and take place at the office of Escrow Agent within thirty (30) days following expiration or Buyer's waiver of the Inspection Period (the "Closing Date"), unless otherwise mutually agreed to in writing by Seller and Buyer. If the Closing Date would fall on a Saturday, Sunday, or legal holiday under the laws of the State of Washington, it shall automatically be extended to the next business day.

4. Title Commitment and Review.

- (a) Within three (3) business days after the execution of this Agreement, Seller shall deliver, or cause Fidelity National Title (the "Title Company") with Luke Bennier as the preferred Title Officer (direct: 360.624.1046; Luke.Bennier@fnf.com) to deliver to Buyer a preliminary title report with respect to the Property (the "Title Report"), which contains such exceptions as the Title Company would specify in the Title Policy with respect to the Property, together with legible copies of all documents constituting such exceptions (the "Title Documents"). If desired, Buyer shall have the right to order a survey of the Property (the "Survey") at Buyer's sole cost and expense.

Following Buyer's receipt of the Title Report and Survey (or any subsequent update thereof), Buyer shall have until the end of the Inspection Period to give Seller notice (the "Title Objection Notice") of any matters affecting title to the Property to which Buyer objects contained in the Title Report, the Title Documents, and/or the Survey (the "Title Objections"). Any exceptions to the Title Report to which Buyer does not object shall be considered permitted exceptions that will appear in the Title Policy (the "Permitted Exceptions"). Seller shall within five (5) business days after receipt of the Title Objection Notice (the "Title Response Period") notify Buyer as to any of the Title Objections that Seller elects (in its sole and absolute discretion) to cure, or cause to be eliminated from the Title Policy, on or before the Closing Date; provided, however, Seller shall have no obligation to cure or cause to be eliminated any of the Title Objections. In the event Seller fails to deliver such notice to Buyer, Seller shall be deemed to have elected to not cure or cause to be eliminated from the Title Policy all of the Title Objections. Any Title

Objections with respect to which Seller does not elect (or is deemed to have not elected) to cure, or cause to be eliminated, on or before the Closing Date, excluding any Mandatory Title Removal Items (as defined below), shall be referred to herein as "Uncured Title Objections." If, as of the expiration of the Inspection Period, there remains any Uncured Title Objections, then Buyer shall notify Seller and Escrow Agent of Buyer's election to either (A) waive any such Uncured Title Objections and proceed to the Closing, or (B) terminate this Agreement in which event the Deposit shall be returned to Buyer, and Seller and Buyer shall be released from all obligations under this Agreement, and neither Seller nor Buyer shall have any rights under this Agreement, except for any obligations expressly set forth in this Agreement as surviving such termination.

If Buyer fails to timely make the election under clause (A) or clause (B) above, then Buyer shall be deemed to have elected to waive any Uncured Title Objections and proceed to the Closing in accordance with clause (A). Any Uncured Title Objections (excluding any Mandatory Title Removal Items) which Buyer waives under clause (A) above shall be deemed to be approved by Buyer as permitted exceptions in the Title Policy. Notwithstanding anything to the contrary contained herein, Buyer shall have no need to object to any Mandatory Title Removal Item, which Mandatory Title Removal Items shall be automatically deemed Title Objections pursuant to this Agreement.

Seller shall be required to cause to be released, satisfied and removed of record as of the Closing Date: (i) any Title Objections which have been voluntarily recorded or otherwise placed, or permitted to be placed, by Seller against the Property on or following the date hereof (other than with the prior written approval of Buyer); and (ii) any mortgages, deeds of trust, security instruments, financing statements, or other instruments which evidence or secure indebtedness, judgments, and liens against the Property, including, without limitation, mechanics' liens, tax liens, real estate taxes, water rates, and sewer rents, in each case, which are due and payable but which remain unpaid and/or of record as of the Closing Date (subclauses (i) and (ii) above are hereinafter collectively referred to as the "Voluntary Liens"); or (iii) any Title Objections which would not constitute Voluntary Liens, but which can be removed by the payment of a liquidated sum of money (items set forth in this subclause (iii), collectively, "Monetary Liens"; and, together with the Voluntary Liens, the "Mandatory Title Removal Items"). If Seller fails to discharge and remove of record any Mandatory Title Removal Items on or prior to the Closing Date, at Buyer's election, such failure shall constitute a failure of a closing condition and Buyer shall be entitled to such remedies as are set forth herein.

- (b) In the event that Seller shall be unable to deliver at Closing title to the Property as required, Buyer shall have the right, as Buyer's sole option: (1) to take such title as Seller may be able to convey with a commensurate reduction in the Purchase Price; or (2) to terminate this Agreement, in which event the Deposit shall be returned to Buyer, and this Agreement shall be and become null and void without any further right or remedy in favor of either party against the other except for liabilities, rights and remedies which survive the Closing or termination of this Agreement.

5. Prorations and Closing Costs.

- (a) At Closing, all real estate and personal property taxes and assessments and all water and sewer charges and assessments shall be adjusted and apportioned between Seller and Buyer on a pro rata basis as of 12:00 a.m. Pacific Time on the day of Closing. If the Closing occurs on a date when the current year's taxes are not fixed, then taxes will be prorated based upon the prior year's taxes.
- (b) Effective on the date of Closing (i) Seller shall cause all accounts for insurance, gas, electric and other public utilities servicing or related to the Property as the same may be in the Seller's name, to be terminated and shall cause to be paid all billings owed by Seller for the period of Seller's ownership of the Property thereon, and (ii) Buyer shall establish accounts in its own name for insurance, gas, electric and other public utilities servicing the Property and shall be responsible for all billings thereon.
- (c) Buyer and Seller shall each pay their own attorneys' fees and expenses to perform their obligations hereunder. In addition:
 - (i) Seller shall pay:
 - (A) All real estate excise taxes and other transfer taxes applicable to the transfer of the Property;
 - (B) The premium for an owner's standard coverage Title Policy;
 - (C) One-half of the Escrow Agent fees; and
 - (D) All costs and other expenses incurred by Seller in connection with the transaction.
 - (ii) Buyer shall pay:
 - (A) The additional premium attributable to any extended coverage Title Policy (in excess of the premium for standard coverage) and/or endorsements requested by Buyer, and the cost of any survey required in connection with the same;
 - (B) One-half of the Escrow Agent fees;
 - (C) All recording fees associated with the Deed; and
 - (D) All costs and expenses of Buyer's consultants and investigations.
- (d) The parties will split all other closing costs not specifically identified as a closing cost to be paid by either the Seller or the Buyer.
- (e) The provisions of this Section survive Closing and termination of this Agreement.

6. Title Conveyance.

- (a) Title to the Property shall be conveyed to Buyer at Closing by Bargain and Sale Deed, duly executed, acknowledged and otherwise in proper form for recording, substantially in the form attached here to as Exhibit D (the "Deed").
- (b) Seller's interest in the Personal Property, as specified on Exhibit B, shall be conveyed to Buyer at Closing by Seller's duly executed bill of sale substantially in the form attached hereto as Exhibit E (the "Bill of Sale"). Seller shall cause any rubbish, debris, or other personal property not itemized on Exhibit B to be removed from the Property at Seller's sole cost and expense before Closing.

7. Condition of Property.

- (a) During the period from the Effective Date until thirty (30) days after the Effective Date (the "Inspection Period") Buyer shall have the right, at Buyer's sole cost and expense, to enter upon the Property for the purposes of inspecting the Property and the physical condition thereof and for making such investigations as shall be reasonably necessary for Buyer to determine the suitability of the Property for Buyer's intended use thereof (collectively, "Inspections").
- (b) Any Inspection shall be conducted in a manner so as not to damage the Property permanently or materially. Buyer shall: (i) keep the Property free and clear of liens; (ii) repair any and all damage arising from Buyer's due diligence inspections; and (iii) indemnify and hold Seller harmless from any and all liability, claims, demands, damages and costs caused by Buyer or Buyer's representatives in the course of performing such inspections, tests or studies; provided, however, Buyer shall not be liable to Seller solely as a result of the mere discovery by Buyer or Buyer's representatives of a pre-existing condition at the Property or with respect to the Property. This indemnification and hold harmless agreement shall survive Closing or any termination of this Agreement.
- (c) If Buyer is dissatisfied with the Property for any reason or no reason whatsoever, Buyer may, by written notice to Seller not later than 5:00 p.m. Pacific Standard Time on the expiration date of the Inspection Period, terminate this Agreement whereupon the Deposit shall be returned to Buyer and neither party shall have any further right or remedy against the other except for liabilities, rights and remedies that survive termination of this Agreement. In the event that Buyer fails to deliver such termination notice prior to the expiration of the Inspection Period, this Agreement shall continue in full force and effect in accordance with its terms and Buyer shall have the right to enter upon the Property to conduct additional Inspections through the Closing Date.

8. Representations and Warranties.

- (a) Seller's Representations and Warranties. Seller hereby makes the following representations and warranties, which representations and warranties shall be deemed made by Seller to Buyer also as of the Closing Date:
 - (i) Authority. Seller is a nonprofit corporation duly organized, validly existing and in good standing under the laws of the State of Washington. Seller has full power, authority and legal right to execute, deliver and perform this Agreement and all other agreements, documents and instruments to be executed, delivered and/or performed by Seller under this Agreement.
 - (ii) Parties in Possession. There are no parties or trespassers in possession or which have a right to possession of all or any portion of the Property, and there are no leases, licenses, or encroachments affecting the Property;
 - (iii) Foreign Person. Seller is not a foreign person and is a "United States Person" as such term is defined in Section 7701(a) (30) of the Internal Revenue Code of 1986, as amended (the "Code") and shall deliver to Buyer prior to the Closing an affidavit evidencing such fact and such other documents as may be required under the Code;
 - (iv) Option to Acquire Premises. Other than Buyer, no person or entity has any right of first refusal or option to acquire any interest in the Property or any part thereof, and

Seller has not sold or contracted to sell the Property or any portion thereof or interest therein other than as set forth herein;

- (v) Sole Legal Owner. Seller is the sole legal fee owner of the Property, and is not holding fee title as a nominee for any other person or entity;
 - (vi) Taxes. There are no governmental taxes, fees or other impositions on the Property except surface water management fees.
 - (vii) Hazardous Substances. To the best of Seller's knowledge, except as otherwise disclosed herein, there are no Hazardous Substances currently located in, on or under the Property in a manner or quantity that may violate Environmental Law (as defined below). There is no pending or threatened investigation or remedial action by any Governmental Authority regarding the release of Hazardous Substances or the violation of Environmental Law at the Property. As used herein, the term "Hazardous Substances" shall mean any substance or material now or hereafter defined or regulated as a hazardous substance, hazardous waste, toxic substance, pollutant or contaminant under any federal, state or local law, rule, regulation or ordinance governing any substance that could cause actual or suspected harm to human health or the environment ("Environmental Law"). The term "Hazardous Substances" specifically includes, without limitation, petroleum, petroleum by-
- (b) Buyer's Representations. Buyer hereby makes the following representations and warranties, which representations and warranties shall be deemed made by Buyer to Seller also as of the Closing Date:
- (i) Authority. Buyer is a municipal corporation duly organized, validly existing and in good standing under the laws of the State of Washington. Contingent upon City Council approval, Buyer has full power, authority and legal right to execute, deliver and perform this Agreement and all other agreements, documents and instruments to be executed, delivered and/or performed by Buyer under this Agreement.
 - (ii) AS-IS. Except as otherwise expressly provided in this Agreement, the Property is being conveyed by Seller to Buyer AS-IS, WHERE-IS, WITH-ALL-FAULTS, AND WITHOUT ANY REPRESENTATION OR WARRANTY WHATSOEVER, EXPRESS OR IMPLIED, AS TO ITS CONDITION, ENVIRONMENTAL OR OTHERWISE, OR ITS SUITABILITY OR SUFFICIENCY FOR BUYER'S INTENDED USES AND PURPOSES.

9. **Condemnation**. Seller shall give Buyer written notice of any action or proceeding instituted or pending in eminent domain or for condemnation affecting any part of the Property promptly after Seller's receipt thereof. If prior to Closing all or a substantial portion (and, for the purposes of this Agreement, a "substantial portion" shall be deemed to include any portion of the Property which materially and adversely affects the use and enjoyment of the Property) of the Property is taken by condemnation or eminent domain proceeding or other transfer in lieu thereof (or in the event any notice of any of the foregoing shall be delivered), each of Seller and Buyer shall have the right to terminate this Agreement by notice to the other party within [number in numbers] days after the receipt of notice of such proceedings, in which event the Deposit shall be returned to Buyer and neither party shall have any further liability or obligation hereunder except for liabilities, rights and remedies which survive Closing or

termination as provided in this Agreement. In the event of a partial taking of less than a substantial portion of the Property this Agreement shall continue in full force and effect and Seller shall, at Closing, credit or assign to Buyer all of Seller's right, title and interest in the condemnation award and all other rights or claims arising out of or in connection with any such eminent domain or condemnation action or proceeding.

10. Deliveries.

- (a) At Closing, Seller shall deliver, or cause to be delivered, to Buyer the following:
 - (i) The Deed;
 - (ii) A Bill of Sale;
 - (iii) An affidavit from Seller stating its taxpayer identification number and that it is not a foreign person, foreign corporation, foreign partnership, foreign trust or foreign estate (as those terms are defined in the Internal Revenue Code) and setting forth such other information as may be required by Section 1445(b)(2) of the Internal Revenue Code or any amendment or replacement thereof;
 - (iv) An executed Washington Real Estate Excise Tax Affidavit; and
 - (v) Such other documents and instruments as shall be reasonably required by the Title Company and reasonably approved in form by Seller in order for Seller to consummate this transaction in accordance with the terms and conditions of this Agreement.
- (b) At Closing, Buyer shall deliver, or cause to be delivered, to Seller the following:
 - (i) The balance of the Purchase Price and amounts for adjustments; and
 - (ii) Such other documents and instruments as shall reasonably be required by the Title Company for Buyer to consummate the Closing in accordance with the terms of this Agreement.
- (c) As a condition of Buyer's obligation to Closing, Buyer shall have applied to and received from the Washington State Recreation and Conservation Funding Board (RCO) for a Waiver of Retroactivity on the Property in order to retain RCO grant eligibility. Seller shall reasonably cooperate with any submission requirements necessitating cooperation of the Property owner in advance of Closing.

11. No Brokers. Each party acknowledges and agrees that no brokers or agents represented either party in this transaction. Therefore, Seller and Buyer hereby agree to indemnify and hold the other harmless from and against any loss, cost, claim, demand or expense (including attorney's fees) which may be incurred or sustained by such other party by virtue of any claim for fee or commission made against it by any broker or other person claiming through the other party to this Agreement, which indemnification and hold harmless agreement shall survive Closing or any termination of this Agreement.

12. Assignment. This Agreement may not be assigned by Buyer, in whole or in part, without the prior written consent of Seller in each instance, which consent may be withheld for any reason or no reason in Seller's sole discretion.

- 13. Default by Seller.** If Seller defaults under any term or provision of this Agreement applicable to Seller, or if Seller breaches any representation, warranty or covenant made by Seller in this Agreement, then Buyer shall have the following remedies for such default and/or breach: (a) to terminate this Agreement by delivering a written notice of termination to Seller, whereupon this Agreement shall terminate, the Earnest Money shall be returned promptly to Buyer, the Deed shall be returned promptly to Seller and Buyer shall have the right to seek a damage claim against Seller for any and all damages permitted by law; (b) to waive the default and/or breach and close the transaction contemplated by this Agreement on the Closing Date, subject to such default and/or breach; or (c) to commence an action for specific performance against Seller to compel Seller to close the transaction contemplated by this Agreement in accordance with the terms and provisions of this Agreement; provided however, if the remedy of specific performance is (i) not awarded by a court of competent jurisdiction or (ii) rendered unavailable, impossible or impractical as a result of (A) any intentional breach by Seller of any term, covenant, condition, representation, warranty or other provision of this Agreement, or (B) Seller's conveyance of the Property to a party other than Buyer in violation of the terms of this Agreement, then Buyer shall have the right to terminate this Agreement by delivering a written notice of termination to Seller, whereupon this Agreement shall terminate, the Earnest Money shall be returned promptly to Buyer, the Deed shall be returned promptly by Escrow Holder to Seller and Buyer shall have the right to seek a damage claim against Seller for any and all damages permitted by law.
- 14. Default by Buyer.** If Buyer fails to consummate the transaction contemplated by this Agreement on the Closing Date in breach of this Agreement, then Seller's sole and exclusive remedy shall be to retain the Earnest Money as liquidated damages (in which event the Earnest Money shall be promptly delivered by Escrow Holder to Seller) and the Deed shall be returned promptly by Escrow Holder to Seller. Buyer expressly agrees that the Earnest Money represents a reasonable estimation of the damages in the event of Buyer's default, that actual damages may be difficult to ascertain and that this provision does not constitute a penalty. The foregoing limitation on the liability of Buyer shall not be applicable with respect to Buyer's obligations to be performed or enforced after Closing.
- 15. Time of the Essence.** The date and time of Closing and all dates and times specified for performance by Seller and Buyer under this Agreement are hereby agreed to be of the essence of this Agreement.
- 16. Survival of Terms.** Unless expressly provided for in this Agreement, no representations, warranties, terms or provisions contained in this Agreement shall survive the Closing and delivery of the Deed, or any termination of this Agreement.
- 17. Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors, heirs, and assigns.
- 18. Counterparts.** This Agreement and the documents to be delivered hereunder may be executed in any number of counterparts, and each such counterpart hereof shall be deemed to be an original instrument, but all such counterparts together shall constitute but one agreement. Facsimile or electronic transmission of a counterpart signed by a party shall be sufficient to establish signature by that party.
- 19. Entire Agreement.** This Agreement (including the Exhibits attached hereto which are by this reference made a part hereof) contains the entire agreement between the parties and all

understandings and agreements heretofore had between the parties hereto are merged into this Agreement.

- 20. Severability.** In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such provisions had not been contained herein.
- 21. Notices.** All notices to be given by either party to the other, unless otherwise directed, shall be in writing, shall be served upon either party in person, by delivery by recognized overnight courier or by depositing such notice in the United States mails, properly addressed and directed to the party to receive the same, certified mail, return-receipt-requested, as follows or by electronic transmission (facsimile or electronic mail) provided that the original is also sent by personal delivery, overnight delivery or by mail in the manner previously described no later than the business day following the date of the electronic transmission, whereby delivery is deemed to have occurred on the day on which the electronic transmission is complete:

TO BUYER:

City of Vancouver

ATTN: Dave Perlick, Interim Director of Parks, Recreation, and Cultural Services

PO Box 1995

Vancouver, WA 98668-1995

David.Perlick@cityofvancouver.us

WITH A COPY TO:

City of Vancouver

ATTN: Becky Rude, Assistant City Attorney

PO Box 1995

Vancouver, WA 98668-1995

Becky.Rude@cityofvancouver.us

TO SELLER:

Evergreen Bible Church, a Washington nonprofit corporation

ATTN: Pastor Toby Beck

9600 Mill Plain Boulevard

Vancouver, WA 98664

tbeck@evergreenbible.com

WITH A COPY TO:

[name of Seller's attorney]

[address of Seller's attorney]

[email of Seller's attorney]

- 22. No Recording.** Neither this Agreement nor any memorandum of this Agreement may be recorded in any office of public record. Any attempt by Seller to affect such recording shall constitute a material default under this Agreement entitling Buyer to all remedies provided for herein.

- 23. Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington without regard to provisions for conflicts of law. Venue for all actions, litigation and/or other proceedings arising out of this Agreement shall be exclusively in Clark County, Washington.
- 24. Counterparts.** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which when taken together shall constitute one and the same instrument.
- 25. Modification.** This Agreement may not be modified except in a writing duly executed by each party hereto.
- 26. Attorney Fees.** In the event of any dispute between the parties arising out of this Agreement, the prevailing party in such dispute shall be entitled to recover from and be paid by the other party all costs and expenses incurred in connection with such dispute, including reasonable attorney fees and court costs and expenses.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the Effective Date.

SELLER:

EVERGREEN BIBLE CHURCH, A WASHINGTON NONPROFIT CORPORATION

By:_____

Name/Title: Evan Chalker, Treasurer

By:_____

Name/Title: John Farness, Leadership Team Chairman

BUYER:

CITY OF VANCOUVER, A WASHINGTON MUNICIPAL CORPORATION

By:_____

Name/Title: Eric Holmes, City Manager (or designee)

ATTEST:

By:_____

Name/Title: Natasha Ramras, City Clerk (or designee)

APPROVED AS TO FORM:

By:_____

Name/Title: Jonathan Young, City Attorney

EXHIBIT A
PROPERTY LEGAL DESCRIPTION

LEGAL DESCRIPTION
Hazel Stein Parcel Remainder

That portion of the North half of the North half of the South half of the Northeast quarter of the Southwest quarter of Section 28, Township 2 North, Range 2 East of the Willamette Meridian, Clark County, Washington, more particularly described as follows;

Beginning on the West line of the East half of the Southwest quarter of Section 28 at a point that is North 0°20'30" West 2148.25 feet from the Southwest corner thereof, said point being the Northwest corner of that tract of land conveyed to Harold K. Peck, et ux, by deed recorded under Auditor's file No. G 266023;

Thence South 0°20'30" East a distance of 217 feet to the Southwest corner of that tract of land conveyed to Roger Dale Lyons, et ux, by deed recorded under Auditor's file No. G 392430 and the true point of beginning of the tract herein described;

Thence North 89°54'30" East along the South line of said Lyons tract a distance of 531 feet to its intersection with the West line of that tract of land conveyed to Harold G. Bloom, et al, by deed recorded under Auditor's file No. G 539273;

Thence Southerly along said West line a distance of 113 feet, more or less to the Southwest corner of said Bloom tract, said point also being on the South line of the Peck tract;

Thence Westerly along said South line a distance of 531 feet to a point on the West line of the East half of the Southwest quarter of said Section 28;

Thence North 0°20'30" West along said West line a distance of 113 feet more or less to the true point of beginning.

Except the West 20 feet thereof, lying within N.E. 97th Avenue

Except the East 311 feet for Tanglewood Park

Contains 22,653 square feet more or less

EXHIBIT B
PERSONAL PROPERTY

1. Built-In Oven & Rant
2. Dryer
3. All window treatments

EXHIBIT C
FORM OF EARNEST MONEY PROMISSORY NOTE

EARNEST MONEY PROMISSORY NOTE

\$ _____, Washington 1

FOR VALUE RECEIVED, _____ ("Buyer") 2

agree(s) to pay to the order of _____ (Selling Firm or Closing Agent) 3

the sum of _____ Dollars 4

(\$ _____), as follows: 5

☒ within 3 days following mutual acceptance of the Purchase and Sale Agreement. 6

☐ * _____ . 7

This Note is evidence of the obligation to pay Earnest Money under a real estate Purchase and 8

Sale Agreement between the Buyer and _____ ("Seller") 9

dated _____. Buyer's failure to pay the Earnest Money10
strictly as above shall constitute default on said Purchase and Sale Agreement as well as on this Note. 11

If this Note shall be placed in the hands of an attorney for collection, or if suit shall be brought to collect12
any of the balance due on this Note, the Buyer promises to pay reasonable attorneys' fees, and all13
court and collection costs. 14

Date: _____ 15

BUYER _____ 16

EXHIBIT D
FORM OF BARGAIN AND SALE DEED

RECORDING REQUEST BY
AND WHEN RECORDED RETURN TO:

City of Vancouver
ATTN: Dave Perlick, Interim Director of Parks, Recreation and Cultural Services
PO Box 1995
Vancouver, WA 98668-1995

BARGAIN AND SALE DEED

GRANTOR: Evergreen Bible Church, a Washington nonprofit corporation

GRANTEE: City of Vancouver, a Washington municipal corporation

PROPERTY ADDRESS: 701 NE 97th Avenue, Vancouver, Washington 98664

ABBREVIATED LEGAL: #12 SEC 28 T2N R2EWM .52A

TAX PARCEL ID: 165377000

LEGAL DESCRIPTION: See Attached Exhibit A

The Grantor, Evergreen Bible Church, a Washington nonprofit corporation, for and in consideration of \$1.00 and other good and valuable consideration in hand paid, bargains, sells, and conveys to Grantee, City of Vancouver, a Washington municipal corporation, the following described real estate located at 701 NE 97th Avenue, Vancouver, Washington 98664 and situated in the county of Clark, with the abbreviated legal description #12 SEC 28 T2N R2EWM .52A and the tax parcel identification number 165377000, as more particularly described on Exhibit A, attached hereto.

GRANTOR:

EVERGREEN BIBLE CHURCH, a Washington nonprofit corporation

By: _____

Date: _____

Name/Title: Evan Chalker, Treasurer

By: _____

Date: _____

Name/Title: John Farness, Leadership Team Chairman

STATE OF WASHINGTON }
 } ss
COUNTY OF CLARK }

I certify that I know or have satisfactory evidence that Evan Chalker appeared as the Treasurer and an authorized signatory of Evergreen Bible Church, a Washington nonprofit corporation, Grantor, and that such individual stated on oath their authorization to sign this instrument, acknowledging that this instrument was signed as a free and voluntary act for the uses and purposes mentioned in the instrument.

WITNESS my hand and official seal.

Signature: _____

Notary Public in and for the State of Washington

My Commission Expires: _____

STATE OF WASHINGTON }
 } ss
COUNTY OF CLARK }

I certify that I know or have satisfactory evidence that John Farness appeared as the Leadership Team Chairman and an authorized signatory of Evergreen Bible Church, a Washington nonprofit corporation, Grantor, and that such individual stated on oath their authorization to sign this instrument, acknowledging that this instrument was signed as a free and voluntary act for the uses and purposes mentioned in the instrument.

WITNESS my hand and official seal.

Signature: _____

Notary Public in and for the State of Washington

My Commission Expires: _____

BARGAIN AND SALE DEED EXHIBIT A
Legal Description of the Property

LEGAL DESCRIPTION
Hazel Stein Parcel Remainder

That portion of the North half of the North half of the South half of the Northeast quarter of the Southwest quarter of Section 28, Township 2 North, Range 2 East of the Willamette Meridian, Clark County, Washington, more particularly described as follows;

Beginning on the West line of the East half of the Southwest quarter of Section 28 at a point that is North 0°20'30" West 2148.25 feet from the Southwest corner thereof, said point being the Northwest corner of that tract of land conveyed to Harold K. Peck, et ux, by deed recorded under Auditor's file No. G 266023;

Thence South 0°20'30" East a distance of 217 feet to the Southwest corner of that tract of land conveyed to Roger Dale Lyons, et ux, by deed recorded under Auditor's file No. G 392430 and the true point of beginning of the tract herein described;

Thence North 89°54'30" East along the South line of said Lyons tract a distance of 531 feet to its intersection with the West line of that tract of land conveyed to Harold G. Bloom, et al, by deed recorded under Auditor's file No. G 539273;

Thence Southerly along said West line a distance of 113-feet, more or less to the Southwest corner of said Bloom tract, said point also being on the South line of the Peck tract;

Thence Westerly along said South line a distance of 531 feet to a point on the West line of the East half of the Southwest quarter of said Section 28;

Thence North 0°20'30" West along said West line a distance of 113 feet more or less to the true point of beginning.

Except the West 20 feet thereof, lying within N.E. 97th Avenue

Except the East 311 feet for Tanglewood Park

Contains 22,653 square feet more or less

EXHIBIT E
BILL OF SALE

Pursuant to that certain Real Property Purchase and Sale Agreement dated effective February, ___, 2023 by and between Evergreen Bible Church, a Washington nonprofit corporation ("Seller") and City of Vancouver, a Washington municipal corporation ("Buyer"), for and in consideration of \$1.00 and other good and valuable consideration, the receipt of which is acknowledged, Seller, hereby sells, assigns, transfers and delivers to Buyer all of Seller's right, title and interest in and to all items of personal property (the "Personal Property") described in Exhibit A attached hereto and made a part hereof.

Said personal property is currently located at 701 NE 97th Avenue, Vancouver, Washington 98664.

Abbreviated Legal: #12 SEC 28 T2N R2EWM .52A

Tax Parcel Number(s): 165377000

Seller warrants to Buyer that Seller has good title to the Personal Property; that Seller has the right and authority to sell, assign, transfer and deliver the Personal Property to Buyer; and that any interest of Seller in the Personal Property is free and clear of liens, security interests, encumbrances and adverse claims. Said Personal Property is otherwise transferred to Buyer herein in its "as-is-where-is" condition, and without any other representation or warranty of Seller, expressed or implied.

This Bill of Sale is intended to pass title to the Personal Property from Seller to Buyer irrespective of whether any of said Personal Property is correctly characterized as a fixture as a matter of law.

[SIGNATURE PAGE FOLLOWS]

Dated:_____

SELLER:

EVERGREEN BIBLE CHURCH,
a Washington nonprofit corporation

By:_____

Name:_____

Title:_____

STATE OF WASHINGTON }
 } s.s.

COUNTY OF CLARK }

I certify that I know or have satisfactory evidence that _____ appeared as the authorized signatory of Evergreen Bible Church, a Washington nonprofit corporation, as Grantor, and that such individual stated on oath their authorization to sign this instrument, acknowledging that this instrument was signed as a free and voluntary act for the uses and purposes mentioned in the instrument.

WITNESS my hand and official seal.

Signature:_____

Notary Public in and for the State of Washington

My Commission Expires:_____

FORM OF BILL OF SALE – EXHIBIT A
Itemized Personal Property.

1. Built-In Oven and Range
2. Dryer
3. All window treatments



Staff Report: 043-23

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 3/20/2023

SUBJECT Fourth Plain Phase II Project

Key Points

- The Fourth Plain and Ft. Vancouver Way Safety and Mobility Project is a Complete Street project focused on reconfiguring the roadway to address one of the most unsafe corridors in the city through a potential roadway repurposing, coinciding with scheduled pavement maintenance. The existing corridor has historically high crash rates and does not provide safe or comfortable facilities for people walking, cycling, using a mobility device, or accessing transit.
- Due to the multi-year paving schedule, and the complexity of the corridor, the project is split into two phases. Phase 1 (Fort Vancouver Way and Fourth Plain Boulevard from F Street to Fort Vancouver Way) design was endorsed by Council in Fall 2022 for the 2023 paving year. Phase 2 includes recommendations for E Fourth Plain Boulevard from Fort Vancouver Way to Andresen Road for the 2024 paving year.
- The Complete Streets chartering process established for projects funded in the 2021-22 and subsequent budgets requires that Council affirm progress and direction at Project milestones. With this staff report and attached resolution, staff are requesting Council endorsement of the design recommendations for Phase 2 of the Project.
- On March 7, 2023, the Transportation and Mobility Commission unanimously passed a motion to recommend that City Council support the recommended design alternatives included in this staff report.

Strategic Plan Alignment

Goal 1: Ensure our built environment is the safest, most environmentally responsible, and well maintained in the Pacific Northwest

- Objective 1.1: Develop and maintain a safe, balanced, and innovative transportation system that will meet the needs of future generations.

Goal 6: Facilitate the creation of neighborhoods where residents can walk or bike to

essential amenities and services- “20-minute neighborhoods”

Present Situation

The City previously completed a Transportation System Safety Analysis (TSSA) in 2018 that showed that Fourth Plain Boulevard between Grand Boulevard and Andresen Road had the highest number of crashes per mile of all principal arterials in the City. In October 2022 the City completed an updated plan, The Vancouver Moves Local Road Safety Plan, with crash data from 2016-2020. During that period there were 110 vehicle and 23 bike/ped crashes resulting in severe injury, including 3 fatal traffic crashes and 2 pedestrian fatalities on Fourth Plain Boulevard.

The Project addresses safety and mobility issues through roadway design options, including repurposing vehicle travel lanes to make more room for people biking, walking, rolling, and using the bus. The project recommendations aim to improve the travel time and reliability of the Vine bus service on Fourth Plain Boulevard, while creating new and improved mobility lanes within the project area. The Project builds on extensive past planning in the area, including The Fourth Plain Corridor Subarea Plan (2008) and the Fourth Plain Action Plan (2015).

Phase 2 improvements are anticipated in coordination with 2024 pavement preservation work on E Fourth Plain between Ft. Vancouver Way and Andresen Road. Some recommendations include capital projects that will be added to the Transportation Improvement Program or will be advanced through the Fourth Plain for All: Investing in our Future community-led investment strategy funded with American Rescue Plan (ARPA) resources.

Lane Reconfiguration Analysis

The project team conducted traffic analysis to understand how changes to roadway vehicle capacity would impact vehicle travel times in current and future conditions, and how to address goals related to safety and mobility networks. The analysis used the RTC travel model to understand conditions today and in 2040 under a ‘no-change’ scenario, while also applying different roadway reconfiguration designs to understand potential outcomes. The analysis found that Fourth Plain Boulevard would continue to perform well and meet City mobility standard with the recommended lane reconfiguration of one (1) through general purpose vehicle travel lane in each direction, with the exception of the segment between 62nd avenue and Andresen Road, which will preserve two (2) westbound general purpose travel lanes and one (1) eastbound general purpose travel lanes to maintain concurrency standards. See the Attachment “March 2022 TMC Memo re: Reconfiguration Alternatives” for more information on travel impacts from a roadway reconfiguration.

Community and Stakeholder Engagement

The Project team engaged the public around two major project milestones. The first round of engagement took place in early summer 2022, and gathered input on safety issues and corridor needs, while conversing with the community about the project purposes and goals. Round 1 engagement included creating project flyers in multiple languages, tabling at the farmers market, Clark College, and the LULAC Grows Mercado, canvassing corridor businesses, residential complexes, and community organizations, holding stakeholder meetings, presenting to neighborhood associations, and gathering online feedback via survey, online open house, and through the BeHeard website. Feedback collected during this phase found that the three most important criteria to evaluate the options included: safety improvements for all users (31%); mobility improvements for all users (24%); and greenhouse gas reduction benefits (19%).

Phase 2 of public engagement sought feedback on desire to repurpose existing roadway space, and what to prioritize in the repurposed space. The general public largely supports the repurposing a vehicle travel lane to improve safety and mobility on the corridor with 83% of residents and 88% of businesses expressing support. In-person feedback gathered during community events favored bus reliability treatments (33%), either bus or bike treatments (33%) or favored bike safety treatments (17%). Online open house feedback was more evenly split on priority treatments with 63% supportive of bicycle-focused improvements and 66% supportive of bus-focused improvements. In-person canvassing of local, Black, Indigenous and People of Color (BIPOC) business owners and staff communicated a strong preference for bus-focused improvements (44%) with a smaller number favoring bike improvements (9%).

Recommendation

In making these recommendations, staff considered feedback from City Council, the Transportation and Mobility Commission, public engagement, stakeholder interviews with C-TRAN and BIPOC businesses along the corridor, and analysis of traffic impacts of lane reconfiguration.

The project team recommends a project package that consists of three parts which: utilize the federal grant to repave Fourth Plain, add capital projects to the Transportation Improvement Program (TIP), and add a significant project proposal to the Fourth Plain for All: Investing in our Future community-led investment strategy for Fourth Plain.

I. The team recommends a design for the 2024 paving project that preserves transit travel time reliability and includes improvements for mobility users. The design repurposes a travel lane in each direction between Ft. Vancouver Way and 62nd to add Business Access Transit (BAT) Lanes where needed (west bound between St. Johns Blvd and Falk Road and east bound between General Anderson Avenue and Stapleton Rd). East of Stapleton, the design repurposes a travel lane eastbound for a BAT lane, and westbound the roadway retains two vehicle travel lanes. The design includes a buffered mobility lane both east and west bound between St. Johns Blvd. and Ft. Vancouver Way to General Anderson Avenue, and an expanded striped mobility lane in each direction from General Anderson Avenue to 62nd Avenue. Vehicle travel lanes will be narrowed where possible to further reduce speeding and reallocate space.

II. The team recommends adding new capital projects to the Transportation Improvement Program to create quality mobility lane connections to parallel east-west corridors. The first capital project would restripe Stapleton Road from Fourth Plain Blvd to 18th street to create buffered mobility lanes and evaluate appropriate traffic calming for other north-south network connections on Grand Blvd and Brandt Road. The second capital project would improve the existing mobility lanes on 18th street with improvements like buffers and/or delineators to connect east to future projects on NE Burton Road. The third capital project would include a large intersection street-mural on Fourth Plain at the crossing of the Burnt Bridge Creek trail. This mural would act as a traffic calming device at this important crossing for mobility users, while providing a placemaking opportunity to celebrate the culture and community of the International District that makes up Fourth Plain Blvd.

III. The third recommendation is a capital project to add off-street multiuse facilities between 62nd Avenue and Andresen Road to serve mobility users outside of the roadway. To achieve this, the City would need to work with adjacent property owners to purchase right-of-

way, relocate utilities, potentially remove trees in some areas, and other mitigation. The project is recommended for inclusion in the Fourth Plain for All: Investing in our Future community-led investment strategy. Incorporating this recommendation into the investment strategy is reflective of the cost, complexity and time required to build these facilities, while recognizing the long-term need to provide safe and accessible facilities particularly as this corridor continues to add residences, businesses, and other destinations.

Advantage(s)

The recommended Phase 2 designs will address known safety issues on the corridor, expand mobility for people walking, bicycling, rolling, and using mobility devices, improve transit access and reliability, and implement goals from the City's Climate Action Plan.

Disadvantage(s)

Reducing vehicle capacity could lead to a public perception of increased travel times for vehicles in the future, however traffic modeling and analysis has shown that both corridors will continue to perform well and meet the City's mobility standards under the recommended configurations.

Budget Impact

Budgeted: Phase II roadway reconfigurations via the 2024 Pavement Maintenance Program.

Budget Impact: Mobility elements of Phase II roadway reconfiguration will be requested through the 2023 Spring Supplemental. Cost is estimated at \$200,000-\$300,000. Funding will come from existing Transportation funds.

Prior Council Review

- March 24, 2021: Reviewed project scope via Consultant Contract
- July 11, 2022: Reviewed project scope, existing conditions, outreach, and stakeholder engagement plan
- October 3, 2022: Reviewed outreach work and public feedback, data collection and analysis, design options and recommendations
- October 24, 2022: Reviewed and approved design recommendations for Phase 1 and reviewed community outreach
- November 14, 2022: Reviewed and provided feedback on preliminary recommendations for Fourth Plain Phase 2
- February 28, 2022: Reviewed and provided feedback on updated phase 2 design recommendations.

Action Requested

Adopt the resolution to advance Phase 2 recommended design options for Fourth Plain Boulevard from Fort Vancouver Way to Andresen Road.

Kate Drennan, Principal Planner, 360-487-7959

ATTACHMENTS:

- ▣ Council Resolution for Fourth Plain and Fort Vancouver Way Phase 2 Design
- ▣ Memo for Fourth Plain Phase 2 Design Project Recommendations (Feb 2023)
- ▣ Fourth Plain Phase 2 Full Recommendations Map
- ▣ Fourth Plain and Ft. Vancouver Way Milestone 1 Outreach Summary (August 2022)
- ▣ Fourth Plain and Ft. Vancouver Way Milestone 2 Outreach Summary

3/20/2023

RESOLUTION NO. _____

A RESOLUTION advancing the Phase 2 design options described herein for the City of Vancouver Fourth Plain Boulevard and Fort Vancouver Safety and Mobility Project, as part of the City's Vancouver Moves initiative to increase community safety and mobility.

WHEREAS, Goal 1 of the City's current 2016-2021 Strategic Plan is to "ensure our built environment is one of the safest, most environmentally responsible and well maintained in the Pacific Northwest" and includes the following Objective 1.1: "Develop and maintain a safe, balanced and innovative transportation system that will meet the needs of future generations;" and

WHEREAS, in 2017, the City adopted a Complete Streets Policy with the vision and intent of providing a safe, accessible street system for all users, ages and abilities, regardless of their preferred mode of travel; and

WHEREAS, the City Council has identified safety, equity, and climate action as guiding policy priorities in developing the 2023-24 biennial budget and when setting goals for the update to the City's Transportation System Plan; and

WHEREAS, the City leverages upcoming pavement projects as opportunities to implement improvements that advance safety, equity, and mobility for all users of the City's transportation system; and

WHEREAS, motorized vehicle crash data analyzed in the City's 2018 Transportation System Safety Analysis Final Report indicates that the Fourth Plain Boulevard corridor has one of

the highest crash rates per mile of any arterial street in the City, and several previous planning processes have identified safety and comfort issues for people walking, bicycling or taking transit along the Corridor; and

WHEREAS, the Fourth Plain and Fort Vancouver Safety and Mobility Project (“Project”) addresses safety and mobility issues arising in the Fourth Plain Boulevard corridor through two phases (Phase 1: West Corridor and Phase 2: East Corridor) roadway design options, including repurposing vehicle travel lanes to make more room for people biking, walking, or using the bus, improving crossings and intersections; and identifying parallel routes for active transportation use; and

WHEREAS, the Project team engaged the community in Phase 1 of public engagement through surveys, online open houses, focus groups, business outreach, and heard that the three most important criteria to evaluate the options included: safety improvements for all users (31%); mobility improvements for all users (24%); and greenhouse gas reduction benefits (19%); and

WHEREAS, in Phase 2 of public engagement, the Project team engaged communities along the corridor, including businesses, the public, and stakeholders throughout the project, finding that 83% of residents and 88% of businesses support the repurposing of vehicle travel lanes to improve safety and mobility on the corridor, and in-person feedback from community events found that 33% of people interviewed favored bus reliability treatments, 33% supported either bus or bike treatments, and 17% favored bike safety treatments. Feedback given during an online open house comprised of 63% support for bicycle-focused improvements and 66% support for bus-focused improvements. During in-person canvassing of local Black, Indigenous and People of Color (BIPOC) business owners and employees, a strong preference for bus-focused

improvements (44%), with a smaller number favoring bike improvements (9%) was expressed; and

WHEREAS, traffic modeling and analyses demonstrate that under a roadway reconfiguration, both Fourth Plain Boulevard and Fort Vancouver Way will continue to operate well and meet City mobility standards in the immediate future and long-term (through year 2040) with the recommended configuration of a single through vehicle travel lane in each direction with Business Access and Transit (BAT) lanes included on some portions and the addition of continuous mobility lanes, with the exception of the segment between 62nd Avenue and Andresen Road, where two westbound travel lanes, one eastbound travel lane, and a BAT lane will be maintained to adhere to concurrency standards as provided by Vancouver Municipal Code Chapter 11.70; and

WHEREAS, the Phase 2 design recommendations include a Project package that utilizes a Federal Highway Administration grant to repave and reconfigure the lanes on Fourth Plain Boulevard, adds complementary roadway network capital projects to the City's 2024-2029 Transportation Improvement Program (TIP), adds a significant project proposal to the Fourth Plain for All: Investing in our Future, the City's community-led investment strategy for the Fourth Plain Boulevard corridor, and fulfills evaluation criteria for Project success; and

WHEREAS, Project staff recommend a design for the 2024 paving project that preserves transit travel time reliability and includes improvements for mobility users through repurposing of a general purpose travel lane in each direction between Fort Vancouver Way and 62nd Avenue to BAT lanes westbound between St. Johns Blvd and Falk Road and eastbound between General Anderson Avenue and Stapleton Road, and east of Stapleton, the recommended roadway design repurposes a general purpose travel lane eastbound for a BAT lane, and westbound the roadway

retains two general purpose travel lanes, and the design includes a buffered mobility lane both east- and westbound between St. Johns Blvd. and Fort Vancouver Way to General Anderson Avenue, and an expanded striped mobility lane in each direction from General Anderson Avenue to 62nd Avenue; and

WHEREAS, the team recommends investing in quality mobility lane connections on east-west corridors parallel to E Fourth Plain Boulevard by adding new capital projects to the City's TIP, that include restriping Stapleton Road from E Fourth Plain Blvd to 18th street to create buffered mobility lanes, and a project to improve the existing mobility lanes on 18th street with treatments such as buffers and/or delineators, and to evaluate appropriate traffic calming for north/south connectors Brandt Road and Grand Boulevard, and would include a capital project to install a large intersection street-mural on E Fourth Plain Boulevard at the crossing of the Burnt Bridge Creek trail for the purpose of both placemaking through the celebration of culture and community of the International District that makes up Fourth Plain Boulevard, and to act as a traffic calming device; and

WHEREAS, the final recommendation is a capital project to add off-street shared use facilities between 62nd Avenue and Andresen Road to safely serve mobility users outside of the roadway, with a recommendation for inclusion in the Fourth Plain for All: Investing in our Future community-led investment strategy where the Fourth Plain community will be prioritizing investments on the corridor and recognizing that. incorporating this recommendation into the investment strategy is reflective of the cost, complexity and time required to acquire right of way and build the safe and accessible mobility facilities desired on this corridor; and

WHEREAS, these combined recommended design options score higher on the evaluation criteria than the no-build, the enhanced transit focused, or the enhanced mobility lane project alternatives, as evaluated by: (1) mobility improvement for people walking, using a mobility device, bicycling, or using the bus; (2) safety improvement for all users of the corridor; (3) greenhouse gas reduction; (4) equitable outcomes; and (5) access to businesses, jobs, services, parks and recreation, education; and

WHEREAS, investment in complete streets that make it easier, more comfortable, and safer for community members to make non-motorized trip choices aligns with City climate goals to achieve net zero carbon emissions by 2040, to which transportation is the largest current contributor; and

WHEREAS, investment in complete streets facilities advance City equity goals by creating safe, attractive, and connected networks for people who cannot or choose not to drive and instead meet their transportation needs through transit, walking, rolling, bicycling and using mobility devices – modes which are utilized in higher numbers by low-income households, people that are under 18 or over 65, people of color, people with disabilities, and other equity populations; and

WHEREAS, City Council has identified a chartering process to review and endorse the City's Complete Streets Policy project milestones at inflection points that include a review of the planning process, community engagement, and design concept alternatives; and

WHEREAS, in making these recommendations, staff considered feedback from City Council, the City's Transportation and Mobility Commission, public engagement, stakeholder interviews with C-TRAN and BIPOC businesses along the Fourth Plain Boulevard corridor, and analysis of traffic impacts and, based on these, the Project team recommends the following design options for Phase 2:

RESOLUTION - 5

- The roadway reconfiguration described above as part of the 2024 paving preservation work.
- The new capital projects to create new, or improve existing, mobility lanes for the purpose of creating an alternative network for traveling further east or west parallel to Fourth Plain Boulevard, to be added to the 2024-2029 Transportation Improvement Program.
- Advance the off-street multiuse facility recommendation for inclusion in the City's Fourth Plain for All: Investing in Our Future community-led investment strategy for community prioritization.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY OF VANCOUVER:

Section 1. The Fourth Plain and Fort Vancouver Safety and Mobility Project shall advance the recommended roadway reconfiguration designs outlined in this resolution for Fourth Plain Boulevard between Fort Vancouver Way and Andresen Road, also known as Phase 2.

Section 2. The Project shall apply these roadway reconfiguration designs in coordination with the 2024 pavement maintenance and resurfacing project on these corridors.

Section 3. The Project Team shall continue to provide clear, transparent communication with the public and an inclusive outreach process during construction and project refinement that focuses on involving historically excluded and underserved community members, as well as residents, businesses, neighborhood associations, community organizations, agency partners, the Transportation and Mobility Commission, and other stakeholders in the Fourth Plain Boulevard corridor.

ADOPTED at a regular session of the Vancouver City Council this 20th day of March 2023.

Anne McEnerny-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Approved as to form:

Jonathan Young, City Attorney

DATE: January 31, 2023

TO: Chair Ramos and Transportation and Mobility Commission members

CC: Rebecca Kennedy, Deputy Director, Community Development Department

FROM: Kate Drennan, Transportation Planning, Community Development Department

RE: **Fourth Plain Safety and Mobility Study, Phase 2 Update**

Introduction

The City is advancing two important projects that help implement the City's Complete Streets Policy: The Fourth Plain and Fort Vancouver Way Safety and Mobility Studies. These two corridors have historically high crash rates and do not provide safe or comfortable facilities for all users. Phase 1 includes portions of Fourth Plain and Fort Vancouver Way, and striping plans are advancing for the 2023 paving season. This memo and agenda item will present the recommendations for Phase 2 of the Fourth Plain Project for the section of roadway spanning from Fort Vancouver Way at the west end to Andresen Road at the eastern project limit.

Overview/Preview

What We Heard

The Project team has engaged communities along the corridor, including businesses, the public and stakeholders throughout the project. As shared during the November 1, 2022 TMC meeting, area stakeholders and the wider public largely support the repurposing of vehicle travel lanes to improve safety and mobility on the corridor. In-person feedback gathered during community events favored bus reliability treatments (33%), either bus or bike treatments (33%) or favored bike safety treatments (17%). Online open house feedback was more evenly split on priority treatments with 63% supportive of bicycle-focused improvements and 66% supportive of bus-focused improvements. In-person canvassing of local, BIPOC business owners found a strong preference for bus-focused improvements (44% to 9% favoring bike improvements).

From City Council, we've heard a focus on advancing the strategic plan goals of safety, equity and climate. As the premier bus rapid transit corridor in the region serving the most diverse area of the City, there is a desire to keep transit on-time and reliable on the corridor both today and in future years that will see added growth. There is also a goal to improve the facilities for people using other modes, such as walking, rolling, riding bicycles or other small mobility devices.

We also gathered feedback from Transportation and Mobility Commission throughout the project. We have heard a desire to increase space and predictability for mobility users on the corridor. We have also heard a desire for as much consistency as possible, so all users know what to expect on the roadway. Finally, the TMC reviewed, and Council endorsed performance criteria for evaluation of options based on improvements for people walking, using mobility devices, bicycling, and using the bus, safety improvements for all users, greenhouse gas reduction, equitable outcomes, and access to businesses, jobs, services, parks, recreation, and education.

Project Recommendation

The project team recommends a project package that consists of three parts which: utilize the federal grant to repave Fourth Plain, add capital projects to the Transportation Improvement Program (TIP), and adds a significant project proposal to the Ten-Year Investment Strategy for Fourth Plain.

- I. The team recommends a design for the 2024 paving project that preserves transit travel time reliability and includes improvements to mobility users. The design repurposes a travel lane in each direction between Ft. Vancouver Way and 62nd to add Bus Access Transit Lanes where needed (west bound between St. Johns Blvd and Falk Road and east bound between General Anderson Avenue and Stapleton Rd). East of Stapleton, the design repurposes a travel lane eastbound for a BAT lane, and west bound the roadway retains two vehicle travel lanes. The design includes a buffered mobility lane both east and west bound between St. Johns Blvd. and Ft. Vancouver Way to General Anderson Avenue, and an expanded striped mobility lane in each direction from General Anderson Avenue to 62nd Avenue. Vehicle travel lanes will be narrowed to further reduce speeding and reallocate space.
- II. The team recommends adding three new capital projects to the Transportation Improvement Program to create quality mobility lane connections to parallel east-west corridors. The first capital project would restripe Stapleton Road from Fourth Plain Blvd to 18th street to create buffered mobility lanes. The second capital project would improve the existing mobility lanes on 18th street with improvements like buffers and/or delineators to connect east to future projects on NE Burton Road. The third capital project would include a large intersection street-mural on Fourth Plain and potentially 18th Streets at the crossing of the Burnt Bridge Creek trail. This mural would act as a traffic calming device at this important crossing for mobility users, while providing a placemaking opportunity to celebrate the culture and community of the International District that makes up Fourth Plain Blvd.
- III. The third recommendation is a capital project to add off-street multiuse facilities between 62nd Avenue and Andresen Road to serve mobility users outside of the roadway. To achieve this, the City would need to work with adjacent property owners to purchase right-of-way, relocate utilities, potentially remove trees in some areas, and other mitigation. The project is recommended for inclusion in the Ten-Year Investment Strategy where the Fourth

Plain community will be prioritizing investments. Incorporating this recommendation into the investment strategy is reflective of the cost, complexity and time required to build these facilities, while recognizing the long-term need to provide safe and accessible facilities particularly as this corridor continues to add residences, businesses and other destinations.

Background

The recommendation is organized into three pieces in response to the design constraints and a thorough evaluation of alternative treatments. The team recommends a restriping design that improves facilities from existing conditions for all users and can be advanced within the project timeline. Secondly, the team recommends complementary capital/multimodal projects to build out near-term alternative and parallel facilities while planning for a longer-term major capital undertaking between 62nd Avenue and Andresen. The following includes a discussion of the constraints impacting project development, and some of the design treatments considered based on feedback from the public, TMC and Council.

Design Background Constraints

Throughout the design alternatives project phase, the team explored many design ideas to evaluate their technical feasibility and adherence to existing ordinances and operating agreements. In evaluating each idea, the project team worked within the following constraints:

1. **Paving project limits** – as a paving project, we considered designs within the curb-to-curb roadway that can be implemented with striping and other limited capital investment
2. **Transit Reliability** – Maintaining transit travel time and reliability is a guiding value embedded in the project, and enshrined in operating agreement between C-TRAN and the Federal Transit Administration
3. **Concurrency policy** – The City has adopted ordinances relating to performance of the roadway. Disregarding concurrency standards may limit the City's ability to hold private parties (developers) to similar standards to improve the system, and could limit the City's ability to advance other goals like adding housing stock and other development along the corridor
4. **Federal Funding/Timing** – The paving project is grant-funded with obligation deadlines that require a striping plan move forward in Spring 2023 for the 2024 paving season.

Design Treatments Considered

Extra-wide buffered mobility lane. The project team explored the feasibility of a design that repurposed the entire outside travel lane to a buffered mobility lane. In this scenario, the Vine bus would operate in the general-purpose travel lane. To serve the Vine transit stations, bus platforms would need to extend across the mobility lanes to reach the doors where the Vine would stop in lane.

This raised several significant design challenges. First, mobility users would need to travel through the platform station area, crossing paths with transit riders boarding and alighting, by ramping up, across and down the platforms. Second, the design would need to line up exactly with Vine doors to allow for level boarding. However, in designing the platform the team learned that the steep crown of the roadway meant that a level extension from the sidewalk station to the travel lane would not align with the doorways. To accommodate the difference in roadway height, the platform extensions would need ramps to move passengers up to the correct level. Building the ramps would add to the dwell time of the bus while passengers moved across the platform and navigated the ramps, as well as the mixing zone of mobility users. In the end, this design was not chosen because of the added transit dwell times, complicated and costly platform design, and uncomfortable mixing between mobility users and transit riders in the constrained platform space.

Mix of extra wide buffered mobility lane with transit acceleration lanes. The project team explored an additional option where the outside lane was converted to a buffered mobility lane, except around Vine station areas. In this scenario, the Vine would operate in the general-purpose travel lane until it reached a station area, where it would serve the stop as it does today. Once leaving the stop, the Vine would operate in its own acceleration lane to enable it to merge back into the general-purpose lane without delay. In addition to the acceleration lane, the City explored using 'reverse transit-signal priority' to hold general purpose traffic at stoplights to create gaps for the bus to merge back into traffic. The ability of the Vine to enter the travel lane without delay is a critical component to maintaining travel time and schedule, particularly with reduced roadway capacity on the corridor, and to maintaining agreements established with the Federal Transit Administration (FTA). In exploring this option, the team determined that the number and length of acceleration lanes needed would yield minimal additional mobility lane capacity, and would create confusing and inconsistent treatments across the corridor. This design was not chosen as the benefit would be marginal compared to the inconsistent lane configurations, signal timing disruption, and unknown impacts to C-Tran travel times.

Routing mobility users north at 62nd for parallel travel. The project team explored a proposed concept to route mobility users off of Fourth Plain at NE 62nd Avenue toward NE 32nd Avenue, NE 65th Avenue, toward an existing dirt path along SR-500. Under this scenario, the project would need to create connections along the existing roadway, and explore development of a new multi-use path along the SR-500 off-ramp to connect to Andresen Road. The team identified challenges with the path adjacent to the highway and a wetland area, and currently home to unhoused communities. In addition, the path leads to a large, interchange intersection where the closest crossings for mobility users are south at Fourth Plain, or north at NE 40th.

Expanding sidewalks or off-street facilities on Fourth Plain. The project team explored a proposal to expand the sidewalk area between 62nd Avenue where mobility lanes drop, and Andresen Boulevard. The team explored the location of City property lines and available clearance behind existing sidewalks. The team determined there are significant impacts along the corridor, including: utility and streetlight pole relocation, removal of existing landscaping and trees, extensive regrading and mitigation for adjacent steep slopes, moving private fence lines, and other unknown issues, in addition to the need to purchase an indeterminant amount of right-of-way. The team determined that

Memo Title**Date****Page 5 of 5**

given the complexity and cost of this proposal, it was not feasible as part of the near-term project implementation but should be further pursued as part of the 10-Year Investment Strategy for Fourth Plain Blvd- now called Fourth Plain For All: Investing in Our Future. The City recognizes that Fourth Plain Boulevard is an important link in our transportation system, and creating a standalone project to pursue adding off-street facilities in this segment is vital for creating a connected network.

Action, Timeline, Next Steps

The workshop purpose on February 7th is to provide an overview of the Project Team recommendations, answer questions and collect feedback. The team will be holding a similar workshop with City Council on February 27th. The project will be presented to the TMC again in March meeting for a public hearing, where the team will ask for TMC endorsement of the Phase II recommendation. In April, the team will hold a final workshop with City Council seeking endorsement of the proposal, and advance the restriping designs ahead of federal obligation deadlines.

Kate Drennan, Principal Transportation Planner, Community Development Department

Kate.Drennan@cityofvancouver.us, (360)487-7959

Attachment(s):

Attached are exhibits of the Project Recommendations (*Bike Network Recommendations & East End Bike Route*). In addition, we attached exhibits created as part of the project team's consideration of alternative design treatments. The pdf's are visual representations of some of the issues and designs outlined above in the section 'Design Treatments Considered'.

Roll plots

Bike Network Recommendations

East End Bike Route

Bike Route Considered Alternatives Map

East End ROW Acquisition Considerations



Legend

Vine Route

Vine Station

Bus Route

Multi-Use Path

City-Designated Bike Route

Planned Bike Route

TECHNICAL MEMORANDUM

DATE: August 23, 2022
TO: Rebecca Kennedy, Emily Benoit, William Cooley, City of Vancouver
FROM: Kayla Dunn, Monica Santos-Pinacho, PointNorth Consulting
Eddie Montejo, Parametrix
SUBJECT: Milestone 1 Direct Outreach Summary – **Final** Report
PROJECT NAME: Fourth Plain and Fort Vancouver Way Safety and Mobility Project

OVERVIEW

The City of Vancouver is studying ways to improve safety, mobility, and comfort on both Fourth Plain (from F Street east to Andresen) and Fort Vancouver Way (from Fourth Plain to Mill Plain). This project will look at ways to make these streets safer for all users regardless of how they choose to travel.

The public outreach team is planning and conducting ongoing direct outreach activities to share information and solicit feedback regarding lane reconfiguration alternatives in the Fourth Plain Boulevard and Fort Vancouver Way corridors under the City's Vancouver Moves Complete Streets Projects. Community engagement will be conducted in two milestones: Milestone 1 outreach activities began in May 2022 and will conclude when Milestone 2 starts in August 2022.

Community feedback received through direct outreach activities in Milestone 1 has been collected, analyzed, and summarized in this report.

Objectives

- Share information with community members and stakeholders about upcoming option for lane reconfiguration under consideration by City of Vancouver
- Encourage community members to provide feedback about their priorities through the following engagement opportunities:
 - Online survey
 - Online open house
 - Stakeholder meeting
- Build rapport with stakeholders for future engagement happening later this year

OUTREACH SUMMARY

Methods

- **Project Flyer:** A project flyer summarizing general information about the project was developed in English, Spanish, Vietnamese, Chuukese and Russian. The flyer also invited community members to visit and stay engaged via the project BeHeard site, Online Open House, and survey.
- **Canvassing:** The team conducted in-person visits along the corridor to engage directly with residents at businesses, organizations, and apartment buildings identified as priority stakeholders.

- **Phone and email outreach:** The team contacted 38 priority-identified stakeholders to introduce the project, share information, and offer stakeholder meetings for deeper dives on project scope and timeline.
- **Tabling:** The team hosted an informational table at two public spaces to share details about the project, ask for community member feedback, and build rapport for future engagement.
- **1:1 Stakeholder meetings:** The team held meetings with two stakeholder organizations interested in receiving a detailed project briefing, providing detailed feedback and expressing interest in participating in a future focus group.
- **Neighborhood association meetings:** The team attended 5 neighborhood association meetings along the corridor in June 2022 to share information about the project and ask for community member feedback.
- **BeHeard Website and Survey:** beheardvancouver.org/fourth-plain-fort-vancouver-mobility was published to share general project information with the public and to gather ongoing community feedback. *Survey #1: Safety Issues and Corridor Needs* was published in English and Spanish on the BeHeard website in May 2022. As of this writing, over 800 community members have visited the BeHeard site and 77 participants submitted a survey.
- **Online Open House and Survey:** In May, an online open house was also published at storymaps.arcgis.com/stories/ to share interactive project information with the general public. The site also provided an alternative way to submit *Survey #1*. As of this writing, more than 250 people visited the online open house and 18 submitted a survey.
- **Social Media and Advertisements:** Social media advertisements on Facebook, NextDoor, Instagram, and Reddit were used to help drive community members to the BeHeard site. Social media accounted for approximately 35% of all traffic sources to the BeHeard site.

Direct Engagement Activities

An overview of the direct engagement activities conducted between May and July 2022 are summarized in Table 1 below.

Table 1. Milestone 1 Direct Engagement Activities Summary - May - July 2022

ACTIVITY	DATES	LOCATION / GROUP	TOTAL REACHED
Tabling	May 21	Downtown Vancouver Farmers Market	120+
	May 31	Clark College campus	
	July 9	LULAC Grows Mercado	
Canvassing	May 24	West project corridor (F Street to Ft. Vancouver Way) – Ft Vancouver Way (Fourth Plain to Mill Plain)	44
	May 26, 27	East project corridor (Fort Vancouver to Andresen)	
	June 23		
Phone and email outreach	June 1-30	Priority identified stakeholders including: • BIPOC-owned businesses • Transportation & mobility organizations • Residential apartment complexes • Community-based organizations • Social services providers	38

1:1 Stakeholder meetings	June 22	Recovery Café Clark County The Marshall Center	2
Neighborhood Association Meetings	June 2 – June 29	• Shumway, June 2 • Arnada, June 9 • Maplewood, June 16 • Rose Village, June 28 • Fourth Plain Village, June 29	5
BeHeard Website	Launched May 18	Online	800+ visitors
Online Open House	Launched May 18	Online	250+ visitors
Survey #1	May 18 – July 15	Online via BeHeard page and Online Open House	95 surveys

THEMES AND FINDINGS

The following sections detail the themes and findings of both in-person and online outreach done as part of Milestone #1 (Summer 2022).

In Person Outreach

Questions

The outreach team prioritized asking the following three questions during each engagement effort with members of the community:

- What has been your experience traveling along Fourth Plain Blvd or Fort Vancouver Way?
- Are there any intersections on these streets where crossing feels dangerous? If so, where?
- How would you like to see these streets improved?

Themes and Feedback

- **Strong desire to address dangerous travel experience in the corridor.** Travelers in this area feel that speed, congestion, and aggressive traffic create a highly dangerous experience when travelling on these streets, regardless of mode choice. There is a strong desire in the community to address these problems, which include:
 - Crosswalks are not trustworthy because drivers disregard crosswalk
 - Sidewalks are too narrow to be a barrier from speeding vehicles
 - Not enough street lighting
 - Long travel times through Fourth Plain due to congestion, leading to poor driving behavior and more accidents
 - “There is a lot of death on Fourth Plain Boulevard.”
 - Enforcement is needed to address speeding and dangerous crosswalk violations
 - Drivers drive through red lights; very dangerous for children in the community
 - “We need ways to ensure safety for our children.”



- **Residents and commuters alike believe it is not a bike-friendly area.** This area is not perceived as bike-friendly due to lack of bicycle infrastructure. Most people expressed that they would never consider riding a bike on the current configuration of these streets. Some of the most common reasons noted include:
 - Bicyclists use the sidewalks because the road feels unsafe
 - Lack of protection from speeding vehicles
 - Existing bike lanes are insufficient
- **Overall unwelcoming perception of the area from travelers.** The atmosphere of the area feels unwelcoming to travelers due to the poor condition of buildings and lack of greenery.
 - Buildings look abandoned and uncared for
 - Nothing pleasant to look at as a pedestrian
 - “Please make this area worth walking through.”
 - Difficult to find waste or recycling bins so garbage is in the streets
 - Not enough lighting on streets
- **Safety is a key concern in certain areas of the corridor.** There are several intersections and locations in the project area where crossing feels unsafe. Most community members expressed a strong desire for pedestrian safety improvements and reduced vehicle speeds. Several also expressed a strong desire for improved traffic control at intersections and specified the following locations as problematic:
 - Andresen & Fourth Plain Blvd
 - Todd & Fourth Plain Blvd
 - Neals & Fourth Plain Blvd
 - Norris & Fourth Plain Blvd
 - Fairmount & Fourth Plain Blvd
 - Grand & Fourth Plain Blvd
 - Fort Vancouver Way & Fourth Plain Blvd intersection
- **Concern with “lane reconfiguration” language.** Some people expressed concern about the term “lane reconfiguration” and a desire to learn more about what that may look like on these streets specifically. Of this group, some expressed opposition to the idea of reducing the number of lanes, opining:
 - “There’s way too much traffic here to handle fewer lanes.”
 - “Do not do a road diet – it would jam up traffic and be a very bad idea.”
 - “Fewer lanes would never work in this area.”
- **Perceived lack of investment in the area keeps people away and unengaged.** Some people expressed strong negative feelings about the City’s level of responsiveness to non-traffic safety issues in this area. Of this group, many people cited an unwillingness to discuss traffic solutions until the City first addresses safety issues related to crime, houselessness, and a perceived lack of law enforcement response in this area.
 - “There is so much crime and houseless activities in this area. I avoid Fourth Plain at all costs.”
 - “Feels like the City does not care about us.”
 - “I try not to use this road because it is stressful.”
 - More law enforcement is needed day and night to respond to calls regarding crime and address street racing

Online Outreach

Questions

The online survey asked participants to share how they typically travel along Fourth Plain Blvd and Fort Vancouver Way, safety issues along these corridors, and to weigh in on the project evaluation criteria. The questions were:

- Are there intersections along Fourth Plain Blvd or Fort Vancouver Way where crossing the street feels dangerous? If so, where? List any places on these streets where crossing the street feels dangerous
- What has been your experience traveling along these streets?
- Do you have any ideas for improving these streets?
- How comfortable do you feel walking on Fourth Plain and Fort Vancouver Way?
- How safe do you feel walking or biking these streets to access transit?
- Which of the following are ways do you travel on Fourth Plain and Fort Vancouver Way? (Drive, Walk, Ride a Bike, Transit, Other)
 - If you checked multiple options above, what is the main way that you travel these streets?
- How often do you travel these streets?
- Any other thoughts?
- Are these the right evaluation criteria for assessing potential safety and mobility improvements on Fourth Plain Blvd and Fort Vancouver Way?
- Which of the evaluation criteria are most important to you? Select the top three (3) evaluation criteria that are most important to you.

Themes and Feedback

- **Most people feel unsafe walking and biking along Fourth Plain Blvd and Fort Vancouver Way.** Most respondents were either somewhat uncomfortable (30%) or very uncomfortable (47%) walking these streets. Approximately 80% of respondents said they felt very uncomfortable bicycling along these streets.
- **Most people feel unsafe walking and bicycling to access transit in the corridor.** Survey respondents shared they felt somewhat uncomfortable (45%) or very uncomfortable (33%) walking and bicycling on Fourth Plain Blvd and Fort Vancouver Way to access transit.
- **Generally, only 1 out of every 5 respondents feels safe** walking, biking, or accessing transit along Fourth Plain Blvd or Fort Vancouver Way.
- **Most people drive, but a significant amount of people walk along these streets.** Although most respondents (36%) primarily drive along these streets, 29% said they walk, 21% said they ride a bike, and 14% of respondents said they rode transit.
- **Most survey respondents (74%) agree that the draft evaluation criteria are right for assessing safety and mobility improvements along these streets.** Respondents indicated the top three (3) most important evaluation criteria as:
 1. Safety Improvements for all users (31%)
 2. Mobility improvements for all users (24%)
 3. Greenhouse gas reduction benefits (19%)

A summary of the individual survey responses is provided as Appendix A.

WHAT'S NEXT

The project team will use this feedback to inform design options that address the needs of the community. The options will be shared with the community during Milestone 2 of public engagement activities later this summer/early this fall as the project team steps back out into the community to solicit actionable feedback and preferences on lane reconfiguration options.

TECHNICAL MEMORANDUM

DATE: December 28, 2022

TO: Kate Drennan, City of Vancouver
Rebecca Kennedy, City of Vancouver
Emily Benoit, City of Vancouver
William Cooley, City of Vancouver

FROM: Kayla Dunn, Monica Santos-Pinacho, PointNorth Consulting
Eddie Montejo, Natalie Chavez, Parametrix

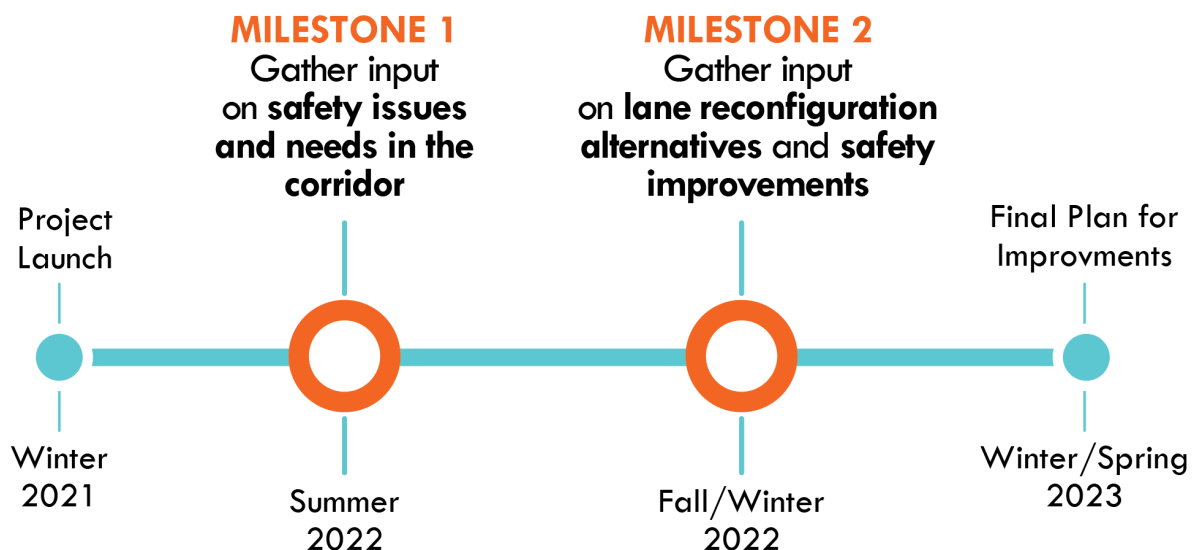
SUBJECT: Milestone 2 Community Engagement Summary – Final Report

PROJECT NAME: Fourth Plain and Fort Vancouver Way Safety and Mobility Project

1 Overview

This memorandum summarizes the public and stakeholder outreach conducted between August and November of 2022 to support the *Fourth Plain and Fort Vancouver Way Safety and Mobility Project*. These outreach activities were part of the second major community engagement milestone, as summarized in Figure 1 below.

Figure 1. Community Engagement Timeline



Milestone 2 activities focused on gathering community feedback on a range of preliminary design options for Fourth Plain and Fort Vancouver Way. Importantly, outreach during this period asked community members to provide input on potential street reconfigurations to repurpose a travel lane for safer multimodal travel through the corridor.¹

While both designs include improvements for people bicycling and those riding transit, Milestone 2 outreach asked community members about their preference between design options that had a greater emphasis on bicycle- or transit-focused improvements.

1.1 Objectives

The objectives of the Milestone 2 outreach were to:

- **Share information** with community and stakeholders about the lane reconfiguration project and options under consideration by City of Vancouver, explain how design options link back to underlying policy direction and community priorities, and educate community and stakeholders on benefits and impacts of each design option under consideration.
- Ask for community feedback and preferences on potential **lane reconfiguration options**.
- Gather broader feedback on **future investment opportunities** in the corridor, potentially through future APRA funding.

1.2 Outreach Tactics

The Project Team utilized a mix of in-person and online outreach tactics to engage community members during this milestone, summarized below:

- **Business Canvassing:** The team conducted targeted, in-person visits to engage directly with business owners, property owners and employees within the corridor.
- **Mailer:** The team designed, printed, and distributed an informational postcard to residential and business addresses in the project area. The postcard included project information, how to contact the project team and a QR code directing the public to the online open house and survey.
- **Tabling:** The team hosted an informational table at four (4) public events to share details about the project, ask for community feedback, and build relationships for future and ongoing engagement opportunities. Tabling at public events was coordinated in partnership with the following host organizations: Fourth Plain Forward and Columbia Play Project, League of United Latin American Citizens (LULAC), Clark College, and Vancouver Farmers Market. Photos 1 through 4 below were taken during Milestone 2022 tabling events.

¹ Milestone 1 activities occurred between May and July 2022 and were focused on focused on sharing baseline information about the project and gathering input on community needs and priorities. Public feedback collected during Milestone 1 also helped inform the development of design options and alternatives that were aligned with community desires and known safety needs in the corridor.



Photo 1. Project team member Eddie Montejo sharing project information with a community member at the LULAC Mercado on September 17, 2022.



Photo 2. Project team member Elvia Santos Dominguez reviewing the design options with a Spanish-speaking family at the LULAC Mercado on September 17, 2022.



Photo 3. Project team members Kayla Dunn, Elvia Santos Dominguez and Eddie Montejo tabling at the LULAC Mercado on September 17, 2022.



Photo 4. Project team member Elvia Santos Dominguez and City Community Engagement Manager William Cooley tabling at the Downtown Vancouver Farmer's Market on October 1, 2022.

Outreach tactics included (continued):

- **Focus Groups:** Three small focus group sessions were offered (two in English and one in Spanish) at Clark Community College to share more detailed information on the design options and to gather a deeper level of input from a range of key project area stakeholders, including equity-priority community members, business and property owners, neighborhood association leaders, and business service providers. Events were publicized on the project website, social media, and on-site at the college.
- **Project Flyer:** A project flyer summarizing general information about the project was developed in English, Spanish, and Russian. The flyer also invited community members to visit and stay engaged via the project BeHeard site, Online Open House, and survey.
- **Online Open House and Survey:** An online open house and survey collected community feedback from September 2, 2022 to November 7, 2022. The online open house summarized the project planning process, potential treatments, and draft design options in an interactive online format. Results from the interactive survey are summarized in Section 2.2 below.
- **Community Meetings:** The Project Team presented information and gathered feedback to community-based organizations and neighborhood associations within the study area including Fourth Plain Forward, Neighborhood Traffic Safety Alliance (NTSA), Action for Climate Emergency (ACE), and Meadow Homes Neighborhood Association.
- **Community Roundtable:** The Project Team hosted an online roundtable with representatives from Bike Clark County, the School for the Blind, and other community stakeholders to share information and gather feedback on this project as well as the concurrent *Vancouver Transportation System Plan* and *Heights District Project*.
- **Social Media and Advertisements:** Social media advertisements on Facebook, NextDoor, Instagram, and Reddit were used to help drive community members to the BeHeard site and the focus groups. Social media accounted for approximately 14% of all traffic sources to the BeHeard site.

Milestone 2 engagement activities are summarized in Table 1 below.

Table 1. Milestone 2 Engagement Activities

Activity	Date	Event / Location / Group	TOTAL REACHED
Tabling	August 2	Fourth Plain Forward & Columbia Play Project Arte en El Parque	170+ Total engaged
	September 17	LULAC Grows Mercado	
	September 17	Multicultural Resource Fair at Clark College	
	October 1	Downtown Vancouver Farmers Market	
Business Canvassing	October 11, 12, & 19	Project corridor (F Street to Ft. Vancouver Way) – Ft Vancouver Way (Fourth Plain to Mill Plain)	34 Businesses
Mailer	October 7	Residents and businesses in zip codes: • 98660 • 98661 • 98663	18,714 Addresses
Focus Groups	September 26 & 29	Transportation Talks at Clark College	7 Total participants
Online Survey	September 2 – November 7	Online – BeHeardVancouver.org	189 Total visits 36 Completed surveys
Community Meetings	• NSTA – November 16, 2022 • ACE – November 16, 2022 • Meadow Homes – November 16, 2022 • Fourth Plain Village – TBD Feb/Mar 2023² • Arnada – TBD Nov/Dec 2022³	Virtual attendance	20+ Participants

² All neighborhood associations within the study area were contacted during Milestone 2, but not all replied. Fourth Plain Village agreed to let the Project Team come present the project in 2023 but did not have time to engage with the project during the Milestone 2 outreach.

³ As of the time of this writing, the project team was still working on identifying a workable date and agenda slot to present to the Arnada Neighborhood Association.

2 Themes and Findings

The following sections detail the themes and findings of both in-person and online outreach done as part of Milestone 2.

2.1 In-Person Outreach

2.1.1 Questions

The outreach team prioritized asking the following three questions during each engagement effort with members of the community:

1. Are you in favor of **repurposing a lane of traffic** on Fourth Plain Blvd or Fort Vancouver Way?
2. How supportive are you of repurposing a travel lane to make **bicycling safer** or to make **transit more reliable** and efficient on Fourth Plain Blvd and Fort Vancouver Way?
3. What are your **top priorities** as someone who travels (walks, bikes, rolls, or drives) through the corridor?

2.1.2 Key Themes and Feedback

2.1.2.1 General Feedback

Overall, community members were supportive of safety and mobility improvements along Fourth Plain Blvd and Fort Vancouver Way. Respondents were generally in favor of investments in both public transit and bike infrastructure. Many people shared their desire for a solution that both increases bus service and adds necessary, safe bike infrastructure. Select examples of these themes included:

- “The roadways are getting a lot more crowded and we need a better transportation system.”
- “I ride the bus all the time, every day, we should prioritize buses.”
- “In general, the City needs to invest more in better transit/transportation. I favor buses but mostly we all just need more ways to get around.”
- “Safety first. I’m okay with any changes as long as they improve safety.”
- “I favor both bike and buses, but people need to get to work and they use the bus.”
- “If Fourth Plain had biking access like Columbia I would use it.”

Desire to create a more inviting destination. Many people expressed a lack of investment in the corridor and a desire for improvements that contribute to an overall sense of place and a more cohesive identity. Residents and business owners alike shared a desire to create an inviting, safe environment where people want to spend time. Key themes included:

- The City should promote consistent signage to make the street more attractive, improve wayfinding, and make it easier to find businesses
- Reduce the visual noise on Fourth Plain Blvd

- Support for general beautification and anything to make Fourth Plain more of a destination rather than a pass-through corridor
- Desire to amplify local businesses, services, and amenities in this neighborhood as part of what Vancouver has to offer
- “The murals here are incredible, but the buildings and streets are ugly. The City should invest in more maintenance, so this area looks cared for just like other areas. Fourth Plain feels forgotten about.”

2.1.2.2 *Safety Improvements*

Safety is a primary concern for travelers in the corridor. Overwhelmingly, the community expressed a strong desire for pedestrian safety improvements and reduced vehicle speeds. Many community members expressed a concern for personal safety at crosswalks and expressed a desire for more and better crosswalks. Key examples of the themes included:

- The Commons will bring many more pedestrians to the area, so pedestrian safety improvements are necessary
- “I’ve been hit by cars three times in my wheelchair.”
- Support for pedestrian improvements such as wider sidewalks, more crosswalks
- Current crosswalks are not sufficient (too few and not user-friendly)
- “Kids almost get hit all of the time.”
- “What we really need most on this road is more traffic enforcement and police presence. My property is always getting broken into and too much speeding.”
- “More attention to our safety is necessary, I don’t feel safe in this area. Need more police presence.”

2.1.2.3 *Lane Reconfigurations*

Community members expressed strong support for repurposing a traffic lane. Community members also expressed a stronger preference for focusing on bus improvements as opposed to bike improvements. People who support lane reconfiguration believe it will increase safety in the area by decreasing speeding traffic. Key themes included:

- General support for any change that makes the street safer and slows traffic
- “No strong preference, but something has to change.”
- “I would recommend limiting cars to 1 lane each way.”
- Making the road narrower for car travel is important to changing the way people drive
- “If you want effective change to buses or bikes, you have to make it harder for cars. Cars will have to suffer.”
- More people ride the bus so there is a greater need to serve transit riders than bicyclists

83% of respondents expressed support or strong support for a lane reconfiguration along Fourth Plain Blvd and Fort Vancouver Way.

Some people did not favor the idea of repurposing a travel lane. About 17% of those who responded to the feedback prompts expressed that repurposing a lane would not be a good

idea, saying that the change would create more traffic issues and negatively impact the corridor. Some of the reasons cited include:

- The increased level of bus/bike users would not be worth the impact created to drivers
- Concern that fewer lanes would slow traffic and cause congestion during peak travel times
- “You need to add a lane, not take one away. Keep it as-is or add a lane. There is already too much traffic on the road.”
- “Taking a lane would definitely have a negative impact on small businesses here.”
- Concern that there are already too many cars on the road

2.2 Online Open House and Survey

2.2.1 Questions

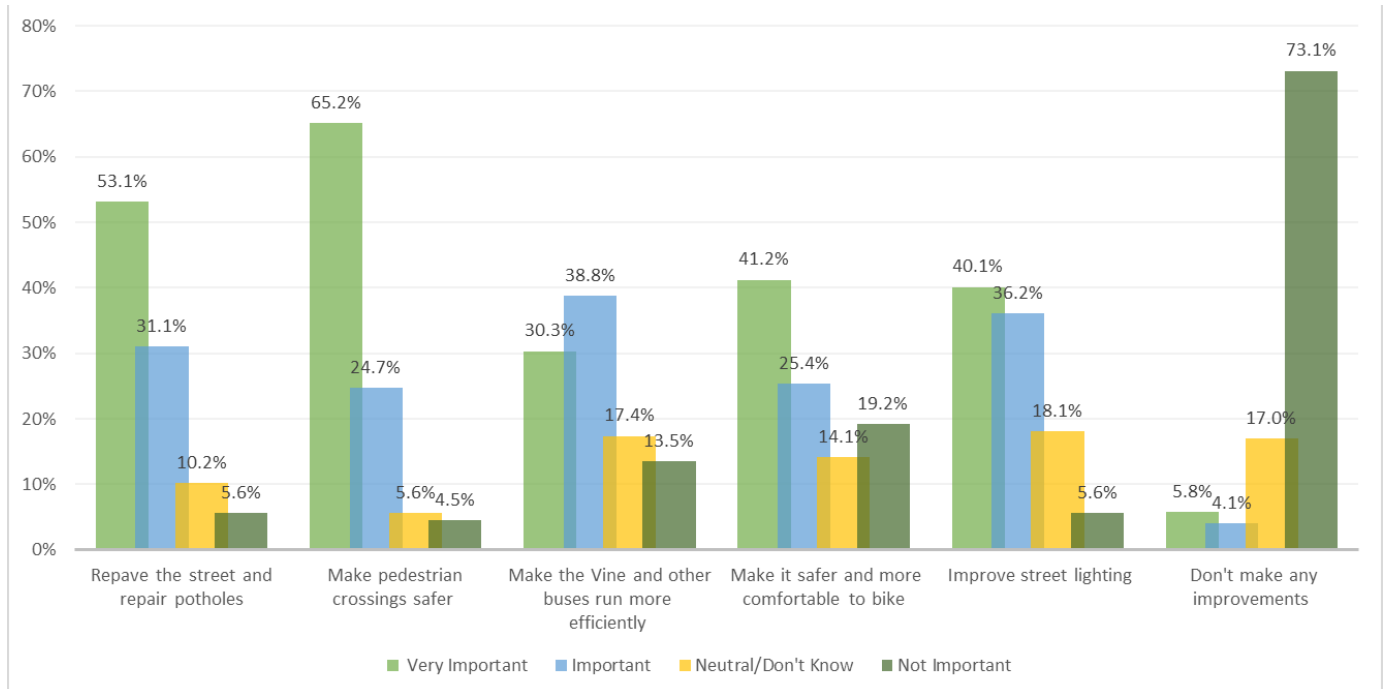
Between September 2, 2022 to November 7, 2022, the online open house collected (36) completed surveys. The survey included nine (9) total questions:

1. How would you prioritize these potential improvements to Fort Vancouver Way and Fourth Plain Blvd? (*Very Important to Not Important*)
 - a. Repave the street and repair potholes
 - b. Make pedestrian crossings safer
 - c. Make the Vine and other buses run more efficiently
 - d. Make it safer and more comfortable to bike
 - e. Improve street lighting
 - f. Don't make any improvements
2. What are your top three (3) priorities as someone who **walks, bikes, or rolls** on Fourth Plain and Fort Vancouver Way?
 - a. Increasing physical space between cars and people walking biking or rolling
 - b. Improving street lighting
 - c. Improving the condition of the pavement/repairing potholes
 - d. Improving the condition of the sidewalks
 - e. Slowing down fast traffic
 - f. Making existing crossings safer
 - g. Adding new crossings
3. What are your top three (3) priorities as someone who **drives** on Fourth Plain and Fort Vancouver Way?
 - a. Increasing physical separation between cars and bicyclists
 - b. Slowing down speeding cars
 - c. Maintaining right-turns and access to businesses
 - d. Getting out from behind the bus and/or getting the bus out of mixed traffic
 - e. I don't drive on Fourth Plain Blvd and Fort Vancouver Way
 - f. Maintaining current traffic conditions
4. How Supportive are you of the potential design options for Fourth Plain Blvd and Fort Vancouver Way? (*Very Supportive – Not Supportive*)
 - a. Design Option: No Change
 - b. Design Option 1: Focus on Bicycle Improvements

- c. Design Option 2: Focus on Bus Improvements
5. How supportive are you of repurposing a travel lane to make **bicycling safer** on Fourth Plain Blvd and Fort Vancouver Way? (*Very Supportive – Not Supportive*)
 6. How supportive are you of repurposing a travel lane to make the **Vine bus** more reliable and efficient on Fourth Plain Blvd and Fort Vancouver Way? (*Very Supportive – Not Supportive*)
 7. How would you prioritize creating **buffered bike lanes** on Fourth Plain Blvd and Fort Vancouver Way? (*Very Important – Not Important*)
 8. How would you prioritize adding new **on-street parking** on Fort Vancouver Way?
 9. Do you have any other suggestions or recommendations for making Fourth Plain Blvd and Fort Vancouver Way safer? (*Open ended*)

2.2.2 Key Themes and Feedback

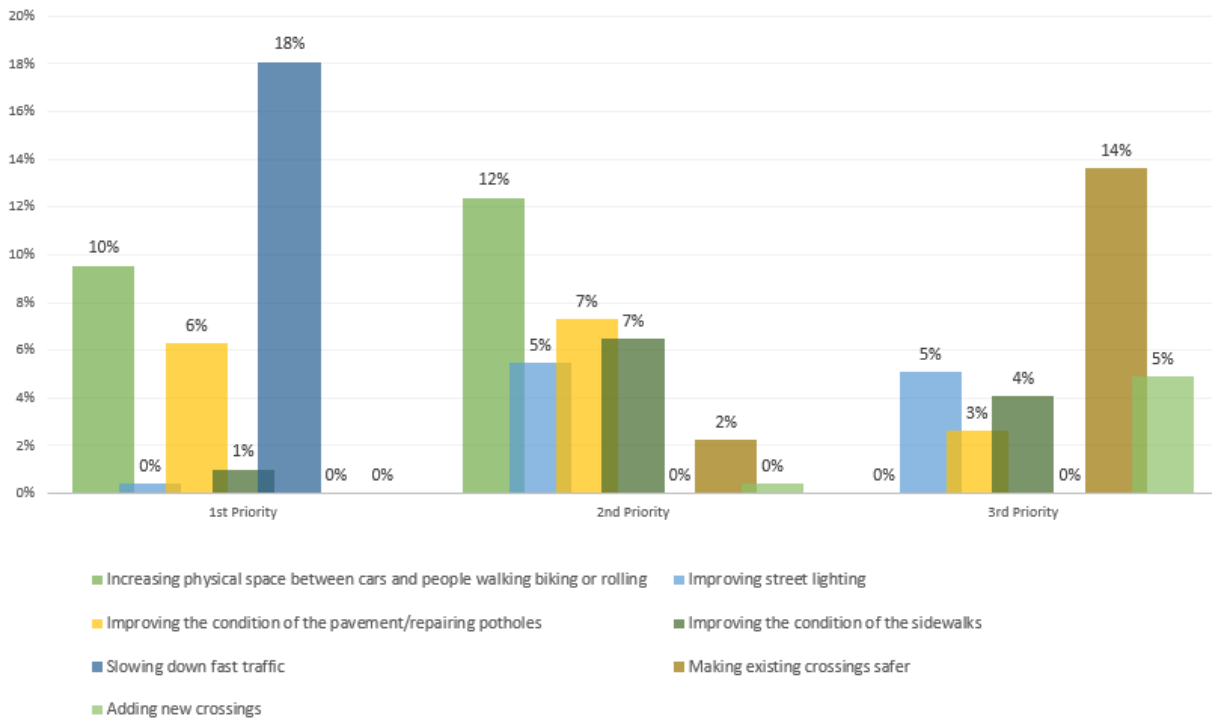
2.2.2.1 Question 1: How would you prioritize these potential improvements to Fort Vancouver Way and Fourth Plain Blvd? (Very Important to Not Important)



Note: Responses were counted for *each individual improvement option*, so each response “cluster” adds up to 100%.

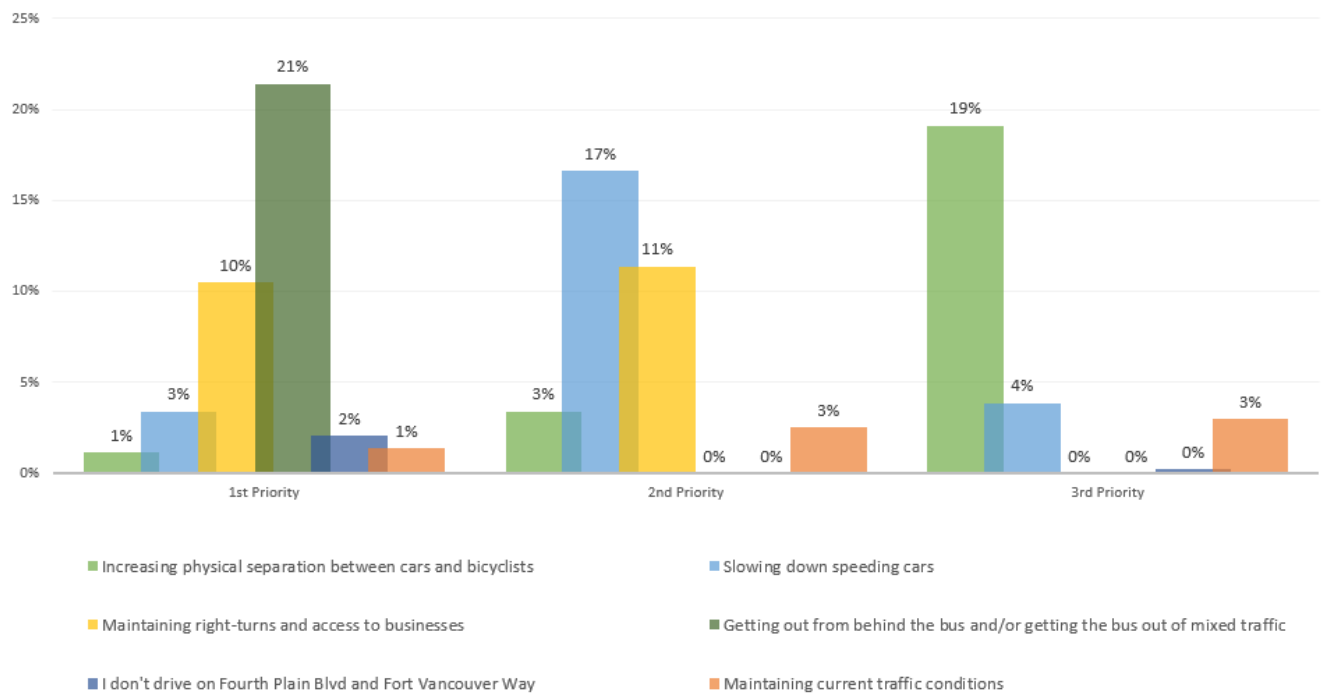
- Most respondents (73.1%) were in favor of making improvements in the corridor.
- Survey respondents prioritized making pedestrian crossings safer (65.2%) and repaving the street and repairing potholes (53.1%) as the top potential improvements on the corridor.
- More respondents said it was either important or very important focus improvements on making the Vine and other buses run more efficiently (69.1%) as opposed to safer and more comfortable biking (66.6%).

2.2.2.2 Question 2: What are your top three (3) priorities as someone who *walks, bikes, or rolls* on Fourth Plain and Fort Vancouver Way?



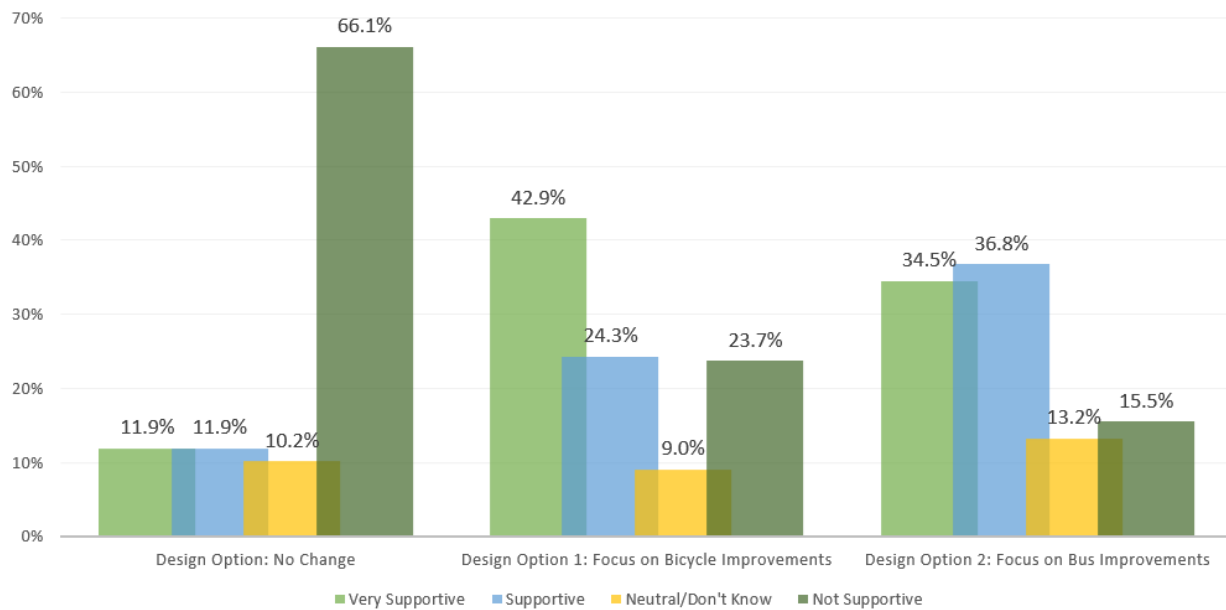
- Respondents who **walk, bike, or roll** on Fourth Plain and Fort Vancouver Way said that their top three (3) priorities for improving the corridor were slowing down fast traffic (18%), increasing physical space between cars and people walking, biking, or rolling (12%), and making existing crossings safer (14%).
- Respondents also said that improving the condition of the pavement and repairing potholes was an important priority.

2.2.2.3 Question 3: What are your top three (3) priorities as someone who *drives* on Fourth Plain and Fort Vancouver Way?



- Respondents who **drive** on Fourth Plain and Fort Vancouver Way said that getting out from behind the bus and/or getting the bus out of mixed traffic (54%), slowing down speeding cars (17%), and increasing physical separation between cars and cyclists were the top three (3) priorities for improving the corridor.
- Maintaining right-turns and access to businesses was also a high priority, ranking second amongst respondents' top and secondary priorities.

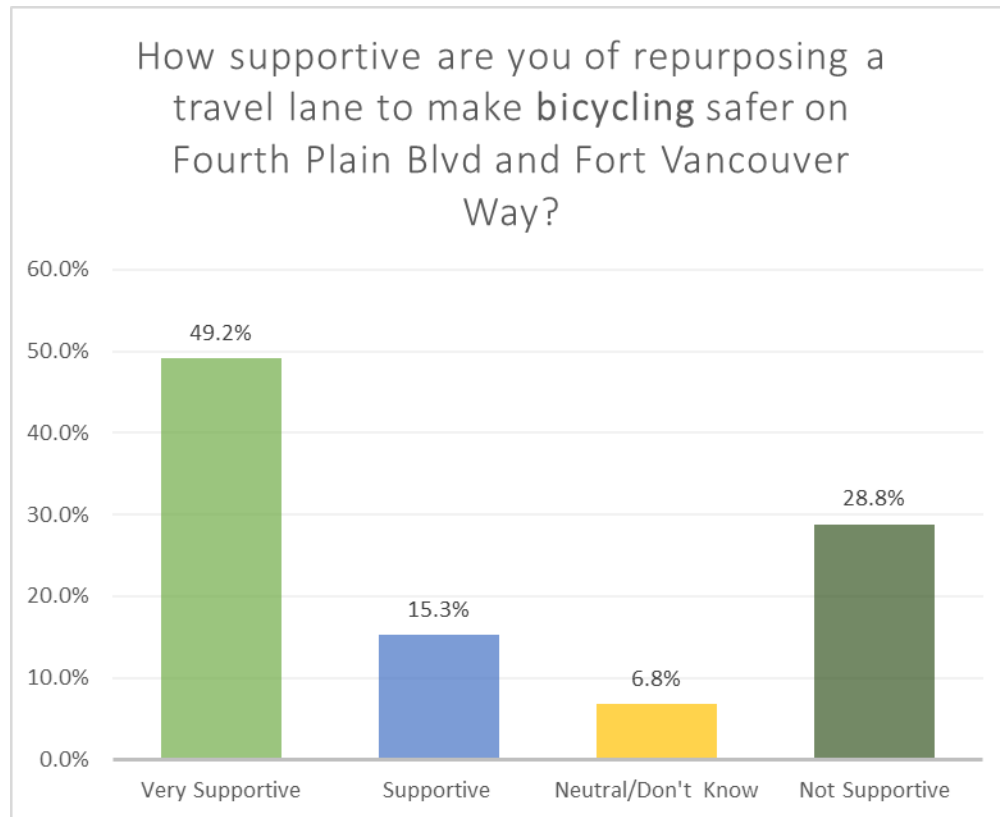
2.2.2.4 Question 4: How Supportive are you of the potential design options for Fourth Plain Blvd and Fort Vancouver Way?



Note: Responses were counted for *each individual design option*, so each response “cluster” adds up to 100%.

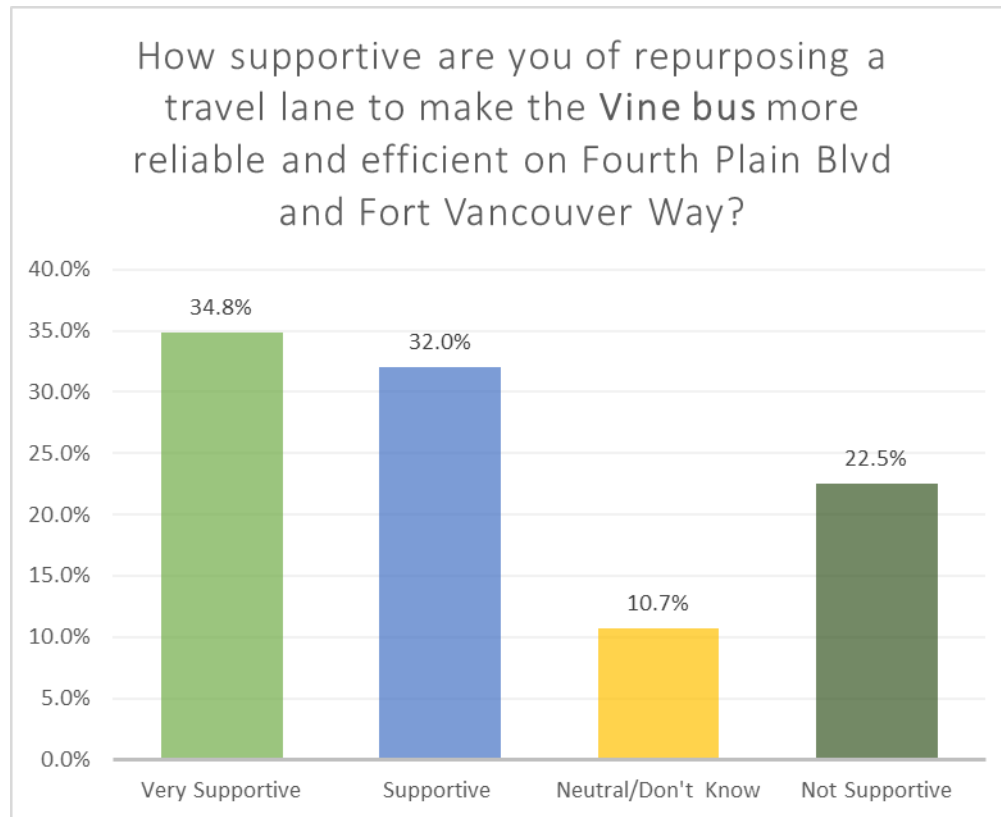
- Most respondents (66.1%) said they were not supportive of the “no change” design option.
- Overall, more respondents said they were either supportive or very supportive of Design Option 2: Focus on Bus Improvements.
- Most respondents (71.3%) said they were either supportive or very supportive of Design Option 2: Focus on Bus Improvements.
- Slightly fewer respondents (67.2%) said they were either supportive or very supportive of Design Option 1: Focus on Bicycle Improvements

2.2.2.5 Question 5: How supportive are you of repurposing a travel lane to make *bicycling safer* on Fourth Plain Blvd and Fort Vancouver Way?



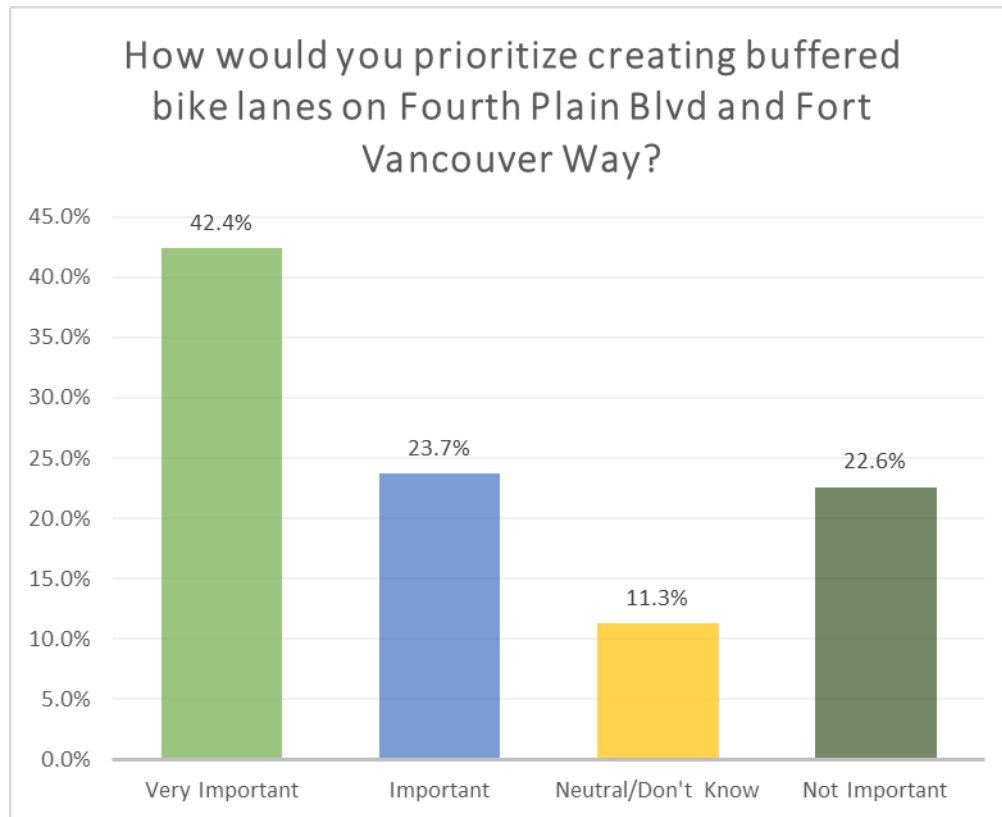
- Most respondents (64.3%) said they were either supportive (15.3%) or very supportive (49.2%) of repurposing a travel lane to make **bicycling** safer on Fourth Plain Blvd and Fort Vancouver Way.
- Nearly 1 out of 3 respondents (28.8%) said they were not supportive of repurposing a travel lane to make bicycle safer.

2.2.2.6 Question 6: How supportive are you of repurposing a travel lane to make the *Vine bus* more reliable and efficient on Fourth Plain Blvd and Fort Vancouver Way?



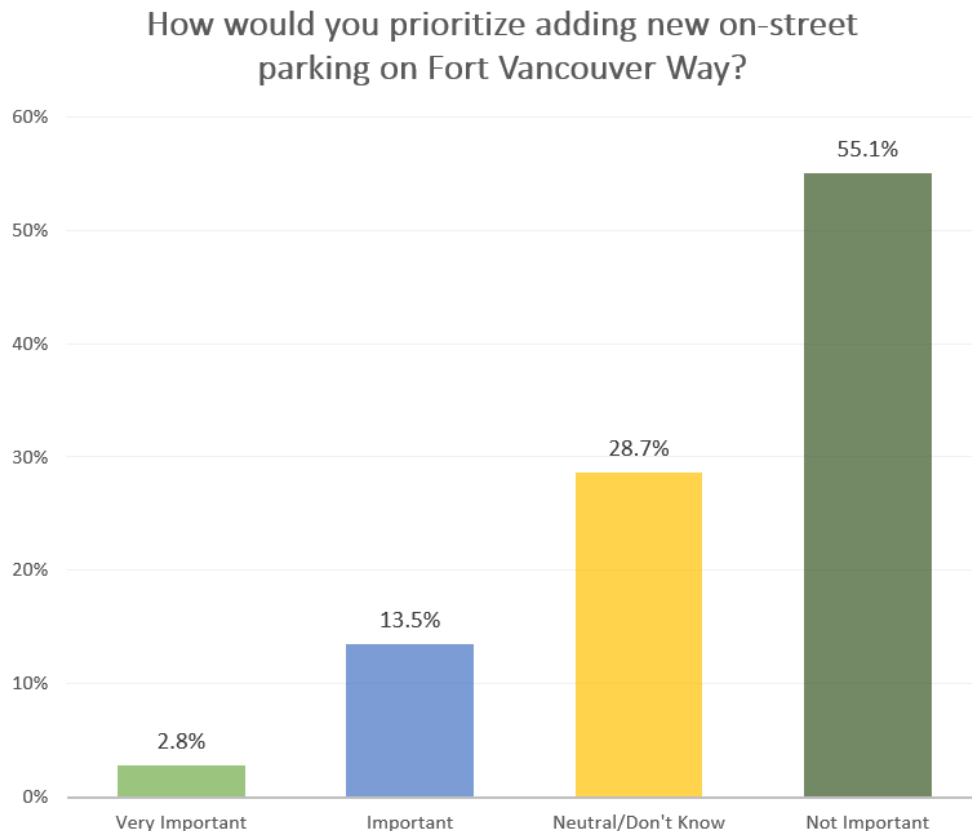
- Most respondents (66.8%) said they were either supportive or very supportive of repurposing a travel lane to make the *Vine bus* more reliable and efficient on Fourth Plain Blvd and Fort Vancouver Way.
- About 1 out of 5 respondents (22.5%) said repurposing a travel lane to support the *Vine bus* service was not important.

2.2.2.7 Question 7: How would you prioritize creating *buffered bike lanes* on Fourth Plain Blvd and Fort Vancouver Way?



- Most respondents (66.1%) said creating buffered bike lanes on Fourth Plain Blvd and Fort Vancouver Way was important or very important.
- About 1 out of 5 respondents (22.6%) said creating buffered bike lanes was not important.

2.2.2.8 Question 8: How would you prioritize adding new *on-street parking* on Fort Vancouver Way?



- Most respondents (55.1%) said that adding new on-street parking on Fort Vancouver Way was not important.
- Less than 1 out of every 5 respondents (16.3%) said that adding new on-street parking on Fort Vancouver Way was important or very important.
- About 1 out of 3 respondents (28.7%) said they were neutral or didn't know how they would prioritize parking on Fort Vancouver Way.

2.2.2.9 Question 9: Do you have any other suggestions or recommendations for making Fourth Plain Blvd and Fort Vancouver Way safer?

The last question was open ended and allowed respondents to share any other ideas or comments around improving safety and mobility along the corridor. The open-ended responses were analyzed in a few different ways. First, a “word cloud” was created as a visual representation of the responses. The larger words and phrases represent those that were used most frequently in the responses, as shown in Figure 2 below. Identifying the most frequently used words and phrases serves as one way of understanding community priorities and recommendations around the draft design options.



Figure 2. Question 9 Word Cloud

The project team also selected some individual responses that were representative of the overall survey feedback:

- “I think the better choice is to improve the bike infrastructure as that will truly ‘connect’ the good cycling infrastructure downtown to the East Side of Vancouver.”
- “Give everyone a safe space to be, buffered lanes for all mobility!”
- “Develop a consistent bicycle facility along Fourth Plain Blvd. As someone who regularly rides from the Northeast corner of the city to downtown, it is a horrible and inconsistent route to take.”

- *“I am so excited to see these ideas. Repurposing lanes for busses and bikes and adding buffers would make this currently dangerous street better for everyone.”*
- *“I just want to reiterate how important it is to me that the Vine gets its own lane. That would speed up traffic, AND speed up the Vine. Just look at other cities that do that. It's best for all road users.”*

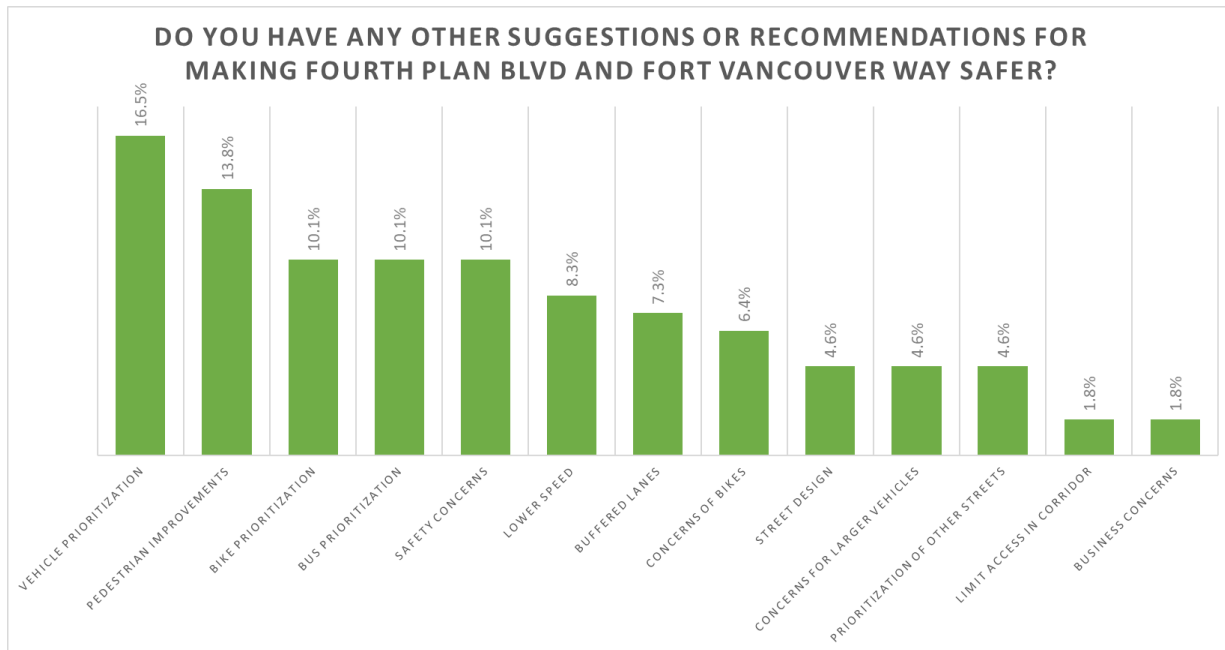
Lastly, the project team also assigned key words/phrases to each of the individual open-ended responses. The key words used are summarized in Table 2 below.

Table 2. Open Ended Key Words Summary

Key Word	Assign to Comments that:
Bike Prioritization	Prioritized bicycle improvements as opposed to other kinds of improvements
Buffered Lanes	Specifically advocated for this kind of on-street treatment
Bus Prioritization	Prioritize fully and/or partially dedicated bus-only lanes
Safety Concerns	Recommend specific improvements to address safety, such as increasing enforcement, adding medians, limiting certain turns, etc.
Pedestrian Improvements	Recommend pedestrian improvements such as crosswalks, flashing lights, improved lighting, better sidewalks, etc.
Lower Speed	Recommend traffic calming countermeasures such as adding signage, adding more stop lights, etc.
Concerns of Bikes	Advocate for the overall needs of bicyclists in the corridors, such as consistent routes and upgraded on-street facilities
Vehicle Prioritization	Advocate for the needs of drivers and/or generally not in support of removing a travel lane
Street Design	Address streetscaping elements such as trees, swales, and changes to parking
Limit Access in Corridor	Advocate for access management options in the corridor
Business Concerns	Prioritize the needs of small businesses along the corridor
Concerns for Larger Vehicles	Address ways to reduce truck, freight, and RV traffic in the corridor
Prioritization of Other Streets	Prioritize multimodal improvements on other and/or parallel streets such as 18 th

The development of these key words allowed the team to quantify response themes using Figure 3 below.

Figure 3. Open Ended Key Words - Chart Summary



- The top three key word themes were vehicle prioritization (16.5%), pedestrian improvements (13.8%), and a three-way tie for bus prioritization, safety concerns, and lowering speeds (10.1%, respectively).

3 Next Steps

This community feedback will inform the selection of the preferred design for the east segment of the corridor, from St. Johns Boulevard to Andresen Road in the Spring of 2023. Once a preferred design option is selected, community feedback will be taken into consideration as the City further refines design drawings and moves to incorporate changes into planned pavement maintenance in Summer of 2024.

VOUCHER APPROVAL

We, the undersigned council members of the City of Vancouver, Clark County, Washington, do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of:

\$ 16,468,696.46 this 20th day of March 2023.

DocuSigned by:
Anne McEnerny-Ogle
MAYOR

Cyndi A. Turner
Digitally signed by Cyndi A. Turner
Date: 2023.03.13 16:07:54 -07'00'
AUDITING OFFICER

DocuSigned by:
Ty Stob
COUNCILMEMBER

DocuSigned by:
Wm W. n
COUNCILMEMBER

DATE	INCLUSIVE CHECK NUMBERS	CHECK TOTAL
February 27, 2023 - March 12, 2023	Accounts Payable Checks (see attached)	\$ 12,524,859.75
February 27, 2023 - March 12, 2023	Hansen City Payments (see attached)	\$ 387,955.89
February 27, 2023 - March 12, 2023	Visa Refunds (see attached)	\$ 10,228.09
February 27, 2023 - March 12, 2023	Payroll Checks (see attached)	\$ 3,545,652.73
TOTAL		\$ 16,468,696.46

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Transaction Reference	Payment Date	Payment Amount	Payment Payee	Memo
Supplier Payment	Check	9745	2/27/2023	33,244.00	AVID PDX Northeast Parway LLC	
Miscellaneous Payment	Check	9746	3/1/2023	2,000.00	Adrian Panaite	Claim Payment - DOL: 02/15/23 - Risk
Miscellaneous Payment	Check	9747	3/1/2023	96.00	COLAB	Refund overpayment of invoice #77040092 & 77040093
Miscellaneous Payment	Check	9748	3/1/2023	53.00	Criteria Properties	Refund of duplicate payment made on invoice #77031703
Miscellaneous Payment	Check	9749	3/1/2023	68.64	Crown Electric	MPE-329422 (jobsite: 12905 NE 7th St)
Miscellaneous Payment	Check	9750	3/1/2023	61.47	Crown Electric	MPE-334041 (jobsite: 1206 NE 86th Ave)
Miscellaneous Payment	Check	9751	3/1/2023	61.47	Elevate NW Electric	MPE-334031 (jobsite: 10709 SE 11TH CIR)
Miscellaneous Payment	Check	9752	3/1/2023	61.47	Express Fire Systems Inc	MPE-334069
Miscellaneous Payment	Check	9753	3/1/2023	51.00	Hydraulics Inc.	Refund overpayment of invoice #77036244
Miscellaneous Payment	Check	9754	3/1/2023	9.50	Jennifer Duran	Voucher #2010332.030
Miscellaneous Payment	Check	9755	3/1/2023	61.47	Just-In-Time Electrical Inc	MPE-333975 (jobsite: 308 W 29th St)
Miscellaneous Payment	Check	9756	3/1/2023	2,152.66	Laura Tribble	Claim Payment - DOL: 12/27/22 - Risk
Miscellaneous Payment	Check	9757	3/1/2023	650.00	Madeline Fair	Claim Payment - DOL: 01/16/23 - Risk
Miscellaneous Payment	Check	9758	3/1/2023	106.59	Professional Credit Service	PCS Refund - Trust Remittance Statement Invoice 28333
Miscellaneous Payment	Check	9759	3/1/2023	204.98	Professional Credit Service	PCS Refund - Trust Remittance Statement Invoice 28042
Miscellaneous Payment	Check	9760	3/1/2023	41.00	Saint Paul Lutheran Church	Refund overpayment of invoice #77045337
Miscellaneous Payment	Check	9761	3/1/2023	862.40	Sara Binns	PIR-82273 (jobsite: 221 NE 104th Ave)
Miscellaneous Payment	Check	9762	3/1/2023	53.00	Shanahans Pub & Grill	Refund of duplicate payment to Inv#77029201
Miscellaneous Payment	Check	9763	3/1/2023	61.47	TML International LLC	MPE-332422
Miscellaneous Payment	Check	9764	3/1/2023	2,137.10	Tom Strassenberg	RES-331928 (jobsite: 2613 NE 53rd Street)
Miscellaneous Payment	Check	9765	3/1/2023	1,599.42	Tom Strassenberg	RES-331935 (jobsite: 2613 NE 53rd Street)
Miscellaneous Payment	Check	9766	3/1/2023	1,599.42	Tom Strassenberg	RES-331938 (jobsite: 2613 NE 53rd Street)
Miscellaneous Payment	Check	9767	3/1/2023	91.00	TRUWOOD BY MERRELL GARDENS	Refund of duplicate payment to invoice #77041681
Supplier Payment	Check	9768	3/1/2023	116.53	Aramark Uniform & Career Apparel LLC - Remit-To: Aramark - Pasadena	
Supplier Payment	Check	9769	3/1/2023	21,732.48	Brightview Holdings Inc	
Supplier Payment	Check	9770	3/1/2023	10,159.35	Brown & Wilson Partnership LLC	
Supplier Payment	Check	9771	3/1/2023	30,264.83	Brown and Caldwell - Remit-To: Brown & Caldwell - San Francisco	
Supplier Payment	Check	9772	3/1/2023	200.00	BSK Associates - Remit-To: Supplier BSK Associates	
Supplier Payment	Check	9773	3/1/2023	669.96	Cellco Partnership - Remit-To: Cellco - Dallas	
Supplier Payment	Check	9774	3/1/2023	13,002.00	CFM Strategic Communications, Inc.	
Supplier Payment	Check	9775	3/1/2023	59,836.80	Clary Longview LLC	
Supplier Payment	Check	9776	3/1/2023	11,500.00	Colliers International Holdings (USA) Inc.	
Supplier Payment	Check	9777	3/1/2023	2,575.86	Columbia Resource Company	
Supplier Payment	Check	9778	3/1/2023	104.94	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	9779	3/1/2023	64.95	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	9780	3/1/2023	227.32	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	9781	3/1/2023	57,351.56	Conzor North America Inc	
Supplier Payment	Check	9782	3/1/2023	333.25	Courier Northwest	
Supplier Payment	Check	9783	3/1/2023	809.88	CUES Inc - Remit-To: CUES Inc - Cincinnati	
Supplier Payment	Check	9784	3/1/2023	8,124.70	David Corey PHD PC	
Supplier Payment	Check	9785	3/1/2023	264.00	Dex Media West	
Supplier Payment	Check	9786	3/1/2023	217.20	Distinctive Landscape LLC	
Supplier Payment	Check	9787	3/1/2023	20,238.46	DKS Associates Inc	
Supplier Payment	Check	9788	3/1/2023	5,344.50	Eric Thomas Lanciault	
Supplier Payment	Check	9789	3/1/2023	9,181.00	Esther Short Commons LLP	

INVOICE PAYMENTS REPORT

<u>Payment Category</u>	<u>Payment Type</u>	<u>Transaction Reference</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Payment Payee</u>	<u>Memo</u>
Supplier Payment	Check	9790	3/1/2023	54.30	Experian Marketing Solutions - Remit-To: Experian - Los Angeles	
Supplier Payment	Check	9791	3/1/2023	4,545.00	Friends of Trees	
Supplier Payment	Check	9792	3/1/2023	946.79	Genuine Parts Company - Remit-To: NAPA - Vancouver	
Supplier Payment	Check	9793	3/1/2023	9,600.00	Genuine Senior Living	
Supplier Payment	Check	9794	3/1/2023	619.75	Groundwater Solutions, Inc.	
Supplier Payment	Check	9795	3/1/2023	716.27	Harper Houf Peterson Righellis Inc	
Supplier Payment	Check	9796	3/1/2023	23,010.00	Hawks Ridge Assisted Living	
Supplier Payment	Check	9797	3/1/2023	10,000.00	Hello Lamp Post	
Supplier Payment	Check	9798	3/1/2023	10,162.91	Herrera Environmental Consultants Inc	
Supplier Payment	Check	9799	3/1/2023	2,900.00	Industrial Hearing Service, Inc	
Supplier Payment	Check	9800	3/1/2023	600.21	J-2 Blueprint Supply Co.	
Supplier Payment	Check	9801	3/1/2023	2,932.20	Jamestown Networks	
Supplier Payment	Check	9802	3/1/2023	26,715.72	Janus Youth Programs Inc	
Supplier Payment	Check	9803	3/1/2023	14,551.89	Jensen Hughes Inc	
Supplier Payment	Check	9804	3/1/2023	4,247.21	KBT Distributing LLC	
Supplier Payment	Check	9805	3/1/2023	1,318.00	Keller Associates Inc	
Supplier Payment	Check	9806	3/1/2023	39,607.42	Life Insurance Company of North America	
Supplier Payment	Check	9807	3/1/2023	578.97	Mascott Equipment Co	
Supplier Payment	Check	9808	3/1/2023	1,553.75	Medchronology Inc	
Supplier Payment	Check	9809	3/1/2023	600.00	Nagra & Atwal Corporation	
Supplier Payment	Check	9810	3/1/2023	4,626.88	National Park Service - Remit-To: National Park Service - Pearson Lease	
Supplier Payment	Check	9811	3/1/2023	3,920.25	Northwest Natural Gas Company - Remit-To: NW Natural - Portland	
Supplier Payment	Check	9812	3/1/2023	13,161.26	Northwest Staffing Resources Inc - Remit-To: Northwest Staffing Resources	
Supplier Payment	Check	9813	3/1/2023	1,057.13	Pacific Safety Supply Inc	
Supplier Payment	Check	9814	3/1/2023	49.00	Parkeon	
Supplier Payment	Check	9815	3/1/2023	7,325.00	PBS Engineering and Environmental Inc	
Supplier Payment	Check	9816	3/1/2023	499.00	Pix4D inc.	
Supplier Payment	Check	9817	3/1/2023	35.00	Porter W Yett Company	
Supplier Payment	Check	9818	3/1/2023	819.00	Portland Adventist Medical Center	
Supplier Payment	Check	9819	3/1/2023	18,139.03	Portland Mechanical Construction LLC	
Supplier Payment	Check	9820	3/1/2023	2,750.00	Portland Street Art Alliance	
Supplier Payment	Check	9821	3/1/2023	3,622.32	PPC Solutions Inc	
Supplier Payment	Check	9822	3/1/2023	19,765.00	Prestige Care & Rehabilitation - Camas	
Supplier Payment	Check	9823	3/1/2023	7,070.00	R & M Plant Procurement	
Supplier Payment	Check	9824	3/1/2023	4,137.66	Rigert Landscaping Co	
Supplier Payment	Check	9825	3/1/2023	124,781.40	San Diego Police Equipment Co Inc	
Supplier Payment	Check	9826	3/1/2023	2,172.50	Scott Edwards Architecture LLP	
Supplier Payment	Check	9827	3/1/2023	4,719.28	Shrums Pest Control	
Supplier Payment	Check	9828	3/1/2023	7,725.60	Site Workshop Landscape Architecture, LLC	
Supplier Payment	Check	9829	3/1/2023	136,063.56	Software House International SHI - Remit-To: SHI - Dallas	
Supplier Payment	Check	9830	3/1/2023	1,840.00	Stantec Consulting Services Inc - Remit-To: Stantec - Chicago	
Supplier Payment	Check	9831	3/1/2023	1,511.00	State of Washington Department of Health - Remit-To: WA Dept of Health	
Supplier Payment	Check	9832	3/1/2023	525.35	State of Washington Department of Transportation	
Supplier Payment	Check	9833	3/1/2023	12.83	Stericycle Inc - Remit-To: Shred-It	
Supplier Payment	Check	9834	3/1/2023	11,693.22	Summit Law Group	
Supplier Payment	Check	9835	3/1/2023	37,169.11	The ADT Security Corporation	
Supplier Payment	Check	9836	3/1/2023	3,195.00	The Loudenback Corporation	
Supplier Payment	Check	9837	3/1/2023	157.47	Towing & Recovering Services Inc	
Supplier Payment	Check	9838	3/1/2023	120.00	Vancouver Aire LLC	
Supplier Payment	Check	9839	3/1/2023	766.76	Walter E Nelson Company	
Supplier Payment	Check	9840	3/1/2023	6,940.30	Washington State University	

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<u>Payment Category</u>	<u>Payment Type</u>	<u>Transaction Reference</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Payment Payee</u>	<u>Memo</u>
Supplier Payment	Check	9841	3/1/2023	684.69	Waste Connections of Washington - Remit-To: Waste Connections - Vancouver	
Supplier Payment	Check	9842	3/1/2023	7,645.00	Water Systems Consulting Inc	
Supplier Payment	Check	9843	3/1/2023	16,438.00	Weatherby Parent, LLC	
Supplier Payment	Check	9844	3/1/2023	100.00	Willis Towers Watson Insurance Services West inc	
Supplier Payment	Check	9845	3/1/2023	9,613.41	WSP USA Inc. - Remit-To: WSP USA Inc. Dallas	
Supplier Payment	Check	9846	3/1/2023	40.77	XPO Logistics Enterprise Services, Inc - Remit-To: XPO - Portland	
Supplier Payment	Check	9847	3/1/2023	1,023.75	Yakima County	
Supplier Payment	Check	9848	3/1/2023	13,932.59	YOLO Washington LLC	
Supplier Payment	Check	9849	3/1/2023	4,565.36	Zayo Group Holding Inc - Remit-To: Zayo Group Holding Inc	
Ad Hoc Payment	Check	9850	3/1/2023	411.33	Chanyalew Tadessa or Zebenaye Taffese	Utility Refunds: 0077000710-03
Ad Hoc Payment	Check	9851	3/1/2023	71.43	Cole, John	Utility Refunds: 0075005542-03
Ad Hoc Payment	Check	9852	3/1/2023	128.12	Finchum, Zachary or Brittany	Utility Refunds: 0089006300-02
Ad Hoc Payment	Check	9853	3/1/2023	151.99	Gerbozy Family Living Trust	Utility Refunds: 0057043128-25
Ad Hoc Payment	Check	9854	3/1/2023	4,312.07	Hendrickson, Patricia	Utility Refunds: 0043039100-03
Ad Hoc Payment	Check	9855	3/1/2023	1,033.83	Karvonen Enterprises Inc	Utility Refunds: 0073060000-00
Ad Hoc Payment	Check	9856	3/1/2023	86.01	Margaret J Fevens or Elizabeth A Gerbozy	Utility Refunds: 0057043128-25
Ad Hoc Payment	Check	9857	3/1/2023	208.25	Morris, Nicholas	Utility Refunds: 0089017700-23
Ad Hoc Payment	Check	9858	3/1/2023	260.34	Pranom Chantasorn or Mark Dorais	Utility Refunds: 0000004530-02
Ad Hoc Payment	Check	9859	3/1/2023	108.81	Real Asset Management Inc	Utility Refunds: 0022007300-17
Ad Hoc Payment	Check	9860	3/1/2023	62.65	Real Asset Management Inc	Utility Refunds: 0022007100-04
Ad Hoc Payment	Check	9861	3/1/2023	23.99	Rieckman, James	Utility Refunds: 0070002122-01
Ad Hoc Payment	Check	9862	3/1/2023	105.67	Tadessa, Chanyalew	Utility Refunds: 0077000710-03 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	9863	3/1/2023	42.00	The Estate of Jean Arionus	Utility Refunds: 0047072500-00
Ad Hoc Payment	Check	9864	3/1/2023	115.00	The Ihnken Family Trust	Utility Refunds: 0016045600-00 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	9865	3/1/2023	24.77	Toreson Living Trust	Utility Refunds: 0124000104-02
Supplier Payment	Check	9866	3/10/2023	6,915.01	Aflac	
Supplier Payment	Check	9867	3/10/2023	5,347.52	AFSCME Local #307	
Supplier Payment	Check	9868	3/10/2023	475.84	California State Disbursement Unit	
Supplier Payment	Check	9869	3/10/2023	491.00	Hawaii SDU	
Supplier Payment	Check	9870	3/10/2023	792.75	IAM Local #1374	
Supplier Payment	Check	9871	3/10/2023	9,085.35	Life Insurance Company of North America	
Supplier Payment	Check	9872	3/10/2023	675.00	MFS Service Center Inc	
Supplier Payment	Check	9873	3/10/2023	50.00	OPEIU Local #11	
Supplier Payment	Check	9874	3/10/2023	4,006.57	OPEIU Local #11	
Supplier Payment	Check	9875	3/10/2023	640.00	Teamsters Local #58	
Supplier Payment	Check	9876	3/10/2023	280.00	UA Local #290	
Supplier Payment	Check	9877	3/10/2023	2,460.60	Western Conference of Teamsters	
Supplier Payment	Check	9878	3/10/2023	1,000.50	Western Metal Industry Pension Plan	
Ad Hoc Payment	Check	9879	3/8/2023	58.22	Barker, Tracy	Utility Refunds: 0048068683-02
Ad Hoc Payment	Check	9880	3/8/2023	299.31	Cayan, Georgia	Utility Refunds: 0016005900-09 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	9881	3/8/2023	174.00	Dunn, Dolores	Utility Refunds: 0129002634-02
Ad Hoc Payment	Check	9882	3/8/2023	141.00	Foraker, Mark	Utility Refunds: 0117050076-04 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	9883	3/8/2023	58.92	Junken, Carol	Utility Refunds: 0077045508-02
Ad Hoc Payment	Check	9884	3/8/2023	13,620.69	Karvonen Enterprises Inc, C/O Real Property Management	Utility Refunds: 0075056410-02
Ad Hoc Payment	Check	9885	3/8/2023	42.44	Lorentz, Amanda	Utility Refunds: 0152002163-03

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Ad Hoc Payment	Check	9886	3/8/2023	355.19	Lowery,Gunnar	Utility Refunds: 0006029600-01
Ad Hoc Payment	Check	9887	3/8/2023	113.21	Serge Lubyanskiy and Lilia Zatsapa	Utility Refunds: 0500004201-01
Ad Hoc Payment	Check	9888	3/8/2023	112.00	The Estate of Clark W Buchanan	Utility Refunds: 0106015996-01
Ad Hoc Payment	Check	9889	3/8/2023	59.48	The Estate of James Gordon Jay	Utility Refunds: 0045014723-03
Ad Hoc Payment	Check	9890	3/8/2023	131.62	The Leman Revocable Living Trust	Utility Refunds: 0099053150-02
Ad Hoc Payment	Check	9891	3/8/2023	119.80	Williamson, Frank or Marlene	Utility Refunds: 0009068700-00
Ad Hoc Payment	Check	9892	3/8/2023	219.00	Winstanley, Steven or Mary	Utility Refunds: 0027006900-07 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	9893	3/8/2023	141.00	Woodward, David or Elizabeth	Utility Refunds: 0000007501-02 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	9894	3/8/2023	307.36	Yung, Glen	Utility Refunds: 0002000111-02
Miscellaneous Payment	Check	9895	3/8/2023	74.00	Area Heating & Cooling	MPE-334180 (jobsite: 500 Broadway Street Suite 603,)
Miscellaneous Payment	Check	9896	3/8/2023	61.47	Area Heating & Cooling	MPE-332664 (jobsite: 500 Broadway Street Unit 603)
Miscellaneous Payment	Check	9897	3/8/2023	75.00	Brianna Beauchamp	Damage Deposit Refund
Miscellaneous Payment	Check	9898	3/8/2023	120.00	Cascade Highlands Neighborhood Association	2023 RecycleU
Miscellaneous Payment	Check	9899	3/8/2023	117.81	Eric Olson Electric Inc	MPE-334427 (jobsite: 5209 Ogden Court)
Miscellaneous Payment	Check	9900	3/8/2023	108.00	Grit Overland	Refund of operating permit fees - Paid without approval
Miscellaneous Payment	Check	9901	3/8/2023	6,293.00	L & S Contractors	Scott W Jones (12108 NE 79th St) Invoice # 23018
Miscellaneous Payment	Check	9902	3/8/2023	236,549.70	LGI Homes - Washington LLC	TIF - Traffic Impact Fees refund
Miscellaneous Payment	Check	9903	3/8/2023	309.72	Mullen-Polk Foundation	Refund of Street Parking Permit
Miscellaneous Payment	Check	9904	3/8/2023	12,798.51	Pacific Plumbing and Drain	Matthew J Benes and Audrey E Egan (9012 Mt Lassen Ave) Invoice # 30054192
Miscellaneous Payment	Check	9905	3/8/2023	675.01	TerraFirma Foundation Systems	RES-329800 (jobsite: 17119 SE EVERGREEN HWY VANCOUVER WA 98683)
Miscellaneous Payment	Check	9906	3/8/2023	61.47	Wolfer's Inc.	MPE-333811 (jobsite: 3317 NE 132nd Ave)
Supplier Payment	Check	9907	3/8/2023	351.00	Accurate Corporate Services Inc	
Supplier Payment	Check	9908	3/8/2023	10,800.00	Afghan Associates Inc	
Supplier Payment	Check	9909	3/8/2023	1,304.85	A-Line Asphalt Maintenance Inc	
Supplier Payment	Check	9910	3/8/2023	798.00	Allegheny Answering Services	
Supplier Payment	Check	9911	3/8/2023	211.75	Allegiance Benefit Plan Management Inc - Remit-To: Pensioners	
Supplier Payment	Check	9912	3/8/2023	53.87	Allegiance Benefit Plan Management Inc - Remit-To: Pensioners	
Supplier Payment	Check	9913	3/8/2023	6.91	Allegiance Benefit Plan Management Inc - Remit-To: Pensioners	
Supplier Payment	Check	9914	3/8/2023	57.75	Allegiance Benefit Plan Management Inc - Remit-To: Pensioners	
Supplier Payment	Check	9915	3/8/2023	896,053.17	Allied Plumbing and Pumps LLC - Remit-To: Allied Trenchless	
Supplier Payment	Check	9916	3/8/2023	133.13	Aramark Uniform & Career Apparel LLC - Remit-To: Aramark - Pasadena	
Supplier Payment	Check	9917	3/8/2023	2,476.08	Arborscape Ltd Inc	
Supplier Payment	Check	9918	3/8/2023	53,145.27	Associated Petroleum Products, Inc.	
Supplier Payment	Check	9919	3/8/2023	6,390.00	Bickmore Actuarial - Remit-To: Brickmore Actuarial	
Supplier Payment	Check	9920	3/8/2023	3,877.21	Bound Tree Medical LLC	
Supplier Payment	Check	9921	3/8/2023	5,484.00	BSK Associates - Remit-To: Supplier BSK Associates	
Supplier Payment	Check	9922	3/8/2023	13,500.00	Cascade Inn	
Supplier Payment	Check	9923	3/8/2023	4,840.00	CBG Communications Inc	
Supplier Payment	Check	9924	3/8/2023	230.07	Cellco Partnership - Remit-To: Cellco - Dallas	
Supplier Payment	Check	9925	3/8/2023	1,614.60	Cintas	
Supplier Payment	Check	9926	3/8/2023	100.00	City of Gresham	

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Supplier Payment	Check	9927	3/8/2023	900.00	Clark County Fire District 5	
Supplier Payment	Check	9928	3/8/2023	2,000.00	Clark County Historical Society	
Supplier Payment	Check	9929	3/8/2023	130.00	Clark County Utilities Coordinating Council	
Supplier Payment	Check	9930	3/8/2023	201.59	Clark Public Utility District No. 1	
Supplier Payment	Check	9931	3/8/2023	552,683.92	Clary Longview LLC	
Supplier Payment	Check	9932	3/8/2023	1,482.94	Code Publishing Co	
Supplier Payment	Check	9933	3/8/2023	18,572.81	Columbia Resource Company	
Supplier Payment	Check	9934	3/8/2023	32.90	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	9935	3/8/2023	3,852.50	Confluence Engineering Group LLC	
Supplier Payment	Check	9936	3/8/2023	495.00	CyberSource Corporation - Remit-To: CyberSource - Los Angeles	
Supplier Payment	Check	9937	3/8/2023	6,300.00	Davidson Benefits Planning	
Supplier Payment	Check	9938	3/8/2023	434.40	Day Management Corp - Remit-To: Day Wireless - Milwaukee	
Supplier Payment	Check	9939	3/8/2023	1,350.00	Durst Energy LLC	
Supplier Payment	Check	9940	3/8/2023	3,053.00	Erickson Structural Consulting Engineers	
Supplier Payment	Check	9941	3/8/2023	4,126.80	General Pacific Inc	
Supplier Payment	Check	9942	3/8/2023	726.73	Genuine Parts Company - Remit-To: NAPA - Vancouver	
Supplier Payment	Check	9943	3/8/2023	3,801.00	GrantAnalyst.com LLC	
Supplier Payment	Check	9944	3/8/2023	1,795.58	Gray & Osborne Inc	
Supplier Payment	Check	9945	3/8/2023	40,102.48	Herrera Environmental Consultants Inc	
Supplier Payment	Check	9946	3/8/2023	21,745.31	HMI Oregon - Remit-To: Pacific WRO	
Supplier Payment	Check	9947	3/8/2023	1,517.12	Iron Mountain Inc - Remit-To: Iron Mountain - New York	
Supplier Payment	Check	9948	3/8/2023	1,466.10	Jamestown Networks	
Supplier Payment	Check	9949	3/8/2023	41,262.56	KBT Distributing LLC	
Supplier Payment	Check	9950	3/8/2023	19.71	Kronos Incorporated - Remit-To: Atlanta	
Supplier Payment	Check	9951	3/8/2023	19,590.01	Lakeside Industries Inc - Remit-To: Lakeside - LB Seattle	
Supplier Payment	Check	9952	3/8/2023	273.82	Langley's Ace Inc	
Supplier Payment	Check	9953	3/8/2023	325.80	Mark IV Enterprises Inc	
Supplier Payment	Check	9954	3/8/2023	712.50	Marquam Group LTD	
Supplier Payment	Check	9955	3/8/2023	7,190.97	Maul Foster & Alongi Inc	
Supplier Payment	Check	9956	3/8/2023	1,500.00	Message Gears LLC	
Supplier Payment	Check	9957	3/8/2023	14,988.11	Municipal Emergency Services Inc - Remit-To: Municipal Emergency Services - Chicago	
Supplier Payment	Check	9958	3/8/2023	13.43	National Park Service - Remit-To: Supplier National Park Service	
Supplier Payment	Check	9959	3/8/2023	18,073.50	Nelson Nygaard Consulting Associates Inc - Remit-To: Nelson Nygaard Consulting Associates Inc	
Supplier Payment	Check	9960	3/8/2023	22.00	Northwest Natural Gas Company - Remit-To: NW Natural - Portland	
Supplier Payment	Check	9961	3/8/2023	11,010.58	Northwest Staffing Resources Inc - Remit-To: Northwest Staffing Resources	
Supplier Payment	Check	9962	3/8/2023	1,347.13	One Call Concepts Inc	
Supplier Payment	Check	9963	3/8/2023	86,792.89	Parametrix, Inc	
Supplier Payment	Check	9964	3/8/2023	49.00	Parkeon	
Supplier Payment	Check	9965	3/8/2023	12,016.67	PC Specialists Inc - Remit-To: TIG - San Diego	
Supplier Payment	Check	9966	3/8/2023	472.00	Performance Occupational Health Services, LLC	
Supplier Payment	Check	9967	3/8/2023	600.00	Petty Cash Custodian - Remit-To: Jeff Olson	
Supplier Payment	Check	9968	3/8/2023	12,625.00	PlanIT Geo, Inc.	
Supplier Payment	Check	9969	3/8/2023	1,206.00	Portland Adventist Medical Center	
Supplier Payment	Check	9970	3/8/2023	92,889.03	Portland Mechanical Construction LLC	
Supplier Payment	Check	9971	3/8/2023	46,584.70	PPC Solutions Inc	
Supplier Payment	Check	9972	3/8/2023	12,577.75	Public Safety Testing Inc	
Supplier Payment	Check	9973	3/8/2023	10,962.00	Rapid Response Bio Clean Inc.	
Supplier Payment	Check	9974	3/8/2023	2,063.28	Resolute Documentation Services	
Supplier Payment	Check	9975	3/8/2023	681.08	River City Environmental	

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Supplier Payment	Check	9976	3/8/2023	217.58	Snap-on Incorporated	
Supplier Payment	Check	9977	3/8/2023	3,699.78	Software House International SHI - Remit-To: SHI - Dallas	
Supplier Payment	Check	9978	3/8/2023	106,570.00	Southwest Clean Air Agency	
Supplier Payment	Check	9979	3/8/2023	429.30	Spacesaver Specialists	
Supplier Payment	Check	9980	3/8/2023	0.14	State of Oregon Department of Transportation - Remit-To: OR DMV - Salem	
Supplier Payment	Check	9981	3/8/2023	600.00	State of Washington Department of Licensing - Remit-To: DOL - Seattle Remit	
Supplier Payment	Check	9982	3/8/2023	1,388.00	State of Washington State Patrol	
Supplier Payment	Check	9983	3/8/2023	6.42	Stericycle Inc - Remit-To: Shred-It	
Supplier Payment	Check	9984	3/8/2023	31.08	Stericycle Inc - Remit-To: Stericycle	
Supplier Payment	Check	9985	3/8/2023	10.36	Stericycle Inc - Remit-To: Stericycle	
Supplier Payment	Check	9986	3/8/2023	1,378.13	SuperTrees Inc	
Supplier Payment	Check	9987	3/8/2023	340.00	SW Chapter of IAPMO	
Supplier Payment	Check	9988	3/8/2023	798.59	Telemark Corporation	
Supplier Payment	Check	9989	3/8/2023	414.04	The ADT Security Corporation	
Supplier Payment	Check	9990	3/8/2023	1,269.00	The Loudenback Corporation	
Supplier Payment	Check	9991	3/8/2023	733.05	Towing & Recovering Services Inc	
Supplier Payment	Check	9992	3/8/2023	23,729.10	Traffic Safety Supply Co Inc	
Supplier Payment	Check	9993	3/8/2023	1,085.67	Transunion Risk & Alternative Data Solutions Inc	
Supplier Payment	Check	9994	3/8/2023	1,319.14	Trilogy MedWaste West, LLC	
Supplier Payment	Check	9995	3/8/2023	2,859.48	Triple J Enterprises	
Supplier Payment	Check	9996	3/8/2023	290.00	United States Postal Service - Remit-To: United States Postal Service Caples	
Supplier Payment	Check	9997	3/8/2023	5,541.57	Univar Solutions USA Inc - Remit-To: Supplier Univar Solutions USA Inc	
Supplier Payment	Check	9998	3/8/2023	152.00	Vancouver Aire LLC	
Supplier Payment	Check	9999	3/8/2023	299.00	Vast Data Concepts	
Supplier Payment	Check	10000	3/8/2023	362.72	W.B. Sprague Co. Inc.	
Supplier Payment	Check	10001	3/8/2023	1,531.56	Waste Connections of Washington - Remit-To: Waste Connections - Vancouver	
Supplier Payment	Check	10002	3/8/2023	1,203.84	Wesco Distribution, Inc.	
Supplier Payment	Check	10003	3/8/2023	40,229.51	Western Systems Inc	
Supplier Payment	Check	10004	3/8/2023	232.79	Wex Bank	
Supplier Payment	Check	10005	3/8/2023	11,761.53	WSP USA Inc. - Remit-To: WSP USA Inc. Dallas	
Supplier Payment	Check	10006	3/8/2023	45.23	XPO Logistics Enterprise Services, Inc - Remit-To: XPO - Portland	
Supplier Payment	Check	10007	3/8/2023	1,023.75	Yakima County	
Supplier Payment	Check	10008	3/9/2023	40,190.00	South Sound Properties LLC	
			Check	3,559,673.55		
Cash Advance Payment	Direct Deposit	EFT-00185914	3/2/2023	146.00	Julie Patterson	Travel Advance
Expense Payment	Direct Deposit	EFT-00185915	3/2/2023	966.87	Marc Patchin	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00185916	3/2/2023	197.50	Ian Poulos	Travel Advance
Expense Payment	Direct Deposit	EFT-00185917	3/2/2023	420.42	Katrina Curtis	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00185918	3/2/2023	197.50	Brandon Garlington	Travel Advance
Expense Payment	Direct Deposit	EFT-00185919	3/2/2023	206.15	John Zundel	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00185920	3/2/2023	365.50	Carie Wright	Travel Advance
Expense Payment	Direct Deposit	EFT-00185921	3/2/2023	45.00	Chad Eiken	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00185922	3/2/2023	197.50	Kenny Burt	Travel Advance
Expense Payment	Direct Deposit	EFT-00185923	3/2/2023	353.70	Thor Tesdale	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00185924	3/2/2023	197.50	Nathan Hippie	Travel Advance
Expense Payment	Direct Deposit	EFT-00185925	3/2/2023	301.06	Ian Crawford	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00185926	3/2/2023	245.50	Nicole Vigil	Travel Advance
Expense Payment	Direct Deposit	EFT-00185927	3/2/2023	118.42	Julie Ballou	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00185928	3/2/2023	172.50	Raymond Egan	Travel Advance
Expense Payment	Direct Deposit	EFT-00185929	3/2/2023	90.00	Conrad Iranon	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00185930	3/2/2023	192.49	Tanya Wollstein	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00185931	3/2/2023	200.00	Kevin Smithline	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00185932	3/2/2023	250.00	Mike McDonald	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00185933	3/2/2023	121.00	Cathy Guerraz	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00185934	3/2/2023	165.06	David McGrath	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00185935	3/2/2023	96.00	Aaron Lande	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00185936	3/2/2023	172.50	David Sturbelle	Travel Advance
Expense Payment	Direct Deposit	EFT-00185937	3/2/2023	136.00	John Renner	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00185972	3/3/2023	961.20	Eric Holmes	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00185973	3/3/2023	961.20	Erik Paulsen	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00185974	3/3/2023	927.14	Anne McEnerny-Ogle	Travel Advance
Expense Payment	Direct Deposit	EFT-00187799	3/9/2023	225.00	Joseph Cathey	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00187800	3/9/2023	28.93	Chad Lawry	Employee Reimbursement

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Transaction Reference	Payment Date	Payment Amount	Payment Payee	Memo
Expense Payment	Direct Deposit	EFT-00187801	3/9/2023	1,859.24	Heidi Scarpelli	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00187802	3/9/2023	70.00	Justin Huskisson	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00187803	3/9/2023	143.97	Natalie Newgent	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00187804	3/9/2023	924.39	Lee Lofton	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00187805	3/9/2023	554.01	Christopher Wanous	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00187806	3/9/2023	35.08	Chad Eiken	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00187807	3/9/2023	175.50	Joshua Francis	Travel Advance
Expense Payment	Direct Deposit	EFT-00187808	3/9/2023	201.60	Eric Gundlach	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00187809	3/9/2023	434.50	James Dewey	Travel Advance
Expense Payment	Direct Deposit	EFT-00187810	3/9/2023	87.77	Ryan Lopossa	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00187811	3/9/2023	315.00	Topher Gates	Travel Advance
Expense Payment	Direct Deposit	EFT-00187812	3/9/2023	156.05	Rian Stein	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00187813	3/9/2023	127.50	Josh Harrington	Travel Advance
Expense Payment	Direct Deposit	EFT-00187814	3/9/2023	104.00	Steven Sampson	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00187815	3/9/2023	657.95	Diana Perez	Travel Advance
Expense Payment	Direct Deposit	EFT-00187816	3/9/2023	68.33	Stuart Morley	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00187817	3/9/2023	127.50	Spencer Stone	Travel Advance
Expense Payment	Direct Deposit	EFT-00187818	3/9/2023	102.00	Jeffrey Coad	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00187819	3/9/2023	657.95	Kim Harless	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00187820	3/9/2023	127.50	Jared Caldwell	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00187821	3/9/2023	526.95	Ty Stober	Travel Advance
			Direct Deposits	16,114.43		
Supplier Payment	EFT	EFT-00185938	3/2/2023	10,018.74	ConvergeOne Inc	
Supplier Payment	EFT	EFT-00185939	3/2/2023	81,580.30	Halme Excavating Inc	
Supplier Payment	EFT	EFT-00185940	3/2/2023	40.77	Ziply Fiber	
Supplier Payment	EFT	EFT-00185941	3/2/2023	6,434.46	Boys and Girls Clubs of Southwest Washington	
Supplier Payment	EFT	EFT-00185942	3/2/2023	5,197.63	Pitney Bowes Inc	
Supplier Payment	EFT	EFT-00185943	3/2/2023	69,338.84	Jacobs Engineering Group Inc	
Supplier Payment	EFT	EFT-00185944	3/2/2023	4,218.00	Universal Field Services Inc	
Supplier Payment	EFT	EFT-00185945	3/2/2023	3,317.53	Columbia West Engineering	
Supplier Payment	EFT	EFT-00185946	3/2/2023	18,299.81	MacKay Sposito Inc	
Supplier Payment	EFT	EFT-00185947	3/2/2023	15,747.53	CivicPlus, LLC	
Supplier Payment	EFT	EFT-00185948	3/2/2023	203,109.92	Western United Civil Group, LLC	
Supplier Payment	EFT	EFT-00185949	3/2/2023	22,753.24	Lynn K Wittwer MD PC	
Supplier Payment	EFT	EFT-00185950	3/2/2023	598.92	International Graphics & Nameplate Inc	
Supplier Payment	EFT	EFT-00185951	3/2/2023	140.00	Brad Piesch Aggressive Enterprises, Inc	
Supplier Payment	EFT	EFT-00185952	3/2/2023	871.97	Workforce Southwest Washington	
Supplier Payment	EFT	EFT-00185953	3/2/2023	305.25	Investigative Solutions LLC	
Supplier Payment	EFT	EFT-00185954	3/2/2023	155,372.60	Share Inc	
Supplier Payment	EFT	EFT-00185955	3/2/2023	5,158.50	George Elevator Service LLC	
Supplier Payment	EFT	EFT-00185956	3/2/2023	9,210.51	Second Step Housing	
Supplier Payment	EFT	EFT-00185957	3/2/2023	207,247.20	Rotschy Inc	
Supplier Payment	EFT	EFT-00185958	3/2/2023	23,633.12	Meteraders LLC	
Supplier Payment	EFT	EFT-00185959	3/2/2023	41,167.95	Mead and Hunt Inc	
Supplier Payment	EFT	EFT-00185960	3/2/2023	79,458.28	Highwire, Inc.	
Supplier Payment	EFT	EFT-00185961	3/2/2023	708.18	Waxie's Enterprises Inc	
Supplier Payment	EFT	EFT-00185962	3/2/2023	70,832.35	Cat Works LLC	
Supplier Payment	EFT	EFT-00185963	3/2/2023	23,276.07	Operations Management International Inc	
Supplier Payment	EFT	EFT-00185964	3/2/2023	23,016.78	Living Hope Church	
Supplier Payment	EFT	EFT-00185965	3/2/2023	5,774.97	Council for the Homeless	
Supplier Payment	EFT	EFT-00185966	3/2/2023	5,076.20	Eagle Newspaper Inc	
Supplier Payment	EFT	EFT-00185967	3/2/2023	13,087.50	The Gunter Group LLC	
Supplier Payment	EFT	EFT-00185968	3/2/2023	1,984.11	Partners in Careers	
Supplier Payment	EFT	EFT-00185969	3/2/2023	401.18	Praxair Distribution Inc	
Supplier Payment	EFT	EFT-00185970	3/2/2023	13,237.51	Tierra Right of Way Services LTD	
Supplier Payment	EFT	EFT-00185971	3/2/2023	8,134.10	Sharon Rice	
Supplier Payment	EFT	EFT-00186015	3/10/2023	23,770.37	IAFF Local #452	
Supplier Payment	EFT	EFT-00186016	3/10/2023	950.40	Vancouver Command Guild	
Supplier Payment	EFT	EFT-00186017	3/10/2023	15,018.44	Allegiance Benefit Plan Management Inc	
Supplier Payment	EFT	EFT-00186018	3/10/2023	131.22	Legal Shield	
Supplier Payment	EFT	EFT-00186019	3/10/2023	12,111.69	Vancouver Police Officer Guild	
Supplier Payment	EFT	EFT-00187822	3/9/2023	887.25	Allegiance Benefit Plan Management Inc - Remit-To: Pensioners	
Supplier Payment	EFT	EFT-00187823	3/9/2023	359,670.56	Western United Civil Group, LLC	
Supplier Payment	EFT	EFT-00187824	3/9/2023	4,170.54	HDR Engineering Inc - Remit-To: HDR Engineering - Chicago	
Supplier Payment	EFT	EFT-00187825	3/9/2023	27,492.48	State of Washington Auditor's Office	
Supplier Payment	EFT	EFT-00187826	3/9/2023	23,228.00	Coffman Engineers Inc	
Supplier Payment	EFT	EFT-00187827	3/9/2023	3,500.00	Steven Fulmer	
Supplier Payment	EFT	EFT-00187828	3/9/2023	114,144.01	Jeffrey D. Barrar, PS	
Supplier Payment	EFT	EFT-00187829	3/9/2023	276,689.19	Rotschy Inc	
Supplier Payment	EFT	EFT-00187830	3/9/2023	22,984.16	Fehr & Peers	
Supplier Payment	EFT	EFT-00187831	3/9/2023	4,801.60	Waxie's Enterprises Inc	
Supplier Payment	EFT	EFT-00187832	3/9/2023	7,600.00	MacKay Sposito Inc	
Supplier Payment	EFT	EFT-00187833	3/9/2023	87,836.97	Del Sol Inc	
Supplier Payment	EFT	EFT-00187834	3/9/2023	14,417.34	Vancouvercenter Condominium Association	

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Transaction Reference	Payment Date	Payment Amount	Payment Payee	Memo
Supplier Payment	EFT	EFT-00187835	3/9/2023	948,824.66	Ross Builders Northwest, LLC	
Supplier Payment	EFT	EFT-00187836	3/9/2023	136,094.26	Advanced Excavating Specialists LLC	
Supplier Payment	EFT	EFT-00187837	3/9/2023	2,972.18	MPG Tandem	
Supplier Payment	EFT	EFT-00187838	3/9/2023	35,745.56	Routeware, Inc.	
Supplier Payment	EFT	EFT-00187839	3/9/2023	7,199.18	Retail Lockbox Inc	
Supplier Payment	EFT	EFT-00187840	3/9/2023	9,211.80	Autodesk, Inc	
Supplier Payment	EFT	EFT-00187841	3/9/2023	408,105.65	Lee Contractors LLC	
Supplier Payment	EFT	EFT-00187842	3/9/2023	13,267.85	Mead and Hunt Inc	
Supplier Payment	EFT	EFT-00187843	3/9/2023	3,640.00	Brad Piesch Aggressive Enterprises, Inc	
Supplier Payment	EFT	EFT-00187844	3/9/2023	2,264.31	Fire Systems West	
Supplier Payment	EFT	EFT-00187845	3/9/2023	1,483.24	State of Washington Consolidated Technology Services	
			EFT	3,696,962.93		
Supplier Payment	Manual Wire		2/27/2023	1,049,567.49	Internal Revenue Service	
Supplier Payment	Manual Wire		2/27/2023	17,770.20	Washington Dental Service	
Supplier Payment	Manual Wire		2/27/2023	179,998.16	Blue Cross Blue Shield of Oregon	
Supplier Payment	Manual Wire		2/27/2023	33,472.58	Internal Revenue Service	
Supplier Payment	Manual Wire		2/28/2023	10.00	City of Portland Revenue Division	
Supplier Payment	Manual Wire		2/28/2023	36,400.45	State of Oregon Department of Revenue	
Supplier Payment	Manual Wire		2/28/2023	365,334.99	Kaiser Permanente - Remit-To: Kaiser Permanente	
Supplier Payment	Manual Wire		2/28/2023	10,337.63	Bank Of America N.A. - Remit-To: Charlotte NC	
Supplier Payment	Manual Wire		2/28/2023	353,133.40	State of Washington Department of Revenue	
Supplier Payment	Manual Wire		3/1/2023	11,358.12	Athlactron Holding	
Supplier Payment	Manual Wire		3/1/2023	825,901.94	State of Washington Department of Retirement System (PERS)	
Supplier Payment	Manual Wire		3/1/2023	3,010.78	Internal Revenue Service	
Supplier Payment	Manual Wire		3/1/2023	49,515.22	JP Morgan Chase Bank, N.A.	
Supplier Payment	Manual Wire		3/2/2023	23,046.44	United States Postal Service	
Supplier Payment	Manual Wire		3/3/2023	458,413.44	Vancouver Firefighters Union Health & Welfare Trust	
Supplier Payment	Manual Wire		3/3/2023	9,802.66	VSP Vision Care Inc	
Supplier Payment	Manual Wire		3/3/2023	43,061.13	Liberty Mutual Group Inc.	
Supplier Payment	Manual Wire		3/3/2023	251.25	United States Postal Service	
Supplier Payment	Manual Wire		3/6/2023	15,350.17	Washington Dental Service	
Supplier Payment	Manual Wire		3/6/2023	214,179.11	Blue Cross Blue Shield of Oregon	
Supplier Payment	Manual Wire		3/9/2023	188,515.73	Western States Health & Welfare Trust	
Supplier Payment	Manual Wire		3/9/2023	70,528.95	Liberty Mutual Group Inc.	
Supplier Payment	Manual Wire		3/10/2023	1,192.18	Vancouver Fire Command Officers	
Supplier Payment	Manual Wire		3/10/2023	26,159.57	Western States Health & Welfare Trust	
Supplier Payment	Manual Wire		3/10/2023	19,200.00	Washington State Firefighters	
Supplier Payment	Manual Wire		3/10/2023	24,334.56	Vancouver Firefighters Union Health & Welfare Trust	
Supplier Payment	Manual Wire		3/10/2023	7,975.14	ICMA 401A	
Supplier Payment	Manual Wire		3/10/2023	261,484.89	ICMA Corp	
Supplier Payment	Manual Wire		3/10/2023	5,078.81	Washington SDU	
Supplier Payment	Manual Wire		3/10/2023	859.50	Oregon SDU	
Supplier Payment	Manual Wire		3/10/2023	804,869.16	State of Washington Department of Retirement System (PERS)	
Supplier Payment	Manual Wire		3/10/2023	50,383.12	State of Washington Department of Retirement System (PERS)	
Supplier Payment	Manual Wire		3/10/2023	1,542.84	VSP Vision Care Inc	
Supplier Payment	Manual Wire		3/10/2023	90,069.23	Blue Cross Blue Shield of Oregon	
			Manual Wire	5,252,108.84		
			Checks	3,559,673.55		
			Direct Deposit	16,114.43		
			EFT	3,696,962.93		
			3/6/2023	385,229.59	City Payments	Posted 02-27-23 to 03-05-23
			3/13/2023	2,726.30	City Payments	Posted 03-06-23 to 03-12-23
			Hansen Total	387,955.89		
			3/6/2023	1,767.88	Miscellaneous	Parks Class Refunds FCC 02-27-23 to 03-05-23
			3/6/2023	1,779.01	Miscellaneous	Parks Class Refunds MCC 02-27-23 to 03-05-23

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Transaction Reference	Payment Date	Payment Amount	Payment Payee	Memo
			3/6/2023	175.00	Miscellaneous	Parks Class Refunds Water Center 02-27-23 to 03-05-23
			3/13/2023	3,949.20	Miscellaneous	Parks Class Refunds FCC 03-06-23 to 03-12-23
			3/13/2023	2,312.00	Miscellaneous	Parks Class Refunds MCC 03-06-23 to 03-12-23
			3/13/2023	245.00	Miscellaneous	Parks Class Refunds Water Center 03-06-23 to 03-12-23
			VISA Total	10,228.09		
			Payroll Total	3,545,652.73		
			GRAND TOTAL	16,468,696.46		

* Please contact Procurement Services if you would like to review the justification for EMERGENCY procurement.

City of Vancouver
Payroll Council Report
February 27, 2023 - March 12, 2023

Check No.	Date	Explanation	Amount
1063 - 1065	02/28/23	2 2023 Pension Payroll	\$ 4,802.39
185797 - 185840	02/28/23	2 2023 Pension Direct Deposits	\$ 41,330.48
1066 - 1091	03/10/23	March 10 Payroll	\$ 11,132.80
186020 - 187798	03/10/23	March 10 Direct Deposits	\$ 3,488,387.06
n/a	03/10/23	03/10/23 NACHA Return	\$ (721.74)
187846 - 187846	03/10/23	03/10/23 Replacement for NACHA Return	\$ 721.74

\$ 3,545,652.73



Staff Report: 014-23

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 3/20/2023

SUBJECT Title 17 Building Code Ordinance Changes

Key Points

- The City's Building Code is codified as Title 17 of the Vancouver Municipal Code (VMC). Chapter 17.08 of this title is the Administrative Code, which provides for the rules and regulations for the administration and enforcement of the technical codes adopted by the City.
- The focus of the proposed updates is primarily to address some minor clean-up items. One substantive proposed change will help align VMC 17.08 with another chapter of the VMC.
- The proposed changes have been reviewed and recommended for approval by the City's Building and Fire Code Commission.

Strategic Plan Alignment

Goal 1: Ensure our built environment is one of the safest, most environmentally responsible and well maintained in the Pacific Northwest

Present Situation

The Community Development Department, which includes the building plan review, inspection and code compliance programs, is responsible for the administration and enforcement of the building codes ordinance. The "Building Official" for the City provides direct day-to-day management and oversight of the enforcement and administration of City building codes and ordinances codified in VMC Title 17, as well as for construction permits under Section 105 of the International Fire Code (IFC), adopted in VMC Chapter 16.04.

The City established the Building and Fire Codes Commission (BFCC) to advise the City Council regarding the technical codes and methods contained in VMC Title 16 and 17, and to provide for reasonable interpretations of the adopted technical codes. One of the primary duties of the BFCC is to review and make recommendations to City Council prior to its action on all proposed new codes and proposed changes to existing construction codes and regulations relating to building and fire. The BFCC reviewed the proposed changes to Title 17 VMC on October 6, 2022, and

recommended them for adoption by City Council.

SUMMARY OF PROPOSED CHANGES

The focus of the proposed updates is to address minor clean-up items and to capture a few larger and substantive items which help align VMC 17.08 with other sections of the VMC. The following is a summary of the proposed changes (staff has noted which items are considered clean-up items or more substantive in nature):

- To clarify the Application Filing Date to mean the date on which the electronic record of the permit application is created in the City's e Plans permit system and a permit number is assigned. [clean-up]
- The City has transitioned from a paper-based permit submittal process to an electronic based permit submittal process. All references to a paper-based process have been removed and updated to refer to an electronic-based process which the City now uses. [clean-up]
- To adjust the permit application expiration deadline from 180 days to one year, which will reduce an administrative burden on applicants and staff. The one-year timeframe aligns the permit process with the requirements of the City's impact fee payment process (VMC 20.915.020). The building official may grant an extension of the permit application beyond one year where, in the judgment of the building official, extenuating circumstances exist that warrant such an extension and the development review approvals are being actively pursued. [clean-up]
- To update the inspection processes to allow virtual inspections when, in the opinion of the building official, the work is minor enough in nature that the inspection can be performed remotely. This enables the City the option of providing more timely inspections and aligns with the current protocol being used by the State of Washington Labor and Industries. [clean-up]
- To adjust the inspection scheduling timeframe from a 10-day maximum window to a three-day maximum window to complete the inspections upon the inspection request, to better align with department practices. [clean-up]
- To ensure the work being completed is the responsibility of the property owner, the project contractor, and the permit holder. Previously this was only the responsibility of the permit holder. [clean-up]
- To adjust the fee refund process to capture administrative costs, to better align with Council's target cost recovery policy. Fees assessed that are less than \$222 will be retained by the city as a non-refundable administrative processing fee unless the building official or fire code official determine that the fees assessed and collected were a result of an error by the City. [clean-up]

A more substantive clarification is recommended to VMC 17.32.040 "Unfit buildings, dwellings and structures defined" whereby each itemized defect listed in this chapter shall be considered a distinct code violation for the purpose of enforcement action under VMC Title 22, which will allow for individual violations to be addressed and resolved separately.

- For the purposes of this chapter, any dwelling, building or structure which has any or all of the conditions or defects described in this section shall be deemed to be an unfit dwelling, building or structure, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public is endangered. Each itemized defect listed in this chapter is considered a distinct code violation for the purpose of enforcement action under VMC Title 22.

Advantage(s)

To clarify existing language and align VMC 17.08 with current city policy, administrative practice and other sections of the VMC.

Disadvantage(s)

No identified disadvantages.

Budget Impact

No City budget impact.

Prior Council Review

March 6, 2023 - Council Consent Agenda

Action Requested

On March 20, 2023, subject to second reading and a public hearing, approve the Ordinance.

Jason Nortz, Development Review Division Manager, 360-487-7844

ATTACHMENTS:

- ▢ Ordinance
- ▢ PPT of Title 17 Ordinance Change

03/06/23
03/20/23

ORDINANCE NO. _____

AN ORDINANCE relating to the updating of VMC Title 17 to align the permit deadlines with impact fee deadlines, to update the permit application process to an electronic format, update the inspection scheduling process, to allow for remote inspections at the discretion of the Building Official, adjust the minimum fee refund amount, to clarify violations for the purpose of enforcement, and general cleanup of repetitive sections; providing for savings, severability and an effective date.

WHEREAS, as reflected in SR - _____, the purpose of the Vancouver Municipal Code (VMC) 17.08 Administrative Code is to provide for the administrative rules and regulations for the administration and enforcement of the technical codes adopted by the City of Vancouver; and

WHEREAS, the focus of the proposed amendments is to address some minor cleanup items and to capture a few larger and substantive items which help align VMC 17.08 with other sections of the VMC.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. That part of section 8 of Ordinance M-3958, and last amended by that part of section 2 of Ordinance M-4165, codified as 17.08.075, is hereby amended to read as follows:

17.08.075 Definitions.

For the purposes of this Title, certain terms, phrases, words and their derivatives shall be construed as specified in this section. Where terms are not defined, they shall have their ordinarily accepted meanings within the context with which they are used. Words used in the singular include the plural, and the plural the singular.

“Addition” means an extension or increase in floor area or height of a building or structure.

“Alter or alteration” means any construction or renovation to an existing structure other than repair or addition.

“Application filing date” means the date on which electronic record of permit application deemed to be complete per the requirements of VMC 17.08.100A is created in the City’s permit system and a permit number is assigned.

“Approved”, as to materials, types of construction, equipment and systems, refers to approval by the building official as the result of investigation and tests, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

“Building” means any structure used or intended for supporting or sheltering any use or occupancy.

“Building code” means the Building Code of the City of Vancouver.

“Building official” means the designated City official who is charged with the administration and enforcement of this Title.

“Building service equipment” refers to the plumbing, mechanical, electrical and elevator equipment including piping, wiring, fixtures and other accessories which provide potable water, sanitation, lighting, heating, ventilation, cooling, refrigeration, fire suppression, fire warning, fire-fighting facilities essential for the occupancy of the building or structure for its designated use and occupancy.

“Construction documents” are plans, specifications, supporting calculations and other data prepared to describe the design, materials, physical characteristics, location, orientation, and scope of the proposed project necessary to obtain a permit.

“Department” means the City of Vancouver Community and Economic Development Department, or successor department or division charged with administering this chapter.

“Existing Building” means a building erected prior to the adoption of the currently adopted building code of the City of Vancouver, or one for which a legal, unexpired building permit has been issued by the City.

“Fire Official” means the designated City official who is charged with the administration and enforcement of fire related matters in this Title.

“LID Best Management Practices” means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water re-use.

“LID Principles” means land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff.

“Listed and listing” are terms referring to equipment and materials which are shown in a list published by an approved testing agency qualified and equipped for experimental testing and maintaining an adequate periodic inspection of current productions and who’s listing states that the equipment complies with recognized safety standards.

“Low Impact Development (LID)” means a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

“Occupancy” means the purpose for which a building, site, or portion thereof, is used or intended to be used. The term “occupancy” as used in this Chapter shall include the building or part thereof housing the intended use.

“Occupant” means the person or persons who reside in and/or has primary use of a building or a portion of a building or site.

“Owner” means any person having a recorded legal or equitable interest in the property.

“Permit” means an official document or certificate issued by the Building Official authorizing performance of a specified activity.

“~~Permittee~~ Permit holder” means the person to whom a permit is issued.

“Permitted work” means the work for which a permit is issued.

“Person” means a natural person, any form of business or social organization and any other legal entity including but not limited to a corporation, partnership, association, trust or unincorporated organization.

"Premises" means and includes any lot, parcel, real estate, or land, or portion of land whether improved or unimproved, including adjacent sidewalks and parking strips, and any lake, river, stream, drainage way, or wetland, within the territorial limits of the city.

"Registered design professional" means an individual who is registered or licensed to practice their respective design profession as defined by the statutory requirements of the professional registration laws of the State of Washington.

"Repair" means the reconstruction or renewal of any part of an existing building, structure or building service equipment for the purpose of its maintenance.

"Structure" means that which is built or constructed, an edifice or building.

"Technical codes" are those codes adopted in various titles of the Vancouver Municipal Code, including but not limited to Titles 16, 17, 20 and 22.

"Unfit building" means any structure determined by the building official to be in violation of the standards and provisions of Chapter 17.32 VMC.

"Unfit premises" means any premises determined by the building official to be in violation of the standards and provisions of Chapter 17.32 VMC.

"Valuation or value" for the purposes of this Title, shall include total market value of work including materials and labor, grading, site development, electrical, gas, mechanical, plumbing, painting, finish work, roofing, fire protection and any other permanent systems or equipment for which a permit is being issued.

Section 2. That part of section 4 of Ordinance M-3660, and last amended by that part of section 9 of Ordinance M-4079, codified as 17.08.100, is hereby amended to read as follows:

17.08.100 Building Permit Applications.

A. To obtain a building permit, the applicant shall first file electronically submit a completed permit application. ~~with the city a written application on a form furnished by the city for that purpose.~~ Every application shall:

1. Identify and describe all work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will clearly readily ~~identify the and definitely locate the~~ location of the proposed building or work.

3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams computations and specifications and other data as required ~~elsewhere in~~ by this code or and the technical codes.
5. State the valuation of any and all work to be performed under said permit.
6. Indicate either:
 - a. The name, address, and phone number of the office of the lender administering the interim construction financing if any; or
 - b. The name and address of the firm that has issued a payment bond, if any, on behalf of the prime contractor for the protection of the owner, if the bond is for an amount not less than fifty percent of the total amount of the construction project.
7. If any of the information required by subsection (A)(6) of this section is not available at the time the application is submitted, the applicant shall so state and the application shall be processed forthwith and the permit issued as if the information had been supplied, and the lack of the information shall not cause the application to be deemed incomplete for the purposes of vesting under the building code. However, the applicant shall provide the remaining information as soon as the applicant can reasonably obtain such information.
8. Provide both the property owner's and the permit applicant's names, addresses, email addresses and phone numbers, if they are different.
9. Be signed by the ~~building property~~ owner or the owner's authorized agent.
10. Provide the general ~~prime~~ contractor's and the plumbing contractor's business names, addresses, phone numbers, email addresses if available, current state contractor registration numbers; if the work being done is being done by someone other than the property owner.
11. ~~Give~~Provide such other data and information as may be required by the building official.

B. Time limitation of permit applications. ~~An application for a permit shall be deemed to have been abandoned 180 days after filing, unless such application has been pursued in good faith or a permit has been obtained. The building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days. Each extension shall be requested in writing by the applicant and justifiable cause shall be demonstrated. No application shall be extended for more than (3) three times or for more than 90 days if there has been a new edition of the state building code adopted. The building official is authorized to extend or deny the application beyond the timeliness stated herein if~~

~~additional development review process and approvals are pending and being actively pursued.~~

1. ~~Expiration of permit application.~~ Permit applications for which a permit has not been issued within one year of application filing date shall be deemed to have expired. The building official may grant an extension of the permit application beyond one year where, in the judgment of the building official, extenuating circumstances exist that warrant an extension and the development review process and approvals are pending and are being actively pursued.
2. If a permit application is extended beyond one year, the impact fees owed under VMC 20.915 shall be recalculated using the rate at the time of the extension. Permit applications associated with code enforcement cases shall expire 60 days from the permit application filing date or as determined by the building official.

C. Submittal documents. Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs, and other data shall be submitted in the electronic format required by the city. ~~in two sets for residential, and three sets for commercial with each application for a permit. An additional copy may be required for projects involving plan review by the Fire Department and/or plan review consultants.~~

1. The construction documents shall be prepared by a registered design professional when required by state law.
2. The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code or other technical codes adopted by the city.

D. Real Property Survey. A survey of the lot, site or premise performed by a registered surveyor as required by state law, may be required by the building official to verify/demonstrate the legal existence and location of the lot, site, or premises. ~~or dimensions of a building site and that the structure is located in accordance with land use and building code requirements.~~ The cost of such survey shall be the responsibility of the permit applicant and/or property owner. ~~of the applicable permit property.~~

E. Information on plans and specifications. Plans and specifications documents shall be dimensioned ~~and drawn upon suitable material.~~ Documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and technical codes, and other laws, as determined by the building official.

F. Information for construction areas prone to flooding. For buildings and structures in flood hazard areas construction documents shall demonstrate compliance with VMC Chapter 20.730 and applicable provisions of the technical codes.

~~G. Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by IFC Chapter 9, applicable portions of the IBC and VMC Chapter 16.04.~~

GH. Registered design professional in responsible charge. When it is required that documents be prepared by a registered design professional, the building official is authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If circumstances require, the owner may designate a substitute registered design professional who shall perform all the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in charge is changed or is unable to continue to perform required ~~his or her~~ duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items for compatibility with the design of the building.

HI. Deferred submittals. When a project is so large that it requires a registered design professional to prepare construction documents, the project may be processed as a "deferred submittal". A "deferred submittal" project is one in which construction is authorized for phases while review of plans for subsequent phases proceeds. The holders of such a permit shall proceed at their own risk without assurance that subsequent phases of construction will meet technical code requirements or will be approved. Deferred submittal projects are subject to the following:

1. Prior written approval by the building official.
2. Work must be under the seal of the registered design professional in responsible charge. The registered design professional in responsible in charge shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official.
3. Submittal documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building
4. The plans check fee for deferred submittal is established in VMC Section 17.08.130 Table V.

IJ. Structural tests, special inspections and structural observation. When structural tests, special inspection and/or structural observation is required by IBC Chapter 17 the permit applicant shall submit a statement of special inspection and/or structural observation prepared by the registered design professional in responsible charge to the building official for approval prior to issuance of the building permit. The statement shall be in compliance with IBC Section 1705.

1. The special inspector(s) shall be employed by the owner, the registered design professional in responsible charge, or an agent of the owner, but not the contractor or any other person responsible for performing the work.
2. The special inspector and the inspectors employing agency shall be certified as a special inspector and special inspection agency by the Washington Association of Building Officials in order to perform special inspections. Washington Association of Building Officials/Oregon Building Officials Association special inspector certification reciprocity is also acceptable providing the employing agency is a Washington Association of Building Officials registered agency.
3. Where structural observation is required by IBC Section 1709, the owner shall employ a registered design professional to perform structural observations as defined in the IBC.
4. Reports shall be prepared and submitted to the Building Official as required in IBC Section 1704 and 1709.

Section 3. That part of section 12 of Ordinance M-3958, codified as 17.08.105, is hereby amended to read as follows:

17.08.105 ~~Application for permit and plan review~~Review of building and fire permit applications and construction documents.

A. Examination of documents. After the plan review fee has been paid and the required permit documents have been correctly uploaded for review by the city, the building official shall examine or cause to be examined the application, plans, specifications, computations and other data filed by an applicant for permit. An application for plan review shall not be accepted without payment in full of the plan review fee. Fees shall be as set forth in VMC 17.08.130 and VMC 17.08.130 Table V or as authorized by City Council as part of a Development Agreement.

Such plans may be reviewed by other departments and agencies to verify compliance with applicable laws of this jurisdiction.

B. Plan review by an agent. The building official may delegate all or part of plan review to an agent approved by the building official and under professional services contract

with the city when workload of staff would cause an undue delay of any plan review, or if the project involves construction materials or techniques beyond the experience of staff to review, subject to the following:

1. When plans are reviewed by an agent, a plan check fee shall be collected by the city pursuant to the fee schedule set by this chapter.
2. The agent(s), upon completion of their review, shall return the plans directly to the building official, together with their report of any potential code violations, along with a non-conflict of interest statement avowing no financial or design interest with the applicant or with the building division in this matter, other than their direct compensation by the city as provided in this section.

C. Approval of construction documents. When the building official or ~~his or her~~ designee issues a permit, the construction documents shall be approved, in writing or by stamp, as "APPROVED". ~~One set of e~~Construction documents so reviewed shall be retained by the building official as required by state records retention laws. ~~The other set shall be returned to the applicant with the issued permit. An electronic copy of approved plans shall be provided to the permit applicant upon issuance of the building permit.~~

1. Such approved construction plans, documents, specifications and scope of work identified in the issued permit shall not be changed, modified or altered without authorizations from the building official and all work authorized under the issued permit shall be done in accordance with the approved plans, the technical codes and conditions of the permit.
2. Any changes made during construction that are not in compliance with the approved construction plans, documents and specifications shall be resubmitted for approval as an amended set of construction documents. Inspection approval will not be given for work not in conformance with the approved construction plans, documents, specifications, technical codes and/or the issued permit.
3. ~~The building official or his or her designee may issue a permit for the construction of part of a building, structure or building service equipment before the completed construction plans, documents and specifications for the whole building, structure or building service equipment have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code and technical codes. The holder of a partial permit shall proceed without assurance that the permit for the entire building structure or building services will be granted.~~

Section 4. That part of section 4 of Ordinance M-3660, and last amended by that part of section 3 of Ordinance M-4165, codified as 17.08.110, is hereby amended to read as follows:

17.08.110 Permit issuance.

~~A. Examination of documents. The building official shall examine or cause to be examined the application, plans, specifications, computations and other data filed by an applicant for permit.~~

~~1. Such plans may be reviewed by other departments and agencies to verify compliance any applicable laws of this jurisdiction.~~

~~2. If the building official finds that the work described in the application for a permit and the plans, specifications, and other data filed therewith conform to the requirements of this code and the technical codes and other pertinent laws and ordinances and that the fees specified in 17.08.130 have been paid, the building official shall issue a permit to the applicant.~~

~~B. Plan review by an agent. The building official may delegate all or part of plan review to an agent approved by the building official and under professional services contract with the city when workload of staff would cause an undue delay of any plan review, or if the project involves construction materials or techniques beyond the experience of staff to review, subject to the following:~~

~~1. When plans are reviewed by an agent, a plan check fee shall be collected by the city pursuant to the fee schedule set by this chapter.~~

~~2. The agent(s), upon completion of their review, shall return the plans directly to the building official, together with their report of any potential code violations, along with a non-conflict of interest statement avowing no financial or design interest with the applicant or with the building division in this matter, other than their direct compensation by the city as provided in this section.~~

~~C. Approval of construction documents. When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "APPROVED". One set of construction documents so reviewed shall be retained by the building official as required by state records retention laws. The other set shall be returned to the applicant.~~

~~1. Such approved plans and specifications shall not be changed, modified or altered without authorizations from the building official, and all work regulated by this code shall be done in accordance with the approved plans.~~

~~2. Any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. Inspection approval will not be given for work not in conformance with the approved plans.~~

~~3. The building official may issue a permit for the construction of part of a building, structure or building service equipment before the entire plans and specifications for the whole building, structure or building service equipment have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code and the technical codes. The holder of a partial permit shall proceed without assurance that the permit for the entire building structure or building services will be granted.~~

A. After the plan review process has been completed, required approvals from other departments have been obtained, and all fees that are due at the time of permit issuance have been collected by the city, the building official or designee shall issue the building permit.

1. The building official may issue a permit for the construction of part of a building, structure or building service equipment before the entire plans and specifications for the whole building, structure or building service equipment have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code and the technical codes. The holder of a partial permit shall proceed without assurance that the permit for the entire building structure or building services will be granted.

~~D. Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.~~

BE. Validity of permit~~Limitations.~~ The issuance of a permit or approval of plans, specifications and computations shall not be construed to be a permit for or an approval of any violation of any provision of this code, the technical codes or an any other ordinance of the city. Permits presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the city shall not be valid.

CF. Corrective action. The issuance of a permit based on plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors in said plans, specifications and other data. ~~The building official may also revoke a permit, a Certificate of Occupancy or a use or uses in a building when in violation of this code, the technical codes or other applicable laws of the city. Enforcement action shall be taken pursuant to VMC Title 22.~~

DG. Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance. CMI and RES permits expire two years from date of issuance. DMO permits expire ninety days

from the date of issuance. FRI permits associated with CMI and RES permit expire two years from the date of issuance. Annual permits shall expire one year from the date of issuance. All other permits regulated by VMC Title 17 expire 180 days after permit issuance. When a permit has been obtained as a result of code enforcement action, the building official may set a requirement for the permitted work to be completed by date certain thus limiting the permit expiration date.

1. A permit holder who holds an unexpired permit, that was not obtained as a result of a code enforcement action, may apply in writing for an extension of time within which work may commence under that permit when the permit holder is unable to commence work, or obtain an approved inspection, within the time required by this section for good and satisfactory reasons. The building official is authorized to grant one extension not to exceed 180 days. Permits shall not be extended more than once.
2. When a permit has expired, before such work can be recommenced, a new permit shall be first obtained to do so and the fee for such permit shall be up to one-half the amount required for a new permit for such work to be determined by the Building Official based on estimated staff time needed, provided no changes have been made or will be made in the original plans and specifications for said work and provided further that such suspension or abandonment has not exceeded one year, and there has not been a new edition of the state building code adopted. At the Building Official's discretion a permit may be reactivated to complete the inspection process. New permits required by this section are subject to investigation fees where applicable.
3. Where work has been suspended or abandoned for a period exceeding one year, a new application shall be filed and a new permit obtained and fees shall be paid prior to recommencing work.
4. It is a violation of this code to allow a permit to expire after work has commenced without obtaining the required inspection approvals, ~~including final inspection approvals. In addition to the expired permit holder, there is a rebuttable presumption that an~~ The property owner of the property and the contractor(s) are also responsible for violations of this chapter, including, but not limited to, the expiration of a permit, when the owner had or has actual or constructive knowledge that the permit was going to expire.

EH. Suspension or revocation. The building official may, in writing, suspend or revoke a permit issued under the provisions of this code and the technical codes when the permit is issued in error or on the basis of incorrect information supplied or in violation of an ordinance or regulation or the provisions of this code or the technical codes. An order to revoke a permit shall comply with VMC Title 22.

FI. Duties of the property owner and the project contractor(s) permit holder. It shall be the responsibility of the property owner, the project contractor(s) and the permit holder to

~~ensure person to whom a permit is issued (the permit holder) to assure that all work that is authorized by a permit is in conformance with the permit and all applicable codes and ordinances. The permit holder shall be responsible to see that all of the contractors and suppliers associated with the project are licensed by the city and state and that required inspections are requested at appropriate times. Should correction of the work be required, the permit holder and property owner shall be responsible for such correction. Where~~ correction of work is required, it shall be the responsibility of the property owner and the project contractor(s) to correct the work and obtain re-inspection and the required approvals.

Section 5. That part of section 4 of Ordinance M-3660, and last amended by that part of section 7 of Ordinance M-4376, codified as 17.08.130, is hereby amended to read as follows:

17.08.130 Fees.

A. *Application/Plan review fee.* When submittal of documents is required, a plan review fee shall be assessed per Table V. ~~paid at the time of submitting the submittal documents for plan review. The fee shall be as specified in Table V.~~

B. *Permit fee.* A permit shall not be valid until the permit and construction documents have been approved and the fees prescribed in this section have been paid. Amendment to a permit shall not be released until the additional fee, where applicable, has been paid.

C. *Determination of valuation.* The valuation used to determine permit and plan review fees shall be generated from national statistical averages as found in “Building Standards” or similar source for the type of construction and the type of occupancy.

1. The determination of value or valuation under any of the provisions of this code shall be made by the building official and/or fire marshal.

D. Generally, fees should be adopted at a level sufficient to cover costs ~~or a substantial portion of the costs~~, associated with processing permit applications, conducting review and inspections required by this chapter, issuing permits, and providing related services, as set by city council. Consistent with the intent of this code section, the building official and fire marshal are authorized to make adjustments to categories of fees provided such adjusted fees do not exceed those adopted by this section or as authorized by City Council as part of a development agreement.

E. *January 1st of each year.* Building- and fire-related permit and plan review fees shall be adjusted annually pursuant to the methodology set forth in VMC 3.08.100. Each such newly adjusted fee shall be rounded to the next higher whole dollar.

F. Building- and fire-related permit and plan review fees shall be reviewed periodically to ensure that they accurately reflect the current cost of providing services.

G. The following tables contain all building- and fire-related fees unless otherwise authorized by City Council as part of a development agreement:

1. *Table I. Building permit fees.* When work for which a permit is required involves two or more codes, the permit holder shall pay a single permit fee of one and six-tenths times the fee set forth herein.

Table I. Building Permit Fees

Valuation	Permit Fees	
	January 2022	July 2022
\$1 to \$500	\$30.09	
\$501 to \$2,000	\$30.09 for the first \$500 plus \$3.90 for each additional \$100.00 or fraction thereof up to and including \$2,000	
\$2,001 to \$25,000	\$88.69 for the first \$2,000 plus \$17.93 for each additional \$1,000 or fraction thereof up to and including \$25,000	
\$25,001 to \$50,000	\$501.51 for the first \$25,000 plus \$12.92 for each additional \$1,000 or fraction thereof up to and including \$50,000	
\$50,001.00 to \$100,000.00	\$824.89 for the first \$50,000 plus \$8.96 for each additional \$1,000 or fraction thereof up to and including \$100,000	
\$100,001 to \$500,000	\$1,272.73 for the first \$100,000 plus \$7.15 for each additional \$1,000 or fraction thereof up to and including \$500,000	
\$500,001 to \$1,000,000	\$4,135.15 for the first \$500,000 plus \$6.08 for each additional \$1,000 or fraction thereof	
\$1,000,001 and up	\$7,177.65 for the first \$1,000,000 plus \$4.03 for each additional \$1,000 or fraction thereof	

Valuation	Permit Fees	
	January 2022	July 2022
Manufactured Structures Setup Fee	\$184.45 per section, with a minimum fee of \$368.90 per permit. (This fee is in addition to the valuation-based fee for the site improvements required in additional to the setup fee.)	

Footnotes:

1 For commercial and multifamily residential permits, an additional fee per Table IV.1, Fire – Building Permit Fees, shall be added to the amounts listed in Table I, Building Permit Fees, to cover actual costs relating to fire department acceptance inspection work.

2. *Table II. Electrical Permit Fees.*

Table II. Electrical Permit Fees

Fees are per each item to be installed or altered.

	January 2022	July 2022
Electrical Permit Items (1)		
Residential		
Placement or Altered Service (2)		
Electrical Service 0 – 200 Amps With Feeder	\$85.80	\$85.80
Electrical Service 201 – 600 Amps With Feeder	\$125.51	\$125.51
Electrical Service 601 Amps and Greater	\$188.94	\$188.94
Mobile Home Service or Feeder	\$61.46	\$61.46
Mobile Home Service and Feeder	\$101.17	\$101.17
Additional Feeders (2)	\$61.46	\$61.46
Branch Circuits (4)		
1 – 4 Circuits	\$61.46	\$61.46
Each Additional Circuit	\$7.05	\$7.05
Maintenance/Repair Mast or Meter (3)	\$46.74	\$46.74
Commercial Industrial		

	January 2022	July 2022
New or Altered Service/Feeder (5, 6, 7)		
0 – 100 Amps	\$101.17	\$101.17
101 – 200 Amps	\$122.96	\$122.96
201 – 400 Amps	\$235.67	\$235.67
401 – 600 Amps	\$287.67	\$287.67
601 – 800 Amps	\$356.08	\$356.08
801 – 1000 Amps	\$434.20	\$434.20
1001 Amps and Over	\$473.91	\$473.91
Additional Feeders (6)		
0 – 200 Amps	\$101.17	\$101.17
201 – 600 Amps	\$235.67	\$235.67
601 – 1000 Amps	\$356.08	\$356.08
1001 Amps and Over	\$395.13	\$395.13
Maintenance Repair Mast or Meter 1	\$85.80	\$85.80
Branch Circuits Only (4)		
First 5 Circuits per Branch Circuit Panel	\$78.14	\$78.14
Each Additional Circuit per Branch Circuit Panel	\$7.05	\$7.05
Over 600 Volts Surcharge Per Permit	\$78.14	\$78.14
Temporary Service (8)		
0 – 200 Amps With Feeder	\$76.84	\$76.84
201 – 400 Amps With Feeder	\$93.51	\$93.51
401 – 600 Amps With Feeder	\$125.51	\$125.51
601 Amps and Over	\$142.18	\$142.18
Each Additional Feeder	\$27.53	\$27.53
Low Voltage/Telecommunications (9)		
First 2500 Square Feet or Less	\$54.28	\$54.28

	January 2022	July 2022
Each Additional 2500 Square Feet or Portion Thereof	\$14.73	\$14.73
Signs and Outline Lighting (10, 11)		
First Sign (no service included)	\$46.74	\$46.74
Each Additional Sign Inspected at Same Time	\$22.41	\$22.41
Generators (12)		
Installed Transfer for Portable Generators	\$85.48	\$85.48
Electrical Annual Permit for Commercial Industrial Location (13)		
1 to 3 Plant Electricians (up to 6 Inspections)	\$1,130.69	\$1,130.69
1 to 3 Plant Electricians (up to 12 Inspections)	\$2,261.36	\$2,261.36
4 to 6 Plant Electricians (up to 24 Inspections)	\$4,526.48	\$4,526.48
7 to 12 Plant Electricians (up to 36 Inspections)	\$6,787.31	\$6,787.31
13 to 35 Plant Electricians (up to 52 Inspections)	\$9,050.60	\$9,050.60
25+ Plant Electricians (up to 75 Inspections)	\$11,314.53	\$11,314.53
Trip Fees – Rounded to Nearest Whole Dollar		
Inspection Requested but Not Ready	\$48.00	\$48.00
Each Additional Inspection Over 2 Per Permit	\$48.00	\$48.00
Inspection of Existing Installation	\$94.00	\$94.00
Progress Inspections Per 1/2 Hour (Minimum)	\$48.00	\$48.00
Plan Review	35% of permit fee plus submission fee	35% of permit fee plus submission fee
Plan Review Submission Fee	\$78.74	\$78.74
Permit of Record	\$31.00	\$31.00
Minimum Fee (14)	\$76.84	\$76.84

Footnotes:

1 A maximum of two inspections are provided per permit. Additional inspections will be subject to Trip Fee assessment.

2 Service and feed must be inspected together when using this fee. Inspections at different times requires a \$60.00 fee for each inspection.

3 Scope of work is limited to wind, weather, vehicular or terminal failure damage to existing systems. May also include the repair or replacement of the mast, meter and conductors up to the first point of termination on the service or building disconnecting means. Relocated meters or masts and overhead-underground conversions shall be evaluated as altered services.

4 Altered or added circuits calculated per panelboard.

5 Service and feed must be inspected together when using this fee. Inspections at different times requires the Service Fee plus additional fee calculated Commercial Additional Feeders fee.

6 All field-installed power transformers that are the source of a separately derived system shall have both their primary and secondary feeds identified/fee-valued. All multi-section lighting and appliance branch circuit panelboards shall have each section evaluated/fee-valued. All feeder taps that terminate in an overcurrent device rated 30 amps or larger shall be identified/fee-valued.

7 Multiple section switch boards that have continuous, full ampacity bussing between sections shall be fee-valued as single feeders. Switchboard subsections that have reduced ampacity bussing and individual overcurrent protection for the section shall be evaluated as additional feeders.

8 Service and feed must be inspected together when using this fee. Inspections at different times requires an additional fee per the Service and Fee schedule.

9 Low voltage and telecommunications systems includes all telecommunication systems, fire alarms, burglar alarms, nurse call, intercom, security systems, energy management controls, HVAC/refrigeration control, industrial and automation control systems, lighting controls, stand alone sound systems, public address and similar low-energy circuits and equipment in all occupancy except one- and two-family dwellings as regulated by the International Residential Code. Multiple low-voltage systems installed by a single contractor at a single address and ready for a single inspection may be fee-valued at one fee.

10 Service or feeder equipment installed exclusively to power a sign shall be fee-valued at the Commercial Industrial Service fee schedule.

11 Multiple sign faces and enclosures mounted on the same structure, each disconnecting means or set of disconnects to a separate enclosure shall be considered an individual sign. For outline lighting, neon channel letters and skeletal neon lighting, a sign will be defined as the sign transformer or power supply fed by a primary sign circuit.

12 Permanently installed generators shall be fee-valued under the appropriate residential or commercial service/feeder schedule.

13 For commercial and industrial location employing full-time electrical maintenance staff or having a yearly maintenance contract with a licensed electrical contractor. All yearly maintenance contracts must detail the number of contract electricians necessary to do the work required under the contract. This number will be used for calculating the fees. Each inspection is based on a two-hour maximum. Annual permits are valid for inspection at one facility (site) only.

14 The electrical permit fee shall be the calculated fee per the fee table or the minimum fee, whichever is greater, except Trip Fees which will be calculated from the fee schedule.

3. Table III. Mechanical Permit Fees.

Table III. Mechanical Permit Fees

Fees are per each item to be installed or altered.

	January 2022	July 2022
Mechanical Permit Item (1)		
Heating and Cooling		
A/C or Heat Pump	\$14.07	\$14.07
Furnace < 100,000 BTU (ducts/vents)	\$14.07	\$14.07
Furnace > 100,000 BTU (ducts/vents)	\$18.57	\$18.57
Gas Heat Pump	\$14.07	\$14.07
Duct Work	\$14.07	\$14.07
Hydronic Hot Water System	\$14.07	\$14.07
Residential Boiler (Radiator or Hydronic)	\$14.07	\$14.07
Unit Heater (Recessed, Suspended, etc.)	\$14.07	\$14.07
Flue or Vent for Heating/Cooling	\$14.07	\$14.07
Other Fuel Appliances		
Water Heater	\$14.07	\$14.07
Gas Fireplace	\$14.07	\$14.07
Flue Vent for Water Heater or Gas Fireplace	\$14.07	\$14.07
Log Lighter (Gas)	\$14.07	\$14.07
Wood/Pellet Stove	\$14.07	\$14.07
Wood Fireplace/Insert	\$14.07	\$14.07
Chimney/Liner/Flue/Vent	\$14.07	\$14.07
Environmental Exhaust and Ventilation		
Range Hood or Kitchen Equipment	\$14.07	\$14.07
Clothes Dryer Exhaust	\$14.07	\$14.07
Single Duct Exhaust	\$14.07	\$14.07

	January 2022	July 2022
Attic/Crawl Space Fan	\$14.07	\$14.07
Fuel Piping		
Fuel Piping: 1 – 4 Outlets	\$5.75	\$5.75
Fuel Piping: More Than 4 Outlets, Each	\$1.28	\$1.28
Mechanical Annual Permit for Commercial Industrial Locations (4)		
1 to 3 Plant Mechanical Technicians (up to 6 Inspections)	\$1,130.69	\$1,130.69
1 to 3 Plant Mechanical Technicians (up to 12 Inspections)	\$2,261.36	\$2,261.36
4 to 6 Plant Mechanical Technicians (up to 24 Inspections)	\$4,526.48	\$4,526.48
7 to 12 Plant Mechanical Technicians (up to 36 Inspections)	\$6,787.31	\$6,787.31
13 to 35 Plant Mechanical Technicians (up to 52 Inspections)	\$9,050.61	\$9,050.61
25+ Plant Mechanical Technicians (up to 75 Inspections)	\$11,314.52	\$11,314.52
Plan Review Fee	35% of permit fee plus submission fee	35% of permit fee plus submission fee
Plan Review Submission Fee	\$78.74	\$78.74
Other (2)		
Minimum Fee: Gas Water Heater (3)	\$65.95	\$65.95
Minimum Fee: All Others	\$76.84	\$76.84
Trip Fees - Rounded to Nearest Whole Dollar		
Inspection Requested but Not Ready	\$48.00	\$48.00
Each Additional Inspection Over 2 Per Permit	\$48.00	\$48.00
Inspection of Existing Installation	\$94.00	\$94.00
Progress Inspections Per 1/2 Hour (Minimum)	\$48.00	\$48.00
Minimum Fee (2)	\$76.84	\$76.84

Footnotes:

1 A maximum of two inspections are provided with each permit. Additional inspections will be assessed a trip fee.

2 The mechanical permit fee shall be the calculated fee per the fee table or the minimum fee, whichever is greater.

3 For replacement in like kind, requiring no new power/fuel source or venting system.

4 For commercial and industrial location employing full-time mechanical maintenance staff or having a yearly maintenance contract with a licensed mechanical contractor. All yearly maintenance contracts must detail the number of contract mechanical technicians necessary to do the work required under the contract. This number will be used for calculating the fees. Each inspection is based on a two-hour maximum. Annual permits are valid for inspection at one facility (site) only.

4. *Table IV. Plumbing Permit Fees.*

Table IV. Plumbing Permit Fees

Fees are per each item to be installed or altered.

	January 2022	July 2022
Plumbing Item (1)		
Site Utilities		
Catch Basin	\$14.73	\$14.73
Drywell, Leach Line, Trench Drain	\$14.73	\$14.73
Manufactured Home Utilities	\$95.97	\$95.97
Manholes	\$14.73	\$14.73
Rain Drain Connector	\$14.73	\$14.73
Footing Drain (1st 100 feet)	\$48.00	\$48.00
Footing Drain (Each Additional 100 Feet)	\$40.33	\$40.33
Sanitary Service (1st 100 feet)	\$48.00	\$48.00
Sanitary Service (Each Additional 100 Feet)	\$40.33	\$40.33
Storm Service (1st 100 Feet)	\$48.00	\$48.00
Storm Service (Each Additional 100 Feet)	\$40.33	\$40.33
Water Service (1st 100 Feet)	\$48.00	\$48.00
Water Service (Each Additional 100 Feet)	\$40.33	\$40.33

	January 2022	July 2022
Fixture or Item		
Absorption Value	\$14.73	\$14.73
Backflow Preventer: Commercial	\$40.33	\$40.33
Backflow Preventer: Residential	\$23.70	\$23.70
Backwater Valve	\$14.73	\$14.73
Clothes Washer	\$14.73	\$14.73
Dishwasher	\$14.73	\$14.73
Drinking Fountain	\$14.73	\$14.73
Ejectors/Sump Pump	\$14.73	\$14.73
Expansion Tank	\$14.73	\$14.73
Fixture/Sewer Cap	\$14.73	\$14.73
Floor Drain/Floor Sink/Hub	\$14.73	\$14.73
Garbage Disposal	\$14.73	\$14.73
Hose Bib	\$14.73	\$14.73
Ice Maker	\$14.73	\$14.73
Interceptor/Grease Trap	\$14.73	\$14.73
Primer	\$14.73	\$14.73
Rain Drain: Commercial	\$14.73	\$14.73
Rain Drain: Single-Family Residential	\$57.01	\$57.01
Sink/Basin/Lavatory	\$14.73	\$14.73
Tub/Shower/Shower Pan	\$14.73	\$14.73
Urinal	\$14.73	\$14.73
Water Closet	\$14.73	\$14.73
Water Heater	\$14.73	\$14.73
Medical Gas Systems (Valuation)		
\$1.00 – \$5,000 Valuation	\$65.21	\$65.21

	January 2022	July 2022
\$5,001 – \$10,000 Valuation	\$65.21 plus \$1.28 for each \$1,000 or fraction thereof over \$5,000	\$65.21 plus \$1.28 for each \$1,000 or fraction thereof over \$5,000
\$10,001 and Over Valuation	\$71.62 plus \$1.28 for each \$1,000 or fraction thereof over \$10,000	\$71.62 plus \$1.28 for each \$1,000 or fraction thereof over \$10,000
Other (2)		
Minimum Fee: Electrical Water Heater	\$65.95	\$65.95
Minimum Fee: Residential Backflow	\$65.95	\$65.95
Minimum Fee: All Other	\$76.84	\$76.84
Plumbing Annual Permit for Commercial Industrial Locations (3)		
1 to 3 Plant Plumbers (up to 6 Inspections)	\$1,130.69	\$1,130.69
1 to 3 Plant Plumbers Technicians (up to 12 Inspections)	\$2,261.36	\$2,261.36
4 to 6 Plant Plumbers (up to 24 Inspections)	\$4,526.48	\$4,526.48
7 to 12 Plant Plumbers (up to 36 Inspections)	\$6,787.31	\$6,787.31
13 to 35 Plant Plumbers (up to 52 Inspections)	\$9,050.60	\$9,050.60
25+ Plant Plumbers (up to 75 Inspections)	\$11,314.53	\$11,314.53
Plan Review Fee	35% of permit fee plus submission fee	35% of permit fee plus submission fee
Plan Review Submission Fee	\$78.74	\$78.74
Trip Fees - Rounded to Nearest Whole Dollar		
Inspection Requested but Not Ready	\$48.00	\$48.00
Each Additional Inspection Over 2 per Permit	\$48.00	\$48.00
Inspection of Existing Installation	\$94.00	\$94.00
Progress Inspections Per 1/2 Hour (Minimum)	\$48.00	\$48.00
Minimum Fee (2)	\$76.84	\$76.84

Footnotes:

1 A maximum of two inspections are provided with the permit. Additional inspections will be assessed a Trip Fee.

2 The plumbing permit fee shall be the calculated fee per the fee table or the minimum fee, whichever is greater.

3 For commercial and industrial location employing full-time plumbing maintenance staff or having a yearly maintenance contract with a licensed plumbing contractor. All yearly maintenance contracts must detail the number of contract plumbers necessary to do the work required under the contract. This number will be used for calculating the fees. Each inspection is based on a two-hour maximum. Annual permits are valid for inspection at one facility (site) only.

4.1. *Table IV.1.* These fees apply to multifamily residential and commercial building permits for approval and acceptance by the Vancouver fire marshal's office.

January 2022 Fees

Valuation	Permit Fees
\$1.00 to \$500.00	\$13.46
\$501.00 to \$2,000	\$13.46 for the first \$500.00 plus \$0.35 for each additional \$100.00 or fraction thereof up to and including \$2,000
\$2,001 to \$25,000	\$18.65 for the first \$2,000 plus \$1.34 for each additional \$1,000 or fraction thereof up to and including \$25,000
\$25,001 to \$50,000	\$49.65 for the first \$25,000 plus \$1.01 for each additional \$1,000 or fraction thereof up to and including \$50,000
\$50,001 to \$100,000	\$74.69 for the first \$50,000 plus \$0.65 for each additional \$1,000 or fraction thereof up to and including \$100,000
\$100,001 to \$500,000	\$108.06 for the first \$100,000 plus \$0.59 for each additional \$1,000 or fraction thereof up to and including \$500,000
\$500,001 to \$1,000,000	\$345.38 for the first \$500,000 plus \$0.55 for each additional \$1,000 or fraction thereof up to and including \$1,000,000
\$1,000,001 and Up	\$617.33 for the first \$1,000,000 plus \$0.35 for each additional \$1,000 or fraction thereof
Manufactured Structures Setup Fee	\$13.46 per section, with a minimum fee of \$26.93 per permit

July 2022 Fees

Valuation	Permit Fees
\$1.00 to \$500.00	\$13.89

Valuation	Permit Fees
\$501.00 to \$2,000	\$13.89 for the first \$500.00 plus \$0.36 for each additional \$100.00 or fraction thereof up to and including \$2,000
\$2,001 to \$25,000	\$19.25 for the first \$2,000 plus \$1.38 for each additional \$1,000 or fraction thereof up to and including \$25,000
\$25,001 to \$50,000	\$51.24 for the first \$25,000 plus \$1.04 for each additional \$1,000 or fraction thereof up to and including \$50,000
\$50,001 to \$100,000	\$77.08 for the first \$50,000 plus \$0.67 for each additional \$1,000 or fraction thereof up to and including \$100,000
\$100,001 to \$500,000	\$111.52 for the first \$100,000 plus \$0.61 for each additional \$1,000 or fraction thereof up to and including \$500,000
\$500,001 to \$1,000,000	\$356.43 for the first \$500,000 plus \$0.57 for each additional \$1,000 or fraction thereof up to and including \$1,000,000
\$1,000,001 and Up	\$637.08 for the first \$1,000,000 plus \$0.36 for each additional \$1,000 or fraction thereof
Manufactured Structures Setup Fee	\$13.89 per section, with a minimum fee of \$27.79 per permit

5. *Table V. Plan review fees.* When submittal documents are required by this code, a plan review fee pursuant to Table V shall be paid at the time of submitting the submittal documents for plan review. The plan review fees specified in Table V are separate fees from the permit fees specified in this section and are in addition to the permit fees.

Table V. Plan Review Fees

Review	Fee
Building Plan Review	65% of building permit fee (100% for fast track review)
Single Permit Plan Review	50% of single permit fee (77% for fast track review)
Fire Plan Review (Commercial and Multifamily Permits Only)	65% of the fire building permit fee
Mechanical or Plumbing Plan Review	35% of permit fee
Electrical Plan Review	35% of permit fee plus submission fee

6. *Table VI. Grading and erosion control permit and plan review fees.*

Table VI. Grading and Erosion Control Permit and Plan Review Fees

Building – Grading and Erosion Control	January 2022		July 2022	
	Plan Review Fee	Permit Fee	Plan Review Fee	Permit Fee
10 to 50 c.y.		\$30.09		\$30.09
51 to 100 c.y.	\$30.09	\$47.38	\$30.09	\$47.38
101 to 1,000 c.y.				
Base Fee	\$47.38	\$47.38	\$47.38	\$47.38
Plus Fee per 100 c.y. (or Fraction Thereof)		\$22.41		\$22.41
1,001 to 10,000 c.y.				
Base Fee	\$63.09	\$249.12	\$63.09	\$249.12
Plus Fee per 1,000 c.y. (or Fraction Thereof)		\$18.57		\$18.57
10,001 to 100,000 c.y.				
Base Fee for First 10,000 c.y.	\$63.09	\$416.27	\$63.09	\$416.27
Plus Fee per 10,000 c.y. (or Fraction Thereof)	\$31.37	\$84.55	\$31.37	\$84.55
100,001 to 200,000 c.y.				
Base Fee for First 100,000 c.y.	\$345.51	\$1,177.09	\$345.51	\$1,177.09
Plus Fee per 10,000 c.y. (or Fraction Thereof)	\$16.96	\$46.74	\$16.96	\$46.74
200,001 c.y. or More				
Base Fee for First 200,000 c.y.	\$515.23	Use 100,001 above	\$515.23	Use 100,001 above
Plus Fee per 10,000 c.y. (or Fraction Thereof)	\$9.30	Use 100,001 above	\$9.30	Use 100,001 above

7. *Table VII. Fire Protection System Fees.*

Table VII. Fire Fees

No.	Activity	January 2022		July 2022	
		Base Fee	Per Head or Device	Base Fee	Per Head or Device
FIRE PROTECTION SYSTEMS AND COMPONENTS					
1.	Fire Pumps (each pump)				
	a) Review	\$289.60		\$298.87	
	b) Inspection	\$778.78		\$803.70	
2.	Stand Pipes (each stand pipe)				
	a) Review	\$108.47		\$111.94	
	b) Inspection	\$218.01		\$224.99	
3.	Underground Fire Service (each lateral)				
	a) Review	\$77.01		\$79.47	
	b) Inspection	\$218.01		\$224.99	
4.	Fire Sprinklers (each system)				
	a) Review	\$233.20	\$2.33	\$240.66	\$2.40
	b) Inspection	\$233.20	\$3.86	\$240.66	\$3.98
B.	Fire Sprinkler Tenant Improvements:				
	Category 1: Affidavit 1 to 10 heads: (Limited to arm-overs and drops with a head location diagram for inspection reference)				
	a) Review		–		–
	b) Inspection		\$77.01		\$79.47
	Category 2: Affidavit 11 to 20 heads: (Limited to arm-overs and drops in a light hazard occupancy with a head location diagram for inspection reference)				
	a) Review		–		–
	b) Inspection		\$156.19		\$161.19
	Category 3: Fire sprinkler system alterations that involve only changing heads of the same performance characteristics and minor adjustments				

No.	Activity	January 2022		July 2022	
		Base Fee	Per Head or Device	Base Fee	Per Head or Device
	to drop lengths:				
	a) Review		–		–
	b) Inspections	\$156.19	\$2.33	\$161.19	\$2.40
	Category 4: Fire sprinkler system alterations or additions that don't fall under Category 1, 2, or 3: (With full plans)				
	a) Review	\$77.01	\$0.75	\$79.47	\$0.77
	b) Inspections	\$156.19	\$2.33	\$161.19	\$2.40
C.	Dry Pipe, Antifreeze, Preaction (each in addition to fire sprinkler system)				
	a) Review	\$108.47		\$111.94	
	b) Inspection	\$218.01		\$224.99	
5.	Clean Agent System (CO2, FM-200, Inergen, etc.)				
	a) Review	\$388.30		\$400.73	
	b) Inspection	\$545.58		\$563.04	
6.	Commercial Cooking Hood and Duct Protection (per new system)				
	a) Review	\$279.84		\$288.79	
	b) Inspection	\$187.64		\$193.64	
	Commercial Cooking Hood and Duct Protection Minor Revisions (Permit not required if modification is limited to normal maintenance, replacing or reconfiguring heads and no increase in flow points used.) Applicant to notify fire marshal's office of location and extent of work.				
	a) Review	–		–	
	b) Inspection	–		–	
7.	Fire Alarm Systems - Minor (additions, no new panel, up to 10 devices)				
	Category 1: Affidavit 1 to 4 devices (limited to spot smoke or heat detectors, horn/strobes, strobes, horns, mini-horns, manual pull stations or one communication device)				
	Category 1: Affidavit 1 to 4 devices (limited to spot smoke or heat detectors, horn/strobes, strobes, horns, mini-horns, manual pull stations or one communication device)				

No.	Activity	January 2022		July 2022	
		Base Fee	Per Head or Device	Base Fee	Per Head or Device
	a) Review	No review fees for fire alarms – minor per ordinance			
	b) Inspections		\$135.58		\$139.92
	Category 2: Modifications of up to 10 devices not qualifying for affidavit (e.g., additions, no new panel)				
	a) Review		\$77.01	\$3.11	\$79.47
	b) Inspections		\$156.19	\$7.81	\$161.19
8.	Fire Alarm Systems - Major (new panel or 11+ devices, central station)				
	a) Review		\$233.20	\$3.11	\$240.66
	b) Inspection		\$233.20	\$7.81	\$240.66
OTHER PERMITS					
9.	Underground Tank Demolition (each tank)				
	a) Review		–		–
	b) Inspection		\$27.12		\$27.99
10.	Smoke Control Systems (up to 3 shafts)			Each add'l shaft	(up to 3 shafts)
	a) Review		\$467.48	\$156.19	\$482.44
	b) Inspections		\$932.80	\$311.29	\$962.65
	Other Smoke Control (atriums, malls, others)				
	a) Review		\$467.48	\$156.19	\$482.44
	b) Inspections		\$932.80	\$311.29	\$962.65
TRIP FEES¹					
11.	Trip Fee Assessment		\$57.49		\$59.33

Footnotes:

1 Trip fees are intended to recover actual costs and may be assessed where the requested inspections are for work that is not ready for inspection, the work is not accessible for inspection, or the appropriate personnel or documentation is not on site.

8. *Other inspection and service fees.*

- a. Other inspections outside of the normal business hours (8:00 a.m. to 5:00 p.m.) shall be a minimum fee of \$296.00 per inspector providing a maximum of two hours of inspection per trip. Additional consecutive hours of inspection are \$148.00 per hour per inspector. Inspector is defined as a building inspector, electrical inspector and/or a deputy fire marshal.
- b. Reinspection fees when required shall be \$148.00 per hour, with a minimum of \$74.00 per inspection.
- c. Inspections for which no fee is established shall be \$148.00 per hour, with a minimum of \$74.00 per inspection.
- d. Additional plan review time required due to changes or revisions to already approved construction documents and plans shall be calculated at \$148.00 per hour, but shall not exceed an amount equal to the original plan check fee. Major revisions to construction documents or plans after approval or during plan review shall require a new plan review fee.
- e. There shall be a \$31.00 issuance fee added for each permit identified in Tables I (Building Permit Fees), VI (Grading and Erosion Control Permit and Plan Review Fees), and VII (Fire Fees).
- f. Permit fees not clearly defined by this section, or fees that are found by the building official and/or fire code official to be inequitable using a valuation base, shall be determined by the building official and/or fire code official by using a rational cost-of-service analysis. Fee determinations in such cases shall be made available to the public and disseminated to the applicable segments of the construction industry for use in future such cases.
- g. *Expiration date extension fee.* A fee of \$40.00 shall be assessed to process a permit expiration date extension request for CMI and RES permits. A fee of \$26.00 shall be assessed to process expiration date extension requests for other permit types covered under this title.
- h. *Fee refunds.* Requests for fee refunds must be made in writing by the permit holder~~permittee~~. Fees assessed under this Chapter that are less than \$222 will be retained by the city as a non-refundable administrative processing fee unless the

building official or fire code official determines that fees assessed and collected as a result of an error by the city. The building official and/or fire code official may authorize refund of a fee paid as follows:

- i. Refunding of not more than 80 percent of the permit fee paid when no work has commenced under a permit issued in accordance with this code.
 - ii. Authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.
 - iii. There shall be no refunding of any fee paid except upon written application filed by the original applicant not later than 180 days after the date of fee payment.
- i. *Reinspection/Trip Fees.* A reinspection/trip fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called for is not complete or when corrections called for are not made.
- i. Reinspection/trip fees are designed to discourage the practice of calling for inspections before the job is ready for such inspection or reinspection.
 - ii. Reinspection/trip fees may also be assessed under the following circumstances:
 - A. When the inspection record card and permit are not posted or otherwise available on the work site.
 - B. When approved plans are not readily available to the inspector for failure to provide access on the date the inspection is scheduled.
 - C. When there is deviation from the approved plans.
 - D. When required corrections have not been completed upon request for reinspection.
 - E. When the cost per hour of inspection or reinspection has exceeded the permit fee paid. A minimum of three inspections per category are allowed for all “single permit fee” permits.

iii. The ~~permittee~~ permit holder or their designated agent shall pay the required fee as set forth in the fee schedule and noted in the reinspection/trip fee notice.

iv. In instances where reinspection/trip fees have been assessed, additional inspection of the work will not be performed until the required fee has been paid.

v. Reinspection/trip fees will be assessed on electrical, plumbing and mechanical permits where the number of requested inspections exceeds two. Reinspection fees may be assessed on all other permits where the number of requested inspections in a required inspection category exceeds three. See VMC 17.08.090(G) for limited trade reinspection fee requirements.

j. *Work commencing before permit issuance.* Any person who commences any work on a building, structure, electrical, gas, mechanical, plumbing system, fire sprinkler, fire alarm system and/or other fire code permits before obtaining the necessary permits shall be subject to an investigation fee established by the building official and/or fire code official in addition to the required fees as set forth in this code.

i. The investigation fee for work commencing before permit issuance shall be the same as the required permit fees contained in the fee tables.

ii. The investigation fee shall be paid prior to or at the time of the permit issuance.

iii. The payment of the investigation fee shall not exempt an applicant from compliance with all provisions of this code or other applicable laws.

iv. Such investigation fees may be in addition to any other penalty assessed under VMC Title 22.

Section 6. That part of section 4 of Ordinance M-3660, and last amended by that part of section 5 of Ordinance M-4165, codified as 17.08.140, is hereby amended to read as follows:

17.08.140 Inspections.

A. Construction or work for which a permit is required shall be subject to inspection by the building official and the construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have continuous and/or special inspections as specified in IBC Chapter 17.

B. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances shall not be valid.

C. It shall be the duty of the property owner, general contractor and the permit holder to maintain access for the required inspections. Work shall remain exposed for proper visual verification. ~~permittee to cause the work to remain accessible and exposed for inspection purposes.~~ Neither the building official nor the city shall be liable for expense entailed in the removal or replacement of any material required to be removed to allow inspection. Where in the opinion of the building official, the nature of the work is minor in nature and the inspection can be performed remotely via photographs, live video feed or recording, the building official may require or allow remote inspection.

D. Inspection record card and approved construction documents. Work requiring a permit shall not be commenced until the permit card and approved construction documents are made readily available for the building official or designee at the construction site. ~~the permittee or their authorized agent has posted or otherwise made available the permit and inspection record card and approved construction documents such as to allow the building official to conveniently make the required entries there on regarding inspection of the work~~ The permit, inspection record card, and the approved construction documents shall be made available by the permittee until final approval has been granted by the building official.

E. Inspection scheduling Requests. Required inspections shall be scheduled utilizing the city's inspection scheduling system. ~~It shall be the duty of the permittee, their authorized agent or contractor to notify the building official that such work is ready for inspection within ten (10) days of the work being completed.~~ The building official may require that inspections be scheduled at least three (3) working days in advance of the inspection date. Scheduled inspections may be moved by the building official for good cause. The building official or designee shall notify the contractor or permit holder of the revised inspection date and time.

~~1. The building official may require that every request for inspection be filed at least one working day before such inspection is desired.~~

~~2. Such request shall be made by the method provided by the city for requesting and scheduling inspections.~~

~~3. It shall be the responsibility of the permittee their authorized agent and/or the person requesting an inspection required by this code or the technical codes to provide the building official access to the premises and means for inspection of the work.~~

F. ~~Approval required~~Inspection results and approval. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official.

1. Upon completion of the scheduled inspection, the building official or designee shall make the results of the inspection accessible to the contractor or permit holder. The building official upon notification shall make the required inspections and shall either indicate that that portion of the construction is satisfactory as completed or shall notify the permit holder or an agent of the permittee or their authorized agent of conditions not in compliance with code requirements.

2. Such notification of conditions not in compliance with code requirements shall be in writing in the form of a correction notice and shall specify the work that is not in conformance, identify the section of the code that the work does not comply with and shall set a time period for correction and request for re-inspection. Failure to correct the noncompliant condition and request re-inspection within the time period noted in the correction notice will be considered a violation and will be subject to enforcement under VMC Title 22.

3. Any portions of construction which do not comply with code requirements shall be corrected and such portion shall not be covered or concealed until re-inspected and approved by the building official or designee.~~authorized by the building official.~~

4. There shall be a final inspection and approval of all and any buildings, structures, appurtenances and building service equipment when completed and ready for occupancy or use.

G. Preliminary inspection. Before issuing a permit, the building official is authorized to examine or cause to be examined buildings structures and site for which an application has been filed.

H. Required inspections. Inspections are required as determined necessary by the building official in order to verify compliance with the applicable codes. The building official shall perform the required inspection upon notification that the work performed is ready for inspection and/or scheduling of the inspection. The required inspections may include, but are not limited to the following:

1. Erosion Control. Erosion control mitigation measure requirements shall be installed, inspected and approved before proceeding with any other site or construction work. Erosion control measures must be maintained until the project is completed and will be verified at all subsequent inspections.
2. Setback, footing and foundation inspections. Setback, footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspections. Materials for foundation shall be on the job except where concrete is ready mixed in accordance with ACI 38, the concrete need not be on the job. No concrete shall be placed prior to inspection approval.
3. Concrete slab and under floor inspection. Concrete slab inspections shall be made after in slab reinforcing steel and building services, equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is place.
4. Under floor inspection. Under floor inspection shall be made before any floor-deck or floor-sheathing is installed. Under floor inspection includes, but is not limited to, post, beam, joists, low point drains and radon piping.
5. Storm water systems. Storm water inspections shall be made to determine compliance with approved construction plans and applicable codes including LID standards.
6. Frame inspection. Framing inspections shall be made after the floor deck or sheathing, all framing, fire blocking and bracing are in place, and after pipes, chimneys and vents to be concealed are complete, and after the rough electrical, plumbing, heating wires, pipes and ducts are inspected and approved.
7. Gypsum board inspection. Gypsum board inspections when part of a required fire-rated assembly or part of a structural framing system (shear/lateral bracing) shall be made after lathing and gypsum board, interior and/or exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished. In multiple layer systems, the fastening of each layer must be inspected before the application of the next layer.
8. Fire-resistive penetrations. Protection of joints and penetrations in fire-resistive-rated assemblies shall not be concealed from view until inspected and approved.
9. Energy efficiency inspections. Inspections shall be made to determine compliance with the Washington State Energy Code and shall include, but shall not be limited to, inspection for envelope insulation R and U values, fenestration U value, duct system R value, HVAC, water heating equipment efficiency,

installation methods, weather sealing and similar energy related items. No interior finish that would conceal the energy efficiency component shall be applied prior to energy efficiency inspection and approval.

I. Building service equipment inspections. Building service equipment for which a permit is required by this code shall be inspected.

1. Building service equipment includes, but is not limited to, electrical, mechanical, plumbing, fuel gas, private storm water facility, and fire sprinkler and fire alarm system installations.

Exception: Rough tub/shower inspection not required when a manufactured tub and/or shower unit is installed.

2. Building service equipment intended to be concealed by a permanent portion of the building shall not be concealed until inspected and approved.

3. When the installation of building service equipment is complete final inspection shall be made.

4. Building service equipment regulated by the technical codes shall not be connected to the water, fuel or power supply or sewer system until authorized by the building official.

J. Barrier free accessibility inspection. Inspection shall be made of required barrier free accessibility features as part of any other required inspection including final inspection

K. Zoning inspection. Inspections are required for all signs, parking lots, landscaping, wetland delineation, critical areas delineation, tree preservation protection and other features regulated and required as part of a land use approval under VMC Title 20 and noted on the approved plans and/or permit.

L. Other inspections. In addition to the inspections specified in this section, the building official is authorized to make or require other inspections, including third party inspections, of any construction work to ascertain compliance with the provisions of this code and other laws enforced by the city.

M. Special Inspection. Special inspection, as detailed in IBC Chapter 17, and the IRC when the design requirements of the International Building Code are required, shall be performed by agencies as defined in VMC Section 17.08.100(J).

N. Structural observation. Structural observation shall be made by the registered design professional as required in IBC Section 1709. Reports shall be submitted to the building official.

O. Floor elevation certification within flood prone areas. Upon placement of the lowest floor in flood hazard areas, including the basement, and prior to further vertical construction, the elevation certification required in the IBC or IRC shall be submitted to the building official.

P. Final inspection. Final inspection shall be made after all work required and/or authorized to be performed by the building permit, is completed.

Section 7. That part of section 6 of Ordinance M-4047, codified as 17.32.040, is hereby amended to read as follows:

17.32.040 Unfit dwellings, buildings or structures defined.

For the purposes of this chapter, any dwelling, building or structure which has any or all of the conditions or defects described in this section shall be deemed to be an unfit dwelling, building or structure, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public is endangered. Each itemized defect listed in this chapter is considered a distinct code violation for the purpose of enforcement action under VMC Title 22.

Section 8. Savings. Those ordinances or parts of ordinances which are amended or repealed by this ordinance shall remain in full force and effect until the effective date of this ordinance.

Section 9. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not effect or invalidate the remainder of any parts thereof to any person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

Section 10. Effective date. This ordinance shall become effective thirty (30) days following the date of final adoption.

DATE OF FINAL PASSAGE by the Vancouver City Council:_____.

SIGNED this _____ day of _____, 2023.

Anne McEnery-Ogle, Mayor

Attest:

Approved as to form:

Natasha Ramras, City Clerk

Jonathan Young, City Attorney



Title 17 Code Updates March 20, 2023

Jason Nortz
Development Review Manager

Sree Thirunagari
Building Official

Background

- VMC Title [17](#) is known as the "Building Codes Ordinance".
- The Community Development Department administers the building codes ordinance.
- The Building Official is the designee for the enforcement and administration of Title 17.

Background

- VMC Title 17.08 of this title is the Administrative Code.
- 17.08 provides the regulations for the administration and enforcement of the technical codes adopted by the City.
- 17.08 established the Building and Fire Codes Commission (BFCC) to advise the City Council regarding the technical codes and methods contained in VMC Title 17.

Title 17 Code Updates

- The focus of the proposed updates is primarily to address some minor clean-up items.
- The proposed changes have been reviewed and recommended for approval by the City's Building and Fire Code Commission.
- Additional updates necessary prior to July 1, 2023 to align Title 17 with WA State Building Code.



Title 17 Code Updates

Code Cleanup Items Include:

- Clarifying the Application Filing Date.
- Removing all references to a paper based process due to the City's transition to an electronic based process.
- Adjusting the permit application expiration deadline from 180 days to one year.
- Update the inspection processes to allow virtual inspections.



Title 17 Code Updates

Code Cleanup Items Include:

- Adjust the inspection scheduling timeframe from a 10-day maximum window to a three-day maximum window.
- Adjust the minimum fee refund amount to \$222.
- Updating Title 17.32.040 to clarify each code violation shall be considered a distinct code violation for the purpose of enforcement action under VMC Title 22.



Thank You

Jason Nortz, Development Review Manager, Community Development Department

Jason.nortz@cityofvancouver.us

Sree Thirunagari, Building Official, Community Development Department

Sree.thirunagari@cityofvancouver.us





Staff Report: 028A-23

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 3/20/2023

SUBJECT Kevanna Park Meadows Planned Development

Key Points

- The applicant, Ginn Development Group, requests approval of a 33-lot planned development and subdivision in the Kevanna Park Neighborhood at the west end of NE 46th Street.
- Per VMC 20.210-1 planned developments require a Type IV process and recommendation by the hearing examiner to the City Council for final approval. Planned developments provide flexibility for innovative planning practices that result in well-designed, efficient and functional urban environments.
- The proposed development includes over three acres of open space, as well as the restoration of the Burnt Bridge Creek riparian management area through the planting of 70 native trees and 920 native shrubs. The City Hearing Examiner, following a duly noticed public hearing, has determined that the proposed development will meet all applicable approval criteria and is recommending that the City Council approve the planned development and subdivision.
- City Council may approve the application, add conditions of approval, or deny the application as the final decision maker. The decision by City Council is appealable to Superior Court.

Strategic Plan Alignment

Goal 6: Facilitate the creation of neighborhoods where residents can walk or bike to essential amenities and services - "20-minute neighborhoods"

Present Situation

The applicant requests approval of a proposed planned development consisting of a 33-lot single-family subdivision totaling 6.08 acres in the R-6 Lower Density Residential zone.

Planned developments allow for flexibility in certain development standards in order to promote creativity in design and efficient use of the land; increase economic feasibility; and preserve existing landscape features and amenities. The proposed planned development includes over

three acres of open space, as well as restoration of the Burnt Bridge Creek riparian management area through the planting of 70 native trees and 920 native shrubs.

Planned developments allow for an increase in density of up to 15% more lots than the maximum density of the R-6 District, which results in up to 33 lots. The proposed development is proposing 33 lots, only four more than is allowed under the standard R-6 requirement.

On Jan. 17, 2023, a duly noticed public hearing was conducted before the City's Land Use Hearings Examiner. On Feb. 1, 2023, the Hearings Examiner issued findings, conclusions and recommendations. The Hearings Examiner recommends that both the planned development and subdivision ordinance, subject to recommended conditions, be approved by City Council.

Advantage(s)

1. Approval will allow for additional housing units to be constructed.
2. Approval will allow for flexible design and environmental restoration.
3. Approval will allow for development in an area currently served by public utilities.

Disadvantage(s)

There will be additional traffic generated by the development. However, the City has reviewed the traffic impacts that the proposal will generate and determined there is adequate capacity on city streets to accommodate the anticipated increase in traffic.

Budget Impact

None

Prior Council Review

March 6, 2023 - City Council first reading

Action Requested

On Monday, March 20, 2023, subject to second reading and a public hearing, approve the Ordinance, with conditions, approving the planned development; and grant preliminary plat approval of the proposed subdivision.

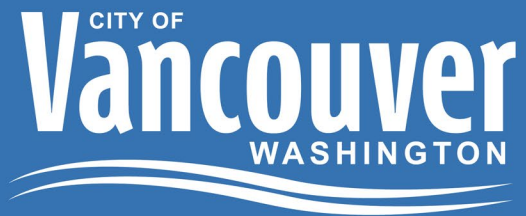
Andrew Reule, Senior Planner, 360-487-7891

ATTACHMENTS:

- ▣ Presentation
- ▣ Ordinance
- ▣ Hearing Examiner Recommendation
- ▣ Staff Report
- ▣ Staff Report Exhibits
- ▣ Critical Areas Report Exhibit
- ▣ Mitigation Bank Exhibit
- ▣ Applicant's Presentation

Kevanna Park Meadows Planned Development PRJ-168078/LUP-82789

Andrew Reule
Senior Planner
Community Development
Dept.

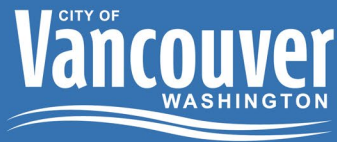


Kevanna Park Meadows Planned Development

PRJ-168078/LUP-82789

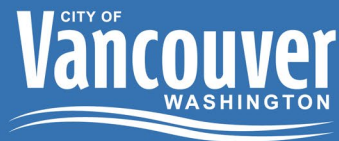
Request

- Approval of a 33-lot subdivision and planned development for single-family homes in the R-6 zoning district.



Kevanna Park Meadows Planned Development

PRJ-168078/LUP-82789

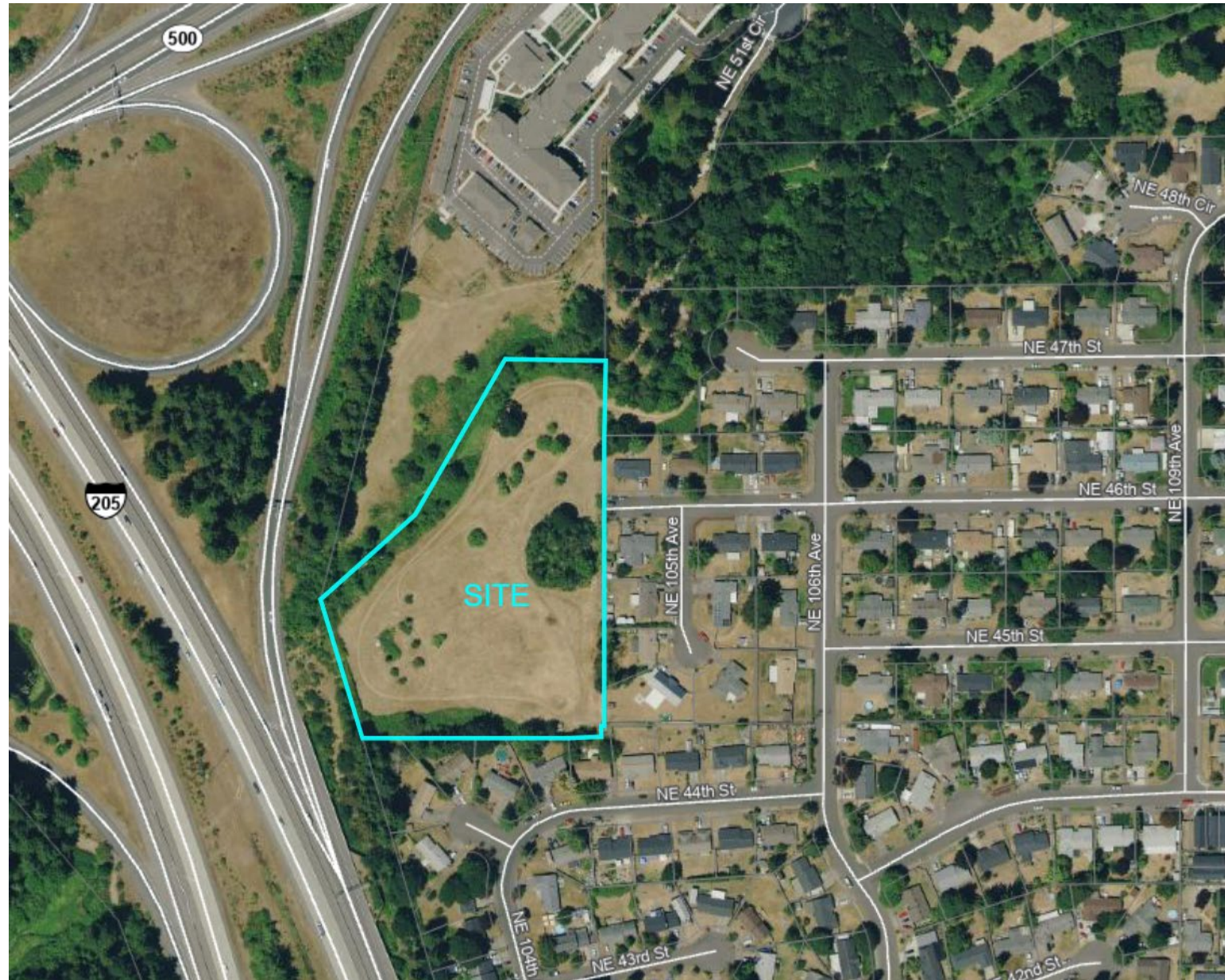
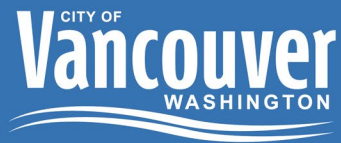


Procedural History

- Notice of Application and SEPA DNS issued Oct. 19, 2022 with 30-day public comment period. One comment from Dept. of Ecology.
- Staff report issued Jan. 3, 2023.
- Public hearing before the Hearing Examiner Jan. 17, 2023.
- Hearing Examiner's final order and recommendation of approval issued Feb. 1, 2023.
- First reading on Consent Feb. 27, 2023.

Kevanna Park Meadows Planned Development

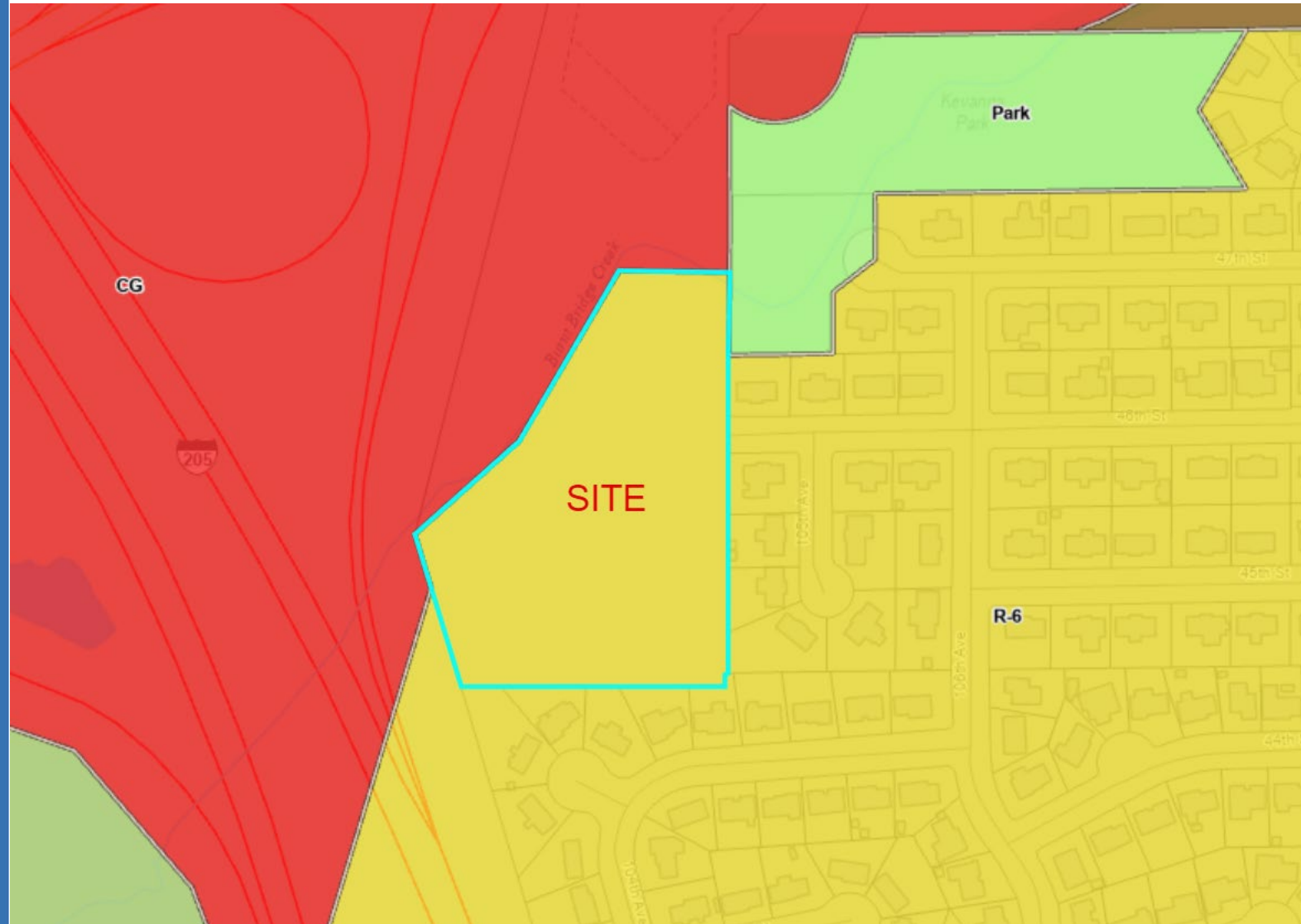
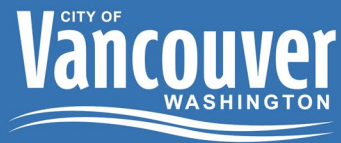
PRJ-168078/LUP-82789



Kevanna Park — 4

Kevanna Park Meadows Planned Development

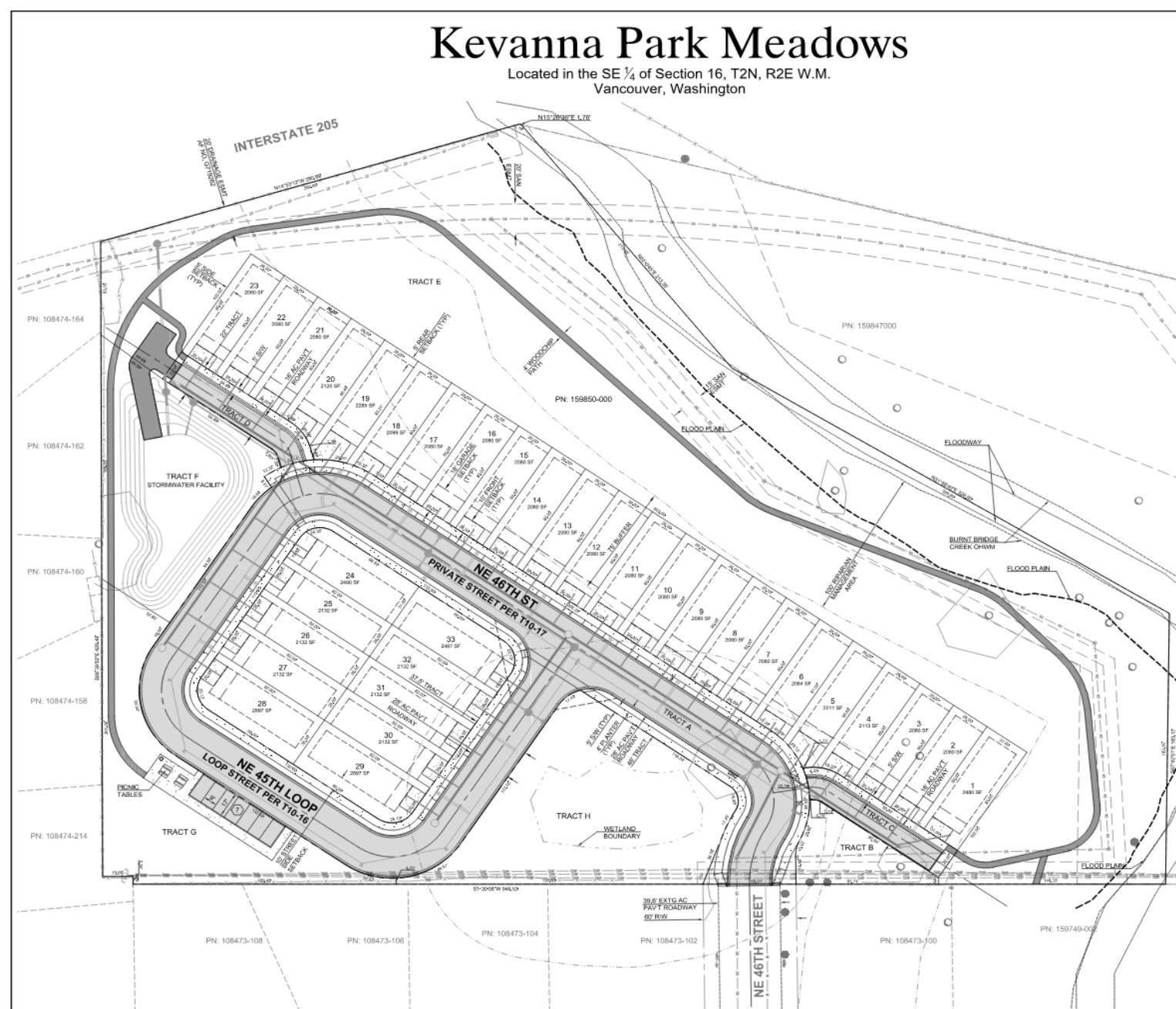
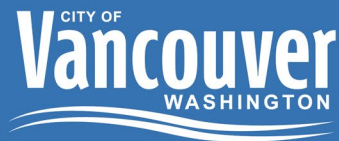
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Kevanna Park — 5

Kevanna Park Meadows Planned Development

PRJ-168078/LUP-82789



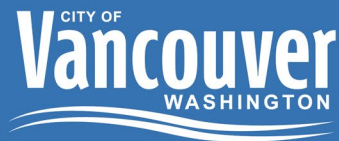
Kevanna Park — 6

PRJ-168078/LUP-82789



Kevanna Park Meadows Planned Development

PRJ-168078/LUP-82789

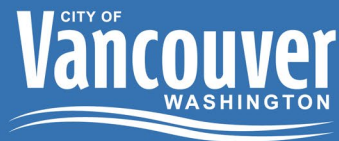


Approval Criteria for Planned Developments VMC 20.260.050

1. Content. The concept plan contains all of the components required in Section 20.260.070. Compliance with all applicable standards. The proposed development and uses comply with all applicable standards of the Title, except where adjustments are being approved as part of the concept plan application, pursuant to Section 20.260.030 (D)(2).
2. Architectural and site design. The proposed development demonstrates the use of innovative, aesthetic, energy-efficient and environmentally-friendly architectural and site design.
3. Transportation system capacity. There is either sufficient capacity in the transportation system to safely support the development proposed in all future phases or there will be adequate capacity by the time each phase of development is completed.

Kevanna Park Meadows Planned Development

PRJ-168078/LUP-82789



4. Availability of public services. There is either sufficient capacity within public services such as water supply, police and fire services, and sanitary waste and storm water disposal, to adequately serve the development proposed in all future phases, or there will be adequate capacity available by the time each phase of development is completed.

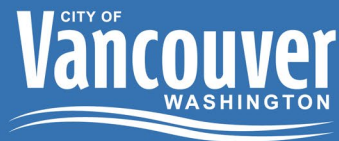
5. Protection of designated resources. City-designated resources such as historic landmarks, significant trees and sensitive natural resources are protected in compliance with the standards in this and other Titles of the VMC.

6. Compatibility with adjacent uses. The concept plan contains design, landscaping, parking/traffic management and multi-modal transportation elements that limit conflicts between the planned development and adjacent uses. If zoning districts are shifted per Section 20.260.020(C) VMC, there shall be a demonstration that the reconfiguration of uses is compatible with surrounding uses by means of appropriate setbacks, design features or other techniques.

Kevanna Park - 9

Kevanna Park Meadows Planned Development

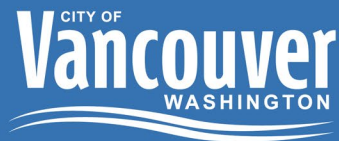
PRJ-168078/LUP-82789



7. Mitigation of off-site impacts. All potential off-site impacts including litter, noise, shading, glare and traffic, will be identified and mitigated to the extent practicable.

Kevanna Park Meadows Planned Development

PRJ-168078/LUP-82789



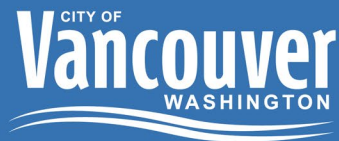
Conditions for Consideration based on Council Comments on Consent

1. Revise the landscape and tree plans to include the addition of 20 five-foot tall conifers along the southwest property line of the site, 20 to 25 feet on center, offset from the existing utility lines.
2. Revise the landscape and tree plans to indicate all deciduous trees to be a minimum of two-inch caliper and all conifers to be a minimum of five feet tall when planted.
3. Revise the landscape and tree plans to indicate that an automatic irrigation system shall be installed for all required landscaping and trees.
4. Prior to final plat approval, a note shall be placed on the plat indicating that prior to occupancy of any residence in the development, an air conditioning system shall be installed within the unit.

Kevanna Park — 11

Kevanna Park Meadows Planned Development

PRJ-168078/LUP-82789



Recommendation

That the City Council approve the application subject to the conditions noted in the Hearing Examiner's final order and recommendation dated Feb. 1, 2023, and any additional conditions Council finds are necessary for the development to comply with the applicable approval criteria of the City's Development Code.

03/06/2023
03/20/2023

ORDINANCE NO. M- [Ordinance Number]

AN ORDINANCE approving with conditions the concept development plan for the Kevanna Park Meadows Planned Development; and providing for severability and an effective date.

WHEREAS, on January 17, 2023, a hearing was held before the Vancouver Hearings Examiner regarding the approval of the concept development plan for the Kevanna Park Meadows Planned Development.

WHEREAS, on February 1, 2023, the Vancouver Hearing Examiner recommended approval of the concept development plan for the Kevanna Park Meadows Planned Development under File PRJ-168078, LUP-82789;

WHEREAS, VMC 20.260.030(B)(1) specifically vests the Vancouver City Council as the final authority for planned developments in the city of Vancouver;

WHEREAS, VMC 20.260.050 lists the approval criteria to be considered when an application for a planned development is received by the City;

WHEREAS, VMC 20.260.050(A)(2) – requires that the proposed development demonstrates the use of innovative, aesthetic, energy-efficient and environmentally-friendly architectural and site design;

ORDINANCE - 1

WHEREAS, VMC 20.260.050(A)(6) – requires that the concept plan contain design, landscaping, parking/traffic management and multi-modal transportation elements that limit conflicts between the planned development and adjacent uses;

WHEREAS, the Vancouver City Council finds that under the approval criteria contained in VMC 20.260.050, additional conditions are required for compliance with the VMC; and

WHEREAS, the concept development plan is consistent with the Comprehensive Plan and the underlying zoning of the property.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings.

A. The Vancouver Hearing Examiner has found that all of the following criteria have been met, with conditions, as required by VMC 20.260.050:

1. Content. The concept plan contains all of the components required in Section 20.260.070. The proposed development and uses comply with all applicable standards of the Title as conditioned.
2. Architectural and site design. The proposed development demonstrates the use of innovative, aesthetic, energy-efficient and environmentally-friendly design and materials.
3. Transportation system capacity. There is sufficient capacity in the transportation system to safely support the development.
4. Availability of public services. There is sufficient capacity within public services such as water supply, police and fire services, and sanitary waste and storm water disposal, to adequately serve the development.

ORDINANCE - 2

5. Protection of designated resources. City-designated resources such as historic landmarks, significant trees and sensitive natural resources are protected in compliance with the standards in this and other Titles of the VMC.
 6. Compatibility with adjacent uses. The concept plan contains design, landscaping, parking, traffic management and multi-modal transportation elements that limit conflicts between the planned development and adjacent uses.
 7. Mitigation of off-site impacts. All potential off-site impacts including litter, noise, shading, glare and traffic, will be identified and mitigated to the extent practicable.
- B. The information for the concept development plan has been submitted and approved, as required by VMC 20.260.070.
- C. The concept development plan of the Kevanna Park Meadows Planned Development is consistent with the Comprehensive Plan and the underlying zoning.
- D. City Council hereby adopts the foregoing findings and the findings of the Vancouver Hearings Examiner contained in the Findings, Conclusions, and Recommendation, which are attached hereto and hereby incorporated by reference, as its own, subject to the additional conditions noted below. These conditions are to mitigate the impact of vehicle exhaust from I-205 and SR-500 on the future residents of the development and are consistent with the approval criteria contained in VMC 20.260.050:
1. Revise the landscape and tree plans to include the addition of 20 three-foot tall conifers along the southwest property line of the site, 20 to 25 feet on center, offset from the existing utility lines.

2. Revise the landscape and tree plans to indicate all deciduous trees planted in the riparian buffer to be a minimum of one-inch caliper and all conifers planted in the riparian buffer to be a minimum of three feet tall when planted.
3. Revise the landscape and tree plans to indicate that an automatic irrigation system shall be installed and used for all required landscaping and trees.
4. Prior to final plat approval, a note shall be placed on the plat indicating that prior to occupancy of any residence in the development, an air conditioning system shall be installed within the unit.

Section 2. Legal Description.

The legal description of the lands referred to in this ordinance is as follows:

Parcel 159850000, located in a portion of the southeast quarter of Section 16, Township 2 North, Range 2 East, Willamette Meridian, Clark County, Washington.

Section 3. Approval Granted.

Based upon the foregoing findings, as well as the findings contained in Staff Report No. PRJ-168078/LUP-82789, which are hereby incorporated by reference, approval with conditions of the concept development plan for the Kevanna Park Meadows Planned Development is hereby granted, with the conditions outlined in the Hearing Examiner's Findings, Conclusions, and Recommendation, incorporated above by reference, and the additional conditions outlined above.

Section 4. Severability.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder or the application of the provision to other persons or circumstances is not affected.

Section 5. Effective Date.

This ordinance shall take effect immediately after passage and publication.

Read first time:

DATE OF FINAL PASSAGE by the Vancouver City Council:_____.

SIGNED this _____ day of _____, 2023.

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Approved as to form:

Jonathan Young, City Attorney

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE approving the concept development plan for the Kevanna Park Meadows Planned Development with conditions; and providing for severability and an effective date. The full text of this ordinance will be mailed upon request.

Contact Raelyn McJilton, Records Officer at 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).

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

In the Matter of the Application of	)	NO. PRJ-168078/LUP-82789
	)	
	)	
Ginn Group, LLC	)	Kevanna Park Meadows
	)	Planned Development
	)	
	)	
	)	
for Approval of a Preliminary Plat	)	FINDINGS, CONCLUSIONS,
<u>and Planned Development</u>	)	AND RECOMMENDATION

SUMMARY OF RECOMMENDATION

The City's Hearing Examiner recommends to the Vancouver City Council that the requested preliminary plat and planned development to subdivide 6.08 acres into 33 single-family residential lots be **APPROVED** subject to conditions.

SUMMARY OF RECORD

Request:

Ginn Group, LLC (Applicant) requested a preliminary plat and planned development to subdivide 6.08 acres into 33 single-family residential lots for development of detached residences. The subject property is located at the west terminus of NE 46th Street, at 11017 NE 51st Circle, Vancouver, Washington.

Hearing Date:

The Vancouver Hearing Examiner held a virtual open record hearing on the application on January 17, 2023. In an abundance of caution, the record was held open two business days to allow for written public comment from members of the public who had difficulty joining the virtual hearing, with additional time arranged for responses by the parties. No post-hearing public comment was submitted, and the record closed on January 19, 2023.

Testimony:

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

Andrew Reule, Senior Planner, City of Vancouver

Jayson Taylor, Applicant Representative

Travis Johnson, PLS Engineering

Ann Dabbs

Lamont Dabbs

Findings, Conclusions, and Recommendation

Vancouver Hearing Examiner

Kevanna Park Meadows Planned Development, PRJ-168078/LUP-82789

page 1 of 23

Exhibits:

At the open record hearing the following exhibits were admitted into the record:

Exhibit 1 Staff Report, dated January 3, 2023

- A. Application
- B. Applicant's narrative
- C. Plans
- D. SEPA checklist
- E. Notice of Application, Public Hearing and Optional SEPA Determination of Non-Significance, dated October 19, 2022
- F. Final SEPA Determination of Non-Significance
- G. Public Health Development Review Evaluation, dated June 2, 2022
- H. Department of Ecology letter, dated November 18, 2022
- I. Department of Ecology email, dated November 29, 2022
- J. Critical areas report by Ecological Land Services, dated August 11, 2022
- K. Mitigation plan by Ecological Land Services, dated August 18, 2022
- L. Transportation impact study by Lancaster Mobley, dated August 17, 2022
- M. Geotechnical report by Earth Engineering, Inc., dated June 2022
- N. Preliminary TIR (stormwater) report by PLS Engineering, dated August 2022

Exhibit 2 Applicant PowerPoint Presentation

Exhibit 3 City PowerPoint Presentation

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

FINDINGS

1. Ginn Group, LLC (Applicant) requested a preliminary plat and planned development to subdivide 6.08 acres into 33 single-family residential lots for development of detached residences. The subject property is located at the west terminus of NE 46th Street, at 11017 NE 51st Circle, Vancouver, Washington.¹ *Exhibits 1, 1.A, 1.B, and 1.C.*
2. The application was subject to a pre-application conference and, pursuant to VMC 20.210.110.B, is vested to the development regulations in place as of the date the pre-application was filed (April 8, 2022) because a fully complete application was submitted

¹ The legal description of the subject property is a portion of the southwest quarter of Section 16, Township 2 North, Range 2 East of the Willamette Meridian; also known Tax Parcel No. 159850000. *Exhibits 1 and 1.N.*

within six months of the pre-application conference report.² The pre-application conference date was May 12, 2022, the application was submitted on September 6, 2022, and the application was determined to be fully complete on October 5, 2022. The project is therefore not subject to the new R-6 development standards set forth in Ordinance No. M-4377, which became effective July 27, 2022. *Exhibits 1, 1.B, and 1.E; Jayson Taylor Testimony; Ordinance No. M-4377.*

3. The proposal is not a re-plat of a prior subdivision. *Exhibit 1.*
4. The subject property contains several regulated critical areas: a 0.118-acre Category III wetland, which is in the eastern portion of the subject property, near the NE 46th Street approach; Oregon white oak habitat; and the floodway, floodplain, riparian management area (RMA), and riparian buffer (RB) of Burnt Bridge Creek, a perennial Type F stream which runs along the northern and western property boundaries. *Exhibits 1 and 1.J.*
5. The subject property is zoned Low-Density Residential (R-6). *Exhibits 1 and 3.* The purpose of the R-6 zone is “to accommodate detached single dwellings with or without accessory residential units at a minimum lot size of 7,500 square feet and a density of 4.5 to 5.8 units/net acre.” *Vancouver Municipal Code (VMC) 20.410.020.C.* Planned developments are a land use development tool intended to provide a means for creating planned environments in any base zoning district through the application of flexible standards, including zero-lot lines, narrower streets, and other innovative planning practices that result in well-designed, efficient, and functional urban environments. *VMC 20.260.010.* Planned developments are allowed in the R-6 zone. *VMC 20.260.020.*
6. Surrounding land uses include natural areas and a residential care facility (CG zone) to the north, single-family residences and a City park (R-6 and Park zones) to the east, single-family residences (R-6 zone) to the south, and natural areas and I-205 (CG zone) to the west. Although the subject property is undeveloped, it contains a looped walking trail that connects to the park to the east. *Exhibits 1 and 3.*
7. In support of the requested planned development, the Applicant has submitted a concept plan containing the requirements set forth in VMC 20.260.070. The Applicant proposes to develop the site consistent with applicable standards, except that a reduced lot area is proposed. Lot area reductions may be authorized pursuant to VMC 20.260.060.B.4. *Exhibits 1 and 1.B.*
8. The Applicant proposes 33 detached residences, a housing type allowed within planned developments in the R-6 zone. *VMC 20.260.020.B; Exhibit 1.B.* The minimum net density in the R-6 zone is 4.5 dwelling units per acre and the maximum net density is 5.8 dwelling units per acre. In addition, a 15% density bonus is provided to planned

² A copy of the preapplication was not submitted into the record; the April 8, 2022 date was provided by the Applicant in the project narrative (Exhibit 1.B). City Planning Staff did not submit any information on vesting, but did not object to or seek to correct the Applicant’s assertion that the application vested on April 8, 2022.

developments. For the subject property, which has a net area (i.e., net of proposed streets) of 5.07 acres, the minimum number of lots is 23 and the maximum number of lots, without the density bonus, is 29. The 15% density bonus provides an additional four lots, for a total of 33. The proposed 33 lots are consistent with the applicable density standard. *Exhibit 1; VMC 20.410.040; VMC 20.260.020.*

9. The Applicant proposes lots as small as 2,080 square feet, each of which would be developed with a two-story detached residence that would be approximately 1,500 square feet in area. The building elevations depict variation in building materials and roof types. *Exhibits 1.B and 1.C.* The lots in the surrounding neighborhood range from approximately 8,000 to 12,000 square feet and contain single-level residences ranging from approximately 1,200 to 1,800 square feet. The proposed site design ensures compatibility with surrounding development by clustering the residences towards the interior of the site, such that no lots would directly abut the larger neighboring residential lots, and by providing a minimum 40-foot setback between the proposed smaller residential lots and the site perimeter. Most of the residences would be set back more than 80 feet from the neighboring residential lots. The effect of the small lots and proposed two-story design would be mitigated through these significant setbacks. The building heights would be lower than the 35-foot maximum permitted in the zone. *Exhibits 1.B and 1.C.*
10. Pursuant to VMC 20.260.060, the minimum lot depth and width standards of the zone do not apply to planned developments, and “the hearings examiner can reduce the minimum lot size requirement for attached and detached single-family residential uses.” VMC 20.260.060.B.4. The minimum average lot area required in the R-6 zone is 7,500 square feet, with the smallest lot area at least 6,000 square feet. VMC 20.410.050. The Applicant proposes a minimum lot area of 2,080 square feet. *Exhibits 1.B and 1.C.* Adjustments to numerical development standards may be authorized by VMC 20.260.050(B) if: (1) the adjustment is warranted given site conditions and/or characteristics of the design; (2) the benefits outweigh any potential adverse impacts; and (3) any impacts are mitigated to the extent practical.³ VMC 20.260.050(B). In support of the lot size reduction, the Applicant noted the large amount of open space that would be provided on site as a result of the smaller lots, including a publicly-accessible perimeter trail, which would offset the reduced private yard space; the public benefit of relatively affordable housing, which would result from the smaller lot sizes and homes; the benefit to neighbors of increased exterior setbacks with the clustering of the homes in the interior of the site; and the mitigation provided in the form of resident and guest parking in excess

³ Planning staff submitted that the request for lot size reduction is not an adjustment of a “numerical development standard,” and that it could be approved without reference to any criteria (VMC 20.260.060.B.4 does not specify any criteria – it just states that the lot area may be reduced). Because it is arguable that the criteria of VMC 20.260.050 should apply, given that lot area is both numeric and a development standard, and because the Applicant submitted evidence in support of the criteria, the Hearing Examiner will include analysis of the criteria in this decision, in case Council finds it relevant to its review. It is the Hearing Examiner’s interpretation, and Staff concurred, that the decision whether to approve reduced lot size should be made by Council as part of its decision on the project as a whole. *Exhibits 1 and 1.B; Andrew Reule Testimony.*

of code standards to prevent spillover into the surrounding neighborhood. The Hearing Examiner also notes that the site is constrained by critical areas, reducing the area available to divide into lots. *Exhibits 1, 1.B, and 1.C.*

11. The Applicant proposes to utilize the zero lot line standards of VMC 20.910.050, which require the setback on the adjacent lot to be zero feet or at least five feet, subject to covenants addressing obstructions within the setback and maintenance. The zero lot line requirements are referenced in the recommended conditions of preliminary plat approval. Compliance with the setback standards would be reviewed at the time of building permit submittal. *Exhibits 1, 1.C, and 2.*
12. Although the minimum lot width requirement of the underlying zone does not apply to planned developments, subdivisions with lots of less than 40 feet in width (such as the one proposed, as most of the lots would be 26 feet wide) must comply with the narrow lot criteria of VMC 20.927.030 and the development standards of VMC 20.927.040. The criteria require that conflicts on narrow lots be eliminated, that adequate guest parking be provided, and that solid waste and recycling collection and access be provided. Consistent with the criteria and the associated development standards, the Applicant has submitted plans showing that utilities, driveways, street trees and other features have been located and designed to minimize conflicts with one another. Guest parking exceeding the standard of one space per three narrow lots would be provided in the form of street parking (34 spaces) and an off-street guest parking area. Although the project plans depict seven off-street parking stalls, Staff recommended that the number be reduced to five to comply with VMC 20.927.040.A.2, which restricts common parking areas to five stalls each unless the required parking cannot otherwise be provided; in this case, the required guest parking can be provided on the street. With respect to solid waste, the site design provides adequate collection truck access and circulation, and cart set-out locations have been identified for each lot that are consistent with ordinance requirements. Carts would be set out in front of individual lots except for Lots 1 through 4 and 20 through 23, which would have shared cart set-out locations. *Exhibits 1, 1.C, and 2; Andrew Reule Testimony.*
13. The subdivision ordinance requires a minimum street frontage of 20 feet per lot and requires side lots to be at right angles to facing streets to the extent practical. Each of the proposed lots would satisfy these requirements. In addition, the length of blocks within the development would fall within the minimum of 180 feet and the maximum of 1,300 feet specified in the ordinance. None of the blocks would exceed 800 feet in length, such as to require a mid-block pedestrian/bicycle path per VMC 20.320.070.A.1.d.3. *Exhibits 1 and 1.C; VMC 20.320.070.*
14. In exchange for approval of higher residential densities, smaller lots, and relaxed development standards, VMC 20.260.060.C requires developers of planned developments to provide common open space for active and passive recreational activities in an amount that is at least 10% of the gross site area. Up to half of the area may be met through environmentally constrained land, as long as it is accessible to pedestrians or visually

accessible from adjoining common open space. The open space requirement for the proposed planned development is 26,485 square feet. At least half of the requirement would be met through non-environmentally constrained open space in Tract G. Tract G would include picnic tables, a lawn area, and perimeter landscaping. The remainder would be met through protected critical areas. Proposed Tract E would be 2.29 acres in area (more than a third of the site area) and would contain the riparian area of Burnt Bridge Creek. To provide access to this area, the Applicant proposes to improve the existing walking path within the tract. The path would be surfaced with wood chips and would extend around the site perimeter to connect to open space Tract G in the southeast corner of the site and to the public park at the northeast corner of the site. The trail would also connect to the internal street system at two locations. The total length of the trail would be 1,250 lineal feet, and the total area of open space provided on site would be 135,693 square feet. The improved trail would be open for public use. *Exhibits 1, 1.B, and 1.C.*

15. In addition to providing open space on site, the Applicant must mitigate impacts to parks through payment of a mitigation fee pursuant to VMC 20.915, which would be calculated at the time of building permit application and payable at the time of building permit issuance. The subject property is within Park Impact Fee District C. *Exhibit 1; VMC 20.915.020.*
16. VMC Chapter 20.925.060 requires street trees to be planted at a maximum spacing of 30 feet. The Applicant has submitted a landscape plan depicting the planting of street trees along all internal streets. *Exhibits 1 and 1.C.*
17. 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. For the subject site, 171 tree units are required. There are currently 26 trees on site, 23 of which (constituting 108.5 tree units) would be retained. The Applicant proposes to plant 70 additional trees (each credited at one tree unit per VMC 20.770.080.V) to satisfy the remainder of the tree density requirement. The City's urban forester reviewed the submitted tree plans and recommended additional conditions regarding tree species and placement, which were incorporated into the recommended conditions of project approval. *Exhibits 1 and 1.C.*
18. Access to the subdivision would be from an extension of NE 46th Street into the site. The extension would be constructed as a private street. Although City standard plan T10-17 only requires a paved street width of 24 feet, the Applicant proposes a paved width of 28 feet to allow parking on one side of the street. The street section would also include curbs, gutters, landscape strips, and detached sidewalks within a 46-foot wide tract. A private street loop would extend from the extension of NE 46th Street, which would also be subject to City standard plan T10-17. Similarly to the extension of NE 46th Street, the paved street width would be 28 feet to allow for on-street parking. The difference would be that the landscape strip and sidewalk would be on one side of the street and the overall tract width would be 37.5 feet. No residences would abut the side of the loop lacking a

sidewalk. *Exhibits 1 and 1.C.*

19. The subject property contains Oregon white oak habitat, a priority habitat listed by the Washington Department of Fish and Wildlife. Consequently, the removal of Oregon white oak trees is regulated and subject to mitigation requirements. In this case, there are five Oregon white oaks on site with an estimated combined dripline area of 0.135 acres. Four of the five oaks would be retained on site. One oak must be removed because it is within the NE 46th Street corridor, near where the road enters the site. Because there is no alternative access to the subject property, removal of the tree is unavoidable. As mitigation for this impact, six two-inch caliper Oregon white oaks would be planted within the RMA or RB of Burnt Bridge Creek. *Exhibits 1.J and 1.C; Exhibit 2.*
20. Burnt Bridge Creek is classified as a Type F stream. City of Vancouver critical areas regulations require a 100-foot riparian management area (RMA) from the ordinary high water mark of Type F stream, and an additional 75-foot riparian buffer (RB) beyond the edge of the RMA. Development may occur within the RB as long as mitigation is proposed that results in no net loss of riparian habitat functions on the site, and that functionally significant habitat (i.e., habitat that cannot be replaced or restored within 20 years) is preserved. *VMC 20.740.110.C.2 and Table 20.740.110-1.* In this case, the Applicant proposes to preserve the full width of the RMA within Tract E⁴, but develop most of the RB into housing. The impact area would be 0.76 acres. *Exhibit 1.C.* At present, the RMA and RB are dominated by herbaceous vegetation with scattered trees and shrubs near the ordinary high water mark. They provide moderate to low functions of sediment trapping and vegetative protection from surrounding land uses. No functionally significant habitat would be eliminated for development of the RB. *Exhibit 1.J, pages 6 and 11.* As mitigation for the encroachment into the RB, the Applicant proposes to enhance 1.196 acres of the RMA and 0.33 acres of the RB by removing invasive species, planting 920 native shrubs (plus the six Oregon white oaks required to mitigate tree removal), and monitoring the planted shrubs for five years. This mitigation would ensure no net loss of riparian habitat functions, as it would provide greater habitat diversity, refuge, and forage opportunities. *Exhibit 1.J.*
21. Although the submitted mitigation plan for development of the RB meets critical areas ordinance requirements (which are intended to ensure no net loss of critical areas functions), Planning Staff recommended that additional plantings be required for compliance with the planned development criterion that the development must demonstrate use of “innovative, aesthetic, energy-efficient and environmentally-friendly architectural and site design.” *VMC 20.260.050.A.2.* Planning Staff recommended, in consultation with the urban forester, that 70 native trees be planted in the RMA to provide additional creek shading and habitat. Staff submitted that the additional mitigation is appropriate given the density bonus and proposed reduced lot sizes. The Applicant did not

⁴ The pedestrian/sewer maintenance path within the RMA is allowed pursuant to *VMC 20.740.110.C.2.b.2*, as the sewer lines are a preexisting use and require maintenance access, which access could not be located elsewhere. *Exhibit 1.*

object to the condition. *Exhibit 1; Testimony of Andrew Reule and Jayson Taylor.*

22. With respect to the on-site wetland, City of Vancouver critical areas regulations require an 80-foot buffer from the edge of Category III wetlands with low habitat functions (score of 3 to 5) when adjacent to high-intensity land use activities. *VMC Tables 20.730.140-2 and 20.740.140-5.* Because the wetland on the subject property has a habitat score of 5 and residential zoning is considered a high-intensity land use, the 80-foot buffer width is applicable. *VMC Table 20.740.140-1; Exhibit 1.J.*
23. The Category III wetland and a portion of its buffer would be preserved within Tract H. There would be no direct impact to the wetland. However, a portion of the buffer would be permanently impacted by proposed road construction, resulting in an indirect impact to the wetland of 4,625 square feet. The impact is unavoidable because the wetland is adjacent to the NE 46th road stub such that the buffer covers the only means of access into the subject property. *Exhibits 1.C and 1.J.*
24. To minimize impacts to the wetland buffer and to support reducing the buffer pursuant to VMC 20.740.140.C.1.b.iii, the Applicant proposes to fence and sign the wetland to prevent human and pet disturbance. The wetland would be protected from untreated stormwater runoff because runoff from the adjacent streets would be treated and routed to the proposed stormwater detention pond. Upland runoff is not required for the wetland's hydrology. *Exhibit 1.J.*
25. To compensate for the loss of wetland buffer, the Applicant proposes to purchase 0.053 credits at Terrance Mitigation Bank, which represents a 0.50:1 ratio of compensation to impact. The reduced ratio reflects that the wetland impact on the subject property would only be indirect – the wetland itself would not be disturbed. The Terrance Mitigation Bank site is approximately 2.5 miles from the subject property and within the same watershed. The purpose of the bank is to restore 89.15 acres of wetland habitat to pre-agricultural conditions. The project is expected to lift the wetland ratings of the wetlands on the site from the current Category III or IV to Category I. *Exhibit 1.K.*
26. The Washington State Department of Ecology reviewed the critical areas report and mitigation plan and did not comment. *Exhibit 1.I.*
27. No development would occur within the floodway or floodplain of Burnt Bridge Creek. These features would be entirely contained within Tract E. The floodplain elevation on site is between 188.36 feet and 189.39 feet, and the minimum lot grade depicted on preliminary grading plans is approximately 195 feet. While the final lot elevation might be slightly lower, the Applicant submitted that all lots would be at least four feet above the floodplain elevation. Initially, City Staff initially recommended as a condition of approval that the Applicant provide FEMA elevation certificates for each residence to ensure compliance with VMC 20.740.120.J.10.c (requiring the lowest floor to be elevated at least one foot above base flood elevation). However, based on the information and arguments presented by the Applicant at hearing, Staff concurred that the requirement

could be eliminated in favor of a condition requiring the Applicant's engineer to certify by letter that all of the lots are elevated at least one foot above the floodplain, and requiring a plat note prohibiting underground structures or basements on the lots. *Exhibits 1, 1.C, and 2; Jayson Taylor, Travis Johnson, and Andrew Reule Testimony.*

28. VMC 20.320.070.A.1.d.2 specifies that if a subdivision is traversed by a watercourse (such as a stream), a stormwater easement must be provided for the width of the watercourse plus 15 feet on each side of the watercourse. The easement requirement was incorporated into the conditions of project approval. *Exhibit 1.*
29. The Applicant submitted a professionally prepared transportation impact study dated August 17, 2022. The trip generation of the development was estimated using the rates contained in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition* for Land Use Code 210 – Single-Family Detached Housing and the comparable rates adopted by the City of Vancouver. Using these rates, the project is expected to generate 330 average weekday trips, including 25 AM peak hour trips and 33 PM peak hour trips. For purposes of evaluating the off-site traffic impact, the Applicant's consultant assumed that all of the traffic generated by the subdivision would use the intersection of NE 46th Street and NE 112th Avenue, an unsignalized intersection that currently operates at Level of Service (LOS) F during the AM peak hour and LOS D during the PM peak hour. This resulted in a conservative, worst-case analysis because there are alternative routes to exit the neighborhood. The result of the study was that the intersection is expected to operate at LOS F during both the AM and PM peak hours at project buildout. Comparing projected 2024 background traffic conditions to projected with-project traffic conditions, the traffic generated by the subdivision would cause the AM peak hour delay to increase from 57 seconds (LOS F) to 109 seconds (LOS F), and the PM peak hour delay to increase from 31 seconds (LOS D) to 65 seconds (LOS F). However, the consultant concluded that no mitigation is warranted under VMC 11.80.130.B because the volume to capacity ratio at the approach would be less than 0.95. Further, signal warrants are not met at the intersection and there is sufficient queuing distance at the intersection. The crash history at the intersection does not indicate design deficiencies. City Staff concurred with the Applicant's analysis, submitting that the intersection operates acceptably under City standards and would continue to do so after completion of the project. *Exhibits 1 and 1.L.*
30. The subject property is located within the #303 Transportation Analysis Zone. The project would add PM peak hour trips to several Transportation Management Zones, including three Fourth Plain Blvd corridors (five trips total), Andresen Road (one trip), two 112th Avenue corridors (27 trips total), two Burton Road/28th Street corridors (two trips total), and two NE 18th Street corridors (four trips total). Based on these impacts, the Applicant would be required to pay concurrency modeling fees of \$1,500.00 prior to civil plan approval. *Exhibits 1 and 1.L.*
31. Pursuant to VMC 11.70.090, the segment of NE 112th Avenue between NE 28th Street and NE 51st Street is designated as a Category 1 Concurrency Corridor, which stipulates

that the corridor is operating at or above the City's adopted level of service standards. The number of PM peak hour trips generated by the instant development is not anticipated to cause the corridor to drop below the adopted level of service standard. *Exhibit 1.*

32. The Applicant is required to pay traffic impact fees pursuant to VMC 20.915, which would be calculated at the time of building permit application and payable at the time of building permit issuance. *Exhibit 1; VMC 20.915.*
33. Compliance with the City's off-street parking requirement of one space per dwelling unit (VMC 20.945) would be confirmed at the time of building permit issuance. As proposed, the residences would each have two-car garages and driveways for off-street parking. *Exhibits 1, 1.B, and 1.C; Jayson Taylor Testimony.*
34. There are no known septic systems or wells on the subject property. Consistent with comments submitted by the Clark County Public Health Department, the recommended conditions of project approval require the Applicant to abandon/decommission any septic systems or wells found on the property consistent with Health Department and state requirements. *Exhibit 1.G.*
35. Public water is available to the site through extension of an existing main in NE 46th Street. *Exhibit 1.*
36. Public sewer is available to the site. There are existing sewers that run through the site along a portion of the eastern property line and parallel to Burnt Bridge Creek in the northern and northwestern portions of the site, in the general area of the walking path. The City submitted that a portion of the existing sewer was mistakenly constructed outside of the recorded easement, and that if the Applicant moved the sewer, it would receive a credit towards the sewer connection fees. The potential for a credit is addressed in the recommended conditions of approval. To meet required sewer access requirements, the Applicant would widen the walking path as needed to be suitable for the City's maintenance vehicles. This would not affect the critical areas mitigation requirements applicable to the project. *Exhibits 1 and 1.C; Testimony of Jayson Taylor and Andrew Reule.*
37. Infiltration of stormwater is not feasible on the site. Consequently, stormwater runoff would be routed to a detention pond located in proposed Tract F, which would discharge to an existing 30-inch storm pipe that outfalls to Burnt Bridge Creek. The rate of discharge would be consistent with City of Vancouver requirements. Runoff from pollution-generating surfaces would be treated through Storm Filter catch basin filter cartridges, a methodology that has been approved by the Washington Department of Ecology. *Exhibits 1, 1.N and 1.M.*
38. The Applicant has submitted a stormwater pollution prevention plan that describes the temporary and permanent erosion and sediment control measures, pollution prevention

measures, inspection and monitoring activities, and recordkeeping that would be implemented during construction of the project. Because more than one acre would be disturbed and stormwater would be discharged to a surface water, the Applicant must apply for coverage under the Washington Department of Ecology's Construction Stormwater General Permit. Per the conditions recommended by City Staff, the Applicant must submit a copy of the permit prior to civil plan approval. *Exhibits 1, 1.N, and 1.F.*

39. The Fire Department has reviewed the proposed project and determined that it can meet the requirements of VMC Title 16 and the International Fire Code if properly conditioned. Planning Staff included the Fire Department's conditions in the recommended conditions or approval. *Exhibit 1.*
40. The subject property is located within the Evergreen School District. School aged residents of the plat would attend Orchards Elementary, Covington Middle, and Heritage High Schools. Impacts to school capacity would be mitigated through payment of mitigation fees pursuant to VMC 20.915. *Exhibit 1.*
41. Because the subject property is within an area of high probability for the discovery of archaeological resources, a predetermination report was prepared pursuant to VMC Chapter 20.710. Based on the report, the City's contract archaeologist determined that no archaeological resource survey is required. However, Planning Staff recommended a condition of approval requiring work to stop if any archaeological deposits are discovered during ground-disturbing activities. *Exhibit 1.*
42. 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 application, remote public hearing, and optional SEPA determination of non-significance (DNS) on October 19, 2022. After reviewing agency comments received, the City issued a final DNS on November 22, 2022, which was not appealed. *Exhibits 1, 1.E, 1.F, 1.H, and 3.*
43. Public comment on the proposal related to the proposed usage and landscaping of open space Tract G, which is in the southeast corner of the property. The concern was that larger trees planted along the perimeter of the tract would impact the adjacent commenter's septic system, and that there would be noise resulting from tract usage. In addition, there was concern about loss of privacy from the two two-story homes nearest Tract G. *Ann Dabbs Testimony.* In response to the concerns raised in public comment, Planning Staff noted that the overhead powerlines along the property line limit tree placement. *Andrew Reule Testimony.* The Applicant submitted that the trees proposed would not be particularly tall – incense cedars – and that they would be placed approximately 20 feet from the property line. At that distance, the roots are not expected to impact septic systems on abutting parcels. With respect to noise, Tract G would not be lighted. The lack of lighting would effectively restrict usage to daytime hours. With respect to the privacy impact, the two-story homes would be approximately 100 feet from

the property line, and any second floor windows facing the commenter's house would be approximately 17 feet high and screened by the incense cedars. *Jayson Taylor Testimony.*

44. Having considered all public comment and the full Applicant submittal, Planning Staff recommended approval of the subdivision and planned development, subject to the conditions presented in the Staff Report as modified at the hearing. *Exhibit 1; Andrew Reule Testimony.* With the exception of the flood certificate issue described in previous findings, the Applicant did not object to the recommended conditions. *Jayson Taylor Testimony.*

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. Per Vancouver Municipal Code 20.260.030, the Hearing Examiner is authorized to hear and issue findings, conclusions, and recommendations on planned developments pursuant to the Type IV review process, per 20.210 VMC. Pursuant to VMC 20.210.020.D, when more than one permit is required for a given proposal, all applications are consolidated into a single review subject to the highest type of procedure that applies to any of the applications.

Planned Development Criteria for Review:

Pursuant to VMC 20.260.050.A, to receive approval for a planned development, the Applicant must demonstrate compliance with all of the following criteria:

1. Content. The concept plan contains all of the components required in Section 20.260.070. Compliance with all applicable standards. The proposed development and uses comply with all applicable standards of the Title, except where adjustments are being approved as part of the concept plan application, pursuant to Section 20.260.030(D)(2).
2. Architectural and site design. The proposed development demonstrates the use of innovative, aesthetic, energy-efficient and environmentally-friendly architectural and site design.
3. Transportation system capacity. There is either sufficient capacity in the transportation system to safely support the development proposed in all future phases or there will be adequate capacity by the time each phase of development is completed.
4. Availability of public services. There is either sufficient capacity within public services such as water supply, police and fire services, and sanitary waste and storm water disposal, to adequately serve the development proposed in all future phases, or there will be adequate capacity available by the time each phase is completed.

5. Protection of designated resources. City-designated resources such as historic landmarks, significant trees and sensitive natural resources are protected in compliance with the standards in this and other Titles of the VMC.
6. Compatibility with adjacent uses. The concept plan contains design, landscaping, parking/traffic management and multi-modal transportation elements that limit conflicts between the planned development and adjacent uses. If zoning districts are shifted per section 20.260.020(C) VMC, there shall be a demonstration that the reconfiguration of uses is compatible with surrounding uses by means of appropriate setbacks, design features or other techniques.
7. Mitigation of off-site impacts. All potential off-site impacts including litter, noise, shading, glare and traffic, will be identified and mitigated to the extent practicable.

Subdivision Criteria for Review:

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

- A. Public facilities provision. Appropriate provisions to the extent necessary to mitigate an impact of the development have been made for transportation, water, storm drainage, erosion control and sanitary sewage disposal methods that are consistent with the City's current ordinances, standards and plans;
- B. Proposed improvements. Appropriate provisions have been made for proposed streets, alleys and public ways, utilities and other improvements that are consistent with the City's current ordinances, standards and plans, and Department of Health and/or Washington State Department of Transportation standards and plans, where applicable;
- C. Open space and dedications. Appropriate provisions to the extent necessary to mitigate an impact of the development have been made for open space, parks, schools, dedications, easements and reservations;
- D. Physical characteristics. The design of the proposed short subdivision or subdivision site has taken into consideration the physical features of the site, including but not limited, to: topography, soil conditions, susceptibility to flooding, inundation or swamp conditions, steep slopes or unique natural features such as wildlife habitat or wetlands;
- E. Re-platting of existing subdivisions. When re-platting an existing subdivision, the short subdivision or subdivision shall comply with all of the terms and conditions of the existing subdivision's conditions of approval;

- F. Compliance with all requirements of this title. The proposed short subdivision or subdivision complies with all applicable requirements of this title unless modified through the approval; and
- G. Compliance with State requirements. That the proposed short subdivision or subdivision complies with the requirements of RCW 58.17.110.
- 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.

Additional Applicable Provisions:

Pursuant to VMC 20.740.060, proposed development within critical areas shall be reviewed and approved, approved with conditions, or denied based on the proposal's ability to comply with all of the following criteria:

- A. Avoid Impacts. The Applicant shall first seek to avoid all impacts that degrade the functions and values of (a) critical area(s). This may necessitate a redesign of the proposal.
- 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.
- C. Compensatory Mitigation. The applicant shall compensate for the 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.
- 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.
- E. Consistency with General Purposes. The proposal is consistent with the general purposes of this chapter and does not pose a significant threat to the public health, safety, or welfare on or off the development proposal site;
- F. Performance Standards. The proposal meets the specific performance standards of Fish and Wildlife Habitat Conservation Areas VMC 20.740.110, Frequently Flooded Areas VMC 20.740.120, Geologic Hazard Areas VMC 20.740.130, and Wetlands VMC 20.740.140, as applicable.

Conclusions Based on Findings:

A. Planned Development

1. As conditioned, the plans demonstrate compliance with the content requirements and development standards for planned developments set forth in VMC 20.260, including those relating to housing type, building height, density, lot dimensions, and open space. The requested adjustment to the lot area standard satisfies the criteria of VMC 20.260.050(B). The adjustment is warranted due to site conditions (the presence of critical areas) and the proposed site design (placement of the residences in the interior of the site, and providing common open spaces with trail and picnic amenities in lieu of larger yards). The affordability of the smaller residences would be a community benefit. Any impacts associated with the small lot sizes would be mitigated through the increased setbacks. The Hearing Examiner recommends that the reduced lot sizes be approved. *Findings 5, 7, 8, 9, 10, 11, 14, 43, and 44.*
2. As conditioned, the development demonstrates use of innovative, aesthetic, energy-efficient and environmentally friendly architectural and site design. The Hearing Examiner concurs with Planning Staff that the project requires additional mitigation to be aesthetically and environmentally friendly, and that tree planting within the Burnt Bridge Creek RMA would be an appropriate solution. The Hearing Examiner notes that the Applicant, by developing nearly all of the RB and reducing the lot sizes to a third of the minimum of the R-6 zone, is able to achieve the maximum overall development density of the R-6 zone including all bonus density. This benefit warrants requiring more than the minimum with respect to critical areas mitigation. *Findings 8, 9, 10, 14, 20, 21, and 44.*
3. There is sufficient capacity in the transportation system for the traffic generated by the development. Traffic mitigation fees would be paid in accordance with ordinance requirements. *Findings 29, 30, 31, and 32.*
4. Adequate public services are available to the development. *Findings 35 and 36.*
5. As conditioned, resources such as significant trees and critical areas would be protected consistent with ordinance requirements. Consistent with the critical areas criteria of VMC 20.740.060, impacts to the RMA of Burnt Bridge Creek and direct impacts to the Category III wetland would be avoided. Indirect impacts to the wetland (i.e., buffer reduction) are unavoidable because the buffer encompasses the only access to the site. However, impacts to the wetland would be minimized through techniques such as fencing, and compensatory mitigation would be provided through purchase of mitigation bank credits. With respect to the RB of Burnt Bridge Creek, mitigation would be provided on site through enhancement of the RMA. The mitigation plan for both the creek and the wetland would ensure that there is no net loss of critical area functions and values. No evidence was presented that the development would pose a threat to the public health, safety, or welfare. The relevant performance standards for critical areas have been addressed or are addressed in the conditions of approval. The conditions of approval require the Applicant to implement the mitigation plan, record a conservation

covenant, provide financial assurance for mitigation maintenance and monitoring, install fencing and signage along the wetland buffer, and submit engineer-stamped certification that the lots are elevated at least one foot above the floodplain. A condition is added that will prohibit construction of basements on any of the lots. *Findings 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 43, and 44.*

6. As conditioned, the proposed development would be compatible with adjacent residential land uses. The site design provides for significant setbacks between the proposed residences and surrounding larger residential lots and provides parking far in excess of code requirements to ensure that project-related parking does not affect the surrounding neighborhood. The trail system would be retained and open for public use, providing a connection between the adjacent park and the Burnt Bridge Creek riparian area. *Findings 6, 9, 14, and 44.*
7. Mitigation of off-site impacts would be accomplished through payment of park, school, and traffic mitigation fees. As conditioned, street lighting would be installed consistent with City standards. Although concern was raised regarding noise from usage of open space Tract G, based on the relatively small size of the tract, the number of residences potentially using the tract, and the lack of lighting, it is the Hearing Examiner's opinion that additional conditions of approval are not warranted. In the event that future privacy and noise issues arise, if outreach to the homeowners association is not successful, affected neighbors could seek redress through City code enforcement. *Findings 14, 15, 32, 40, and 43.*

B. Preliminary Plat

1. As conditioned, appropriate provision has been made for transportation, water, storm drainage, erosion control, and sewage disposal. The conditions of approval detail the applicable street requirements. The local street system has capacity to serve the development. Traffic mitigation fees would mitigate the impact of the project's increased trips on the surrounding transportation system. *Findings 18, 29, 30, 31, 32, 35, 36, 37, 38, and 44.*
2. As conditioned, appropriate provision has been made for streets, alleys, utilities, and other improvements consistent with City and State standards. The conditions of approval detail the applicable street requirements. *Findings 18, 35, 36, 39, and 44.*
3. The proposed open space exceeds the 10% minimum requirement for planned developments and would include a trail that is accessible to the public. Impacts to schools and City parks would be mitigated through payment of mitigation fees. Easement requirements are addressed in the conditions of approval. *Findings 14 and 15.*
4. The design of the subdivision takes into account the physical features of the site, including critical areas. Most of the Oregon white oak on site would be retained. Impacts to the wetland would be limited to unavoidable indirect impacts. The RMA of Burnt Bridge Creek would be preserved and enhanced. The site design preserves a

walking path that connects to the adjacent park. The stormwater management system would not rely on infiltration due to soil limitations. *Findings 14, 19, 20, 22, 23, 24, 27, and 37.*

5. The proposed subdivision is not a re-plat of an existing subdivision. *Finding 3.*
6. As conditioned, the subdivision complies with the applicable requirements of VMC 20.320, which address subdivision layout and access requirements. *Findings 13, 18, and 44.*
7. The above criteria largely address the requirements of RCW 58.17.110. The RCW also includes a requirement that a subdivision make appropriate provision for safe walking conditions for students who only walk to and from school. In this case, appropriate provision is made for safe walking conditions through sidewalks along the internal streets. The public interest would be served by the provision of housing developed consistent with the density standard of the R-6 zone and the planned development criteria. *Findings 5, 6, 7, 8, 9, 14, 15, 18, 27, 32, 35, 36, 37, 38, 39, 40, and 44.*
8. As conditioned, the proposal is consistent with the narrow lot development criteria. The site is designed to avoid conflicts on narrow lots, and sufficient guest parking would be provided. However, because the criteria for narrow lot guest parking areas in excess of five spaces have not been met, the number of parking spaces in Tract G must be limited to five. *Finding 12.*

RECOMMENDATION

Based on the foregoing findings and conclusions, the requested preliminary plat and planned development to subdivide 6.08 acres into 33 single-family residential lots at 11017 NE 51st Circle **SHOULD BE APPROVED** subject to the following conditions to be satisfied by the Applicant or successors in interest:

Prior to Civil Plan Approval

1. Upload the civil plan review set showing all 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. The common parking area shall be reduced to five stalls.
4. Revise the street names so that the main leg of the proposed private street shall be named NE 46th Street. The southernmost leg of the loop shall be named NE 103rd Place and the northernmost leg of the loop shall be named NE 104th Place.

5. A note shall be added to the plans stating: “In the event that archaeological deposits are encountered during construction, work shall be halted immediately and the City of Vancouver’s Community Development Department and the Washington State Department of Archaeology and Historic Preservation shall be notified in order for the findings to be investigated and assessed by a professional archaeologist.”
6. The mitigation and landscape plans shall be revised to include the planting of 70 native trees within the riparian zone, such as bigleaf maple, red alder, Oregon white oak, Douglas fir and western red cedars to shade the creek and provide habitat value. Do not plant conifers south of any Oregon white oak.
7. Include this note on civil plans: “Trees and Shrubs in Sight Distance Triangles: All shrubs within sight distance triangles shall be maintained so that foliage height above pavement does not exceed 2.5 feet. Street trees within sight distance triangles shall be limbed up to a height of 10 feet consistent with ANSI A300 standards to provide for sight distance visibility.”
8. Show protection of off-site trees with tree protection fencing on the grading plan.
9. Space conifer trees 20 feet on center to provide enough canopy and root space for trees to mature. Given the proximity to a riparian zone, utilize approximately 33% Douglas fir, 33% Western Red Cedars, and 33% Alaskan Yellow Cedars. If not all conifers can meet this spacing requirement in the developed portion of the site, the remaining trees shall be planted within the riparian zone, and they will count towards the 70 native trees required to be planted in the riparian zone.
10. Do not plant conifers south of Oregon White Oak 16. Plant additional White Oaks 30 feet from this tree in the open space.
11. Pay concurrency modeling fees totaling \$1,500.
12. Prepare the utility plan in accordance with the City of Vancouver’s *General Requirements and Details for the Design and Construction of Public Sanitary Sewers*. Address comments and submit the final design for civil plan approval. Note: this may include widening and resurfacing the walking path through the RMW to adequately accommodate sewer maintenance vehicle access.
13. A Construction Stormwater Pollution Prevention Plan (SWPPP) must be submitted to the City.
14. A copy of the NPDES construction permit must be submitted to the City.
15. An easement in the form of a covenant running with the land shall be dedicated to the City of Vancouver around the stormwater facilities for access and inspection.

16. New and existing fire hydrant locations related to this project shall be shown.
17. Fire lane signs and details shall be shown on the sign and striping pages if applicable.

Prior to Construction

18. Fire hydrants for emergency use shall be established and maintained.
19. Fire apparatus access roads shall be established and maintained.
20. Site security measures shall be installed to prevent unauthorized access.

During Construction

21. Comply with the requirements for solid waste management and water quality noted in the Department of Ecology's letter dated November 18, 2022.
22. If the Applicant keeps the existing on-site public sewers as-is, pay the \$117,309.17 sewer main fee prior to issuance of construction permits.
23. If the Applicant moves the sewer, pay the difference between the \$117,309.17 sewer main fee and the city-approved credit for moving the sewer into the existing easement prior to issuance of construction permits.
24. Secure construction permits and schedule and attend a pre-construction meeting. Construct new sewers, service laterals, and maintenance access shown on the approved plans. Satisfy construction services inspection requirements and secure construction acceptance.
25. Satisfy submittal and other requirements itemized in the Notification of Civil Plan Approval and secure final civil project acceptance.
26. Temporary street and building address signage shall be visible and legible from the street fronting the property for emergency response during construction.
27. All fire safety provisions of the International Fire Code shall be adhered to.
28. No smoking signage shall be posted throughout the site except in designated smoking areas.
29. Site security shall be maintained to prevent unauthorized access.
30. Consideration for emergency vehicle access shall be taken when staging materials for construction.
31. 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

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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 inspectionreports@cityofvancouver.us.

Prior to Final Plat Approval

32. Submit a final plat application. Applications can be found under Building, Planning and Environment on the City of Vancouver website, www.cityofvancouver.us.
33. A stormwater easement the width of Burnt Bridge Creek plus 15 feet on each side within the subject site shall be provided to the City.
34. Complete all mitigation planting and the wetland bank credit purchase.
35. Record a conservation covenant per VMC 20.740.040B. The covenant shall acknowledge the presence of the sewer easement and trail within the Riparian Buffer and/or RMA.
36. Provide a financial assurance in the amount of 125 percent of the estimated cost of mitigation maintenance and monitoring for five years per VMC 20.740.040C.
37. Install a physical demarcation with signage along the outer perimeter of the wetland buffer and riparian area per VMC 20.740.140C1c and VMC 20.740.110C1d.
38. Place a note on the plat stating: "Zero lot line development is subject to the standards of VMC 20.910.050."
39. 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 the plat.
40. Covenants running with the land, approved by the City Attorney, shall convey a four-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.
41. Place a note on the plat stating: "Pursuant to VMC 20.915, Park, School and Traffic impact fees must be paid prior to the issuance of a building permit for any single-family home within this subdivision. These fees do not constitute liens against the lots in this subdivision but are collected as a condition of initial building permit issuance."
42. A note shall be added to the plat stating: "In the event that archaeological deposits are encountered during construction, work shall be halted immediately and the City of Vancouver's Community Development Department and the Washington State Department of Archaeology and Historic Preservation shall be notified in order for the

Findings, Conclusions, and Recommendation

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findings to be investigated and assessed by a professional archaeologist.”

43. If a septic system is found, it must be properly abandoned, with written verification submitted to the Health Department. The proposed development must connect to public sewer. A copy of the final acceptance letter from the purveyor shall be submitted to the Health Department along with the final plat.
44. If a well is found, it must be properly decommissioned by a licensed well driller per WAC 173-160-381. Written verification of abandonment must be submitted to the Health Department. The location of any decommissioned well must be shown on the final plat. The proposed development must connect to an approved public water system. A copy of the final acceptance letter from the purveyor shall be submitted to the Health Department along with the final plat.
45. Identify on the plat responsibility/ownership of tracts and how they will be maintained.
46. Provide a letter from a licensed professional engineer certifying that all finished lot elevations are at least one foot above FEMA floodplain elevations, and provide a note on the plat indicating that basements are prohibited.
47. The following note shall be placed on the final plat: “Development within this subdivision is subject to an approved tree plan. Tree removal is subject to approval by the City of Vancouver. Street trees must be planted prior to occupancy per the approved plan.”
48. Show and note proposed on-site public sanitary sewer and access easements on the plat. Specify that the easements are recorded with the plat. Include standard required City of Vancouver plat easement recording language.
49. Revise the street names so that the main leg of the proposed private street shall be named NE 46th Street. The southernmost leg of the loop shall be named NE 103rd Place and the northernmost leg of the loop shall be named NE 104th Place.
50. Provide the following improvements to NE 46th Street, per City of Vancouver standards:
 - Dedicate a 46-foot private street tract.
 - Construct a private street with 28-foot pavement width. Curb, gutter, and five-foot detached sidewalks must be constructed on both sides of the street, per T10-17.
 - Install ‘No Parking – Fire Lane’ signs at appropriate spacing along one side of the street.
 - Utility trenching within the public portion of NE 46th Street shall 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.

- Street lighting must be installed to current standards, see street lighting comments below.
 - Install traffic control devices as warranted, and storm drainage as required by the City stormwater ordinance.
51. Provide the following improvements to NE 103rd Place and NE 104th Place, per City of Vancouver standards:
- Dedicate a 37.5-foot private street tract.
 - Construct a private street loop with 28-foot pavement width. Curb and gutter must be constructed on both sides of the street and five-foot detached sidewalk must be constructed on one side of the street, per T10-17. The sidewalk must be constructed on the side of the street from which the lots take access.
 - Install ‘No Parking – Fire Lane’ signs at appropriate spacing along one side of the street.
 - Street lighting must be installed to current standards, see street lighting comments below.
 - Install traffic control devices as warranted, and storm drainage as required by the City stormwater ordinance.
52. Place a note on the plat stating: “All lots shall conform to the City of Vancouver’s driveway spacing standards, per VMC 11.90.016.”
53. Place a note on the plat stating: “The City of Vancouver has no responsibility to improve or maintain the private streets contained within, or private streets providing access to, the property described in this plat, nor does the City of Vancouver have responsibility for any of the infrastructure associated with the roadway such as sidewalks, drainage facilities, streetlights, curbs, or landscaping.”

Prior to Building Permit Approval

54. 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.

Prior to Occupancy

55. Street and address signage shall be visible and legible from the street fronting the property for emergency response. If applicable, individual suite numbers shall be posted at the suite doors. Where applicable, apartment building designations shall be visible and legible from all potential fire lane approaches.
56. Required fire lane signage shall be installed.

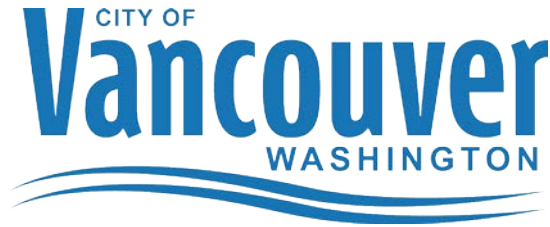
57. Any fire protection features identified as being required during the construction permit review shall be installed and approved prior to occupancy.
58. Permanent vehicle gates crossing required fire lanes shall remain unlocked or open until approved by the fire department.
59. Conditions identified in the construction permit shall be met.
60. All requirements of the applicable fire and building codes and their referenced standards shall be met regardless of approved construction plans.

Issued February 1, 2023.

By:



Sharon A. Rice
City of Vancouver Hearing Examiner



City of Vancouver • P.O. Box 1995 • Vancouver, WA 98668-1995
www.cityofvancouver.us

**Staff Report and Recommendation to the Hearing Examiner
PRJ-168078/LUP-82789**

Project Name	Kevanna Park Meadows Planned Development
Report Date	January 3, 2023
Hearing Date	January 17, 2023
Proposal	Approval of a 33-lot subdivision and planned development for single-family homes using the Type IV process.
Location	11017 NE 51st Circle, at the west end of NE 46th Street. Burnt Bridge Creek runs along the northern and western boundaries of the site. Assessor's serial number: 159850000.
Contact	Travis Johnson, PE, PLS Engineering, 604 West Evergreen Blvd., Vancouver, WA 98660. 360-944-6519.
Applicant	Chad Stewart, Ginn Group, LLC, 502 NE 72nd Street, Vancouver, WA 98665. 360-768-5025.
Property Owner	Affinity Vancouver Manager, LLC, 120 West Cataldo Ave., Ste. 100, Spokane, WA 99201. 509-321-3218.
Staff	Andrew Reule, Senior Planner (Case Manager) Eric Hahn, Senior Civil Engineer – Transportation/Concurrency Mark Hazuka, Senior Civil Engineer – Stormwater/Erosion Control Catherine Morey, Senior Civil Engineer – Sanitary Sewer Giff Hancock, Senior Engineering Technician – Water Andrew Jorgenson, Deputy Fire Marshal Patricia Thomson, Building Plans Examiner
SEPA Determination	Final Determination of Nonsignificance
Approval Criteria	Planned Development – VMC20.260.050 Subdivision – VMC20.320.040
Staff Recommendation	Preliminary subdivision and planned development approval with conditions. Project conditions are identified in the conclusion of this report.

RECOMMENDATION

This report to the land use hearing examiner is a recommendation from the Community Development Department. The examiner may adopt, modify or reject this recommendation. The hearing examiner recommendation will be forwarded to the City Council for a final decision.



Report Prepared by
Andrew Reule, Senior Planner/Case Manager

January 3, 2023

Date



Greg Turner, Manager
Land Use Team

January 3, 2023

Date

BACKGROUND

Project Summary

The project is a 33-lot single-family subdivision and planned development reviewed through the Type IV process. The development includes common open space and critical areas. Vehicular access will be provided via a connection to NE 46th Street to the east.

General Site Information

Zoning District	R-6
Adjacent Zoning Designations	R-6 to south and east. Park to northeast. CG to north and west.
Comprehensive Plan Designation	UL
Parcel Size	6.08 per site survey
Adjacent Land Uses	Residential to north, south and east. I-205 to west.
Access Roads	NE 46 th Street
Existing Vegetation	Mix of grass, trees and shrubs
Existing Structures	None
Topography	Generally level
Geologic Hazards	No mapping indicators
Seismic Hazard	Site class B-C and C. Very low liquefaction susceptibility.
Habitat and Species Impacts	Riparian and Oregon white oak habitat
Flood Plains	Floodway and floodplain of Burnt Bridge Creek
Wetlands	Wetland mapping
Archaeology	Level A and site buffer
Drainage Basin	Burnt Bridge Creek
Wellhead Protection	Not in buffer area
Soils	LgB and ThA
Park Impact Fee District	C
School Impact Fee District	Evergreen
Impacted Schools	Orchards, Covington and Heritage
Traffic Impact Fee District	Pacific
Transportation Analysis Zone	303
Sewer District	Vancouver
Water District	Vancouver
Fire Service	Vancouver
Neighborhood Association	Kevanna Park

Procedural History

Activity	Case #	Date
Pre-application conference	PIR-82372	05-12-2022
Application accepted	LUP-82789	09-06-2022
Application determined fully complete		10-05-2022
Notice of application and notice of public hearing		10-19-2022
SEPA determination: DNS		10-19-2022
Hearing Date		01-17-2023

APPLICABLE REGULATIONS

Vancouver Municipal Code

VMC Chapters 11.80 Street Standards; 11.90 Transportation; 11.95 Transportation Concurrency; 14.04 Water and Sewer Use Regulations; 14.16 Water and Sewer Service Connections; 14.24 Erosion Control; 14.25 Stormwater Control; 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; 20.260 Planned Development; 20.320 Subdivisions; 20.410 Lower Density Residential Districts; 20.710 Archaeological Resource Protection; 20.740 Critical Areas Protection; 20.770 Tree Conservation; 20.910.050 Zero Lot Line Developments; 20.915 Impact Fees; 20.925 Landscaping and Open Storage; 20.927 Narrow Lots; 20.945 Parking and Loading; 20.970 Solid Waste; and 20.790 State Environmental Policy Act.

Comprehensive Plan

Public Works Publications

General Requirements & Details for Water Main Construction
General Requirements & Details for Sewer Main Construction

Other

RCW 58.17

Manual on Uniform Traffic Control Devices

ANALYSIS

Staff reviewed the proposal for compliance with applicable regulations, code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

PUBLIC AND AGENCY COMMENTS

Clark County Public Health

Public Health issued a Development Review Evaluation dated June 2, 2022 for the proposal (Exhibit G). A summary of the findings of that report are below.

No septic system is known to exist on the subject site. **If a septic system is found, it must be properly abandoned, with written verification submitted to the Health Department prior to final plat approval. The proposed development must connect to public sewer. A copy of the final acceptance letter from the purveyor shall be submitted to the Health Department along with the final plat.**

No well is known to exist on the subject site. **If a well is found, it must be properly decommissioned by a licensed well driller per WAC 173-160-381. Written verification of abandonment must be submitted to the Health Department prior to final plat approval. The location of any decommissioned well must be shown on the final plat. The proposed development must connect to an approved public water system. A copy of the final acceptance letter from the purveyor shall be submitted to the Health Department along with the final plat.**

Dept. of Ecology

The Department of Ecology submitted a letter dated Nov. 18, 2022 (Exhibit H) and a follow-up email dated Nov. 29, 2022 (Exhibit I). The letter indicates requirements for critical areas protection, solid waste management and water quality. **The applicant must comply with the requirements for solid waste management and water quality.** Critical area issues are addressed in the Critical Areas Protection section of this report. The follow-up email indicated no concerns with the critical area report or mitigation.

FINDINGS

20.210 Decision Making Procedures

Finding: Per Table 20.210-1, planned developments require a Type IV process. This process requires a 30-day public comment period, a hearing before the city's land use hearing examiner, and a decision by the City Council. As noted in the procedural history section above, staff followed the required notification procedures and review timelines for a Type IV development application. Public comments are addressed in the Public and Agency Comments section above.

Conclusion: The proposal complies with the procedural requirements of VMC 20.210.

20.260 Planned Developments

Finding: Per VMC 20.260.030B, planned developments, 25 acres or less in area, require a Type IV process with a recommendation by the hearing examiner to the City Council for final approval.

20.260.020 Applicability

A. Applicable in all zones.

The planned development is a development vehicle that may be used in all base zoning districts except in the Park, Greenway and Natural Area districts.

Finding: The base zone of the parcels is R-6; therefore, a planned development is allowed.

B. Permitted Uses.

Finding: The applicant is proposing 33 single-family detached residential units. In the R-6 residential district, single-family detached dwellings are a permitted use.

20.260.030 Approval Process

A. Elements of approval process. *The two elements of the planned development approval process*

- 1. Approval of the planned development concept development plan which contains a substantial level of detail for the whole project; and*
- 2. Approval of the detailed site plan(s) to be constructed in one or more phases that provide all of the additional detail not contained in the concept plan.*

Finding: The applicant has submitted a concept development plan and a detailed development plan as part of their planned development application. In addition, the applicant is requesting approval of a subdivision. Per VMC 20.260.030(C), filing multiple applications is permitted and shall be reviewed by the procedure type of the highest level. The review of a new planned development concept plan requires a Type IV procedure which is the highest level of application. Staff finds the proposed concurrent reviews adhere to VMC 20.260.030(C).

20.260.050 Approval Criteria

A. Concept development plan approval criteria. To receive approval for a planned development, the applicant shall demonstrate compliance with all of the following criteria:

1. Content. The concept plan contains all of the components required in Section 20.260.070. The proposed development and uses comply with all applicable standards of the Title, except where adjustments are being approved as part of the concept plan application, pursuant to Section 20.260.030 (D)(2).

Finding: The applicant has submitted a Concept Development Plan with their application. Elements of this plan were reviewed against VMC 20.260.070. Further analysis of this plan will be addressed throughout this report.

2. Architectural and site design. The proposed development demonstrates the use of innovative, aesthetic, energy-efficient and environmentally-friendly architectural and site design.

Finding: The proposed development includes small energy-efficient homes that maximize the density of the site while maintaining some environmentally sensitive areas pursuant to the city's critical areas ordinance; however, the proposal also develops most of the riparian buffer, which is the area between 100 and 175 feet from the ordinary high water mark of Burnt Bridge Creek. While this is permitted under the critical areas ordinance (VMC 20.740.110C2a) because functionally significant habitat has been preserved within the buffer and the Clark County habitat biologist has determined that, with mitigation, there is no net loss of habitat functions, it does not meet the above standard of "innovative, aesthetic and environmentally-friendly site design." **Therefore, prior to civil plan approval, the mitigation and landscape plans shall be revised to include the planting of 70 native trees within the riparian zone, such as bigleaf maple, red alder, Oregon white oak, Douglas fir and western red cedars to shade the creek and provide habitat value.** This will result in a development that complies with the requirement for innovative, aesthetic and environmentally-friendly site design.

3. Transportation system capacity. There is either sufficient capacity in the transportation system to safely support the development proposed in all future phases or there will be adequate capacity by the time each phase of development is completed.

Finding: A transportation impact study was submitted to the City of Vancouver's Transportation Department for review. The analysis of this study found that there is adequate capacity in the city's transportation system to support the proposed development. See the Transportation section of this report for more details.

4. Availability of public services. There is either sufficient capacity within public services such as water supply, police and fire services, and sanitary waste and storm water disposal, to adequately serve the development proposed in all future phases, or there will be adequate capacity available by the time each phase of development is completed.

Finding: The proposal has been reviewed by the Public Works Department for public service availability. Their comments and conditions are addressed in the engineering sections of this report.

5. Protection of designated resources. Protection of designated resources. City-designated resources such as historic landmarks, significant trees and sensitive natural resources are protected in compliance with the standards in this and other Titles of the VMC.

Finding: The site contains the floodway and floodplain of Burnt Bridge Creek, the Riparian Management Area (RMA) and Riparian Buffer (RB) of the creek, Oregon white oak habitat, and a wetland. The proposal has been reviewed for compliance with the city's tree preservation and critical areas ordinances. The requirements of these ordinances are addressed in the applicable sections of this report. See criterion 2 above for additional tree planting requirements.

6. Compatibility with adjacent uses. The concept plan contains design, landscaping, parking/traffic management and multi-modal transportation elements that limit conflicts between the planned development and adjacent uses. If zoning districts are shifted per Section 20.260.020(C) VMC, there shall be a demonstration that the reconfiguration of uses is compatible with surrounding uses by means of appropriate setbacks, design features or other techniques.

Finding: The subject site is bordered by natural areas and a residential care facility to the north, single-family homes and a city park to the east, single-family homes to the south, and natural areas and I-205 to the west. Based on the surrounding uses, the proposed development of single-family homes is compatible with adjacent uses. The proposed lots are all interior to the subject site, and none border adjacent lots.

7. Mitigation of off-site impacts. All potential off-site impacts including litter, noise, shading, glare and traffic, will be identified and mitigated to the extent practicable.

Finding: The development will be subject to applicable building codes, routine site inspections during construction and VMC 8.20 Nuisances and VMC 20.935 Off-Site Impacts.

B. Adjustment approval criteria. Adjustments to numerical development standards may be processed as part of the request for concept if the applicant can demonstrate compliance with all of the following approval criteria:

1. The adjustment(s) is warranted given site conditions and/or characteristics of the design.
2. The benefits accruing from the implementation of the adjustment outweigh any potential adverse impacts.
3. Any impacts resulting from the adjustment are mitigated to the extent practical.

Finding: The applicant is not requesting adjustments to numerical development standards.

C. Conditions of approval. The review authority shall impose any conditions of approval necessary to mitigate potentially adverse impacts on surrounding properties to the greatest extent practicable.

Finding: Staff recommends the conditions of approval that are documented within this report and are listed at the end of the report. **The additional tree planting required within the riparian zone under criterion A2 above will mitigate adverse impacts from developing most of the riparian buffer.**

D. Detailed site plan approval criteria. During the site plan review process, the planning official shall approve the detailed development plan for one or more phases of the development upon finding that the final plan conforms to the approved conceptual development plan, including all conditions of approval, unless the modification of the concept plan is sought concurrently as described in 20.260.030 (C)(6) VMC.

Finding: The applicant has submitted detailed plans showing proposed houses for the new single-family lots. The applicant is not proposing phasing for this project.

20.260.060 Development Standards

A. Minimum development size. There shall be no minimum site size for any type of planned development.

Finding: The applicant is proposing a planned development for a tract of land 6.08 acres in size.

B. Applicability of base zone development standards. The provisions of the base zone are applicable as follows. When the zoning districts within the planned development have been shifted as permitted in Section 20.260.020 (C) VMC, the applicable development standards for the underlying zones shall shift accordingly.

1. *Lot dimensional standards:* The minimum lot depth and lot width standards shall not apply.

Finding: As noted above, no minimum lot depth or width standard applies.

2. *Lot coverage:* The site coverage provisions of the base zone shall apply.

Finding: The R-6 zone allows for 50 percent lot coverage. The plans indicate a maximum lot coverage of 50 percent.

3. *Setbacks:*

- a. *Front and rear yard setbacks for structures at the perimeter of the project shall be the same as required by the base zone except when an adjustment is approved, per Section 20.260.030(D).*

Finding: The proposed lots are all located within the interior of the site.

- b. *The side yard setback provisions shall not apply except that all detached structures shall meet the City's adopted building code requirements for type of construction.*

Finding: Each new house will be reviewed for compliance with the city's adopted building code at the time of building permit application.

- c. *Front yard and rear yard setback requirements in the base zone setback shall not apply to structures on the interior of the project except that any garage facing a street shall be set back a minimum of 18 feet from the front or side street property line.*

Finding: The proposal meets the front and rear yard setback requirements in the base zone.

- d. *All buildings will meet the front and rear yard setback standards as modified pursuant to this Chapter, except for maximum height for which a variance shall be sought, as governed by Chapter 20.290 VMC.*

Finding: The applicant is not proposing an adjustment to the height requirement of the base zone.

4. *The hearings examiner can reduce the minimum lot size requirement for attached and detached single-family residential uses in planned developments.*

Finding: The applicant is proposing lots as small as 2,080 square feet. The minimum lot size in the R-6 zone is 7,500 square feet. The smaller lot size accommodates the density permitted under a planned development in the R-6 zone, and increased preservation of environmentally sensitive lands. Staff recommends that the minimum lot size be reduced as proposed by the applicant.

C. Common open space. *In exchange for the approval of higher residential densities, smaller lots and relaxed development standards, the developer of a planned development is required to provide common open space for the active and passive recreational activities of residents, employees and visitors. Such space shall be aggregated and centralized to the development to the fullest extent feasible and shall consist primarily of a combination of landscaped open areas. Unlandscaped natural areas or paved hardscape areas may also be included if they also promote active or passive recreational uses. Features may include plazas, arbors, sitting areas, picnic areas, playing fields and trails.*

- In planned developments, the following requirements shall apply.
 - a. At least 10 percent of the gross area of the site must be devoted to such open space. Such space must be fully accessible to the residents, employees, visitors and/or other users of the site. Reduction of this standard in PDs of two acres or more is prohibited. A reduction of this standard in PDs of less than two acres is subject to an adjustment per Section 20.260.030(D) VMC using approval criteria in Section 20.260.050(B) VMC.

Finding: The gross area of the site is 6.08 acres or 264,845 square feet. Ten percent of the site equals 26,485 square feet. The applicant is proposing 135,693 square feet, or 51 percent of the site, as open space that is accessible to residents.

- b. Fenced yards associated with buildings immediately adjacent to designated open space and landscaping in parking lots shall not count toward the total requirement.

Finding: No fenced yards or landscaping associated with parking lots are counted toward the open space requirement.

- c. Environmentally-constrained land within the planned development, including wetlands, geologically hazardous areas, sensitive wildlife habitats, pursuant to Section 20.740 VMC or native vegetation and healthy soil preservation pursuant to 20.770 VMC or stormwater facilities pursuant to Chapter 14.25 VMC; may be used to meet up to 50 percent of the total requirement specified in Subsection (a) above, provided that these areas are not fenced and are either accessible to pedestrians to the extent practical or are visually accessible from adjacent and adjoining common open space.

Finding: The plans indicate 15,619 square feet of open space that is not environmentally constrained. This represents 59 percent of the minimum open space requirement of 26,485 square

feet. The environmentally constrained open space is accessible to pedestrians via sidewalks and a walking path.

- The common open space designated to meet this requirement shall be permanently maintained by and conveyed to one of the following:
 - a. A homeowners' or property owners' association as regulated by state law.
 - b. A public agency that agrees to maintain the common open space and any buildings, structures or improvements placed within it.

Finding: A condition of approval has been added requiring the following note to be placed on the final plat, **"A homeowners' association shall be responsible for maintenance of all open space tracts listed on the plat."**

- The applicant may not seek a variance or adjustment to reduce the minimum open space requirement specified in Subsection (2)(a) above.

Finding: The applicant did not request a variance or adjustment to the minimum open space requirement.

D. Residential Density. An applicant for a planned development shall be entitled to an automatic residential density bonus of 15 percent above the maximum density allowed in the underlying base zone on the portions of the site devoted to housing.

Finding: The site has a zoning designation of R-6. The gross area of the site is 6.08 acres per a stamped survey. The total area of streets is 1.01 acres, for a net site area of 5.07 acres. The allowed density range for development within the R-6 zone is 4.5 to 5.8 units per acre.

Zone	Total Net Area	Minimum Units Required	Maximum Units Allowed
R-6	5.07 acres	23	29

Per VMC 20.260.060D2, planned developments are entitled to a 15 percent density bonus. Therefore, the maximum number of dwelling units permitted on the site is 33. The proposal is for 33 units.

Conclusion: The proposal complies with the planned development standards of VMC 20.260 as conditioned.

20.320 Subdivisions

Finding: Per VMC 20.320.020A2, 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 and 20.927.030 for narrow lot development.

Approval Criteria. Per VMC 20.320.040, to receive approval of a preliminary subdivision, the applicant must demonstrate compliance with the following criteria:

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.

Finding: All utilities required for development are available to the site and will be extended as required for connection as indicated and conditioned in the engineering sections of this report.

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.

Finding: As noted in the engineering sections of this report, the proposed plat can comply with city requirements for streets, alleys and public ways, utilities, and other improvements as conditioned. Clark County Public Health performed a Development Review Evaluation for the project site June 2, 2022. Their requirements are noted in the Public and Agency Comments section of this report.

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.

Finding: Appropriate provisions to mitigate impacts of this development will be made with the payment of park and school impact fees, and the creation of open space tracts. The applicant will be required to provide any necessary easements prior to final plat approval. **Prior to final plat approval, indicate on the plat the ownership and maintenance responsibilities for the private tracts.**

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.

Finding: The physical characteristics of the site have been considered and are addressed in the Critical Areas section of this report.

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.

Finding: The subject site is not part of a recorded subdivision.

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.

Finding: The provisions of this title have been met or will be met with conditions of approval as noted in this report.

Compliance with state requirements

That the proposed short subdivision or subdivision complies with the requirements of RCW 58.17.110.

Finding: The comprehensive plan identifies goals and policies that guide development in the City of Vancouver for the benefit of the public health, safety and general welfare. The proposed plat complies with these goals and policies by providing new housing units affordable to a large segment of the population at allowed densities; by providing the necessary infrastructure, including sidewalks, to serve the development, including the payment of impact fees for schools, parks and transportation; and by demonstrating all applicable laws can be complied with as conditioned. The proposed plat will assist in the expansion of the city's housing supply, it will facilitate development in an area that is largely developed and has urban services, and it will implement city goals promoting development while limiting urban sprawl.

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.*

As stated in the Transportation section of this report, proposed street improvements will comply with the provisions of Title 11, subject to the conditions of approval.

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 proposed plat layout results in the creation of two blocks of single-family lots. The blocks provide for adequate building sites and access as noted and conditioned in this report.

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.*

No block exceeds 1,300 feet in length between street lines or is adjacent to arterial streets. The length of the smallest block between streets is 183 feet.

Easements - 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.*

All water, storm, and sanitary sewer lines constructed within the public right of way do not require easements. However, if these lines, hydrants, water meters or other utilities are constructed outside the public right of way, dedication or easements will be required prior to final plat approval.

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.*

Burnt Bridge creek traverses the western edge of the site. **A stormwater easement the width of the creek plus 15 feet on each side within the subject site shall be provided to the city prior to final plat approval.**

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.*

No blocks are being created over 800 feet in length.

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.*

No flag lots are proposed.

Lot side lines. *Side lines, as far as practical, shall run at right angles to the street on which the lot faces.*

Side lot lines, as far as practical, run at right angles to adjacent streets.

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 have at least 20 feet of frontage.

Lot depth and setbacks. *Lots fronting or accessing on primary or secondary arterials shall be avoided when possible. If lots front on arterials, the lots shall have an average minimum depth of 100 feet.*

Finding: No proposed lot fronts on a primary or secondary arterial.

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, assessed for each new residence, are to be used for the acquisition of new parklands and improvements to existing parks. The plat also includes several open space tracts.

Existing trees. *All subdivision developments shall comply with the tree and vegetation management provisions contained in Chapter 20.770 VMC Tree Conservation.*

The proposal complies with the tree ordinance as noted and conditioned in the Tree Conservation section of this report.

Public improvements. *Public improvements, which are installed by the developer either as a requirement of this approval or at his own option, shall conform to the requirements, improvement standards, specifications, inspections and procedures of Title 20.*

The applicant has submitted preliminary engineering plans. These have been reviewed by city engineers, and their comments and conditions are noted in the applicable engineering sections of

this report. Civil plans will be required to be submitted for review, approval and construction prior to recording the final plat.

Conclusion: The proposal complies with the approval criteria of VMC 20.320.040 as conditioned.

20.410.030 Lower Density Residential Uses

Finding: Per table 20.410.030-1, single-family dwellings are a permitted use within the R-6 zoning district.

20.410.040 Minimum and Maximum Densities

Finding: The site has a zoning designation of R-6. The gross area of the site is 6.08 acres per a stamped survey. The total area of streets is 1.01 acres, for a net site area of 5.07 acres. The allowed density range for development within the R-6 zone is 4.5 to 5.8 units per acre.

Zone	Total Net Area	Minimum Units Required	Maximum Units Allowed
R-6	5.07 acres	23	29

Per VMC 20.260.060D2, planned developments are entitled to a 15 percent density bonus. Therefore, the maximum number of dwelling units permitted on the site is 33. The proposal is for 33 units.

20.410.050 Development Standards

Finding: Development standards are listed in the table below for the R-6 zoning district. The proposed lots meet the minimum standards for a planned development in the R-6 zone, provided the hearing examiner reduces the minimum lot size to 2,080 square feet as permitted in a planned development.

Standard	Required	Existing/Proposed
Minimum lot size	7,500 sq. ft. average, 6,000 min. ¹	2,080 sq. ft. ¹
Minimum lot width	0' per Planned Development standards	NA
Minimum lot depth	0' per Planned Development standards	NA
Maximum lot coverage	50%	50%
Minimum setbacks		
Front yard	0' per Planned Development standards 18' to garage	NA 18'
Rear yard	0' per Planned Development standards	NA
Rear through-street	NA	NA
Side yard	0' per Planned Development standards	0'
Street side yard	0' per Planned Development standards	10'

Between buildings on site	NA	NA
Maximum height	35'	2 stories
Minimum landscaping requirement (percentage of total net area)	10%	23%

The hearings examiner can reduce the minimum lot size requirement for attached and detached single-family residential uses in planned developments.

Finding: The proposal includes zero lot line development. Per VMC 20.910.050, 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 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.

Requirements for building wall construction will be reviewed at the time of building permit application.

Conclusion: The proposal complies with R-6 zoning standards as conditioned.

20.710 Archaeological Resource Protection

Finding: This project is located within an area of high probability for the discovery of archaeological resources; therefore, a predetermination report was required as part of the application. The predetermination report was reviewed by the city's contract archaeologist. It was determined that the report and fieldwork adequately cover the objective of the predetermination, and that no archaeological resource survey is necessary. However, if any cultural or historical resources are discovered during construction activity, construction shall cease until a qualified archaeologist assesses the find. **Prior to final civil and plat approval, a note shall be added to the plans and plat stating: "In the event that archaeological deposits are encountered during construction, work shall be halted immediately and the City of Vancouver's Community Development Department and the Washington State Department of Archaeology and Historic Preservation shall be notified in order for the findings to be investigated and assessed by a professional archaeologist."**

Conclusion: The proposal complies with VMC 20.710 as conditioned.

20.740 Critical Areas Protection

Finding: The site contains the floodway and floodway fringe of Burnt Bridge Creek, the Riparian Management Area (RMA) and Riparian Buffer (RB) of the creek, Oregon white oak habitat, and a wetland; therefore, a critical areas report prepared by qualified professionals is required. The applicant has submitted a critical areas report by Ecological Land Services (ELS) dated Aug. 11, 2022 (Exhibit J) and a mitigation plan by ELS dated Aug. 18, 2022 (Exhibit K).

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.*

Finding: No work is proposed within the floodway or floodway fringe of Burnt Bridge Creek; therefore, the floodplain is avoided.

Finding: No development is proposed within the Riparian Management Area (RMA) of Burnt Bridge Creek, which is the land within 100 feet of the creek's ordinary high water mark, except for a pedestrian path of wood chips. Trails are permitted in the RMA per VMC 20.740.110C2b2. The Clark County wetland and habitat biologist has confirmed that the proposed path complies with this code section. Therefore, the RMA has been avoided. City sanitary sewer engineering requires an upgrade of the proposed wood chip path so that it would be suitable for the city's sewer maintenance vehicles in the event that existing city sewer lines running through the site require maintenance. This would result in the path being up to 10 feet wide. Because the sanitary sewer lines to be served by this maintenance path are existing within the RMA, it is not possible to avoid the RMA. The Riparian Buffer (RB), which is the area between 100 and 175 feet of the ordinary high water mark of Burnt Bridge Creek, is not avoided. The applicant proposes to develop most of the buffer. This is permitted under the critical areas ordinance (VMC 20.740.110C2a) because functionally significant habitat has been preserved within the buffer and the Clark County habitat biologist has determined that, with mitigation, there will be no net loss of habitat function.

Finding: All Oregon white oak trees have been avoided except for one. This tree is near the point where NE 46th Street will enter the site. Because this is the only point of access for the subject property, the tree cannot be avoided.

Finding: A category III wetland is located on the site. The wetland will be avoided; however, 4,625 square feet of wetland buffer will be impacted. The wetland is located near the end of NE 46th Street. Because this is the only access into the site, the wetland buffer cannot be completely avoided.

- 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.*

Finding: As noted above, no work is proposed within the floodway or floodway fringe of Burnt Bridge Creek. While development has been proposed within the Riparian Buffer, this is permitted by the critical areas ordinance as noted above. Impacts to Oregon white oak have been minimized by retaining all but one tree that is located at the only access point into the site. While impacts to the entire wetland buffer on-site could not be avoided, they have been limited to only that necessary to provide vehicular access to the development.

- 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.*

Finding: Because the critical areas ordinance requires that the lowest floor of homes be elevated to a minimum of one-foot above the base flood elevation (VMC 20.740.120J10c), **FEMA elevation certificates will be required prior to occupancy of each home.**

Finding: Although development is permitted within the Riparian Buffer as noted above, mitigation is required. The applicant has proposed to plant 920 native shrubs and six Oregon white oak within the riparian area as mitigation for impacts to the buffer and for the removal of one oak tree. This has been reviewed by the Clark County wetland and habitat manager who concurs with the proposed mitigation.

Finding: The applicant has proposed to mitigate impacts to the on-site wetland buffer through the purchase of mitigation credits at the Terrace Mitigation Bank, which is located at the headwaters of Burnt Bridge Creek. This proposal has been reviewed by the Clark County wetland and habitat manager who has found it acceptable.

- 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.*

Finding: The critical areas report, proposed mitigation and review by the Clark County wetland and habitat manager indicate no net loss of critical area functions and values from the proposal.

- 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.*

Finding: Based on the technical information submitted for this project, the proposal is consistent with the general purposes of the Critical Areas Ordinance. The reports and plans do not indicate a significant threat to public health, safety or welfare.

- F. Performance Standards. *The proposal meets the specific performance standards of VMC 20.740.110 Fish and Wildlife Habitat Conservation Areas, 20.740.120 Frequently Flooded Areas, and VMC 20.740.140 wetlands.*

Frequently Flooded Areas

Finding: The proposal will comply with the performance standards for frequently flooded areas provided that FEMA elevation certificates are required prior to occupancy of each home as noted and conditioned above.

Fish and Wildlife Habitat and Wetlands

The proposal will comply with the performance standards for habitat areas and wetlands provided that, **prior to final plat approval, the applicant shall:**

Complete all mitigation planting and the wetland bank credit purchase.

Record a conservation covenant per VMC 20.740.040B. The covenant shall acknowledge the presence of the sewer easement and trail within the Riparian Buffer and/or RMA.

Provide a financial assurance in the amount of 125 percent of the estimated cost of maintenance and monitoring for five years per VMC 20.740.040C.

Provide a physical demarcation with signage along the outer perimeter of the wetland and riparian area per VMC 20.740.140C1c and VMC 20.740.110C1d.

Conclusion: Based on the findings noted above, the proposal complies with the requirements of the critical areas ordinance as conditioned.

20.770 Tree Conservation

Finding: The city's forester has reviewed the proposed plans and found that the proposal can comply with the requirements of VMC 20.770 subject to the following conditions:

Prior to civil approval, show protection of off-site trees with tree protection fencing on the grading plan.

Prior to civil plan approval, space conifer trees 20 feet on center to provide enough canopy and root space for trees to mature. Given the proximity to a riparian zone, utilize approximately 33 percent Douglas fir, 33 percent Western Red Cedars and 33 percent Alaskan Yellow Cedars. If not all conifers can meet this spacing requirement in the developed portion of the site, the remaining trees shall be planted within the riparian zone, and they will count towards the 70 native trees required to be planted in the riparian zone.

Prior to civil approval, do not plant conifers south of Oregon White Oak 16. Plant additional White Oaks 30 feet from this tree in the open space.

Prior to final plat approval, clearly identify responsibility of tracts and how they will be maintained, especially within critical areas on the final plat.

Prior to final plat approval, the following note shall be placed on the final plat: "Development within this subdivision is subject to an approved tree plan. Tree removal is subject to approval by the City of Vancouver. Street trees must be planted prior to occupancy per the approved plan".

Conclusion: The requirements of VMC 20.770 can be met as conditioned.

20.790 SEPA

Finding: The applicant submitted an environmental checklist for review (Exhibit D). Staff issued a Notice of Application, Public Hearing and optional SEPA Determination of Nonsignificance (DNS) Oct. 19, 2022 (Exhibit E). One comment letter from the Dept. of Ecology was received during the 30-day public comment period, which is addressed in the Public and Agency Comments and Critical Areas Protection sections of this report. A Final Determination of Nonsignificance (DNS) was issued Nov. 22, 2022 (Exhibit F). The appeal period ended Dec. 6, 2022. No appeals were received.

Conclusion: SEPA requirements have been met.

20.915 Impact Fees

Finding: This project is subject to park, transportation and school impact fees. The site is within Park District C, the Pacific Traffic Impact Fee area, and the Evergreen School District. **The applicant shall place a note on the plat stating: "Pursuant to VMC 20.915, Park, School and Traffic impact fees must be paid prior to the issuance of a building permit for any single-family home within this subdivision. These fees do not constitute liens against the lots in this subdivision but are collected as a condition of initial building permit issuance."**

Conclusion: The proposal can comply with impact fee requirements as conditioned.

20.925 Landscaping

Finding: Ten percent of the net lot area of each single-family lot shall be landscaped. Compliance with this requirement will be verified at the time of building permit review for each of the single-family lots.

Prior to civil approval, street trees are required to be shown along public and private streets. The plans indicate compliance with this requirement.

Conclusion: The proposal can comply with the landscaping requirements of VMC 20.925.

20.927 Narrow Lot Development

Finding: Each of the proposed single-family lots in this subdivision are less than 40 feet in width, which requires adherence to the requirements of the narrow lot development chapter. The purpose of this chapter is to provide additional standards to eliminate conflicts between the design and location of driveways with utilities, streetlights, fire hydrants, water meters etc.; provide adequate guest parking; and ensure adequate access for solid waste collection vehicles eliminating conflicts with frontage requirements.

In order for the city to grant approval of a preliminary subdivision, the applicant shall demonstrate compliance with the following criteria:

A. Conflicts on narrow lots shall be eliminated. The development shall be 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., shall be considered in the design of the development and coordinated to eliminate conflicts with one another and meet minimum spacing requirements.

Finding: The applicant has submitted a narrow lot plan showing that utilities, driveways, sidewalks, street trees, infiltration systems, guest parking, light poles, fire hydrants and mailboxes can all be accommodated as conditioned in this report.

B. Adequate guest parking shall be provided. The development must be designed to provide for 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.

Finding: Because the subdivision has 33 narrow lots, 11 guest parking spaces are required. The plans indicate seven guest spaces off-street, and internal streets that will accommodate parking on one side of the street, for approximately 34 additional spaces. Per VMC 20.927.040A2, common areas reserved for guest parking shall have no more than five parking stalls in each area unless the applicant demonstrates required parking cannot otherwise be provided. **Required parking can be provided on-street; therefore, the common parking area shall be reduced to five stalls. The parking area shall be maintained by a homeowners' association according to a maintenance agreement to be recorded with the plat.**

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.

Finding: The city's Solid Waste Division has reviewed the proposed subdivision. Their findings and conditions are in the Solid Waste section of this report.

Conclusion: The proposal complies with narrow lot standards as conditioned.

20.945 Parking

Finding: Each new single-family residence will require one off-street parking space. The space must be a minimum of 9 feet wide by 17 feet deep, paved and located outside the minimum setbacks. Each lot will be reviewed for compliance with this requirement at the time of building permit review.

Finding: Because the subdivision has 33 narrow lots, 11 guest parking spaces are required. The plans indicate that both on-street and off-street parking will be available in excess of 11 spaces.

Conclusion: The proposal can comply with the requirements of VMC 20.945.

20.970 Solid Waste Disposal and Recycling

Finding: Narrow lot developments are subject to specific standards with regard to solid waste collection established by VMC 20.927.

Concerning Cart Set Out

Finding: The proposed Kevanna Park Meadows plat with 33 lots will have to plan for future garbage and recycling service. Each lot will most likely be served as a single-family customer; each will have a cart for garbage, a cart for recycling and a bin for glass. As proposed, the collection will take place in front of each residence, except for grouped set-out for Lots 1-4 and 20-23. The applicant has illustrated on plans the cart set-out location for each lot (003 Narrow Lot Plan.pdf V1).

Per VMC 20.927.040(A)(3)(c), where collection is not feasible on each lot, a designated common collection point to serve up to four lots, located no further than 150 feet from any lot it serves, may be provided. Common collection points shall be shown on the solid waste and recycling plan and sized to accommodate the carts and bins associated with the city's garbage, yard debris and recycling collection system. System specifics may be obtained from the city's Solid Waste Services Department.

Conclusion: The proposal has satisfied solid waste requirements for providing adequate cart set-out.

Concerning Solid Waste Collector Access

Finding: Per VMC 20.927.030(C), solid waste/recycling collection and access shall be provided. The development shall be designed to provide safe access and maneuvering by solid waste and recycling collection vehicles to designated collection points for each lot. The proposed public alley/private road, with a width of 28 feet, appears sufficient for collection trucks to safely access and service the development. Turnaround appears feasible using the proposed NE 45th Loop.

Conclusion: The proposal has satisfied solid waste requirements for providing collector access.

11.04 Transportation – Street Numbering and Naming

Finding: The applicant is proposing a 33-lot planned development and subdivision utilizing the narrow lot development standards for the construction of single-family detached, zero lot line homes. The project is located at the west end of NE 46th Street. The site address is 11017 NE 51st Circle. The site is currently vacant. Access to the lots will be by way of a new private street loop extending from the end of NE 46th Street.

As described above, the proposed lots will take access by way of a new private street loop. **Per the standards and requirements for street naming provided in VMC 11.04, the main leg of the proposed private street shall be named NE 46th Street. The southernmost leg of the loop shall be named NE 103rd Place and the northernmost leg of the loop shall be named NE 104th Place. Revise the street naming prior to civil and final plat approval.**

Conclusion: The proposed development meets the requirements of VMC 11.04 as conditioned.

11.70 Transportation Concurrency

Finding: The applicant submitted a Transportation Impact Study (TIS), dated Aug. 17, 2022, from Lancaster Mobley (Exhibit L). The TIS included trip generation, trip distribution, intersection queueing and capacity analysis, crash history analysis, and signal warrant analysis for the intersection of NE 46th Street and NE 112th Avenue. Trip generation rates in the TIS were based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition, utilizing Land Use Code 210 (Single-Family Detached Housing). Based on this information, the proposed project will generate 330 new Average Daily Trips, including 25 new a.m. peak hour trips and 33 new p.m. peak hour trips.

The results of the analysis of the intersection of NE 46th Street and NE 112th Avenue indicate that the intersection is operating acceptably within the city's standards and will continue to do so through 2029 after completion of the project. Further, the analysis indicates that crash history at the intersection has a relatively low occurrence rate and MUTCD signal warrants will not be

exceeded after the project is completed, so a traffic signal will not be installed at the intersection as part of the development project.

Pursuant to VMC 11.70.090, the segment of NE 112th Avenue between NE 28th Street and NE 51st Street is designated as a Category 1 Concurrency corridor, which stipulates that the corridor is operating at or above the city's adopted level of service standards. Based on the traffic report, the proposed development will generate 18 new p.m. peak hour trips to this corridor. This is not anticipated to cause the corridor to drop below the adopted level of service standard.

The proposed use is located within the 303 Transportation Analysis Zone. The proposed project contributes p.m. peak hour trips to the following Transportation Management Zones (TMZ):

Corridor Name	Corridor Limit	PM Peak Trips
Fourth Plain Blvd	I-5 to Andresen Road	1
Fourth Plain Blvd	Andresen Road to I-205	2
Fourth Plain Blvd	I-205 to 162 nd Ave.	2
Andresen Road	Mill Plain Blvd. to SR-500	1
112 th Avenue	Mill Plain Blvd. to 28 th Street	9
112 th Avenue	28 th Street to 51 st Street	18
Burton Road / 28 th St.	18 th Street to 112 th Ave.	1
Burton Road / 28 th St.	112 th Ave. to 138 th Ave.	1
NE 18 th Street	112 th Avenue to 138 th Avenue	2
NE 18 th Street	138 th Avenue to 162 nd Avenue	2

Based on the above table, **prior to the issuance of civil plan approval, the applicant shall pay concurrency modeling fees totaling \$1,500.** Pursuant to the applicant's information, the project will not distribute trips to any other Transportation Management Zone.

Transportation Impact Fees (TIF) are imposed per VMC 20.915. See the section of this staff report addressing VMC 20.915 for calculation of TIF. The submitted documentation fulfills the city's requirements for concurrency analysis.

Conclusion: The proposed development meets the requirements of VMC 11.70 as conditioned.

11.80 Transportation – Street and Development Standards

Finding: The extension of NE 46th Street is a private street which requires a minimum 24-foot paved street width per city standard plan T10-17. According to the preliminary drawings submitted by the applicant, the intent is to construct a private street with 28 feet of paved width to allow parking on one side of the street. **Prior to final plat approval, the applicant shall provide the following improvements to NE 46th Street, per City of Vancouver standards:**

- **Dedicate a 46-foot private street tract.**
- **Construct a private street with 28-foot pavement width. Curb, gutter, and 5-foot detached sidewalks must be constructed on both sides of the street, per T10-17.**
- **Install 'No Parking – Fire Lane' signs at appropriate spacing along one side of the street.**

- **Utility trenching within the public portion of NE 46th Street shall 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.**
- **Street lighting must be installed to current standards, see street lighting comments below.**
- **Install traffic control devices as warranted, and storm drainage as required by the city stormwater ordinance.**

The private street loop (NE 103rd Place and NE 104th Place) requires a minimum 24-foot paved street width per city standard plan T10-17. According to the preliminary drawings submitted by the applicant, the intent is to construct a private street with 28 feet of paved width to allow parking on one side of the street. **Prior to final plat approval, the applicant shall provide the following improvements to NE 103rd Place and NE 104th Place, per City of Vancouver standards:**

- **Dedicate a 37.5-foot private street tract.**
- **Construct a private street loop with 28-foot pavement width. Curb and gutter must be constructed on both sides of the street and 5-foot detached sidewalk must be constructed on one side of the street, per T10-17. The sidewalk must be constructed on the side of the street from which the lots take access.**
- **Install 'No Parking – Fire Lane' signs at appropriate spacing along one side of the street.**
- **Street lighting must be installed to current standards, see street lighting comments below.**
- **Install traffic control devices as warranted, and storm drainage as required by the city stormwater ordinance.**

Street lighting is required on public streets per VMC 11.80.090 and on private streets per VMC 11.80.050(L). Any substandard street lighting shall be required to be upgraded to current city standards as part of this project. Street lighting shall be installed and/or updated to meet the design standards per city standard plans T21-01A through T21-01D. If the applicant proposes to retain the existing lighting or install lighting that exceeds the maximum spacing requirement a photometric analysis will be required to ensure the lighting level standards are met. If the maximum spacing per T21-01A is met, the photometric analysis is not necessary.

When required, photometrics shall be analyzed in zones. Zones for each direction of travel of a straight roadway are done in luminance method. Intersections, sidewalks, and curved roadway sections are their own zones and done in illuminance. Average maintained luminance is measured in candela per square meter. Veiling luminance shall be shown. Average maintained illuminance is measured in foot-candles. Stationing is a required item on the lighting plans. IES files for lighting software can be obtained from lighting manufacturer. Use lighting materials from the City of Vancouver approved material list.

New lights will be LED and existing HPS lights will be retrofitted to LED unless otherwise noted by Traffic. 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.

Conclusion: The proposed development meets the requirements of VMC 11.80 as conditioned.

Title 14 Water

Finding: There is an existing 6-inch ductile iron (DI) water main in NE 46th Street. The applicant is proposing to extend an 8-inch zinc-coated ductile iron (ZDI) main through the site as needed to serve all required water meters, fire hydrants, and fire protection services. Additional requirements may be outlined during the detailed civil plan review process to ensure compliance with the city's water requirements as detailed in the *General Requirements & Details for the Design and Construction of Water, Sanitary Sewer and Surface Water Systems* (latest revision).

Conclusion: The submitted plans indicate that city water requirements can be met.

Title 14 Sewer

Finding: Public sewer traverses the site within public sewer easements. An interceptor sewer flows south across the west portion of the site. A smaller sewer flows north across the northeast portion of the site, and the third stretch continues southwest, parallel to Burnt Bridge Creek. The smaller sewer was constructed as part of a City Sewer Connection Incentive Program (SCIP) project. If the property connects to the sewer constructed by the SCIP project, a sewer main fee in the amount of \$117,309.17 will be owed by the subject parcel.

Developments are required to extend public sewer to and through the site, and across frontages (VMC 14.04.280). In this case, public sewer construction within the proposed private roads is required. The code also requires subdivisions to construct sewer service laterals from the public sewer main to serve each proposed lot (VMC 20.320.070 (A)(2)). Code and standards require a minimum of one 4-inch diameter sewer service lateral per single-family residence (VMC 14.08.050; VMC 14.16.010). The city's sewer standards require developing properties with existing public sewer easements to construct maintenance access roads to provide access to all existing on-site sewers (Section 3-2.02).

The application was reviewed for its "fully complete" determination in September 2022. It was discovered that the city mistakenly constructed a portion of public sewer outside of the easement recorded under Auditor File Number 3706578. The city is working with the applicant to remedy this.

Sewer Engineering met with the applicant Oct. 26, 2022 to discuss sewer design alternatives. The city offered a credit towards the sewer main fee to move the public sewer into the existing easement. Sewer Engineering and the applicant also discussed abandoning the existing sewers along the northeast and north sides of the subject parcel. This alternative would remove most of the required upgraded wood chip pathway and new access easement that was agreed upon for maintenance access. Furthermore, since the applicant would not use the SCIP sewer, the \$117,309.17 sewer main fee would no longer apply to the site. The city and the applicant have not yet reached a final agreement.

Sewer Engineering met with the applicant Dec. 13, 2022 to discuss the maintenance access road requirement. Due to the existing sewer's proximity to Burnt Bridge Creek, the city agreed to an upgrade of the proposed wood chip walking pathway along the west, north and east sides of the site, that would be suitable for the city's maintenance vehicles. The proposed pathway is outside of the extents of the existing public sewer easement and will require a new access easement. The city and applicant discussed a credit towards the sewer main fee for the construction costs associated with upgrading the access path.

The application was reviewed for sanitary sewer in December 2022. Page 15 of the narrative acknowledges that existing public sewer is available to the site. The civil drawings submitted with the application show the existing and proposed sewers. The proposal general satisfies the code's sewer service requirements.

Sanitary Sewer Conditions
(Prior to Civil Plan Approval)

Prepare the utility plan in accordance with the City of Vancouver's *General Requirements and Details for the Design and Construction of Public Sanitary Sewers*. Address comments and submit the final design for civil plan approval.

(During Construction)

If the applicant keeps the existing on-site public sewers as-is, pay the \$117,309.17 sewer main fee prior to issuance of construction permits.

If the applicant moves the sewer, pay the difference between the \$117,309.17 sewer main fee and the city-approved credit for moving the sewer into the existing easement prior to issuance of construction permits.

Secure construction permits and schedule and attend a pre-construction meeting. Construct new sewers, service laterals, and maintenance access shown on the approved plans. Satisfy construction services inspection requirements and secure construction acceptance.

Satisfy submittal and other requirements itemized in the Notification of Civil Plan Approval and secure final civil project acceptance.

(Prior to Final Plat Approval)

Show and note proposed on-site public sanitary sewer and access easements on the plat. Specify that the easements are recorded with the plat. Include standard required City of Vancouver plat easement recording language.

Conclusion: The applicant has demonstrated that the standards for public sewer can be met as conditioned.

Title 14 Erosion Control

Finding: The property is currently undeveloped and flat. The site will be disturbed during the construction of the subdivision. A preliminary erosion control plan was submitted with the preliminary civil plans. **A Construction Stormwater Pollution Prevention Plan (SWPPP) must be submitted to the city prior to civil plan approval.**

This site is greater than one-acre. The owner of a construction site that disturbs one or more acres of total land area, and which has or will have a discharge of stormwater to a surface water or to a storm sewer system, must apply for coverage under Washington Department of Ecology's Baseline General Permit for Storm Water Discharges Associated with Construction Activities. **A copy of the NPDES construction permit must be submitted to the city prior to civil plan approval.**

Conclusion: The applicant has demonstrated the requirements of the City of Vancouver's erosion control ordinance can be met as conditioned.

Title 14 Stormwater

Finding: The site is currently undeveloped. New impervious areas will be created with the development of the roads, driveways and homes. Currently, stormwater either infiltrates on-site or discharges to the north into Burnt Bridge Creek.

The proposed development is a qualifying project for Minimum Requirements 1 through 9. Calculations have been submitted with the preliminary civil engineering plans indicating the amount of new impervious surface being created.

Washington State Department of Ecology Minimum Requirement 6: Runoff Treatment will be satisfied by using Contech Storm Filters to treat runoff from the pollution generating surfaces.

The applicant proposes to detain stormwater runoff in a detention pond and discharge flows to an existing 30-inch storm pipe which discharges into Burnt Bridge Creek, satisfying Washington State Department of Ecology Minimum Requirement 7: Flow Control.

The on-site stormwater facilities will be owned by the property owners. **An easement in the form of a covenant running with the land shall be dedicated to the City of Vancouver around the stormwater facilities for access and inspection.**

Conclusion: The applicant has demonstrated that the requirements of the City of Vancouver's stormwater ordinance can be met as conditioned.

Title 16 Fire

Finding: The fire department has determined that the requirements of the Vancouver Municipal Code can be met with adherence to the conditions contained herein:

Staff Report Conditions for Approval

Prior to Civil Plan Approval

1. New and existing fire hydrant locations related to this project shall be shown.
2. Fire lane signs and details shall be shown on the sign and striping pages if applicable.

Prior to combustible construction

1. Fire hydrants for emergency use shall be established and maintained.
2. Fire apparatus access roads shall be established and maintained.
3. Site security measures shall be installed to prevent unauthorized access.

During construction

1. Temporary street and building address signage shall be visible and legible from the street fronting the property for emergency response during construction.
2. All fire safety provisions of the International Fire Code shall be adhered to.
3. No smoking signage shall be posted throughout the site except in designated smoking areas.
4. Site security shall be maintained to prevent unauthorized access.
5. Consideration for emergency vehicle access shall be taken when staging materials for construction.

Prior to Issuance of Certificate of Occupancy

1. Street and address signage shall be visible and legible from the street fronting the property for emergency response. If applicable, individual suite numbers shall be posted at the suite doors. Where applicable, apartment building designations shall be visible and legible from all potential fire lane approaches.
2. Required fire lane signage shall be installed.
3. Any fire protection features identified as being required during the construction permit review shall be installed and approved prior to occupancy.
4. Permanent vehicle gates crossing required fire lanes shall remain unlocked or open until approved by the fire department.
5. Conditions identified in the construction permit shall be met.
6. All requirements of the applicable fire and building codes and their referenced standards shall be met regardless of approved construction plans.

Conclusion: Fire department requirements can be met as conditioned.

Title 17 Building

Finding: Per VMC 17.08.090, a building department review and permit 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. A complete building code review of plans is not performed during subdivision review. The filing of a building permit application with required fees and review material is required for a complete building code review. At this time, plans and information necessary to verify compliance with all applicable building code provisions is neither required nor provided.

Finding: Plans provided propose to divide 6.08 acres into 33 lots for the construction of single-family detached residences.

Washington State Codes and Amendments are at <http://www.sbcc.wa.gov/sbccindx.html>. **Please note the 2018 I-Codes & WA Amendments are in effect as of Feb 1, 2021 and the 2020 NEC is in effect as of Oct. 29, 2020. The 2021 I-Codes & Amendments are expected to be in effect July 1, 2023.**

DESIGN REQUIREMENTS

Seismic Design Category D-1, Soils class D or as determined by geotechnical engineer, Wind 97 MPH (Vult) Exposure B, Minimum Ground and Roof Snow Load 25 psf, Frost depth 12 inches.

Prior to final grading: 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 inspectionreports@cityofvancouver.us .

Finding: Single-Family Dwellings - per IRC R302, exterior walls, openings, penetrations and projections shall be as per Table R302.1(1), or if equipped with fire sprinklers, then Table R302.1(2) shall apply. Eaves may not extend closer than two feet to a property line. Refer to planning requirements for setbacks. Construction closer than five feet from the property line shall meet fire resistive requirements of IRC Section R302. 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.

Finding: This site is partially in a flood zone. The base flood elevation (BFE) must be verified and meet the requirements of IRC Section R322 for all lots. Buildings and structures in flood hazard areas, including flood hazard areas designated as Coastal A Zones, shall have the lowest floors elevated to or above the base flood elevation plus one-foot, or the design flood elevation, whichever is higher. A registered design professional shall prepare and seal documentation of the elevations specified in Section R322.2 or R322.3. Additionally, the design and construction of buildings and structures located in flood hazard areas, as defined by Section 1612.3 of the 2018 IBC, shall be in accordance with the following standards: IBC 1603.1.7, IBC 1612, Chapter 5 of ASCE 7, ASCE 24, and Title 17 and Title 20 of the VMC.

Finding: Retaining walls over four feet in height from the bottom of the footing to the top of the wall, or that support a surcharge, or are impounding Class I, II, or III-A Liquids, require a RES building permit and to be engineered per VMC 17.08.090.

Finding: The proposed plat appears acceptable for building code related and accessibility issues; however, a complete building plan review will be required to determine final compliance.

Conclusion: As submitted, the project could be approved for building code requirements pertaining to the plat. The subdivision review process is a separate and distinct process from the building permit process.

RECOMMENDATION

Based upon the findings herein, the criteria for approval have been satisfactorily met or shall be met as conditioned, and no significant adverse impacts have been identified. Staff concludes this request meets the applicable requirements of the zoning district, comprehensive plan and other applicable codes, and recommends preliminary approval with conditions as noted below and throughout this staff report.

CONDITIONS OF APPROVAL

Prior to Civil Plan Approval

1. Upload the civil plan review set showing all 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. The common parking area shall be reduced to five stalls.
4. Revise the street names so that the main leg of the proposed private street shall be named NE 46th Street. The southernmost leg of the loop shall be named NE 103rd Place and the northernmost leg of the loop shall be named NE 104th Place.
5. A note shall be added to the plans stating: "In the event that archaeological deposits are encountered during construction, work shall be halted immediately and the City of Vancouver's Community Development Department and the Washington State Department of Archaeology and Historic Preservation shall be notified in order for the findings to be investigated and assessed by a professional archaeologist."
6. The mitigation and landscape plans shall be revised to include the planting of 70 native trees within the riparian zone, such as bigleaf maple, red alder, Oregon white oak, Douglas fir and western red cedars to shade the creek and provide habitat value. Do not plant conifers south of any Oregon white oak.
7. Include this note on civil plans: "Trees and Shrubs in Sight Distance Triangles: All shrubs within sight distance triangles shall be maintained so that foliage height above pavement does not exceed 2.5 feet. Street trees within sight distance triangles shall be limbed up to a height of 10 feet consistent with ANSI A300 standards to provide for sight distance visibility."
8. Show protection of off-site trees with tree protection fencing on the grading plan.
9. Space conifer trees 20 feet on center to provide enough canopy and root space for trees to mature. Given the proximity to a riparian zone, utilize approximately 33 percent Douglas fir, 33 percent Western Red Cedars and 33 percent Alaskan Yellow Cedars. If not all conifers can meet this spacing requirement in the developed portion of the site, the remaining trees shall be planted within the riparian zone, and they will count towards the 70 native trees required to be planted in the riparian zone.
10. Do not plant conifers south of Oregon White Oak 16. Plant additional White Oaks 30 feet from this tree in the open space.
11. Pay concurrency modeling fees totaling \$1,500.
12. Prepare the utility plan in accordance with the City of Vancouver's *General Requirements and Details for the Design and Construction of Public Sanitary Sewers*. Address comments and submit the final design for civil plan approval.
13. A Construction Stormwater Pollution Prevention Plan (SWPPP) must be submitted to the city.
14. A copy of the NPDES construction permit must be submitted to the city.

15. An easement in the form of a covenant running with the land shall be dedicated to the City of Vancouver around the stormwater facilities for access and inspection.
16. New and existing fire hydrant locations related to this project shall be shown.
17. Fire lane signs and details shall be shown on the sign and striping pages if applicable.

Prior to Construction

18. Fire hydrants for emergency use shall be established and maintained.
19. Fire apparatus access roads shall be established and maintained.
20. Site security measures shall be installed to prevent unauthorized access.

During Construction

21. Comply with the requirements for solid waste management and water quality noted in the Dept. of Ecology's letter dated Nov. 18, 2022.
22. If the applicant keeps the existing on-site public sewers as-is, pay the \$117,309.17 sewer main fee prior to issuance of construction permits.
23. If the applicant moves the sewer, pay the difference between the \$117,309.17 sewer main fee and the city-approved credit for moving the sewer into the existing easement prior to issuance of construction permits.
24. Secure construction permits and schedule and attend a pre-construction meeting. Construct new sewers, service laterals, and maintenance access shown on the approved plans. Satisfy construction services inspection requirements and secure construction acceptance.
25. Satisfy submittal and other requirements itemized in the Notification of Civil Plan Approval and secure final civil project acceptance.
26. Temporary street and building address signage shall be visible and legible from the street fronting the property for emergency response during construction.
27. All fire safety provisions of the International Fire Code shall be adhered to.
28. No smoking signage shall be posted throughout the site except in designated smoking areas.
29. Site security shall be maintained to prevent unauthorized access.
30. Consideration for emergency vehicle access shall be taken when staging materials for construction.
31. 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 inspectionreports@cityofvancouver.us.

Prior to Final Plat Approval

32. Submit a final plat application. Applications can be found under Building, Planning and Environment on the City of Vancouver website, www.cityofvancouver.us.
33. A stormwater easement the width of Burnt Bridge Creek plus 15 feet on each side within the subject site shall be provided to the city.
34. Complete all mitigation planting and the wetland bank credit purchase.
35. Record a conservation covenant per VMC 20.740.040B. The covenant shall acknowledge the presence of the sewer easement and trail within the Riparian Buffer and/or RMA.
36. Provide a financial assurance in the amount of 125 percent of the estimated cost of mitigation maintenance and monitoring for five years per VMC 20.740.040C.
37. Install a physical demarcation with signage along the outer perimeter of the wetland buffer and riparian area per VMC 20.740.140C1c and VMC 20.740.110C1d.

38. Place a note on the plat stating: "Zero lot line development is subject to the standards of VMC 20.910.050."
39. 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 the plat.
40. Covenants running with the land, approved by the City Attorney, shall convey 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.
41. Place a note on the plat stating: "Pursuant to VMC 20.915, Park, School and Traffic impact fees must be paid prior to the issuance of a building permit for any single-family home within this subdivision. These fees do not constitute liens against the lots in this subdivision but are collected as a condition of initial building permit issuance."
42. A note shall be added to the plat stating: "In the event that archaeological deposits are encountered during construction, work shall be halted immediately and the City of Vancouver's Community Development Department and the Washington State Department of Archaeology and Historic Preservation shall be notified in order for the findings to be investigated and assessed by a professional archaeologist."
43. If a septic system is found, it must be properly abandoned, with written verification submitted to the Health Department. The proposed development must connect to public sewer. A copy of the final acceptance letter from the purveyor shall be submitted to the Health Department along with the final plat.
44. If a well is found, it must be properly decommissioned by a licensed well driller per WAC 173-160-381. Written verification of abandonment must be submitted to the Health Department. The location of any decommissioned well must be shown on the final plat. The proposed development must connect to an approved public water system. A copy of the final acceptance letter from the purveyor shall be submitted to the Health Department along with the final plat.
45. Identify on the plat responsibility/ownership of tracts and how they will be maintained.
46. Place a note on the plat indicating that FEMA elevation certificates will be required prior to occupancy of each home.
47. The following note shall be placed on the final plat: "Development within this subdivision is subject to an approved tree plan. Tree removal is subject to approval by the City of Vancouver. Street trees must be planted prior to occupancy per the approved plan."
48. Show and note proposed on-site public sanitary sewer and access easements on the plat. Specify that the easements are recorded with the plat. Include standard required City of Vancouver plat easement recording language.
49. Revise the street names so that the main leg of the proposed private street shall be named NE 46th Street. The southernmost leg of the loop shall be named NE 103rd Place and the northernmost leg of the loop shall be named NE 104th Place.
50. Provide the following improvements to NE 46th Street, per City of Vancouver standards:
 - Dedicate a 46-foot private street tract.
 - Construct a private street with 28-foot pavement width. Curb, gutter, and 5-foot detached sidewalks must be constructed on both sides of the street, per T10-17.
 - Install 'No Parking – Fire Lane' signs at appropriate spacing along one side of the street.

- Utility trenching within the public portion of NE 46th Street shall 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.
 - Street lighting must be installed to current standards, see street lighting comments below.
 - Install traffic control devices as warranted, and storm drainage as required by the city stormwater ordinance.
51. Provide the following improvements to NE 103rd Place and NE 104th Place, per City of Vancouver standards:
- Dedicate a 37.5-foot private street tract.
 - Construct a private street loop with 28-foot pavement width. Curb and gutter must be constructed on both sides of the street and 5-foot detached sidewalk must be constructed on one side of the street, per T10-17. The sidewalk must be constructed on the side of the street from which the lots take access.
 - Install 'No Parking – Fire Lane' signs at appropriate spacing along one side of the street.
 - Street lighting must be installed to current standards, see street lighting comments below.
 - Install traffic control devices as warranted, and storm drainage as required by the city stormwater ordinance.
52. Place a note on the plat stating: "All lots shall conform to the City of Vancouver's driveway spacing standards, per VMC 11.90.016."
53. Place a note on the plat stating: "The City of Vancouver has no responsibility to improve or maintain the private streets contained within, or private streets providing access to, the property described in this plat, nor does the City of Vancouver have responsibility for any of the infrastructure associated with the roadway such as sidewalks, drainage facilities, streetlights, curbs, or landscaping."

Prior to Building Permit Approval

54. 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.

Prior to Occupancy

55. FEMA elevation certificates will be required for each home.
56. Street and address signage shall be visible and legible from the street fronting the property for emergency response. If applicable, individual suite numbers shall be posted at the suite doors. Where applicable, apartment building designations shall be visible and legible from all potential fire lane approaches.
57. Required fire lane signage shall be installed.
58. Any fire protection features identified as being required during the construction permit review shall be installed and approved prior to occupancy.
59. Permanent vehicle gates crossing required fire lanes shall remain unlocked or open until approved by the fire department.
60. Conditions identified in the construction permit shall be met.
61. All requirements of the applicable fire and building codes and their referenced standards shall be met regardless of approved construction plans.

EXHIBITS

1. Staff report
 - A. Application
 - B. Applicant's narrative
 - C. Plans
 - D. SEPA checklist
 - E. Notice of Application, Public Hearing and Optional SEPA DNS dated Oct. 19, 2022
 - F. Final SEPA DNS
 - G. Public Health Development Review Evaluation dated June 2, 2022
 - H. Dept. of Ecology letter dated Nov. 18, 2022
 - I. Dept. of Ecology email dated Nov. 29, 2022
 - J. Critical areas report by Ecological Land Services (ELS) dated Aug. 11, 2022 **
 - K. Mitigation plan by ELS dated Aug. 18, 2022 **
 - L. Transportation impact study by Lancaster Mobley dated Aug. 17, 2022**
 - M. Geotechnical report by Earth Engineering, Inc. dated June 2022 **
 - N. Preliminary TIR (stormwater) report by PLS Engineering dated Aug. 2022 **

**Because of the size of the exhibit, it is not included with this report. The document is available for review via email. Please email the case manager for this project to receive electronic copies of the requested exhibit.

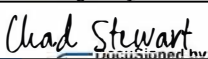
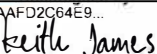


Planning Permit Application

LAND USE PRELIMINARY APPLICATION (LUP)

415 W 6th ST ~ Vancouver, WA 98660, P.O. Box 1995 ~ Vancouver, WA 98668, Phone (360) 487-7800

Email completed application to plans@cityofvancouver.us

REVIEW TYPE (Check one review and one process type)					
Review Type: ☐ Type I ☐ Type II ☐ Type III ☒ Type IV ☐ Tree Removal Only (nuisance or hazard)					
Process Type: ☒ Standard ☐ Streamline (Type I & II applications only. Pre-submittal Meeting required. By selecting streamline process, applicant waives all land use review timelines in VMC Title 20)					
USE					
☒ Single-Family		☐ Commercial		☐ Multi-family	
		☐ Mixed Use (commercial with multi-family)		☐ Industrial	
☐ Duplex		☐ Wireless Communications Facility (new) see VMC 20.890			
PROJECT INFORMATION					
Site Acres: 5.7		Disturbed Acres: 1.31		Zoning: R-6	
		Sewer: ☐ Septic ☒ Public		Water: ☐ Well ☒ Public	
Proposed # of Lots: 33		Proposed Dwelling Units: 33			
Non-Residential Bldg. Square Footage:		Ground Floor:		Total of All Upper Floors:	
Hard Surface Area Square Feet - New:		Replacement:		Total:	
PROJECT NAME AND LOCATION					
Proposed project name: Kevanna Park Meadows					
Project site address: 11017 NE 51st Circle, Vancouver, WA				Parcel #(s): 159850000	
PROJECT DESCRIPTION					
(Briefly describe the proposed project. Provide more detail in project narrative)					
33 lot planned unit development					
PRIMARY APPLICANT			CONTACT		
Business Name: Ginn Group LLC			Business Name: PLS Engineering		
Contact Name: Chad Stewart			Contact Name: Travis Johnson		
Address: 502 NE 72nd St.			Address: 604 W Evergreen Blvd		
City/State/Zip: Vancouver, WA 98665			City/State/Zip: Vancouver, WA 98660		
Phone: (360) 768-5025			Phone: (360) 944-6519		
Email: chad@ginngrp.com			Email: pm@plsengineering.com		
ELECTRONIC PLANS SUBMITTER (required)			OWNER		
(responsible for ePlans uploading and correspondence)			(attached additional sheets for multiple owners)		
Name: PLS Engineering			Name: Affinity Vancouver Manager LLC		
Address: 04 W Evergreen Blvd			Address: 120 W Cataldo Ave Suite 100		
City/State/Zip: Vancouver, WA 98660			City/State/Zip: Spokane, WA 99201		
Email (required): pm@plsengineering.com			Email: keithj@inlandconstruction.com		
Phone: (360) 944-6519			Phone: (509) 321-3218		
ONLINE PAYMENT					
Existing ePermits User Name: projects@ginndevelopment.com				Request an ePermits Account	
REQUIRED SIGNATURES					
As evidenced by my signature below, I/we agree that City of Vancouver staff has my/our full permission to enter upon the subject property at any reasonable time to consider the merits of the application, to take photographs and to post public notices.					
Applicant Signature: 			Date: 8/24/2022		
Property Owner Signature: 			Date: 8/24/2022		

LUP APPLICATION SUB TYPES

Please check all applicable applications and information where necessary

☐ Airport Height Overlay District
☒ Archaeological Pre-determination
☐ Binding Site Plan ☐ Conceptual (without Site Plan Review) ☐ Detailed (with Site Plan Review)
☐ Boundary Line Adjustment # of lots to be adjusted:
☐ Comprehensive Plan Amendment (Including Zone Map Amendment with Comp Plan)
☐ Conditional Use Permit ☐ Initial (Type III) (Comm. Centers, Group Meal Service, Shelters) ☐ Major Modification (Type III) ☐ Minor Modification (Type I) Engineering Review Required ☐ Yes ☐ No
☐ Covenant Release
☒ Critical Areas (not used when in Shoreline) Check one → ☐ Duplex/Single Family ☐ All Other Uses Check one → ☐ Permit ☐ Statement of Exemption (No Fee) Check the applicable critical area(s) ☒ Fish & Wildlife ☒ Frequently Flooded ☐ Geological Hazards ☒ Wetlands ☐ Minor Exception (not common) ☐ Reasonable Use (not common)
☐ Design Review ☐ Exterior Modification Only ☐ All Others
☐ Development Agreement ☐ Initial ☐ Modification ☐ Extension
☐ Historic Preservation ☐ Modification ☐ Registry ☐ Historic Preservation – Special Valuation
☐ Legal Lot Determination # of lots to be reviewed:
☐ Master Plan (Mixed Use) ☐ Public Facilities MP ☐ Conceptual (without Site Plan Review) ☐ Detailed (with Site Plan Review) ☐ Hybrid (Some areas with Site Plan Review)
☒ Planned Development ☐ Commercial ☒ Residential ☐ Mixed Use* *Ground Floor SF: Upper Floor SF:
☐ Plat Alteration
☐ Post Decision Review/Modification (Includes Planned Development/Master Plan Modifications) ☐ Type I ☐ Type II ☐ Type III Engineering Review Required ☐ Yes ☐ No

☐ Road Modification ☐ Minor ☐ Technical ☐ Major Submitted: ☐ Before ☐ After Decision (submitted after decision is not common)
☐ Shoreline Permits ☐ Substantial Development Permit ☐ Shoreline Permit - Statement of Exemption (no fee) ☐ Shoreline Conditional Use ☐ Shoreline Variance
☐ Site Plan Review ☐ Type I ☐ Type II <u>Check Use Type below</u> ☐ Residential ☐ Non-Residential ☐ Qualified Planned Action ☐ Unoccupied Commercial/Utility Structure ☐ Commercial Pad ☐ Land Extensive Stormwater ☐ Yes ☐ No Transportation ☐ Yes ☐ No
☒ State Environmental Policy Act (SEPA) ☐ Check if for Single-Family Residential house (only) ☐ Residential Site Plan Review (SPR) ☐ Grading Only ☒ Subdivision or Planned Development ☐ Non-Project Actions (not common) ☐ All Other (Includes Comm/Indust SPR) (When more than one applies check All Other)
☒ Subdivision/Short Subdivision ☐ Short Subdivision (2-9 lots) ☒ Subdivision (10+ Lots)
☐ Temporary Use ☐ Commercial/Industrial ☐ Unforeseen Emergency ☐ Seasonal Event ☐ Model Home ☐ Sales Office
☒ Tree Plan Enter Tree Plan Level (1 to 7): 5 (Tree Removal for nuisance or hazard tree(s) is Level 3)
☐ Variance ☐ Check if for Single Family Residential house ☐ Type I - # requested: ☐ Type II - # requested: Stormwater ☐ Yes ☐ No Transportation ☐ Yes ☐ No
☐ Zoning Map Amendment (Not involving Comprehensive Plan Amendment)

PLS ENGINEERING

**PROJECT NARRATIVE
FOR
KEVANNA PARK MEADOWS**

**A TYPE IV PLANNED
DEVELOPMENT AND
SUBDIVISION APPLICATION**

Submitted to
THE CITY OF VANCOUVER

**FOR
GINN GROUP, LLC
502 NE 72nd Street
Vancouver, WA 98685
(360) 768-5048**

August 2022

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General Information

Owner: Affinity Vancouver Manager, LLC
120 West Cataldo Ave., Ste. 100
Spokane, WA 99201

Applicant: Ginn Group LLC
Contact: Chad Stewart
502 NE 72nd St.
Vancouver, WA 98665
(360) 768-5048
chad@ginngrp.com

Project Contacts: PLS Engineering
Travis Johnson, PE
604 W Evergreen Boulevard
Vancouver, WA 98660
(360) 944-6519
pm@plsengineering.com

Location:	SE ¼ of Section 16, T2N, R2E, WM
Address:	11017 NE 51 st Circle, Vancouver, WA
Project Size:	6 acres (261,531 sf)
Zoning:	R-6
Comprehensive Plan:	UL
Current Use:	Vacant
Tax Lot Information:	159850000
School District:	Evergreen
Elementary:	Orchards
Middle School:	Covington
High School:	Heritage
Water District:	Vancouver
Sewer District:	Vancouver
Fire District:	Vancouver Fire
Park District:	C
Case File:	PRJ-168078/PIR-82372
Transportation Impact Fee:	Pacific

Project Description

The Kevanna Park Meadows project proposes to subdivide 6 acres of R-6 zoned land into 33 single-family residential lots utilizing planned development standards. The applicant is proposing a minimum lot width of 26', a minimum lot depth of 80', and a minimum lot area of 2080 sf. 50% of the site will be retained as open space for both passive and active recreational uses.

The site is currently vacant. The adjacent parcels are developed with residential uses to the south and east with a senior living facility located to the north on commercial zoned land. I-205 borders the site to the west.

Transportation and Utilities:

NE 46th Street provides access to the site from the east. This project proposes to continue the roadway as a private road to serve the site. The internal private road will consist of a 28' wide roadway with detached sidewalk where lots take access from the street.

Stormwater runoff from the site will be collected, treated, and routed to a storm detention facility on site.

The site will be served by public water and sewer services with connection points within NE 46th Street.

Landscape and Critical Areas:

The site has the following critical areas: wetlands, riparian habitat, and Oregon white oak habitat, floodway and floodplain associated with Burnt Bridge Creek. Burnt Bridge Creek is a Type F stream that flows westerly along the north parcel boundary and continues offsite. The wetland buffer and outer riparian buffers are proposed to be impacted. One oak tree is proposed to be removed with the roadway construction. A Critical Areas Report, Mitigation Plan, Archaeological Predetermination and Level V tree plan are included with this application.

Proposal & Code Compliance Discussion

Land Use and Development Code – VMC Title 20

Decision Making Procedures – 20.210

The subdivision is proposed as a planned development so the application will follow a type IV process. The application will be required to follow the timelines for review and approval as indicated in this code section.

A preapplication conference was required for this project. The applicant submitted a substantially similar plan on 4/8/2022 and received a report from the city on 5/12/2022. Because the application was subject to a preapplication conference, the application will be contingently vested to 4/8/2022 if a fully complete application is filed with the city before 10/5/2022.

Planned Developments – 20.260

Purpose (20.260.010):

The purpose of the planned development provisions as stated in section 20.260.010 are to provide:

- Flexibility that will result in well designed, efficient, and functional urban environments.
- Efficient use of urban land.
- Increase economic feasibility.
- Critical Area resource protection.

The Kevanna Park Meadows project complies with the purpose of these provision as shown in the discussions below.

Applicability (20.260.020):

Planned developments are allowed in all zoning districts except for park, greenway and natural area districts. Single-family detached residential units are allowed by right within planned developments in the R-6 zone.

Approval Process (20.260.030):

A concurrent planned development review is proposed for this project. Initial approval as discussed in this section is proposed to be concurrently reviewed with a preliminary plat and environmental reviews. A Hearings Examiner will be the initial review authority for the

planned development and the City Council will be the final authority. A Type IV review is required for this process.

Approval Criteria (20.260.050):

The following is the approval criteria for the proposed planned development:

A. Concept development plan approval criteria:

1. *Content.* The concept plan contains all of the components required in Section 20.260.070. The proposed development and uses comply with all applicable standards of the Title, except where adjustments are being requested. The applicant is proposing to adjust the lot width, depth, and area standards. The applicant is proposing a minimum lot width of 26', a minimum lot depth of 80', and a minimum lot area of 2080 sf.

2. *Architectural and site design.* The proposed development demonstrates the use of innovative, aesthetic, energy-efficient and environmentally friendly architectural and site design.

- Detached homes are significantly more desirable than attached homes because they do not have shared walls which have significant noise transfer. This subdivision utilizes zero lot line standards to reduce the generally unusable side yard while still providing detached homes. This results in a more efficient design that does not compromise the feel of a detached home.
- Most homes are proposed to back up against the green space adjacent to Burnt Bridge Creek. This aesthetic of the site layout is desirable and is better than homes that back up to other homes. The other homes do not back up to the site perimeter to create a buffer from the adjacent single-family homes. This improves the aesthetic for the neighbors because the proposed 2-story homes are far from the property line and the neighbor's view will generally be of the front of the proposed homes, not the rear, which are generally more aesthetically pleasing. See the conceptual architectural plan included with this application.
- The proposed homes will be energy efficient. The smaller size of around 1500 sf results in an efficient 3-bedroom home. The applicant proposes slab on grade homes with efficient building envelope with better than industry standard windows. The buildings will likely include high efficiency HVAC systems using heat pumps with a minimum HSPF rating of 9.5. The hot water heaters will use a higher efficiency heat pump system.
- The smaller homes and the compact subdivision design results in an environmentally friendly development. The smaller homes are planned efficiently to maximize functionality without wasted space. A larger 3-bedroom home would be less environmentally friendly due to the additional heating/cooling and energy costs. The subdivision is efficiently planned and compact. Higher density development within urban areas with existing urban services are significantly more environmentally friendly than large-lot subdivisions or development outside of the urban areas. The compact design of

the site also limits the impervious surfaces and retains significant open space around the perimeter of the site.

3. *Transportation system capacity.* There is sufficient capacity in the transportation system to safely support the development as proposed. A Traffic Study has been prepared for this site and is included with this application.

4. *Availability of public services.* There is sufficient capacity within public services such as water supply, police and fire services, and sanitary waste and storm water disposal, to adequately serve the development as proposed. Please see the Preliminary Plans for further information.

5. *Protection of designated resources.* There are no historic landmarks, however much of the onsite critical areas have been considered in the design and will be protected. The inner buffer of Burnt bridge creek will be enhanced, an onsite wetland will be retained, and most onsite oak trees are proposed to be retained.

6. *Compatibility with adjacent uses.* The residential subdivision is compatible with the adjacent residential neighborhood. The reduced lot sizes will result in the new homes being a similar value to the 1960's homes on larger lots. 2 story homes are proposed where much of the adjacent neighborhood includes single level homes. No homes are proposed to be within 40' of the site perimeter, and most homes are more than 80' from the site perimeter. This will minimize perceived impacts and result in a more compatible design.

7. *Mitigation of off-site impacts.* Potential off-site impacts include noise, shading, glare, parking, and traffic.

- Noise – Construction will occur only during the approved hours according to VMC 7.05.010. At full buildout the general residential noise from the new development is not expected to cause any off-site impacts.
- Shading – The proposed homes are proposed to be well under the 35' height limit and will be at least 40' from the property line. This will significantly minimize potential shading of adjacent properties.
- Glare – Street lights are proposed on the new private street. These lights will include shielding to prevent excessive lighting of adjacent properties.
- Parking – Ample parking is provided on each lot in addition to a common parking area and on-street parking. The available onsite parking will minimize the potential for residents of the new development to park along existing streets in front of existing homes.
- Traffic – While there will be a slight increase in traffic, the existing roadways will continue to operate at acceptable levels and per the traffic report, no off-site mitigation is required.

B. Adjustment approval criteria:

1. The adjustment(s) is warranted given site conditions and/or characteristics of the design.

The applicant is proposing a to have a minimum lot width of 26', a minimum lot depth of 80', and a minimum lot area of 2080 sf. The site takes access from a lower density neighborhood

that has single level homes on 8000-12,000 sf lots that were constructed in the late 60s. The west end of the site is adjacent to I-205 and to the north is commercially zoned property with a high-density senior living facility.

A standard subdivision meeting the minimum lot size of 7500 sf would not match the character of the neighborhood. Large lots, with new larger homes would not fit in with the older 1,200-1,800 sf single level homes. The new homes would be double the size and more than double the value of adjacent homes in the existing neighborhood. The proposed planned development proposes 1,500 sf two-story homes that are setback significantly from the adjacent single-family homes. The homes are proposed to be at least 40' from the site perimeter. The size and value of the proposed homes will be compatible with the homes in the adjacent neighborhood. The lot sizes of the proposed development are smaller than the neighborhood, but a significant open space area is provided around the development. With the open space, the density of the proposed development is similar to the density of the adjacent neighborhood. Instead of providing larger private yard for individual homes, the site includes smaller yards and ample common open space that will benefit the future residents of the Kevanna Park Subdivision. The applicant also plans to keep the proposed trails open to the public. Because of these reasons we believe that the adjustments are warranted.

An alternative design for the project would be to propose a cottage development which would result in even smaller homes and a much higher density. Up to 70 units would be allowed under a cottage site plan which could all become rental units as opposed to the individual lots proposed. This hypothetical scenario would result in more impervious surfacing, significantly more traffic, and be more visually impactful to the adjacent neighbors. The proposed subdivision is more compatible with the adjacent neighborhood than a potential cottage development.

2. The benefits accruing from the implementation of the adjustment outweigh any potential adverse impacts.

The proposed subdivision will result in relatively affordable housing being added to the market which will allow first time homebuyers to purchase homes with the City of Vancouver. Given the ongoing housing shortage/crisis, this type of project provides a significant benefit to the community. In addition, the open space proposed with this site will benefit the community. The open space includes a 1,250 lf trail that wraps around the site and parallels Burnt Bridge Creek. This trail also connects into the existing public park "Kevanna Park" and is planned to be open for the neighborhood to enjoy.

The adjustment will also benefit the neighbors directly adjacent to the development. 10 homes have a shared lot line along the south and east ends of the site. These neighbors will have a direct view of the site that will be modified. The proposed development has been designed to minimize the visual impacts to the neighbors. The zone allows homes to be developed on the subject site with a minimum 5' side/rear setback and a 35' building height. The applicant is proposing 2-story buildings that will be well below the height limit and has designed the subdivision to keep the proposed homes at least 40' from the adjacent single-family properties. Only 7 of the proposed homes are within 80' of the neighboring single-family lots. The proposed adjustments will increase the separation between the new and existing homes.

3. Any impacts resulting from the adjustment are mitigated to the extent practical.

The proposed adjustments allow for the site to concentrate the proposed units in the center of the development while retaining critical areas, providing usable open space, and creating a buffer from adjacent uses. The theoretical maximum number of lots allowed on this site under a standard subdivision would be 30 lots where 26 lots is a more likely number based on the area of the site taken up by the buffer for Burnt Bridge Creek. The proposed reductions to lot width, depth, and area result in an estimated increase in density of 7 units or 25% for the site from a comparable standard subdivision. This is a relatively minor increase in units which would generate additional traffic and require additional parking within the site. Mitigation of these impacts is discussed below:

- **Parking** – Ample parking opportunities are being provided within the site that will help prevent spillover into the adjacent neighborhoods. The applicant is providing a 28' wide roadway where parking will be allowed on one side of the road. The private road only has driveways on one side so the other side will be available for parking. With at least 800' of roadway the new roadway will be able to accommodate up to 36 cars in addition to the 7 parking stalls and 2-4 parking spaces proposed on each lot.
- **Traffic** – The addition of 33 homes will add traffic to the to the existing residential roadways and could be seen as an impact to the neighboring community. The applicant has completed a traffic report and concluded that the existing roadway network has sufficient capacity to accommodate the additional traffic.

Development Standards (20.260.060):

The applicant is proposing a to have a minimum lot width of 26', a minimum lot depth of 80', and a minimum lot area of 2080 sf. For planned developments the minimum lot depth and width standards of the base zone do not apply and the hearings examiner can reduce the minimum lot size requirements.

VMC 20.260.060.C states, "In exchange for the approval of higher residential densities, smaller lots and relaxed development standards, the developer of a planned development is required to provide common open space for the active and passive recreational activities of residents, employees and visitors."

The applicant is required to provide at least 10% of the gross area of the site as open space. This area must be fully accessible to the future residents of the subdivision. Environmentally constrained land may be used to meet up to 50% of the total requirement provided that the areas area also accessible to pedestrians or visible from adjacent common open space.

With a 6-acre site, 0.6 acres of open space is required, and 0.3 acres is allowed to be environmentally constrained. Tract E is 2.29 acres is size and contains 1000 lf of trail located within the riparian buffer of Burnt Bridge Creek. The trail connects back into the private street at the adjacent public park on the north end of the site. On the south end of the site the

trail extends to Tract G which contains unencumbered common open space. The trail will be 4' wide and surfaced with woodchips and will generally follow the alignment of an existing sewer easement to minimize impacts to the critical areas. The trail makes the environmentally constrained land in Tract E accessible to pedestrians and connected to the unencumbered common open space. Tract G is 0.3 acres in size and meets the requirements for unencumbered open space. This area features a grass lawn, picnic area, and appealing landscaping along the perimeter.

Residential density may be adjusted to allow for on-site density transfers and a density bonus of 15% above the maximum density is allowed.

The proposed density calculation and a detailed table showing required and proposed lot standards is included further below in the section that discusses Lower Density Residential Districts – 20.410.

Concept and Detailed Development Plan Submission Requirements (20.260.070 and 080):

All elements of these sections have been submitted with this application. Per VMC 20.260.070.B, a planning history is required to be addressed. A search of past permits and plats on Clark County GIS shows that there are no open or active application, and no outstanding conditions of approval that affect the property.

Subdivisions – 20.320

The purpose of this narrative is to demonstrate compliance with City and State standards and to show that there are adequate public facilities to serve the site. The following addresses VMC 20.320.040:

- A. There are adequate public facilities at or near the site to support the development.
 - a. Mitigation is not required for the minor traffic impacts that the development will produce in the area. See the Transportation Impact Study prepared by Lancaster Mobley included with this application.
 - b. Public water access is available at the site and there is adequate capacity to support the development with minimal impacts.
 - c. Onsite stormwater will be managed according to the applicable standards. Any offsite impacts will be negligible.
 - d. A grading plan has been included with the application. A SWPPP is included in the Stormwater report. Applicable regulations will be followed to minimize the risk of erosion related impacts.
 - e. Public sanitary sewer is available at the site and will be extended to serve all the proposed lots.
- B. The proposed improvements are consistent with the City's current ordinances, standards, and plans.

- C. The subdivision will provide ample open space that connect into the adjacent public park, “Kevanna Park”. Impact fees will be paid for parks and schools to offset the potential impacts.
- D. The subdivision design has taken into account the physical characteristics of the site. There are wetlands and riparian and Oregon white oak habitat on site as well as floodway and floodplain. Most of the critical areas will be retained onsite.
- E. There are no known existing subdivision conditions that apply to the proposed project.
- F. The proposal complies with the applicable requirement of VMC Title 20 as indicated in other sections discussed in more detail below.
- G. The subdivision complies with the requirements of RCW 58.17.110 as indicated at the end of the narrative.
- H. This subdivision complies with the additional criteria for narrow lots as displayed in VMC 20.927. This section of code is discussed below in more detail.

The proposed subdivision meets the technical standards listed under VMC 20.320.070. Many of these items are discussed in additional detail below under the applicable section of the narrative.

The proposed subdivision meets the technical standards listed under VMC 20.320.070. Many of these items are discussed in additional detail below under the applicable section of the narrative.

A.1. The subdivision layout and meets the applicable code and shows the required improvements.

- a. All proposed streets comply with VMC Title 11 and the approved transportation standard details.
- b. Block lengths proposed provide for convenient access and circulation. There are no opportunities to improve block length at the site, but the proposed access will be convenient for the future residents.
- c. The site is in surrounded by existing development and bounded by Burnt Bridge Creek and I-205. There are no opportunities to create “blocks” with the proposed development.
- d. Easements are shown on plan for access and utilities. Utility easements will be reviewed and approved by the appropriate utility provider.
- e. No flag lots are proposed.
- f. The side lot lines run at right angles to the proposed streets.
- g. All lots meet the minimum frontage requirement of 20’.
- h. Park impact fees will be paid at the time of building permit issuance for each lot. Nearby Kevanna Park in addition to the connected

onsite open spaces will provide recreational opportunities for residents in this area.

- i. The narrow lots comply with VMC 20.927. Additional discussion of this section has been provided below.
 - j. Existing trees have been addressed with the tree plan provided with this application and are also discussed below.
- B. Public utility improvements are proposed with this subdivision. The public improvements will be designed under the direct supervision of a professional civil engineer and meet the requirements stated in the VMC.
- C. Monument setting will meet the requirements of this section at the time of construction.
- D. Surveys will comply with the standards of the state and of the VMC.
- E. The project drawings comply with the drafting standards stated in this section. Future drawings will also comply with these standards.

Lower Density Residential Districts – 20.410

The applicant proposes to construct a 33-lot subdivision for single-family detached homes in the R-6 zone and will utilize the Planned Development standards. The Planned Development standards allow for reduced lot sizes, widths and depths. This is addressed under the section above that discusses VMC 20.260.

Standard	Required (R-6 zone)	Proposed
Minimum Lot Size	7,500 sf average, 6,000 min.*	2,080 sf
Minimum Lot Width	50'	26'
Minimum Lot Depth	90'	80'
Maximum Lot Coverage	50%	50%
Front Yard	0', 18' to garage	10', 18' to garage
Rear Yard	5'	5'
Side Yard	0'/5'	0'/5'
Street Side Yard	8'	10'
Maximum Bldg Height	35'	35'
Minimum Landscape	10%	10%

Density Calculations:

Site Area: 6 acres

Street Area: 1.01 acres

Minimum Allowable Density: 4.5 units/net acre (22 units)

Maximum Allowable Density: 5.8 units/net acre (29 units)

Maximum Density with 15% Planned development bonus: 6.7 units/net acre (33 units)

Archaeological Resource Protection – 20.710

An Archaeological Predetermination for this site was done by Archaeological Services of Clark County. A site visit performed on June 27, 2022 which found no artifacts. A report summarizing their field work is included with this application. In the unlikely event that cultural or historical resources are discovered during construction activity, construction will cease, and all applicable authorities will be contacted.

Critical Areas Protection – 20.740

The site contains a portion of Burt Bridge Creek, the floodway and floodplain of Burnt Bridge Creek, the Riparian Management Area and Riparian Buffer of Burnt Bridge Creek, Oregon white oak habitat, and a wetland. A Critical Areas Report and Mitigation Plan has been prepared for this project by Ecological Land Services which provided the following key data:

- Wetland A is a Category III wetland with an 80' buffer.
- Burnt Bridge Creek is a perennial Type F stream with a 100' riparian management area and a 75' riparian buffer.
- A total of 5 Oregon white oaks measuring 12 to 40 inches DBH were located onsite.
- Wetland buffer reduction is proposed to reduce the 80' buffer to 60'.
- Indirect impacts to Wetland A will be mitigated by purchasing credits at Terrace Mitigation Bank.
- Impacts to oaks and the riparian buffer of Burnt Bridge Creek will be mitigated through onsite riparian management area and riparian buffer enhancement.

Please see the report included with this application for further details.

Tree, Vegetation, and Soil Conservation – 20.770

A Level V tree plan is required for this application. See that landscape and tree plans included with the application that shows the retained trees, proposed trees, and includes a calculation of tree density. A large portion of the site will remain undeveloped and retain significant native vegetation. Silt fence will be installed onsite prior to construction to ensure that the retained areas are not impacted during construction.

SEPA Regulations – 20.790

The State Environmental Policy Act (SEPA) procedures require documentation of critical areas as well as discussion on earth, air, water, plants and animals, energy and natural resources, environmental health, noise, land and shoreline uses, aesthetics, recreation, historic and cultural preservation, transportation, and public services and utilities. A SEPA application has been submitted with this application.

Impact Fees – 20.915

Newly constructed homes will be required to pay impact fees at the time of building permit issuance. Impact fees are collected to ensure that adequate public facilities are available to serve new growth and development; promote orderly growth and development by requiring that new development pay a proportionate share of the cost of new facilities needed to serve growth; and ensure that impact fees are imposed through established procedures and criteria so that specific developments do not pay arbitrary fees or duplicate fees for the same impact. Impact fees for traffic, Parks, and Schools will be paid at the time of building construction.

Landscaping – 20.925

A landscape and tree plan has been provided with the development plans showing compliance with this section.

Landscaping equal to 10% of the net lot area of the site is required. These criteria will be reviewed for compliance at building permit review.

Street trees are proposed along NE 46th Street and NE 45th Loop.

The existing landscape and mitigation planting within the riparian are of Burnt Bridge Creek meets the buffering standards required to the north and west of the site. A landscape buffer is not required to the east and south next to residential areas, but trees and shrubs are provided in these areas.

Narrow Lot Developments– 20.927

Developments that propose lot widths less than 40' are subject to the narrow lot development standards. Lots are proposed to be approximately 26' wide, therefore this section applies to the development.

The approval criteria must be addressed, which includes the following:

A. Conflicts on narrow lots shall be eliminated.

The development has been designed to eliminate conflicts between on-site and off-site improvements. 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., have been considered in the design of the development and any conflicts have been eliminated.

B. Adequate guest parking shall be provided.

The development has been designed to provide parking spaces on each lot in the driveway and garages. A guest parking area on the SE corner of the site provides 7 parking spaces. There are also large portions of the private road that will accommodate parking on one side. With over 800 lf of roadway up to 36 cars will be able to park on the street.

C. Solid waste and recycling collection and access shall be provided.

The development has been designed to provide for safe access and maneuvering by solid waste and recycling collection vehicles along public roadways. Solid waste collection areas will be located in front of each lot on the adjacent street. The carts can be set out either on the street or over the curb/planter. Lots that are served by the narrow private drives will be required to set out the carts on the wider private road. General locations of collection areas are shown on the narrow lot plan.

Parking and Loading – 20.945

Each lot will have a minimum 12' wide driveway that can accommodate at least 1 parked vehicle on the lot. The homes will also have at least a single car garage. 18' wide driveways and 2-car garages are also an option for this development. This configuration will exceed the required parking standards for single family homes.

Vision Clearance – 20.985

Vision clearance triangles and sight distance triangles are shown on the preliminary plat. Vision clearance meets the requirements in standard Plan T04-04.

Streets and Sidewalks – VMC Title 11

Concurrency - 11.70

A Transportation Impact Study has been prepared by Lancaster Mobley for this development and is included with this application. The analysis found the following:

- The trip generation calculations show that the proposed project is projected to generate 25 morning peak hour trips, 33 evening peak hour trips, and 330 average weekday trips.
- The proposed Kevanna Park Meadows project will nominally impact City of Vancouver transportation facilities where proportionate share contributions are being collected. Therefore, no proportionate share contributions are required as part of the development proposal.
- No significant trends or crash patterns were identified at the intersection of NE 46th Street at NE 112th Avenue that are indicative of safety concerns. Accordingly, no safety mitigation is recommended per the crash data analysis.
- Based on an evaluation of the MUTCD traffic signal warrants, the installation of a traffic signal at the intersection of NE 46th Street at NE 112th Avenue is not projected to be warranted, with or without the proposed development. Therefore, no new traffic signal is necessary or recommended at this location.
- Intersection of NE 46th Street at NE 112th Avenue is currently operating acceptably per City of Vancouver standards and is projected to continue

operating acceptably through year 2029, approximately five years beyond the anticipated buildout year of the site. Accordingly, no operational mitigation is necessary or recommended at the study intersection.

- All applicable turning movements at the intersection of NE 46th Street at NE 112th Avenue have adequate storage space to accommodate projected 95th percentile queues at the intersection. Accordingly, no intersection queuing related mitigation is necessary or recommended as part of the proposed development.

Street and Development Standards – 11.80

Roadway Standards for NE 46th Street:

NE 46th Street is an existing Local Access Street that is stubbed to the east property line of the site. Existing improvements off-site include a 60' right-of-way with 40' paved width and no sidewalks. No improvements are proposed for this roadway except for minor adjustment to match the private roadway section into the existing roadway.

Private roadways:

Private roads serving more than 8 lots are allowed with planned developments. This development will extend NE 46th Street to serve the site as a private road. The onsite private roads, NE 46th Street and NE 45th Loop, will include 46' wide tract with 28' paved roadway width and 5' detached sidewalks on at least on side of the street. This roadway will follow standard detail T10-17.

Tract C and D contain short narrow private drives that serve up to 4 lots each. These driveways will follow standard detail T10-18. The current proposal includes a 16' roadway with a 5' attached sidewalk within a 22' wide tract.

Road Modifications:

No road modifications requests are required for this proposal.

Trees and Vegetation – VMC Title 12

Street trees are required on all public roads constructed with this project. After street trees are installed and the right-of-way is dedicated to the city, any work that is proposed on or near street trees will need to meet the requirements of VMC Title 12. Future property owners will have responsibilities regarding street tree maintenance as described in this section.

Water and Sewers – VMC Title 14.04, 14.10 and 14.16

All lots will be served by public sewer and water.

The site will be served by the City of Vancouver for public sewer service. Public sewer is available at the site within NE 46th Street and along the east buffer of Burnt Bridge Creek. The proposed connection point is near NE 46th Street.

Water for the site will be provided by the City of Vancouver. Public water is available at the site within NE 46th Street.

Erosion Control – 14.24

An Erosion Control Plan in conformance with VMC 14.24 has been designed and included in this submittal. The plan clearly shows existing topography, specific erosion prevention BMPs, and includes measures to ensure that sediment and sediment laden runoff does not leave the site. In the final site configuration, the contributing drainage area runoff will be conveyed to infiltration trenches so that runoff does not leave the site.

Stormwater – 14.25

Stormwater will be collected from impervious surfaces and routed to a detention pond on the south end of the site. Stormwater from pollution generation surfaces will be treated using filter cartridges. Infiltration was no deemed feasible for the site. Treated stormwater will be discharged to an existing stormwater pipe at the SW corner of the site which eventually discharges into Burnt Bridge Creek.

A preliminary stormwater plan and technical information report (TIR) has been submitted with this application. The report shows how the project complies with the standards of the VMC.

Water Resource Protection – 14.26

The entire city is located within a Critical Aquifer Recharge area. The proposal does not include any prohibited discharges to groundwater or surface waters. Infiltration of stormwater is not proposed with this project. Stormwater generated by this site will eventually reach the surface waters of Burnt Bridge Creek. Stormwater from streets and driveways will be treated using filter cartridges prior to entering the stormwater facility.

Fire – VMC Title 16

NE 45th Loop is a looped roadway that provides the opportunity for emergency vehicles to turnaround within the site. New fire hydrants are proposed within the development to meet the applicable spacing requirements.

Building & Construction – VMC Title 17

Future residential structures will be built under a separate permit. The homes will be required to follow this section of code at that time.

Grading, Excavation, Fill, and, Stockpile:

The site contractors will be required to follow the recommendations found in the geotechnical report regarding temporary and permanent cut slopes in order to preserve a safe worksite and safeguard property.

A stormwater protection plan will be provided prior to construction. This plan will help prevent potential water quality degradation, prevent excessive sedimentation or erosion by surface waters, and prevent the creation of public nuisances such as the fouling of surface or groundwater.

Revised Code of Washington (RCW)

The subdivision complies with the applicable portions of RCW 58.17. The preliminary plat is in the public interest and will provide additional housing that is needed in the City of Vancouver.

This application and narrative show that there are adequate facilities to serve the proposed subdivision. There are adequate public roads, open spaces, drainage facilities, potable water, sanitary waste collection and treatment, schools and educational services, pedestrian facilities, and fire prevention services.

The proposed development is located over 1 mile away from Orchards Elementary, Covington Middle and Heritage High Schools. Students living in the future development will be bused to schools.

This application and narrative also show compliance with the applicable standards of the Vancouver Municipal Code.

EXHIBIT C

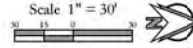
Kevanna Park Meadows

Located in the SE ¼ of Section 16, T2N, R2E W.M.
Vancouver, Washington

Sheet Index

1. Existing Conditions Plan
2. Preliminary Plat
3. Preliminary Narrow Lot Plan
4. Preliminary Grading and Erosion Control Plan
5. Preliminary Stormwater Plan
6. Preliminary Water & Sanitary Sewer Plan
7. Preliminary Street & Lighting Plan
8. Preliminary Landscape Plan
9. Preliminary Tree Plan

Scale 1" = 30'



VICINITY MAP
NOT TO SCALE

GENERAL NOTES

APPLICANT:
Ginn Group LLC
502 NE 72nd Ave
Vancouver, WA 98665
(360) 748-6044
lindsey@ginngrp.com

CONTACT:
PLS Engineering
Contact: Travis Johnson, PE
604 W Evergreen Blvd
Vancouver, WA 98660
PH: (360) 944-6519
pm@plsengineering.com

SITE ADDRESS
Parcel # 159850-000
11017 NE 51st Circle
Vancouver, WA 98682

LAND USE:

The 6 acre site is currently vacant with no onsite structures. The zoning of the site is low density residential with a R-6 zone. An R-4 zone is located to the east and south of the site. I-205 is located to the west and commercial zoned land is located to the north across Burnt Bridge Creek.

TRANSPORTATION:

NE 46th Street is an Urban Local Access Road that provides public access to the site. The existing roadway has a 60' ROW and a 40' paved width and does not have a sidewalk. There are no existing pedestrian or bicycle facilities in the immediate vicinity of the site. The nearest public transit bus stop is located on NE 112th Ave.

UTILITIES:

The City of Vancouver is the public water and sanitary sewer purveyor. Both water and sanitary sewer lines are located at the site within NE 46th Street. There are no known wells or septic systems located onsite. Stormwater runoff on the site currently surface flows across the field before entering Burnt Bridge Creek.

CRITICAL AREAS:

The site contains a stream, wetland, and Oregon White oak trees. Burnt Bridge Creek runs along the northern and western property lines of the site. This stream has a 100' Riparian Management Area with an additional 75' riparian buffer and associated floodplain. A small, isolated wetland area is located within a vegetated area on the east end of the site. An Oregon white oak tree is also located onsite near the wetland and two more are located along the property line. Per the FEMA flood insurance rate map number 530110C389D the flood plain elevation is 193' at the NE end of the site and 192' at the SW corner of the site with a NAVD88 datum. The conversion between NAVD88 and the City of Vancouver Datum is 3.64' so the flood plain elevation onsite is between 189.36' and 189.36'.

HORIZONTAL DATUM:

NAD 83 (2011), Washington State plane coordinate system, South zone, U.S. survey feet. Based on real time kinematic corrections from the Washington State reference network.

VERTICAL DATUM:

City of Vancouver Datum based on based on real time kinematic corrections from the Washington State Reference Network.

Existing Conditions Plan Per:

Revisions



Project No. 3440
SCALE: 1" = 30'
DESIGNED BY: SWG
DRAFTED BY: JVN
REVIEWED BY: TJG

1

9

PLS ENGINEERING

604 W Evergreen Blvd, Vancouver, WA 98660
PH: (360) 944-6519
FAX: (360) 944-6519
www.pls-engineering.com

Kevanna Park Meadows
A Subdivision Located In The City Of Vancouver, Washington

Kevanna Park Meadows

Located in the SE ¼ of Section 16, T2N, R2E W.M.
Vancouver, Washington



VICINITY MAP
NOT TO SCALE

GENERAL NOTES

APPLICANT:

PLS Engineering
Ginn Group LLC
502 NE 72nd Ave
Vancouver, WA 98665
(360) 768-5048
chad@ginngrp.com

CONTACT:

PLS Engineering
Ginn Group LLC
502 NE 72nd Ave
Vancouver, WA 98665
(360) 768-5048
chad@ginngrp.com

SITE ADDRESS:

502 NE 72nd Ave
Vancouver, WA 98665

LAND USE:

The Kevanna Park Meadows Planned Development proposes to divide 6 acres into 33 single-family residential lots in the R-d zone. Detached homes are proposed and the zero-lot line and narrow lot

discuss a discussion of density and development standards applicable to Planned Developments.

TRANSPORTATION:

NE 45th Street is an Urban Local Access Road that provides public access to the site. The existing roadway has 60' ROW and a 40' paved width and does not have a sidewalk.

The applicant is proposing a private road to serve the site that extends from the end of NE 45th Street. The private road will have a paved width of 28' and a detached sidewalk on at least one side of the roadway.

UTILITIES:

The City of Vancouver is the public water and sanitary sewer purveyor. The proposed connection points are at the end of NE 45th Street.

Sanitary runoff from the site will be treated and routed to a detention pond on the south end of the site. Controlled runoff will be routed to an existing stormwater pipe on the west end of the site that eventually discharges into Burnt Bridge Creek.

CRITICAL AREAS

The site contains a stream, floodplain, wetland, and an Oregon White oak tree. Burnt Bridge Creek runs along the northern and western property lines of the site. The floodplain is located within a 100' buffer of the stream. The wetland is located within a 100' buffer of the stream. The Oregon White oak tree is located on the east side of the site. The tree is proposed to be retained for with a wetlandbank use plan. An Oregon white oak tree is also located on the east side of the site. The tree is proposed to be retained for with a wetlandbank use plan. Other critical areas are proposed to be retained.

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Other critical areas are proposed to be retained.

Kevanna Park Meadows

A Subdivision Located In The City Of Vancouver, Washington

Preliminary Plat For

Provisions



Project No. 3486

SCALE: 1" = 100'

DESIGNED BY: [Signature]

DRAWN BY: [Signature]

REVIEWED BY: [Signature]

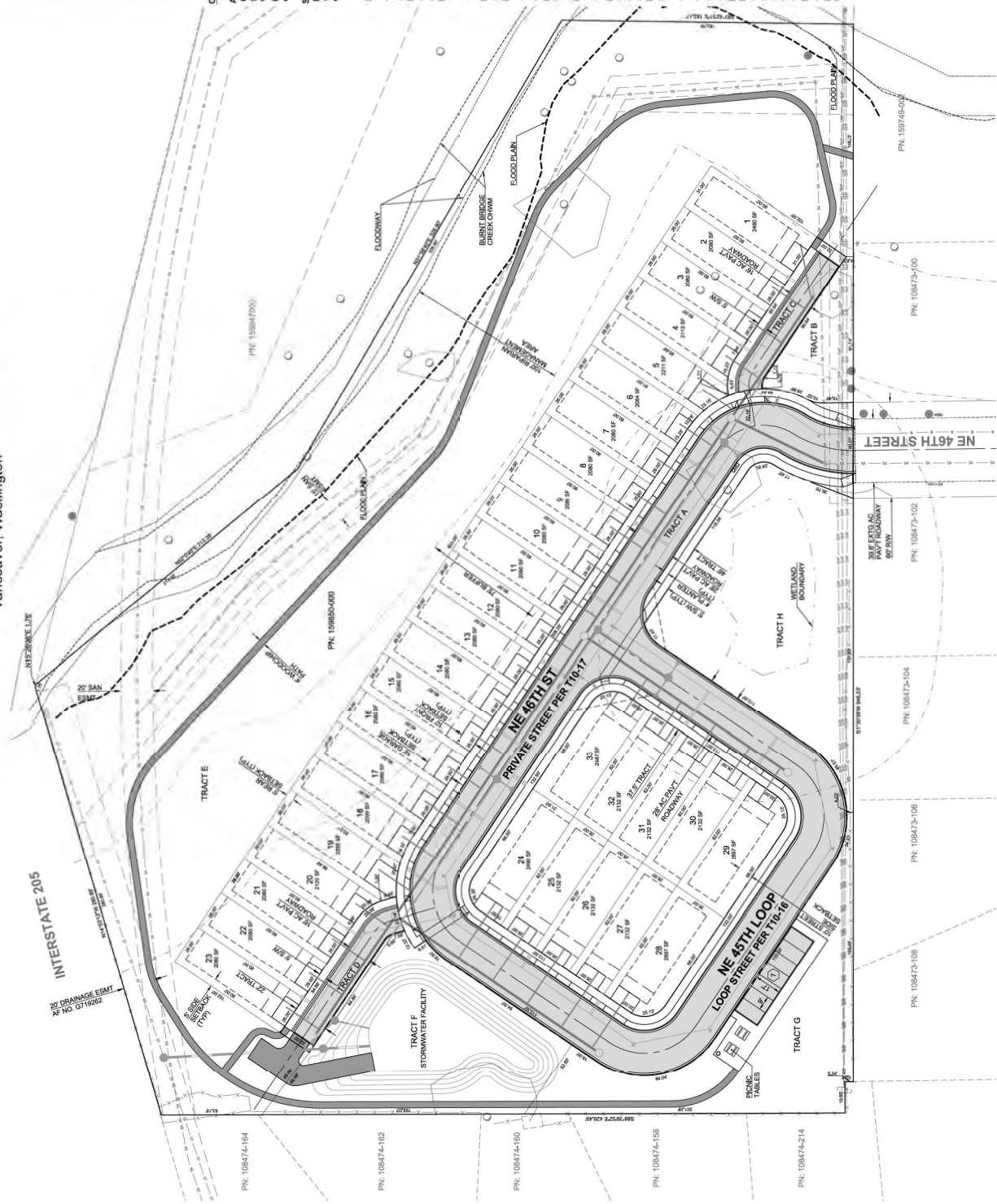
DATE: 10/1/2014

2

9

Legend	
	Proposed Asphalt Concrete
	Proposed Cement Concrete
	Proposed Woodchip Path
	Proposed Parking Count

Scale 1" = 30'



Kevanna Park Meadows

Located in the SE ¼ of Section 16, T2N R2E W.M.
Vancouver, Washington



VICINITY MAP
NOT TO SCALE

GENERAL NOTES

APPLICANT:
Gim Group LLC
11017 NE 5th Circle
Vancouver, WA 98665
(360) 768-5048
chad@gimgroup.com

CONTACT:
Jesse Williams
Contact: Tonia Johnson, PE
604 W. Evergreen Blvd.
Vancouver, WA 98660
PH: (360) 944-4519
jim@plseengineering.com

SITE ADDRESS:
Parcel # 158856-000
11017 NE 5th Circle
Vancouver, WA 98662

NARROW LOT STANDARDS

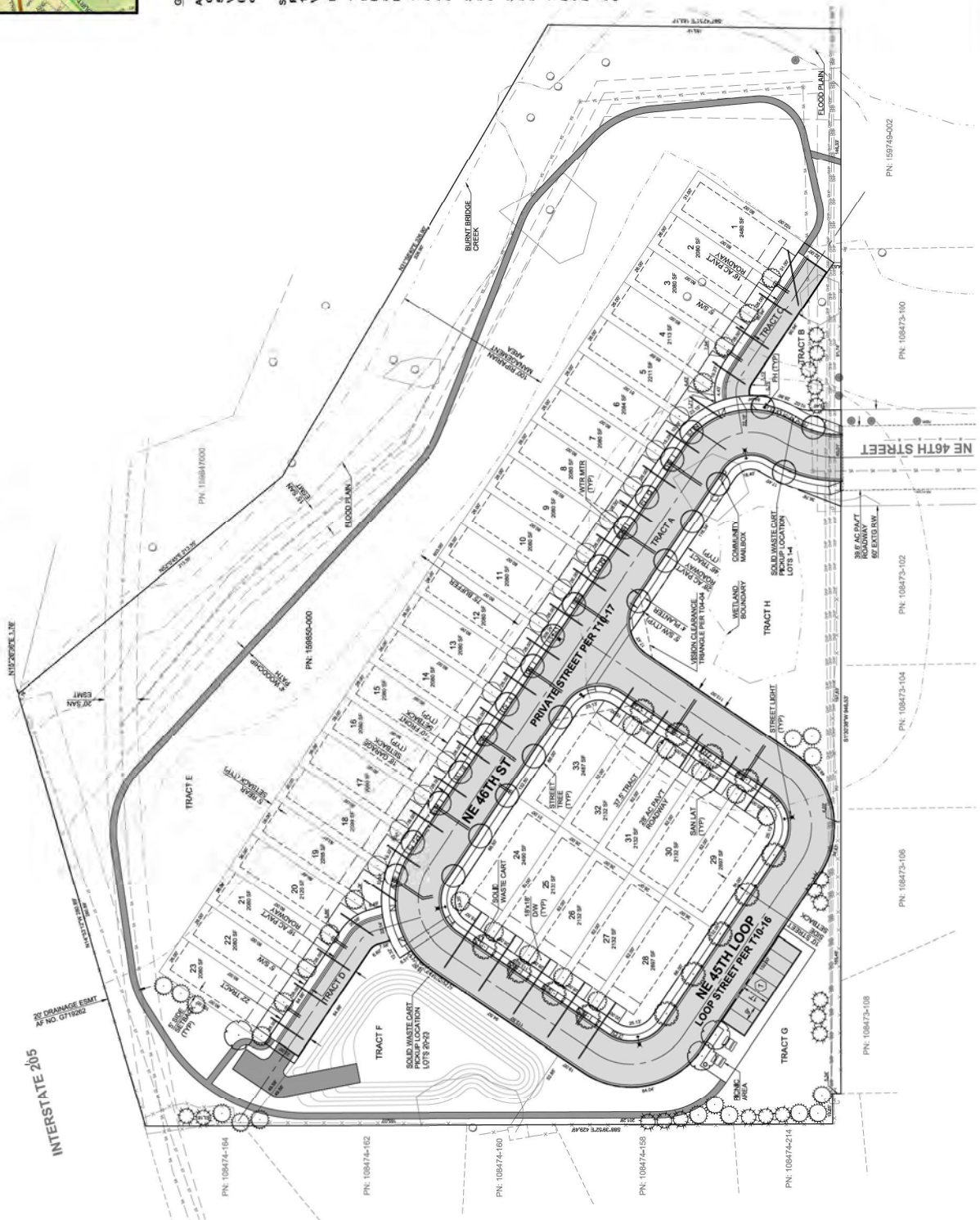
The Kevanna Park Meadows Planned Development proposes a subdivision of 26 narrow lots, 11 of which are in the R-6 zone. Detached homes are proposed and the zero-lot line and narrow lot development standards will apply to the proposal.

This subdivision was prepared in accordance with the requirements of WAC sections 20.877.030, and 20.827.040. All utilities, driveways, street trees, and other features have been placed such that they avoid conflict with one another. See the landscape plan sheet L1 for details on the location, species, and size of street trees, including the mature heights and crown widths.

Solid waste and recycling access for the development will be provided by a dedicated alleyway. The alleyway and its use are shown on plan and can accommodate 3 cars each.

The improved private roadways will allow for on-street parking to serve the development. At least 26 cars will be provided for the development in addition to the 7 common parking spaces shown in Tract G.

All setback requirements are reflected in the building envelopes shown on the site plan.



Kevanna Park Meadows

A Subdivision Located in The City Of Vancouver, Washington

Preliminary Narrow Lot Plan For:

Revisions



Project No. 3486
Scale: 1" = 30'
Designed By: JAW
Drafted By: JAW
Reviewed By: JAW

3 9

Legend

- Proposed Asphalt Concrete
- Proposed Cement Concrete
- Proposed Wooding Path
- Proposed Parking Court
- Proposed Solid Waste Carts

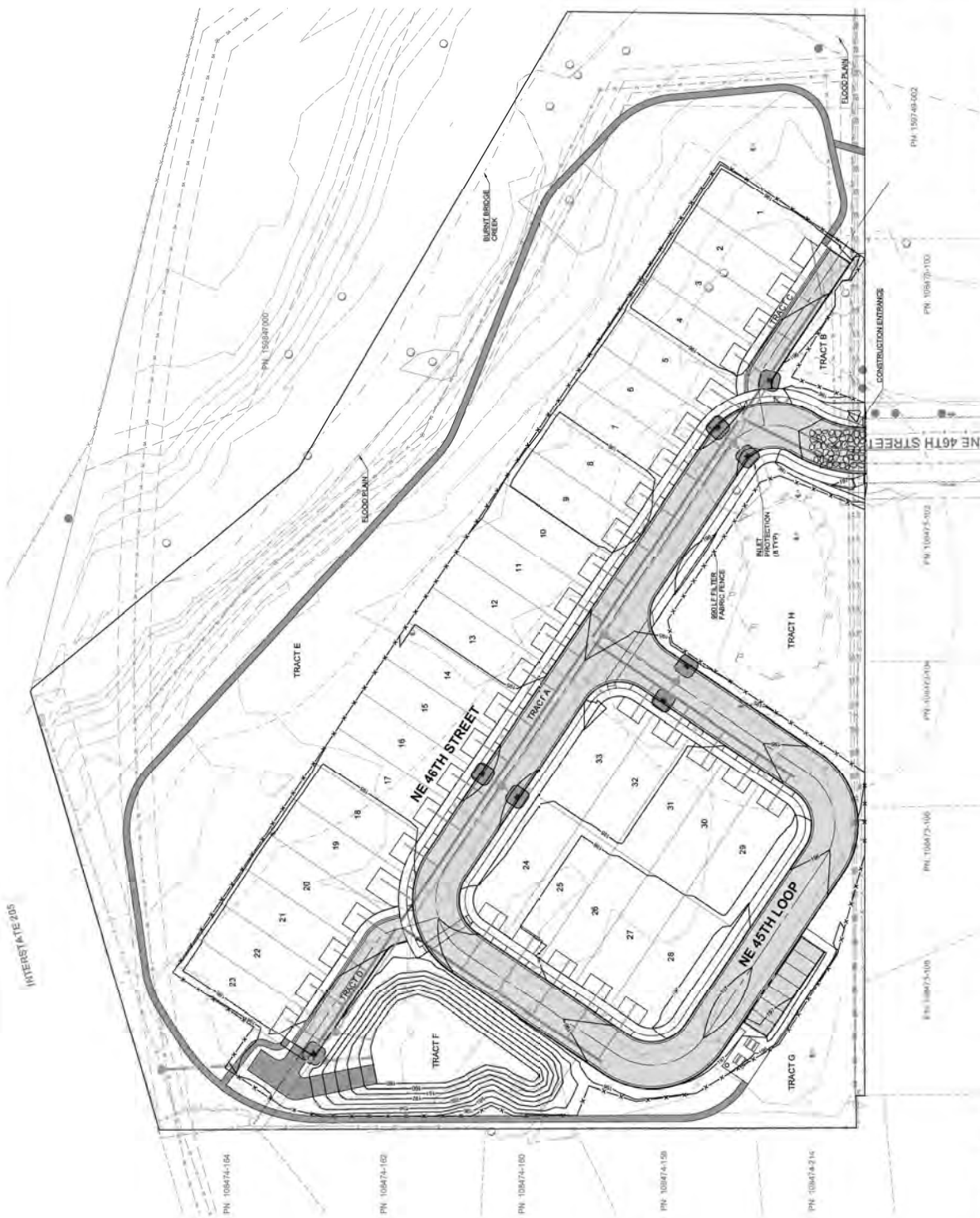


Kevanna Park Meadows

Preliminary Grading & Erosion Control Plan For:



Project No. 3440	 H: 1" = 10' V: N/A
DESIGNED BY:	SWG
DRAFTED BY:	JSV
REVIEWED BY:	TGJ

$$\frac{4}{9}$$


Legend	
	Proposed Asphalt Concrete
	Proposed Cement Concrete
	Proposed Woodchip Path
	Proposed Inlet Protection

Scale 1" = 30'



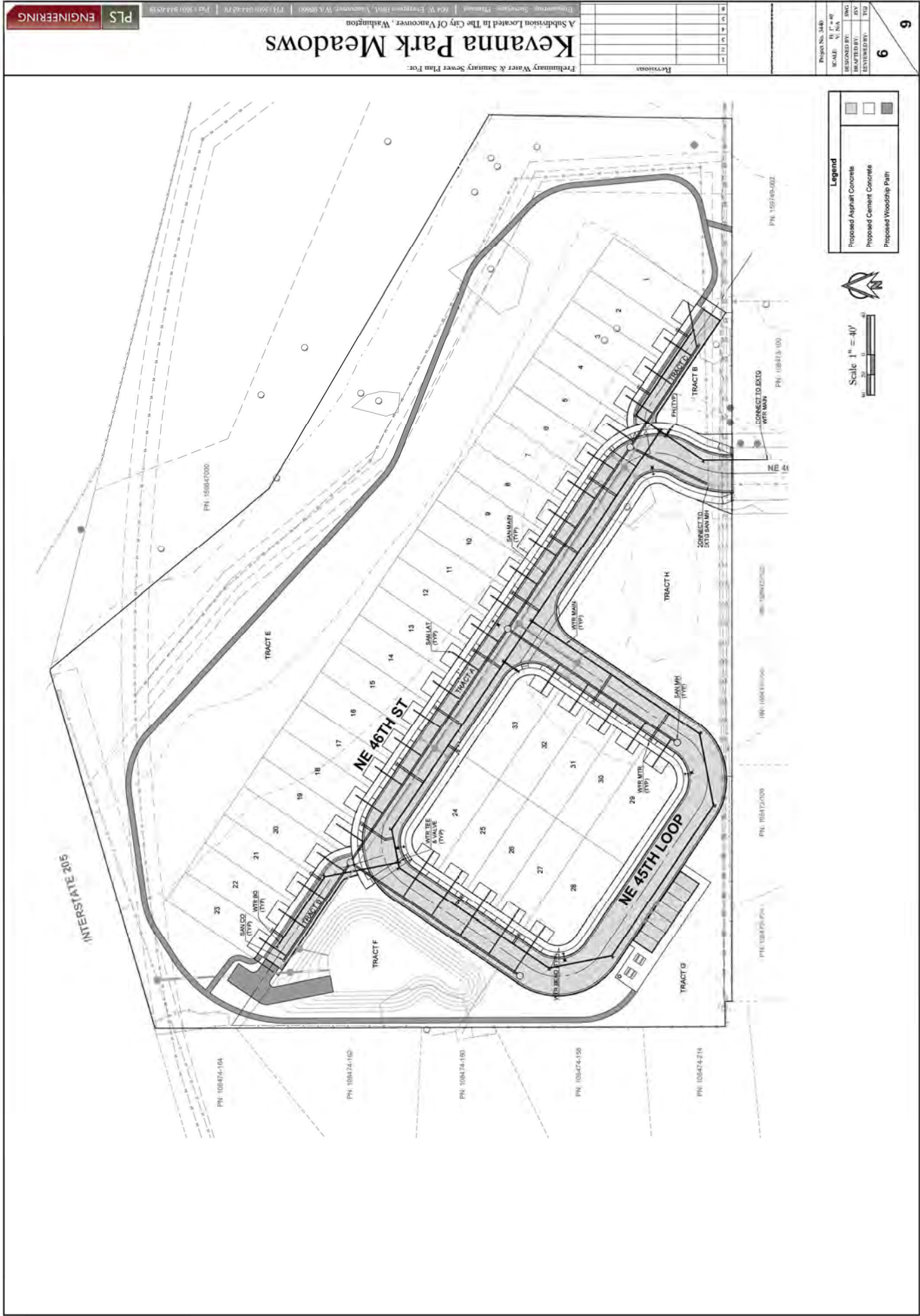
HORIZONTAL DATUM:

NAD 83 (2011). Washington State plane coordinate system, South zone, U.S. survey feet. Based on real time kinematic corrections from the Washington State reference network.

VERTICAL DATUM:

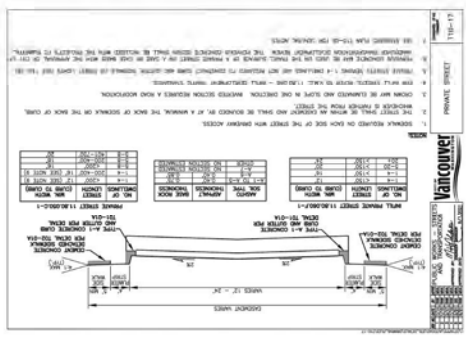
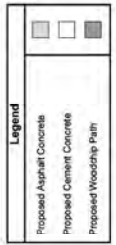
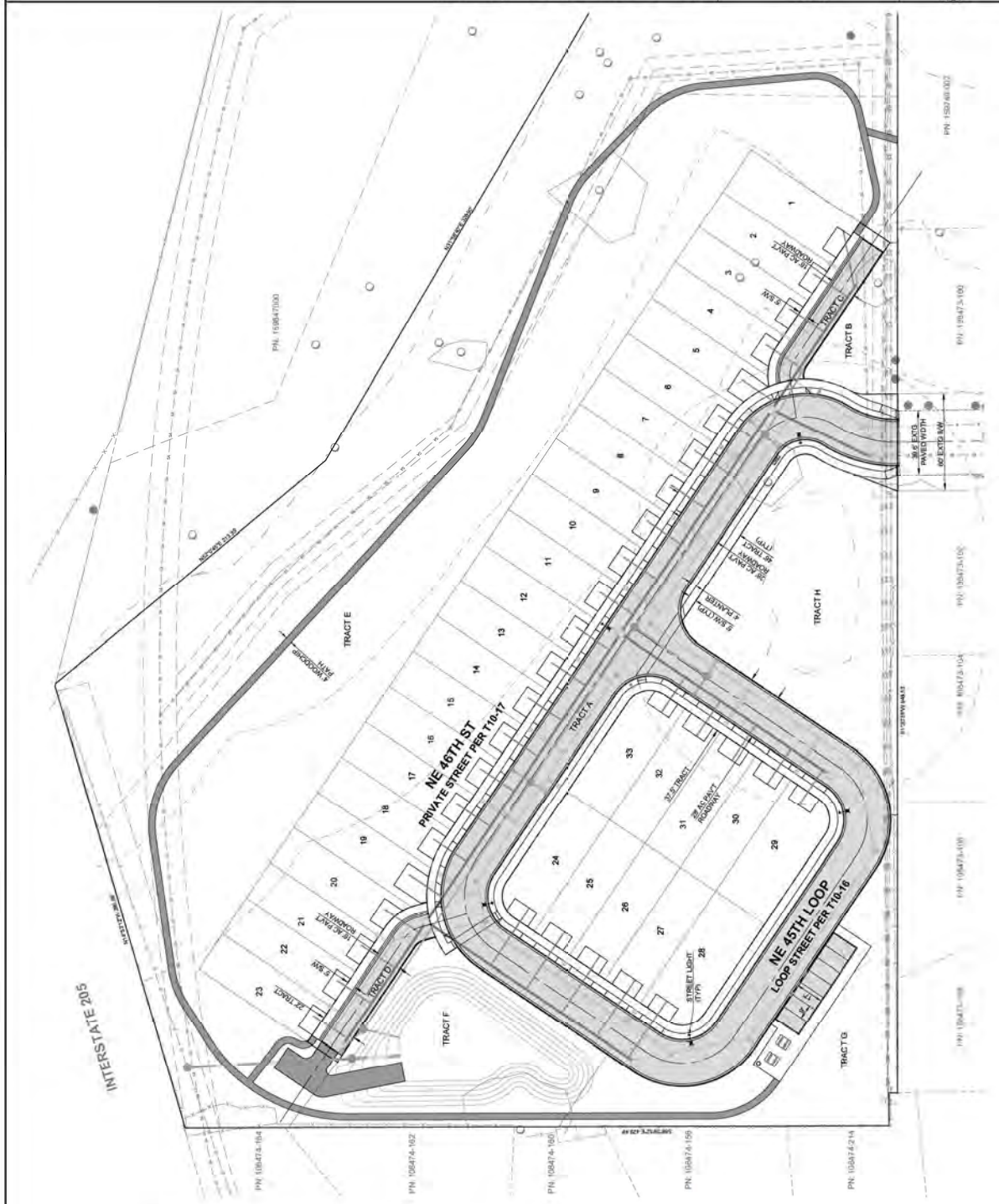
City of Vancouver Datum based on real time kinematic corrections from the Washington State Reference Network.





Kevanna Park Meadows

Preliminary Survey, Sampling, Signing & Street Lighting Plan For:

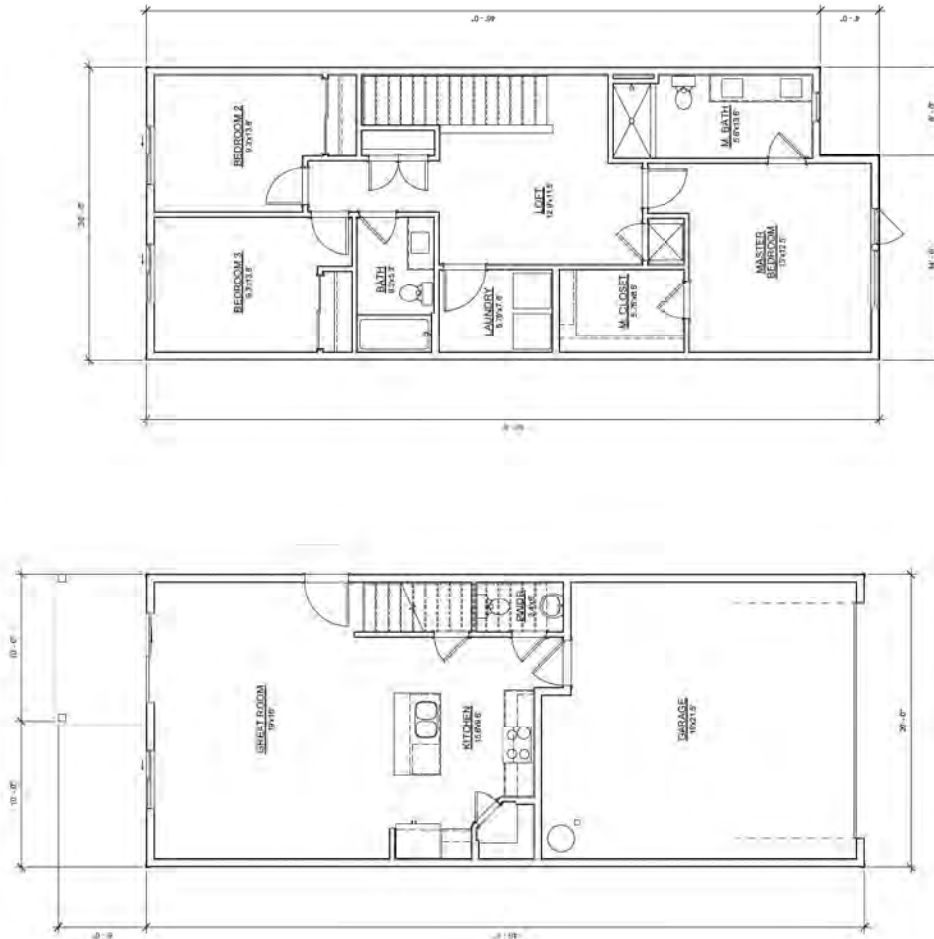




ELEVATION 1



ELEVATION 2



1 FIRST FLOOR
10'0" x 12'0"

2 SECOND FLOOR
10'0" x 12'0"

ELEVATION NOTES:
EXTERIOR MATERIALS INCLUDE:
BOARD AND BATTEN SIDING
HARDI SMOOTH SIDING
HARDI LAP SIDING
COMPOSITION SHINGLES
CORRUGATED METAL

EXISTING CONDITIONS SURVEY

IN THE NW 1/4 OF THE SE 1/4
SECTION 16, T. 2 N., R. 2 E., WM.
CITY OF VANCOUVER
CLARK COUNTY WASHINGTON

JOB NO. 3440
DATE COLLECT: 08-06-2022
DRAWN BY: J. H. HARRIS
CHECKED BY: J. H. HARRIS
SHEET 1 OF 1

LEGEND:

- INDICATES WATER VALVE
- INDICATES FIRE HYDRANT
- INDICATES WATER METER
- INDICATES STORM SEWER MANHOLE
- INDICATES CATCH BASIN
- INDICATES SANITARY SEWER MANHOLE
- INDICATES POWER POLE WITH
DIRECTION OF OVERHEAD LINES
- INDICATES LIGHT POLE
- INDICATES MAIL BOX
- INDICATES EXPOSED TREE WITH
TRUNK DIAMETER AND TYPE
- INDICATES EXPOSED TREE WITH
TRUNK TO BRANCH AND TYPE
- INDICATES BOUNDARY
- INDICATES EDGE OF ASPHALT
- INDICATES EDGE OF GRAVEL
- INDICATES 5 FOOT INTERVAL CONTOUR
- INDICATES 10 FOOT INTERVAL CONTOUR
- INDICATES SANITARY LOCATE
- INDICATES STORM LOCATE
- INDICATES OVER HEAD POWER

HORIZONTAL DATUM:

NAD 83 (2011)
CLARK COUNTY PLATE COORDINATE SYSTEM, 500' BY 500' U.S. SURVEY
FEET BASED ON AN ARITHMETIC COMBINING FROM THE WASHINGTON
STATE REFERENCE NETWORK.

VERTICAL DATUM:

CITY OF VANCOUVER DATUM

NOTES:

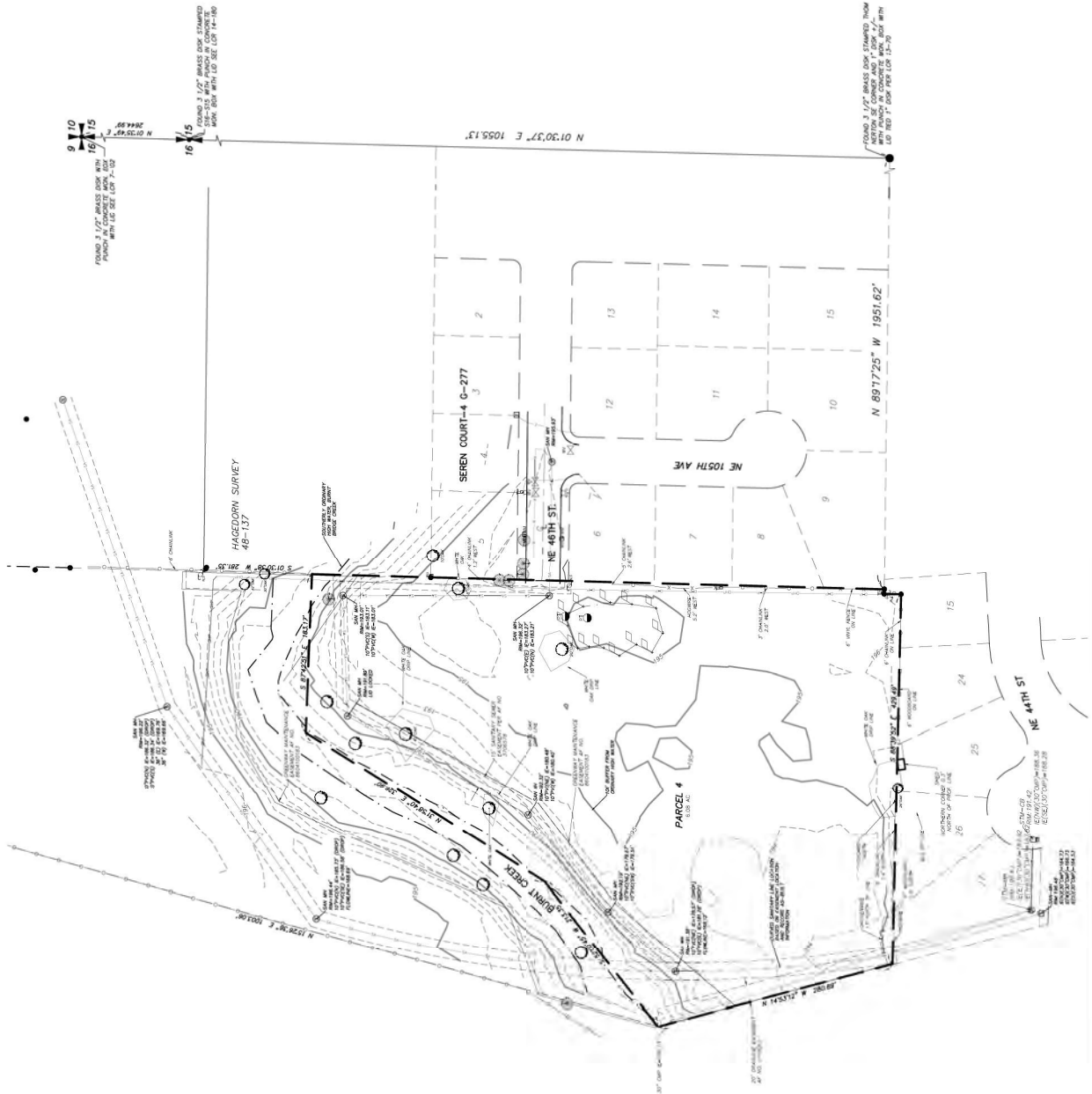
1. ALL DIMENSIONS WERE DRAWN PER PLAT, SURVEY RECORDS AND COMMENTS.
CONSIDER THIS IS NOT INTENDED TO BE A BOUNDARY SURVEY. NO PROPERTY
LINES OR ADJACENT PROPERTY LINES WERE LOCATED OR SHOWN.
2. NO WARRANTIES ARE MADE AS TO MATTER OF JAMBERTON TITLE, SUCH AS
ADVERSE POSSESSION, ESTOPPEL, ADJACENCE, ETC.



60' 120' 150'
SCALE 1" = 60' (1:720)

PLS ENGINEERING

Engineering - Surveying - Planning
604 W. 1st Avenue, Suite 200
P.O. Box 1000, Everett, WA 98201
PH: (360) 444-5511 FAX: (360) 444-5519





1 FIRST FLOOR
14'-0" x 10"



2 SECOND FLOOR
14'-0" x 10"

ELEVATION NOTES:
 EXTERIOR MATERIALS INCLUDE:
 BOARD AND BATTEN SIDING
 HARDI SMOOTH SIDING
 HARDI LAP SIDING
 COMPOSITION SHINGLES
 CORRUGATED METAL

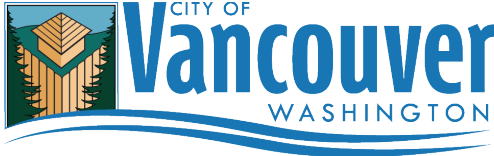


ELEVATION 1



ELEVATION 2

EXHIBIT D



SUBMIT TO:

City of Vancouver
Community & Economic Development
415 W. 6th ST
Vancouver, WA 98660
www.cityofvancouver.us

SEPA ENVIRONMENTAL CHECKLIST

WAC 197-11-960

Property Owner: <u>Affinity Vancouver Manager, LLC</u> (Print or Type Name)	Telephone: _____
Mailing Address: <u>120 West Cataldo Ave., Ste. 100, Spokane, WA 99201</u> (No., City, State, ZIP)	
Applicant: <u>Ginn Group, LLC – contact Chad Stewart</u> (Print or Type Name)	Telephone: <u>360-768-5025</u>
Mailing Address: <u>502 NE 72nd St. Vancouver, WA 98665</u> (No., City, State, ZIP)	
Relationship to Owner: <u>buyer</u>	
Tax Assessor Serial Number(s): <u>159850000</u>	
Legal description: Lot(s) <u>#99 THOMAS</u> Block(s) _____ Plat name <u>NERTON DLC 5.7A</u> (If a Metes and Bounds description, check here ☐, and attach narrative to this application.)	
Site Address (if any): <u>11017 NE 51st Circle, Vancouver, WA</u>	

② Include 8½" x 11" copies of ☐ Quarter Section Map, ☐ Topographic Map, ☐ Scaled Site Plan. Delineate site on maps.

Notice to Applicants: You must use the current revision of this form or your application will not be accepted. If you use our disk version of this form (MS Word 6.0) you may not alter the format. Make sure you have the current version before submittal.

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants: [\[help\]](#)

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals: [\[help\]](#)

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental

Elements –that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND [\[help\]](#)

1. Name of proposed project, if applicable: [\[help\]](#)

Kevanna Park Meadows

2. Name of applicant: [\[help\]](#)

Ginn Group, LLC

3. Address and phone number of applicant and contact person: [\[help\]](#)

Chad Stewart – (360) 768-5025
502 NE 72nd Street
Vancouver, WA 98665

4. Date checklist prepared: [\[help\]](#)

August 18, 2022

5. Agency requesting checklist: [\[help\]](#)

City of Vancouver

6. Proposed timing or schedule (including phasing, if applicable): [\[help\]](#)

Development is expected to start at the time of the final construction drawing approval. No phasing proposed.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [\[help\]](#)

Not at this time.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [\[help\]](#)

SEPA Checklist, Geotechnical Report, Archaeological
Predetermination, Critical Areas Report and Mitigation Plan

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [\[help\]](#)

There are no other applications that are pending for governmental approvals directly affecting the property.

10. List any government approvals or permits that will be needed for your proposal, if known. [\[help\]](#)

- Preliminary Type IV Planned Development & Subdivision Review
- Public notification and staff report publications
- Land Use Hearing Examiner Decision
- City Council Approval
- Final engineering plan review and approval
- Final Plat Approval
- SEPA
- NPDES

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) [\[help\]](#)

The project site is zoned R-6 (Residential) with a comprehensive plan designation of UL (Urban Low). The site covers 6 acres. The applicant proposes to develop the site with a 33-lot single-family subdivision.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [\[help\]](#)

The site address is 11017 NE 51st Circle, Vancouver, WA and is located in the Southeast ¼ of Section 16, Township 2 North, Range 2 East of the Willamette Meridian. The site is identified as tax serial number 159850000.

B. ENVIRONMENTAL ELEMENTS [\[help\]](#)

1. Earth

- a. General description of the site [\[help\]](#)
(circle one): **Flat**, **rolling**, hilly, steep slopes, mountainous,
other _____
- b. What is the steepest slope on the site (approximate percent slope)? [\[help\]](#)

Approximately 5-10%.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. [\[help\]](#)

Per the geotechnical report the site contains native silt, silty gravel and sandy Clay.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [\[help\]](#)

No, there are no surface indications or history of unstable soils.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [\[help\]](#)

There will be grading for the construction of private roads, driveways, the installation of utilities, and the preparation of the site for single family residential housing. Surplus material may be required to be hauled from the site to an approved dump site or offsite fill may be required. Quantities and source are unknown at this time.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [\[help\]](#)

Standard erosion control measures will be followed during grading construction on the site. A final erosion control plan will be reviewed and approved by City of Vancouver prior to construction on the site. A copy of that final erosion control plan will be filed with the final construction plans with City of Vancouver Public Works.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [\[help\]](#)

The site will be approximately 30% impervious surfaces post-development.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [\[help\]](#)

Proposed measures to reduce and control erosion include providing an erosion control plan for review and approval prior to starting construction on the site and following the conditions of the approved drainage and erosion control plan during all phases of construction.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [\[help\]](#)

Construction equipment emissions and dust on the short term. Long-term emissions will be produced by automobile traffic and normal residential activities, possibly including wood burning stoves and fireplaces.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [\[help\]](#)

There are no known off-site sources of emissions or odor that would affect the proposal.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any: [\[help\]](#)

Dust from construction can be mitigated by sprinkling the site with water during construction as needed.

3. Water

- a. Surface Water: [\[help\]](#)

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [\[help\]](#)

Burnt Bridge Creek flows westerly along the north parcel boundary and continues offsite. A wetland is also located onsite.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. [\[help\]](#)

Yes, work will be performed within 200' of Burnt Bridge Creek and the wetland.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [\[help\]](#)

Direct impact to the stream or wetland are not proposed with project.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

There will be no surface water withdrawals or diversions.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [\[help\]](#)

Yes, the site does lie within the Burnt Bridge Creek floodway and floodway fringe.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [\[help\]](#)

No, there are no proposals to discharge of waste material to surface waters.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

No ground water will be withdrawn from the site. Stormwater runoff from the site will be collected, treated, and routed to a stormwater detention facility on site. Stormwater infiltration is not proposed for this site due to the soil type.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [\[help\]](#)

No waste material is proposed to be discharged into the ground.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [\[help\]](#)

The main source of runoff is from stormwater. There will runoff from impervious roof area, driveways, roadways, and landscaped areas. Stormwater runoff from the site will be collected, treated, and routed to a storm facility on site.

- 2) Could waste materials enter ground or surface waters? If so, generally describe. [\[help\]](#)

Yes, if waste materials were somehow released or dumped into surface runoff flows, substances associated with the source material could enter ground or other surface waters.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No.

- 4) Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

All stormwater runoff is proposed to be routed to a stormwater detention facility on the south end of the site that will control the flow of stormwater runoff of the site.

4. Plants [\[help\]](#)

- a. Check the types of vegetation found on the site: [\[help\]](#)
☒ deciduous tree: alder, maple, aspen, other : **aspen, ash, Oregon white oak**
☐ evergreen tree: fir, cedar, pine, other
☒ shrubs
☒ grass
☒ pasture
☐ crop or grain
☐ Orchards, vineyards or other permanent crops.
☐ wet soil plants: cattail, buttercup, bullrush, **skunk cabbage**, other
☐ water plants: water lily, eelgrass, milfoil, other
☐ other types of vegetation: **Himalyan blackberry, poison hemlock, thistle,**
- b. What kind and amount of vegetation will be removed or altered? [\[help\]](#)

Approximately 60% of the site vegetation will be stripped for site preparation.

- c. List threatened and endangered species known to be on or near the site. [\[help\]](#)

None known.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [\[help\]](#)

The single-family homes will be landscaped with grass lawns or other appealing landscaping.

- e. List all noxious weeds and invasive species known to be on or near the site.

Poison hemlock, Himalyan blackberry

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: [\[help\]](#)
birds: hawk, heron, eagle, **songbirds**, other:

Local birds are observed on the site and in the area.

mammals: deer, bear, elk, beaver, **other**:

Small mammals, such as mice, voles, and rabbits are located on and near the site. This site is also in an area where larger mammals, such as raccoons, opossum, and mammals indigenous to the Clark County area are sometimes located.

fish: bass, salmon, trout, herring, shellfish, other:

Burnt Bridge Creek is designated as a fish bearing creek.

- b. List any threatened and endangered species known to be on or near the site. [\[help\]](#)

There are no known threatened or endangered species on or near the site.

- c. Is the site part of a migration route? If so, explain. [\[help\]](#)

This site is part of the Pacific Flyway for migratory waterfowl.

- d. Proposed measures to preserve or enhance wildlife, if any: [\[help\]](#)

The riparian buffer of Burnt Bridge Creek is proposed to be enhances as part of the mitigation plan for other onsite impacts. Oregon white oak trees and an isolated wetland are proposed to be retained onsite.

- e. List any invasive animal species known to be on or near the site.

None known.

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [\[help\]](#)

The new homes on the site will be served primarily by electricity and natural gas. Wood stoves might be used for heating. Other forms of energy will depend on homeowners.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. [\[help\]](#)

No, the developed site will not affect the potential use of solar energy by adjacent properties.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: [\[help\]](#)

The new homes will comply with the state building codes which includes conservation measures.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe. [\[help\]](#)

There are no known environmental health hazards that could occur as a result of this proposal.

- 1) Describe any known or possible contamination at the site from present or past uses.

There are no known possible contaminants at the site from present or past uses. None known on site. Utilizing the Department of Ecology's (DOE), "What's in My Neighborhood" online mapping tool, there are no clean-up sites within 0.5 miles of the site.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None known.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

There are no known toxic or hazardous chemicals that will be stored, used, or produced during project development or construction.

- 4) Describe special emergency services that might be required.

There are no special emergency services that might be required, outside of those normally expected for a typical residential development, in association with the proposal.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

There are no proposed measures to reduce or control environmental health hazards.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [\[help\]](#)

Light traffic noise from surrounding areas/roads along with typical residential noises. None of these will affect the proposal.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. [\[help\]](#)

Short term noises would include construction noises which would occur during approved hours as mandated by The City of Vancouver and Washington State. Long term noises could include slight increase in traffic noise and normal household noises.

- 3) Proposed measures to reduce or control noise impacts, if any: [\[help\]](#)

Construction activities will only be performed during City of Vancouver approved construction hours.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [\[help\]](#)

The site is currently vacant. Surrounding parcels to the east and south are developed with single family homes. To the north is a retirement home and to the west and NW are I-205 and SR-500 freeways. This development will not affect those current land uses.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [\[help\]](#)

The applicant is not aware of the site ever having been used as working farmlands or working forest lands.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

Not to the applicant's knowledge.

- c. Describe any structures on the site. [\[help\]](#)

There are no structures on site.

- d. Will any structures be demolished? If so, what? [\[help\]](#)

No structures will be demolished.

- e. What is the current zoning classification of the site? [\[help\]](#)

The site is zoned R-6, Low Density Residential.

- f. What is the current comprehensive plan designation of the site? [\[help\]](#)

UL-Urban Low Density Residential

- g. If applicable, what is the current shoreline master program designation of the site? [\[help\]](#)

There is no shoreline designation for the site.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [\[help\]](#)

The site contains the following critical areas: wetlands, riparian and Oregon white oak habitat, floodway and floodplain associated with Burnt Bridge Creek. Burnt Bridge Creek is a Type F stream that flows westerly along the north parcel boundary and continues offsite.

- i. Approximately how many people would reside or work in the completed project? [\[help\]](#)

It is currently planned that this development will contain 33 residential lots. At 2.8 people per household there would be approximately 95 people residing within this development at completion.

- j. Approximately how many people would the completed project displace? [\[help\]](#)

No people will be displaced by this project.

- k. Proposed measures to avoid or reduce displacement impacts, if any: [\[help\]](#)

The buildout of this project will provide new housing options.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [\[help\]](#)

By complying with the zoning designation, the comprehensive plan, and the City of Vancouver Municipal Code, the proposal will be compatible with the existing and projected land uses.

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

Not applicable, there are no nearby agricultural or forest lands.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [\[help\]](#)

33 residential lots/homes are proposed. Type is unknown at this time.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [\[help\]](#)

No units will be eliminated.

- c. Proposed measures to reduce or control housing impacts, if any: [\[help\]](#)

33 new housing units will be constructed on the site. Impact fees will be paid at the time of building permit for each new home.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [\[help\]](#)

All new home construction will meet City code for residential housing development and not exceed height limits of 35'. Exterior building materials are unknown at this time.

- b. What views in the immediate vicinity would be altered or obstructed? [\[help\]](#)

Views will be altered as the existing site will change from a vacant lot with large grassy and treed areas to a 33-lot subdivision.

- c. Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#)

The single-family homes will be landscaped with grass lawns and other appealing landscaping. A significant portion of the site will be retained as open space.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [\[help\]](#)

When homes are constructed on the proposed lots, there will most likely be light produced from houses, yards, and porch lights during evenings and early mornings.

- b. Could light or glare from the finished project be a safety hazard or interfere with views? [\[help\]](#)

No, light or glare from the finished project will not be a safety hazard or interfere with views.

- c. What existing off-site sources of light or glare may affect your proposal? [\[help\]](#)

Light and glare from surrounding homes and buildings will not affect the proposed development.

- d. Proposed measures to reduce or control light and glare impacts, if any: [\[help\]](#)

Any lights used on the site will be oriented inward and will be shielded to reduce the light that may affect adjacent properties. Proposed lighting will comply with City of Vancouver code.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? [\[help\]](#)

Kevanna Park is located adjacent to the site to the NE.

- b. Would the proposed project displace any existing recreational uses? If so, describe. [\[help\]](#)

No.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [\[help\]](#)

The applicant proposes to pay all park impact fees associated with building permits.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. [\[help\]](#)

No. There are no known places or objects on or near the site which are listed or proposed for national, state, or local preservation registers.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [\[help\]](#)

Archaeological Services of Clark County conducted an archaeological predetermination for this site and found no artifacts. The report concluded that no further work was required. Please see the report prepared by Archaeological Services of Clark County and dated August 18, 2022 included with this application.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [\[help\]](#)

Archaeological Services of Clark County did background review, reviewed existing literature on file with DAHP, conducted a field search and filed a copy of their report with DAHP.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None proposed. If during development of the site any potentially significant artifacts are discovered, all work will cease, and proper notification will be given to City of Vancouver and DAHP.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [\[help\]](#)

NE 46th Street is an existing Local Access Street that is stubbed to the eastern property line. Existing improvements off-site include a 60' right-of-way with 40' paved width and no sidewalks. This development will extend NE 46th Street to serve the site as a private road. The onsite private roads NE 46th Street and NE 45th Loop will include 46' tract with 28' paved width and 5' sidewalks on both sides of streets, except along NE 45th Loop where sidewalks will be provided on one side only.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [\[help\]](#)

The nearest bus stop is approximately 0.4 miles to the east along NE 112th Avenue.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [\[help\]](#)

2-4 parking spaces per single-family home are proposed. 7 spaces of shared parking are proposed and there will be opportunity for on street parking on one side of the private roadways.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [\[help\]](#)

No frontage improvements are proposed. NE 46th Street will be extended as a private road to serve the development.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [\[help\]](#)

No.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [\[help\]](#)

It is anticipated that 330 new average weekday trips would be generated by the project with 25 morning peak hour trips and 33 evening peak hour trips. Trip generation calculations utilized the Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 11th Edition, 2021.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

The proposed development will not interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area.

- h. Proposed measures to reduce or control transportation impacts, if any: [\[help\]](#)

The applicant will pay transportation impact fees.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [\[help\]](#)

Yes. The completion of this development and the construction of new residential units will increase the need for public services in the area.

- b. Proposed measures to reduce or control direct impacts on public services, if any. [\[help\]](#)

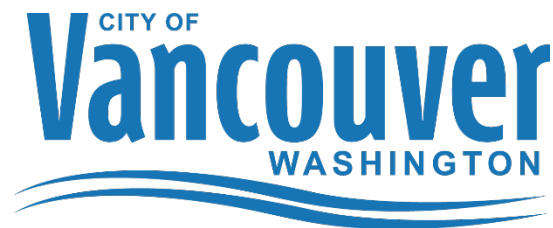
This project will pay impact fees for schools, parks, and traffic at the time of building permit.

16. Utilities

- a. Circle utilities currently available at the site: [\[help\]](#)
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [\[help\]](#)

- Electricity: Clark Public Utilities
- Natural Gas: NW Natural
- Water: City of Vancouver
- Sanitary Sewer: City of Vancouver
- Garbage: Waste Connections

DocuSigned by:
Signature: Chad Stewart
2FA0CAAFD2C64E9
Name of signee: Chad Stewart
Position and Agency/Organization: Project Manager Ginn Group, LLC
Date Submitted: 8/27/2022



P.O. Box 1995 • Vancouver, WA 98668-1995

www.cityofvancouver.us

Oct. 19, 2022

**Notice of Application, Remote Public Hearing, and
Optional SEPA Determination of Nonsignificance
Kevanna Park Meadows Planned Development
PRJ-168078/LUP-82789**

Request: The applicant requests approval of a 33-lot subdivision and planned development for single-family homes.

The application was accepted Sept. 6, 2022 and deemed fully complete Oct. 5, 2022.

Location: 11017 NE 51st Circle, at the west end of NE 46th Street. Burnt Bridge Creek runs along the northern and western boundaries of the site. Assessor's serial number: 159850000. The site is zoned R-6.

Contact: Travis Johnson, PE, PLS Engineering, 604 West Evergreen Blvd., Vancouver, WA 98660. 360-944-6519.

Applicant: Chad Stewart, Ginn Group, LLC, 502 NE 72nd Street, Vancouver, WA 98665 360-768-5025.

Property Owner: Affinity Vancouver Manager, LLC, 120 West Cataldo Ave., Ste. 100, Spokane, WA 99201. 509-321-3218.

Remote Public Hearing Scheduled Land Use Hearing conducted by the Hearing Examiner
Tuesday, January 17, 2023, 6 p.m.

The City of Vancouver will hold a virtual hearing. Interested parties can participate in the virtual hearing by emailing the project manager at andrew.reule@cityofvancouver.us. **Due to remote work conditions, e-mail is strongly preferred.**

Under the authority of VMC 20.790.230, the City of Vancouver will use the optional combined determination of nonsignificance (DNS) and notice of application process. Based on the initial review of the proposed project, the city expects to issue a DNS on the proposal, finding the project will not create probable significant adverse environmental impacts.

The comment period for the notice of application may be the only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable codes, and the review process may incorporate or require mitigation measures regardless of whether an environmental impact statement is prepared.

Comments on the project received electronically before 4 p.m., Nov. 18, 2022, will be incorporated into the staff report; comments received electronically after that date will be presented at the hearing.

A decision by the hearing examiner may be appealed to City Council by the applicant or any aggrieved person. Such an appeal must be in writing and be filed with Community Development Department within 14 calendar days after the hearing examiner's decision. In the absence of such appeal, the examiner's decision shall be final and conclusive.

Procedural appeals to the SEPA determination shall be filed in writing within 14 calendar days following the last day of the comment period. The hearing examiner's decision of the SEPA procedural appeal shall be final and not subject to further administrative appeal.

Substantive SEPA appeals shall be filed in writing within 14 calendar days of the issuance of staff's decision approving, conditioning, or denying the project.

A copy of the final determination may be obtained upon e-mail request. Please include any one of the project numbers listed.

Case Manager: Andrew Reule, Senior Planner
E-mail: andrew.reule@cityofvancouver.us



Name

October 19, 2022

Date

Coverage of this hearing is being cablecast live on Clark/Vancouver Television Channel 23, Comcast Cable Television System.

Kevanna Park Meadows

Located in the SE ¼ of Section 16, T2N, R2E W.M.
Vancouver, Washington



VICINITY MAP
NOT TO SCALE

GENERAL NOTES

APPLICANT:
Ginn Group LLC
502 NE 72nd Ave
Vancouver, WA 98665
(360)768-5048
chad@ginngrp.com

CONTACT:
PLS Engineering
Contact: Travis Johnson, PE
604 W Evergreen Blvd
Vancouver, WA 98660
PH: (360) 944-6519
pm@plsengineering.com

SITE ADDRESS:
Parcel # 159850-000
11017 NE 51st Circle
Vancouver, WA 98682

LAND USE:

The Kevanna Park Meadows Planned Development proposes to divide 6 acres into 33 single-family residential lots in the R-6 zone. Detached homes are proposed and the zero-lot line and narrow lot development standards apply to the proposal. See the narrative for a discussion of density and development standards applicable to Planned Developments.

TRANSPORTATION:

NE 46th Street is an Urban Local Access Road that provides public access to the site. The existing roadway has 60' ROW and a 40' paved width and does not have a sidewalk.

The applicant is proposing a private road to serve the site that extends from the end of NE 46th Street. The private road will have a paved width of 28' and a detached sidewalk on at least on side of the roadway.

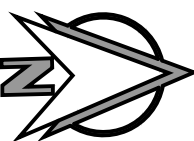
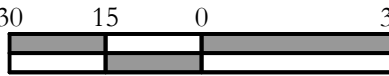
UTILITIES:

The City of Vancouver is the public water and sanitary sewer purveyor. The proposed connection points are at the end of NE 46th Street. Stormwater runoff from the site will be treated and routed to a detention pond on the south end of the site. Controlled runoff will be routed to an existing stormwater pipe on the west end of the site that eventually discharges into Burnt Bridge Creek.

CRITICAL AREAS:

The site contains a stream, floodplain, wetland, and an Oregon White oak trees. Burnt Bridge Creek runs along the northern and western property lines of the site. This stream has a 100' Riparian Management Area with an additional 75' riparian buffer. The 75' buffer is proposed to be impacted and will be mitigated for by enhancing the 100' buffer. No impacts are proposed within the floodplain. A small, isolated wetland area is mapped within a vegetated area on the east end of the site. The buffer is proposed to be impacted with the roadway construction and will be mitigated for with a wetland bank use plan. An Oregon white oak tree is also located onsite near the wetland that is proposed to be removed and mitigated for. Other oak trees are either located near the property line or within the critical areas are proposed to be retained.

Scale 1" = 30'



Legend

Proposed Asphalt Concrete
Proposed Cement Concrete
Proposed Woodchip Path
Proposed Parking Count



Preliminary Plat For:

Kevanna Park Meadows

A Subdivision Located In The City Of Vancouver, Washington

Revisions

1	2	3	4	5	6



Project No. 3440

SCALE: H: 1" = 30'
V: N/A

DESIGNED BY: SWG

DRAFTED BY: JSV

REVIEWED BY: TGJ

2

9

PLS ENGINEERING

PH (360) 944-6519

Fax (360) 944-6539

604 W. Evergreen Blvd., Vancouver, WA 98660

Engineering - Surveying - Planning

PH (360) 944-6519

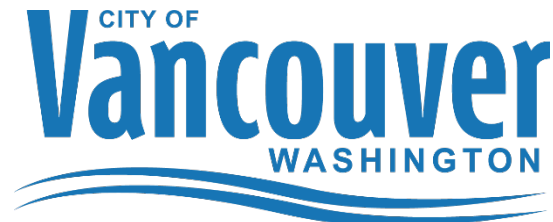
Fax (360) 944-6539

604 W. Evergreen Blvd., Vancouver, WA 98660

Engineering - Surveying - Planning

PH (360) 944-6519

Fax (360) 944-6539



P.O. Box 1995 • Vancouver, WA 98668-1995

www.cityofvancouver.us

Nov. 22, 2022

**Notice of Final Determination of Nonsignificance (DNS)
Kevanna Park Meadows Planned Development
PRJ-168078/LUP-82789**

The city issued a determination of nonsignificance for this project Oct. 19, 2022. This determination is retained. The city received comments from the Department of Ecology.

It has been determined the following described project will not have a probable significant adverse impact on the environment. Under the authority of WAC 197-11-330(1) and 197-11-350, a determination of nonsignificance has been issued.

Request: Approval of a 33-lot subdivision and planned development for single-family homes.

Location: 11017 NE 51st Cir., at the west end of NE 46th St. Burnt Bridge Creek runs along the northern and western boundaries of the site. Assessor's serial number: 159850000. The site is zoned R-6.

Contact: Travis Johnson, PE, PLS Engineering, 604 West Evergreen Blvd., Vancouver, WA 98660. 360-944-6519.

Applicant: Chad Stewart, Ginn Group, LLC, 502 NE 72nd Street, Vancouver, WA 98665 360-768-5025.

Property Owner: Affinity Vancouver Manager, LLC, 120 West Cataldo Ave., Ste. 100, Spokane, WA 99201. 509-321-3218.

Requests to appeal this decision must be made in writing within 14 calendar days after the date the decision is mailed. The letter of appeal shall state the case number designated by the city, the name of the applicant, name and signature of each petitioner, a statement showing that each petitioner is entitled to file the appeal under VMC Chapter 20.210, the specific aspect(s) of the decision and/or SEPA issue being appealed, the reasons each aspect is in error as a matter of fact or law, and the evidence relied on to prove the error. A substantive appeal of the SEPA determination must be filed in conjunction with and within the limitation period applicable to an available administrative appeal of the applicable permit or approval (VMC 20.790.640.D).

All appeals, along with the required fee, must be received by 4 p.m., Dec. 6, 2022.

The appeal request shall be emailed to plans@cityofvancouver.us as well as to the case manager's e-mail address below and the appeal fee electronically paid to the City.

Responsible Official: Andrew Reule, Senior Planner
E-mail: Andrew.reule@cityofvancouver.us

A handwritten signature in blue ink, appearing to read "Andrew Reule", is written over a horizontal line.

Andrew Reule

Nov. 22, 2022

Date



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

Southwest Region Office
PO Box 47775, Olympia, WA 98504-7775 • 360-407-6300

November 18, 2022

Andrew Reule, Senior Planner
City of Vancouver
P.O. Box 1995
Vancouver, WA 98668

Dear Andrew Reule:

Thank you for the opportunity to comment on the optional determination of nonsignificance/notice of application for the Kevanna Park Meadows Planned Development project (PRJ-168078/LUP-82789) located at 11017 NE 51st Court as proposed by Ginn Group, LLC. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

SHORELANDS & ENVIRONMENTAL ASSISTANCE: Meghan Tait, (360) 210-2783

The required mitigation sequencing is avoidance, minimization, and then compensatory mitigation for any unavoidable wetland buffer impacts associated with a project. It appears that the applicant could avoid impacts to at least some of the on-site wetlands by reducing or reconfiguring lots and roads.

The proposal should limit impacts to the wetland buffer as much as possible, and any buffer reductions or wetland modifications must be consistent with the City of Vancouver Critical Areas Ordinance.

Ecology requests an opportunity to review the wetland report for this project, including the wetland delineation and wetland rating. A site visit may be necessary to confirm the wetland rating and delineation to determine the extent of wetlands on-site, and whether the wetland is appropriately rated. Please submit the wetland report to Ecology Wetlands Specialist Meghan Tait, via email at meghan.tait@ecy.wa.gov. For questions or technical assistance, contact Meghan via the provided email or phone number, 360-210-2783.

SOLID WASTE MANAGEMENT: Derek Rockett (360) 407-6287

All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from your local jurisdictional health department prior to filling. All removed debris resulting from this project must be disposed of at an approved site. Contact the local jurisdictional health department or Department of Ecology for proper management of these materials.

TOXICS CLEANUP: Sam Meng (360) 999-9587

No confirmed or suspected cleanup sites within a quarter of mile from the project area. No comment. For questions contact Sam Meng with the Toxics Cleanup Program at the Southwest Regional Office at (360) 999-9587.

**WATER QUALITY/WATERSHED RESOURCES UNIT:
Brian Johnson (360) 624-5741**

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or stormdrains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.

Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

Construction Stormwater General Permit:

The following construction activities require coverage under the Construction Stormwater General Permit:

1. Clearing, grading and/or excavation that results in the disturbance of one or more acres **and** discharges stormwater to surface waters of the State; and
2. Clearing, grading and/or excavation on sites smaller than one acre that are part of a larger common plan of development or sale, if the common plan of development or sale will ultimately disturb one acre or more **and** discharge stormwater to surface waters of the State.
 - a) This includes forest practices (including, but not limited to, class IV conversions) that are part of a construction activity that will result in the disturbance of one or more acres, **and** discharge to surface waters of the State; and
3. Any size construction activity discharging stormwater to waters of the State that Ecology:
 - a) Determines to be a significant contributor of pollutants to waters of the State of Washington.
 - b) Reasonably expects to cause a violation of any water quality standard.

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

Additionally, sites that discharge to segments of waterbodies listed as impaired by the State of Washington under Section 303(d) of the Clean Water Act for turbidity, fine sediment, high pH, or phosphorous, or to waterbodies covered by a TMDL may need to meet additional sampling and record keeping requirements. See condition S8 of the Construction Stormwater

General Permit for a description of these requirements. To see if your site discharges to a TMDL or 303(d)-listed waterbody, use Ecology's Water Quality Atlas at:
<https://fortress.wa.gov/ecy/waterqualityatlas/StartPage.aspx>.

The applicant may apply online or obtain an application from Ecology's website at:
[http://www.ecy.wa.gov/programs/wq/stormwater/construction/- Application](http://www.ecy.wa.gov/programs/wq/stormwater/construction/-Application). Construction site operators must apply for a permit at least 60 days prior to discharging stormwater from construction activities and must submit it on or before the date of the first public notice.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(JKT:202205241)

cc: Meghan Tait, SEA
Derek Rockett, SWM
Sam Meng, TCP
Brian Johnson, WQ



June 2nd, 2022

Affinity Vancouver Manager, LLC
c/o Keith James, Inland Construction
120 W Cataldo Ave Suite 100
Spokane, WA 99201

RE: Conditional Development Review Evaluation for "Kevanna Park Meadows Planned Development" located at 11017 NE 51st Street Vancouver, WA (SR54201; Tax Parcel(s) 159850000; PRJ-168078/PIR-82372)

****Final Plat approval by Clark County Public Health**

The Development Review Evaluation for which you applied has been completed by Clark County Public Health (CCPH). This evaluation is limited to the area of the proposed development located at addresses 11017 NE 51st Street, Vancouver, Washington southwest of Kevanna Park and south of Burnt Bridge Creek.

On-Site Sewage Treatment Systems (CCC 24.17, WAC 246-272A, CCC 40.370, RCW 58.17):

A municipal sewage system is proposed and required for this development. No records pertaining to onsite septic systems were identified during the development review or field inspection of the subject property. It appears that no development has occurred on the property other than storm sewer extending from 46th Street to Burnt Bridge Creek was present on the property. OSS may exist on the property without records.

If any OSS is discovered during development must be properly abandoned with written notice provided to Clark County Public Health. Please submit to CCPH a notification of abandonment with a written description of the actions taken to legally abandon the system identified on the property with an Online RME Pumper Report attached. Proper abandonment of the system requires tank pumping by a licensed pumper, breaking in the tank lids, and filling the cavities with compacted soil. Also, note that any cesspools, drywells, or pump chambers discovered during development must also be abandoned in this manner.

The proposed development must connect to an approved public sewer system. A copy of the final acceptance letter from the sanitary sewer purveyor or the equivalent must be submitted along with the Mylar (final plat).

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. No records of water wells were identified during the development review for the subject property. A field inspection revealed no wells on the property either. A small structure was identified on the southern portion of the proposed development area but appeared to be a playhouse (see photo). It is unclear if the structure is on the subject property or the neighboring property to the south. No wells were identified within this structure.

Wells may be present on the subject property not identified as part of this review. Wells identified on the subject property must be decommissioned by a licensed driller in accordance with WAC 173-160-381. A notice of intent and decommissioning records must be provided to CCPH prior to final approval. Decommissioned wells must be shown on the final plat.

The proposed development must connect to an approved public water system. A copy of the final acceptance letter from the purveyor or the equivalent must be submitted along with the Mylar (final plat).

If you have any questions concerning this letter, please contact me at (564) 397-7376.

Sincerely,

Andrew
Lembrick

Digitally signed by Andrew
Lembrick
Date: 2022.06.02 12:07:34 -07'00'

Environmental Health Specialist II

CC: Travis Johnson, PLS Surveying
Andrew Ruele, City of Vancouver



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Southwest Region Office
PO Box 47775, Olympia, WA 98504-7775 • 360-407-6300

November 18, 2022

Andrew Reule, Senior Planner
City of Vancouver
P.O. Box 1995
Vancouver, WA 98668

Dear Andrew Reule:

Thank you for the opportunity to comment on the optional determination of nonsignificance/notice of application for the Kevanna Park Meadows Planned Development project (PRJ-168078/LUP-82789) located at 11017 NE 51st Court as proposed by Ginn Group, LLC. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

SHORELANDS & ENVIRONMENTAL ASSISTANCE: Meghan Tait, (360) 210-2783

The required mitigation sequencing is avoidance, minimization, and then compensatory mitigation for any unavoidable wetland buffer impacts associated with a project. It appears that the applicant could avoid impacts to at least some of the on-site wetlands by reducing or reconfiguring lots and roads.

The proposal should limit impacts to the wetland buffer as much as possible, and any buffer reductions or wetland modifications must be consistent with the City of Vancouver Critical Areas Ordinance.

Ecology requests an opportunity to review the wetland report for this project, including the wetland delineation and wetland rating. A site visit may be necessary to confirm the wetland rating and delineation to determine the extent of wetlands on-site, and whether the wetland is appropriately rated. Please submit the wetland report to Ecology Wetlands Specialist Meghan Tait, via email at meghan.tait@ecy.wa.gov. For questions or technical assistance, contact Meghan via the provided email or phone number, 360-210-2783.

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Brian Johnson (360) 624-5741**

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3. Any size construction activity discharging stormwater to waters of the State that Ecology:
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 - b) Reasonably expects to cause a violation of any water quality standard.

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General Permit for a description of these requirements. To see if your site discharges to a TMDL or 303(d)-listed waterbody, use Ecology's Water Quality Atlas at:
<https://fortress.wa.gov/ecy/waterqualityatlas/StartPage.aspx>.

The applicant may apply online or obtain an application from Ecology's website at:
[http://www.ecy.wa.gov/programs/wq/stormwater/construction/- Application](http://www.ecy.wa.gov/programs/wq/stormwater/construction/-Application). Construction site operators must apply for a permit at least 60 days prior to discharging stormwater from construction activities and must submit it on or before the date of the first public notice.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(JKT:202205241)

cc: Meghan Tait, SEA
Derek Rockett, SWM
Sam Meng, TCP
Brian Johnson, WQ

EXHIBIT I

Reule, Andrew

From: Tait, Meghan (ECY) <mtai461@ECY.WA.GOV>
Sent: Tuesday, November 29, 2022 9:37 AM
To: Reule, Andrew
Cc: Brent Davis
Subject: RE: ECY SEPA 202205241 - Kevanna Park Meadows Planned Development - Comments

Hi Andrew,

Thank you for providing Ecology the opportunity to review the critical areas report and mitigation plan for this project. I do not have any comments at this time.

Meghan Tait

Wetland/Shoreland Specialist
Shorelands & Environmental Assistance Program
WA Department of Ecology | Vancouver Field Office
(360) 210-2783 | meghan.tait@ecy.wa.gov



This communication is public record and may be subject to disclosure as per the Washington State Public Records Act, RCW 42.56.

From: Reule, Andrew <Andrew.Reule@cityofvancouver.us>
Sent: Monday, November 21, 2022 8:17 AM
To: Tait, Meghan (ECY) <mtai461@ECY.WA.GOV>
Cc: Brent Davis <Brent.Davis@clark.wa.gov>
Subject: RE: ECY SEPA 202205241 - Kevanna Park Meadows Planned Development - Comments

Hi Meghan, per your request, here is the wetland/habitat report. I'll also send the mitigation plan in a separate email. Please coordinate with Brent Davis on this since he is reviewing the wetland and habitat issues for the city. I need comments from Brent by Dec. 2 for this one.
Thanks.

From: ECY RE SWRO SEPA COORDINATOR <swrosepacoordinator@ECY.WA.GOV>
Sent: Friday, November 18, 2022 9:00 AM
To: Reule, Andrew <Andrew.Reule@cityofvancouver.us>
Cc: Tait, Meghan (ECY) <mtai461@ECY.WA.GOV>; Rockett, Derek (ECY) <droc461@ecy.wa.gov>; Meng, Sam (ECY) <same461@ECY.WA.GOV>; Johnson, Brian (ECY) <BRJO461@ECY.WA.GOV>
Subject: ECY SEPA 202205241 - Kevanna Park Meadows Planned Development - Comments
Importance: High

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Andrew Reule, Senior Planner:

Thank you for the opportunity to comment on the Kevanna Park Meadows Planned Development Project (Lead Agency File No(s). PRJ-168078/LUP-82789). Ecology's comments are attached.

[[Statewide SEPA Register](#) No. 202205241]

Have a great day,

Garret Peck

SEPA Coordinator | Southwest Regional Office

Desk: 360-407-6300 | Cell: 360-480-3300



EXHIBIT J

Critical Areas Report

****Because of the size of the exhibit, it is not included with this report. The documents are available for review via email. Please email the case manager for this project to receive electronic copies of the requested exhibits.**

EXHIBIT K

Mitigation Plan

****Because of the size of the exhibit, it is not included with this report. The documents are available for review via email. Please email the case manager for this project to receive electronic copies of the requested exhibits.**

EXHIBIT L

Transportation Impact Study

****Because of the size of the exhibit, it is not included with this report. The documents are available for review via email. Please email the case manager for this project to receive electronic copies of the requested exhibits.**

EXHIBIT M

Geotechnical Report

****Because of the size of the exhibit, it is not included with this report. The documents are available for review via email. Please email the case manager for this project to receive electronic copies of the requested exhibits.**

EXHIBIT N

Preliminary TIR Report

****Because of the size of the exhibit, it is not included with this report. The documents are available for review via email. Please email the case manager for this project to receive electronic copies of the requested exhibits.**

CRITICAL AREAS REPORT AND STREAM BUFFER MITIGATION PLAN

August 11, 2022



Kevanna Park Meadows
Vancouver/Clark County, WA

Prepared for
Ginn Development
502 NE 72nd Street
(360)-608-6026

Prepared by
Ecological Land Services
1157 3rd Avenue, Suite 220A • Longview, WA 98632
(360) 578-1371 • Project Number 2671.30

SIGNATURE PAGE

The information in this report was compiled and prepared under the supervision and direction of the undersigned.



Sara Hastings
Biologist I

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APPENDIX A

Wetland Determination Data Forms

APPENDIX B

Wetland Rating Forms

INTRODUCTION

Ecological Land Services, Inc. (ELS) was contracted by Ginn Development to conduct a critical areas assessment and mitigation plan in Vancouver, Washington, for Clark County Tax Parcel No. 159850000, located at 11017 NE 51st Circle in Vancouver, Washington, (Figure 1). The project site is approximately six acres and is located within Section 16, Township 2 North, Range 2 East of the Willamette Meridian. ELS conducted a wetland delineation and critical areas determination to determine the presence and extent of wetlands, fish and wildlife habitat critical areas, and priority habitat areas onsite. Credit purchase at Terrace Mitigation Bank is proposed to mitigate for indirect wetland impacts.

This critical areas report and stream buffer mitigation plan summarizes ELS findings according to the following *Vancouver Municipal Code (VMC 2021)* sections:

- *VMC 20.740.110, Fish and Wildlife Habitat Conservation Areas*, for proposed stream buffer impacts and removal of one Oregon white oak,
- *VMC 20.740.140, Wetlands*, for proposed wetland buffer reduction, and
- For indirect wetland impacts and compliance with *VMC 20.740.140*, please refer to *Kevanna Park Meadows Bank Use Plan* (ELS 2022).

SITE DESCRIPTION

The six acre site is zoned as “Low Density Residential-6du/ac (R-6)”. The project site is currently vacant containing no structures and is accessed where NE 46th Street dead ends at the property. The topography of the site is generally flat, but slopes down from east to west dropping approximately nine feet in elevation. Burn Bridge Creek, a Type F (fish bearing) stream, flows westerly along the northern parcel boundary and continues offsite. Flow was evident during the site visit on June 29, 2022. The stream channel is approximately five feet wide and two feet below the top of the bank (Figure 2). One wetland, Wetland A, was delineated in the central eastern portion of the site within a topographic depression. Wetland A is composed of forested and scrub-shrub vegetation communities and no discernible outlet, receiving the majority of its hydrology from runoff originating from uplands. The project site consists mainly of pasture grass that is mowed annually, with scrub-shrub and herbaceous vegetation along the stream at the northern property boundary and forested with scrub-shrub vegetation within the wetland. Additionally, an existing trail circumnavigates the project site. The properties to the north and northeast contain an apartment complex with 100 or more units and Kevanna Park. Properties to the east and south of the site consist of single-family residences on similar sized lots, while the site is bordered to the west by Highway Interstate 205 (I-205) and I-205 Exit to NE 122nd Ave (Figure 2).

PROJECT HISTORY

A pre-application report was issued on May 12, 2022 (Case File: Kevanna Park Meadows; PRJ-168078/PIR-82372) with Andrew Reule, Senior Planner for the City of Vancouver (CoV), overseeing the project. Because the CoV typically asks Clark County (County) to help with environmental review, ELS met with Brent Davis, Wetland and Habitat Review Manager with the County, along with Mr. Stewart, Mr. Reule, and Jayson Taylor of PLS Engineering via Zoom on July 21, 2022. During the zoom meeting, proposed mitigation for impacts to critical area buffers

were discussed given the constraints of an existing sanitary sewer line easement within the Riparian Management Area (RMA) of Burnt Bridge Creek and a required road extension/alignment of NE 46th Street.

PROJECT DESCRIPTION

The applicant is proposing the development of a 35-lot planned development for single-family detached homes. This will require clearing, grading, leveling of the site, installing utilities, constructing a stormwater facility, frontage street improvements, and constructing a 4-foot wide pervious walking path (wood chips). The walking path will be designed to follow the existing trail which will meander along/near the existing sanitary sewer line easement within the RMA and Riparian Buffer (RB) enhancement area as allowed per *VMC 20.740.110(C)(2)(b)(2)*. Plans for the trail will be provided upon further engineering. The required road extension/alignment of NE 46th Street will avoid direct impacts to Wetland A but will require the removal of one Oregon white oak (*Quercus garryana*). The planned development of single-family homes will encroach into a total of 0.760 acres (33,098 sq. ft.) of the riparian buffer (RB) of Burnt Bridge Creek. Additionally, one Oregon white oak must be removed to install NE 46th Street. This will result in 0.028 acres (1,216 square feet) of canopy loss.

Compensation for encroachment into the RB and for removal of one Oregon white oak includes enhancement of the entirety of the remaining RB (0.298 acres, 12,965 sq. ft.) and 1.228 acres, (53,501 sq. ft.) of the riparian management area (RMA) of Burnt Bridge Creek (excluding the trail itself and the 15-foot sanitary sewer easement) for an overall enhancement ratio of 1.94:1. Enhancement activities will consist of planting Oregon white oaks and native shrubs, and invasive species control to provide an overall higher ecological function than currently exists (Figure 4). In the event that oak credits become available at Terrace Mitigation Bank, the applicant's preference would be to purchase credits. If this situation arises, the applicant will contact the City to discuss how to proceed. Table 1 summarizes proposed impacts, enhancement, and mitigation.

Impacts will be avoided and minimized by utilizing best management practices (BMPs) including installing silt fencing along the outer buffer boundary, applying native grass seed to disturbed areas not being paved when grading is complete, and making a water truck available to prevent dust blowing during construction. The development area will be cleared of vegetation and levelled prior to construction. Additional BMPs are discussed in the *Avoidance and Minimization Section* later in this report. Construction is anticipated to start upon receipt of permits.

Due to the proposed development adjacent to the wetland and buffer consisting of public sidewalks, permanent fencing will be installed to discourage disturbance of the wetland buffer from human and pet use. Additionally, signage that reads "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" will be placed every 50 feet along the permanent fencing. For more information regarding indirect wetland impacts, please refer to *Kevanna Park Meadows Bank Use Plan* (ELS 2022).

Table 1. Proposed Impacts, Enhancement, and Mitigation.

Critical Areas	Proposed Impact	Proposed Enhancement	Proposed Mitigation
RMA		1.196 acres (52,073 sq. ft.)	▪ Remove invasive species ▪ Plant native shrubs ▪ Monitor planted shrubs for 5 years
RB	Buffer/Lot Construction 0.760 acres (33,098 sq. ft.)	0.330 acres (14,393 sq. ft.)	
Oregon White Oak Canopy	Removal/Road Construction 0.028 acres (1,216 sq. ft.)	Plant 6 Oaks	▪ Remove invasive species ▪ Plant 6, 2" caliper oaks, depending on availability, in the RMA or RB ▪ Monitor planted oaks for 5 years
Total	0.788 acres (34,314 sq. ft.)	1.526 acres (66,466 sq. ft.)	

*Oregon white oak canopy enhancement total is not included in the total enhancement area as enhancement will occur in the RMA and RB.

METHODOLOGY

The site was evaluated for the presence of wetlands using the Routine Determination Method according to the U.S. Army Corps of Engineers' 1987 *Wetland Delineation Manual* and the *Regional Supplement to the Corps of Engineers' Wetland Delineation Manual* (Environmental Laboratory 1987); *Western Mountains, Valleys, and Coast Region (Version 2.0)* (Corps 2010). The Routine Determination Method examines three parameters—vegetation, soils, and hydrology—to determine if wetlands exist in a given area. Hydrology is critical in determining what is wetland but is often difficult to assess because hydrologic conditions can change periodically (hourly, daily, or seasonally). Consequently, it is necessary to determine if hydrophytic vegetation and hydric soils are present, which would indicate that water is present for long enough duration to support a wetland plant community. By definition, wetlands are those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands are regulated as "Waters of the United States" by the U.S. Army Corps of Engineers (Corps), "Waters of the State" by Washington Department of Ecology (Ecology), and locally by the City of Vancouver (VMC).

ELS conducted a site visit on June 29, 2022, to collect vegetation, soils, and hydrology data, and to make determinations about the presence or absence of critical areas onsite. ELS delineated one wetland and collected data on five Oregon white oaks. The wetland boundary was demarcated using consecutively numbered fluorescent pink flags. Wetland boundaries were determined through breaks in topography, changes in vegetation, and evidence of surface hydrology. Vegetation, hydrology, and soil data were collected from four test plots to determine the location and extent of wetlands onsite. Test plots were mapped with a hand-held GPS unit capable of sub-meter accuracy. Test plot data sheets can be found in Appendix A. The ordinary high water mark (OHWM) of Burnt Bridge Creek, wetland boundaries, and oaks were surveyed by PLS Engineering on June 8th and 20th, 2022 (Figure 2).

VEGETATION

Wetlands

Dominant wetland vegetation consists of **trees**: quaking aspen (*Populus tremuloides*, FACU) and Oregon ash (*Fraxinus latifolia*, FACW); **shrubs**: Nootka rose (*Rosa nutkana*, FAC); and **herbs**: slough sedge (*Carex obnupta*, OBL), curly dock (*Rumex crispus*, FAC), and reed canarygrass (*Phalaris arundinacea*, FACW).

Uplands

Dominant upland vegetation consists of **trees**: quaking aspen and Oregon ash; **shrubs**: common snowberry (*Symphoricarpos albus*, FACU) and Nootka rose; **herbs**: American vetch (*Vicia americana*, FAC), reed canarygrass, prickly lettuce (*Lactuca serriola*, FACU), Canada thistle (*Cirsium arvense*, FAC), cleavers (*Galium aparine*, FACU), bluegrass (*Poa sp.* assumed FAC), field brome (*Bromus arvensis*, UPL), common velvetgrass (*Holcus lanatus*, FAC), poison hemlock (*Conium maculatum*, FAC), fringed willowherb (*Epilobium ciliatum*, FACW), jewelweed (*Impatiens capensis*, FACW), American skunkcabbage (*Lysichiton americanus*, OBL), oxeye daisy (*Leucanthemum vulgare*, FACU), common selfheal (*Prunella vulgaris*, FACU), yellow glandweed (*Parentucellia viscosa*, FAC), common sheep sorrel (*Rumex acetosella*, FACU), bentgrass (*Agrostis sp.*, assumed FAC), sweet vernalgrass (*Anthoxanthum odoratum*, FACU), and **vines**: Himalayan blackberry (*Rubus armeniacus*, FAC).

The indicator status, following the scientific names, indicates the likelihood of the species to be found in wetlands. Listed from most likely to least likely to be found in wetlands, the indicator status categories are:

- **OBL** (obligate wetland) - occur almost always under natural conditions in wetlands.
- **FACW** (facultative wetland) - usually occur in wetlands, but occasionally found in non-wetlands.
- **FAC** (facultative) - equally likely to occur in wetlands or non-wetlands.
- **FACU** (facultative upland) - usually occur in non-wetlands, but occasionally found in wetlands.
- **UPL** (obligate upland) - occur almost always under natural conditions in non-wetlands.
- **NI** (no indicator) - insufficient data to assign to an indicator category.

SOILS

As referenced on the U.S.D.A. Natural Resources Conservation Service (NRCS) website, the onsite soils are mapped as (LgB) Lauren gravelly loam, 0 to 8 percent slopes (Figure 4). Lauren gravelly loam is characterized as a somewhat excessively drained soils formed from alluvium with volcanic ash on terraces. The soil type is not rated as hydric by NRCS (NRCS 2022). Mapped hydric soils do not necessarily mean that an area is or is not a wetland—hydrology, hydrophytic wetland vegetation, and hydric soils must all be present to classify an area as a wetland.

Evaluated wetland soils met hydric soil indicator Depleted Matrix (F3). Though Test Plot 4 also met hydric soil indicator Depleted Matrix (F3), it lacked hydrophytic vegetation and hydrology; therefore, did not meet the criteria to be considered a wetland. Test plot determination data forms can be found in Appendix A.

HYDROLOGY

Wetland A

Wetland A is located in a depression in the central eastern portion of the project site. Hydrology sources include a shallow groundwater table, runoff from surrounding uplands, and precipitation. Wetland A appears to be hydrologically isolated as it has no inlet or outlet and is located in a depression where wetland ponding infiltrates or evaporates. It provides flood storage and delay, and groundwater recharge functions. No surface water or saturation was present in the wetland during the site visit; however, primary hydrology indicators Algal Mat or crust (B4), Water-Stained Leaves (B9), and Oxidized Rhizospheres along Living Roots (C3), and secondary indicator Geomorphic Position (D2) were present within the wetland test plot. Test plot data sheets can be found in Appendix A.

Burnt Bridge Creek

Burnt Bridge Creek is a perennial, Type F stream that flows westerly through the site and continues offsite to the west approximately 9 miles where it outlets to Vancouver Lake. Vancouver Lake outlets to Lake River and flows northerly for approximately 13 miles to the Columbia River. The creek channel is approximately five feet wide, and flow was approximately two feet below the top of bank during the June 2022 site visit.

Precipitation Data

Precipitation data was gathered from the NOAA Regional Climate Centers *Clark County, Washington, WETS Station: Vancouver Pearson AP* (2022), the closest WETS station to the project site. Precipitation two weeks prior to the site visit on June 29th totaled 0.24 inches, with no rainfall occurring the day of the field visit. April, May, and June far exceeded normal precipitation levels. Table 2 summarizes the WETS precipitation data.

Table 2. Precipitation Data.

Date of Site Visit	Precipitation (inches)							
	Day of Site Visit ¹	2 Weeks Prior ¹	3 Months Prior			Deviation from Average	30% Below ¹	30% Above ¹
			Month	Average ¹	Actual ¹			
6/29	0.00	0.24	4/2022	2.57	5.41	+110%	1.70	3.09
			5/2022	2.40	4.06	+69%	1.44	2.91
			6/2022	1.65	3.22	+95%	1.04	1.99

¹Climatological data based on 1992-2022 data.

NATIONAL AND LOCAL WETLANDS INVENTORY

The National Wetlands Inventory (NWI) mapping indicates the presence of a riverine, lower perennial, unconsolidated bottom, permanently flooded, excavated (R2UBHx) riverine system onsite that is consistent with the location of Burnt Bridge Creek (Figure 5). Clark County Wetlands Inventory (CCWI) map indicates the presence of a wetland along the mapped floodway or floodway

fringe of Burt Bridge Creek and another in the central eastern portion near the eastern property boundary. Though ELS generally agrees with the mapping of the creek by NWI and CCWI, ELS' findings differed from NWI and CCWI maps, as one wetland was delineated in the central eastern portion of the site (Figure 2; NWI 2022).

CRITICAL AREAS SUMMARY

Wetland A

Wetland A is a Category III forested and scrub-shrub, depressional wetland totaling approximately 0.118 acres. The wetland/upland boundary is characterized by an obvious change in vegetation and in elevation. The wetland vegetation onsite is dominated by quaking aspen, Oregon ash, Nootka rose, slough sedge, curly dock, and reed canarygrass. Wetland hydrology likely comes from a shallow groundwater table, runoff, and precipitation. Hydroperiods include seasonally flooded and occasionally flooded. According to the *Washington State Wetland Rating System for Western Washington: 2014 Update* (Rating System); Wetland A is a Category III wetland with 18 points; scoring 7 points for water quality functions, 6 points for hydrologic functions, and 5 points for habitat functions. The wetland rating form can be found in Appendix B.

Wetland Buffers

Standard wetland buffers are based on wetland category and habitat function score from the Rating System in conjunction with the proposed land use intensity (VMC 20.740.140(C)(1)(b)). Wetland A is a Category III wetland with a low habitat score of 5. According to VMC Table 20.740.140-5, Category III wetlands with a low habitat score and a proposed high intensity land use are determined to have an 80-foot buffer.

Riparian Management Areas and Buffers

Burnt Bridge Creek is a perennial, Type F stream flowing along the northern border of the site. According to VMC 20.740.110, Type F waterbodies are defined as lakes, streams, and rivers that contain fish habitat. These waterbodies have a designated 100-foot RMA extending outward from the OHWM, and a 75-foot riparian buffer extending outward from the RMA, for low, moderate, or high intensity land-uses. Burnt Bridge Creek's RMA and RB onsite are primarily dominated by herbaceous vegetation with scattered trees and shrubs near the OHWM of the stream. The RMA and RB provide moderate to low functions of sediment trapping and vegetative protection from surrounding land uses.

Priority Habitat and Species

Oregon White Oak

In urban or urbanizing areas west of the Cascades, WDFW defines priority oak habitat as single oaks, or stands of pure oak, or oak/conifer associations, 1 acre or greater in size. WDFW may also consider individual Oregon white oak trees a priority habitat when found to be particularly valuable to wildlife (i.e., contains many cavities, has a large DBH, is used by priority species, or has a large canopy) (Larsen and Morgan 1998). WDFW recommendation is that in urban and urbanizing areas, single trees should be maintained if they are deemed important to species highly associated with Oregon white oak. As the project site is located within an urban area, individual oak trees are subject to regulation per VMC 20.740.110. Oaks and their associated floras comprise distinct woodland ecosystems with various plant communities providing valuable habitat that contributes to wildlife

diversity; Oak woodlands provide a mix of feeding, resting, and breeding habitat for many wildlife species (Larsen and Morgan 1998).

A total of five Oregon white oak trees measuring approximately 12 to 40 inches DBH were mapped throughout the project area during the ELS site visit (Figure 2). Oak locations and driplines were surveyed by PLS Engineering. The combined estimated dripline area of all five oaks is approximately 0.135 acres (5,899 sq. ft.). Table 3 summarizes onsite critical areas.

Table 3. Summary of Critical Areas Onsite.

Critical Area	Category¹/Cowardin²/ HGM³/ Type⁶	Size/Canopy Area	Buffer Width^{4,5}
Wetland A	III/Forested, Scrub-shrub/Depressional	0.118 acres (5,143 sq. ft.)	80 feet
Burnt Bridge Creek	Type F	N/A	175 feet (RMA and RB)
Oregon White Oaks (5)		0.135 acres (5,899 sq. ft.)	

¹Hruby 2014, ²Cowardin et al. 1979, ³NRCS 2008, ⁴VMC Table 20.740.140-5, ⁵VMC 20.740.140(C)(1)(b), ⁶VMC Table 20.740.110-1

FISH AND WILDLIFE HABITAT CONSERVATION AREAS REQUIREMENTS

According to VMC 20.740.110(B)(1), *A Critical Areas Report for a Riparian Management Area or Riparian Buffer shall include evaluation of the habitat functions using the Clark County Habitat Conservation Ordinance Riparian Habitat Field Rating Form or another habitat evaluation tool approved by the Washington Department of Fish and Wildlife.* The RMA and RB were assessed using best available science. The Riparian Habitat Field Rating Form was not necessary, as the area proposed for impact in the RB is nearly completely devoid of vegetation and has very low functional value to Burnt Bridge Creek.

The following are excerpts from the code listing the criteria required in italics, with a description of how the criteria will be met in regular font.

VMC 20.740.110(B)(1)(a):

In addition to the standards of (VMC 20.740.050(F)), where a mitigation plan is required as part of the Critical Areas Report for a fish and wildlife habitat conservation area that involves a water body, Riparian Management Area or Riparian Buffer, the monitoring program protocol shall include where relevant to the impacted functions:

- 1. Observations and measurements of riparian integrity and quality (buffer width, riparian corridor continuity or fragmentation, species diversity, stand age, plant survival rates)*

Observations and measurements of riparian integrity and quality are met through the proposed mitigation and monitoring plan detailed in the *Mitigation Plan* section of this report. Mitigation will fully compensate for RB impacts and Oregon white oak canopy loss associated with the development of the proposed subdivision. Approximately 1.526

acres (66,466 sq. ft.) of the RMA and RB onsite will be enhanced (Figure 4). The area is currently comprised of scattered trees, scrub-shrub, herbaceous species, and invasive blackberries. The enhancement area will be cleared of invasive species and planted with 6 Oregon white oak trees and 920 native shrubs, providing greater habitat diversity, refuge, and forage opportunities than currently exist, resulting in an overall lift in ecological function. The monitoring program protocol will include monitoring and maintenance of the enhancement area for a 5-year period with annual monitoring and reporting occurring in Years, 1, 2, 3, and 5 wherein:

- Invasive species will be removed or controlled
- Oregon white oaks and native shrubs will be installed
- Minimum plant survival rates in years 1 and 2 and percent aerial cover in years 3 and 5 will be monitored and documented.
- Dead plants will be replaced if the performance standard is not met
- Observations will be documented in an annual monitoring report
- Long term protection will be provided for the enhancement area via a conservation covenant with Clark County
- Permanent fencing and signage will be installed along the final RB buffer

2. *Large woody debris surveys*

No large woody debris surveys are proposed, as all proposed impacts are to the RB and not within the RMA or in Burnt Bridge Creek itself, therefore, this requirement is not applicable.

3. *Streamflow monitoring*

Streamflow monitoring should not be required as there will be no direct impacts to Burnt Bridge Creek associated with the proposed development.

4. *Water quality monitoring to detect pollution impacts*

Water quality monitoring to detect pollution impacts should not be required as there will be no direct impacts to Burnt Bridge Creek associated with the proposed development. The project was designed to limit impacts to the riparian buffer only, while still allowing for feasible use of the site. Additionally, installation of native vegetation will improve the stream buffer's ability to trap sediments and pollutants and protect the stream from the surrounding development.

5. *Biological monitoring (including fish surveys and benthic macroinvertebrate sampling)*

Biological monitoring should not be required as there will be no direct impacts to Burnt Bridge Creek associated with the proposed development.

VMC 20.740.110(C)(1):

a. Development or clearing activities shall protect the functions of the Habitat Conservation Areas on the site. The activity shall result in no net loss of functions. Protection can be provided by avoiding (the preferred protection) or minimizing and mitigating as described in the general critical areas approval criteria (VMC 20.740.060). Functions include:

1. *Providing habitat for breeding, rearing, foraging, protection and escape, migration, and over-wintering; and*

2. *Providing complexity of physical structure, supporting biological diversity, regulating stormwater runoff and infiltration, removing pollutants from water, and maintaining appropriate temperatures.*

Avoidance and minimization for unavoidable priority habitat impacts was taken into consideration during the project's design. Impacts to oaks and the RB were minimized to the greatest extent practicable:

- The proposed lot layout for the buildings has gone through several revisions to avoid oaks.
- Native vegetation removal will be avoided to the greatest extent possible.
- Construction BMPs will be utilized including:
 - installing orange construction fencing along the project area
 - installing silt fencing along the edge of the ground disturbance area,
 - applying native grass seed to temporarily disturbed areas, stabilizing work area entrances via installation of gravel, and
 - making a water truck available to prevent wind erosion and dust blowing during construction.
- Permanent fencing will be installed after construction along the RB buffer, and
- Signs will be posted on public and private properties at an interval of one per lot for single-family residential uses and installed at 50-foot intervals affixed to the fencing that will read, "The area beyond this sign is a fish and wildlife habitat conservation area. Alteration or disturbance is prohibited by law. Please call the City of Vancouver for more information" according to VMC 20.740.110(C)(1)(d)(2).

Additionally, installation of native vegetation will improve the stream buffer's ability to trap sediments and pollutants, reduce stormwater surface flows, and protect the stream from the surrounding development. The enhancement will also create more habitat interspersed adjacent to Burnt Bridge Creek, making it more valuable to a greater variety of animal species and providing higher levels of screening from the proposed and existing development.

b. *An applicant shall replace any lost functions preferably by restoring or if not, then by enhancing other habitat functions, so long as the applicant demonstrates that enhancement of the other functions provides no net loss in overall functions and maintains habitat connectivity. An example of unavoidable loss of function would be interruption of a travel corridor in a Riparian Management Area or Buffer. To the maximum extent feasible, enhancement shall be undertaken on-site.*

Habitat functions will be enhanced onsite via installation of native vegetation to the RMA and RB to improve the stream buffer's ability to trap sediments and pollutants, reduce stormwater surface flows, and protect the stream from the surrounding development. Though the existing sanitary sewer easement bisects the RMA from east to west, it does not functionally isolate or interrupt the connectivity of the RMA, therefore, enhancement on either side of the easement will allow for habitat interspersed adjacent to Burnt Bridge Creek, making it more valuable to a greater variety of animal species and providing higher levels of screening from the proposed and existing development.

c. *If development or clearing activity is within a Priority Habitat and Species area the applicant shall follow Washington Department of Fish and Wildlife Management Guidelines, Management Recommendations or other standards approved by the Washington Department of Fish and Wildlife. Where there are no guidelines, recommendations or other standards, development or clearing may occur provided that:*

- 1. The development or clearing results in no net loss of habitat function on the site; and*
- 2. Functionally significant habitat, defined as habitat that cannot be replaced or restored within 20 years, shall be preserved.*

The area is currently comprised of scattered trees, scrub-shrub, herbaceous species, and invasive blackberries. The enhancement area will be cleared of invasive species and planted with 6 Oregon white oak trees and 920 native shrubs, providing greater habitat diversity, refuge, and forage opportunities than currently exist. The proposed species were selected due to being observed elsewhere onsite and appearing healthy, therefore environmental conditions onsite are likely ideal. The enhancement will create more habitat interspersed adjacent to Burnt Bridge Creek, making it more valuable to a greater variety of animal species and providing higher levels of screening from the proposed and existing development. Additionally, functionally significant habitat, such as oaks, will not be removed from the RMA or RB.

d. *Signs for Fish and Wildlife Conservation Areas*

- 1. Temporary markers. The location of the outer perimeter of the fish and wildlife habitat conservation area 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.*

The outer perimeter of the fish and wildlife habitat conservation area adjacent to the proposed construction will be staked or flagged throughout the duration of the permit.

- 2. Permanent signs. Permanent signs shall be posted on public and private properties 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 fish and wildlife habitat conservation area. Alteration or disturbance is prohibited by law. Please call the City of Vancouver for more information."*

Permanent fencing will be installed after construction along the RB buffer, and signs will be posted on public and private properties at an interval of one per lot for single-family residential uses or installed at 50-foot intervals, whichever more frequent, affixed to the fencing that will read, "The area beyond this sign is a fish and wildlife habitat conservation area. Alteration or disturbance is prohibited by law. Please call the City of Vancouver for more information"

VMC 20.740.110(C)(2)(a):

Riparian Buffer. Development or clearing activity may occur in the Riparian Buffer, providing that:

- 1. The planned mitigation results in no net loss of riparian habitat functions on the site, and*

2. *Functionally significant habitat, defined as habitat that cannot be replaced or restored within 20 years, shall be preserved unless the activity meets the conditions of VMC 20.740.110(C)(2)(b). An example of habitat that cannot be replaced within 20 years would be a stand of mature trees or a peat bog.*

The planned mitigation results in no net loss of riparian habitat functions on the site. The RB and RMA are both currently low functioning and comprised of scattered trees, scrub-shrub, herbaceous species, and invasive blackberries. The enhancement area will be cleared of invasive species and planted with 6 Oregon white oak trees and 920 native shrubs, providing greater habitat diversity, refuge, and forage opportunities than currently exist. The proposed species were selected due to being observed elsewhere onsite and appearing healthy, therefore environmental conditions onsite are likely ideal. Additionally, all functionally significant habitat will be preserved. No Oregon white oaks will be removed from the RMA or RB.

WETLAND BUFFER REDUCTION

Wetland Buffer Reduction

According to VMC 20.740.140 (C)(1)(b)(iii)(B), wetland buffers recommended for high impact land uses may be reduced to those for moderate impacts if certain criteria are met. As allowed by VMC, the applicant is proposing to reduce the standard buffer width of Wetland A, onsite, from the high intensity land use width of 80 feet to the moderate land use intensity width of 60 feet, as listed in VMC Table 20.740.140-7 (Figure 3). The following is an excerpt from the code listing the criteria required to authorize buffer reduction in italics with a description of how the criteria will be met in regular font.

VMC 20.740.140 (C)(1)(b)(iii):

Buffer Width Reduction Based on Reducing the Intensity of Impacts from Land Uses. Buffer widths required for high intensity land uses may be reduced to those required for moderate land use intensity under the following conditions:

B. For wetlands with low habitat function measures to minimize the impacts of different land uses on wetlands (subsection (C)(1)(b)(iii)(A)(2) of this section) are applied.

Wetland A scored 5 points for habitat function; therefore, this buffer reduction is applicable. This project will meet the standards to minimize land use impacts detailed in subsection (C)(1)(b)(iii)(A)(2) and contained in VMC Table 20.740.140-7 by:

- *Directing lights away from the wetland*
Streetlights will be directed down and away from the wetland.
- *Locate activity that generates noise away from the wetland*
Noise will not be generated above current ambient background levels as the wetland is located adjacent to high residential densities and I-205 traffic.
- *Route all new untreated runoff away from wetland. Establish covenants limiting use of toxic chemicals within 150' of wetland. Apply integrated pest management.*
Road runoff will be collected and directed to the onsite stormwater facility for detention and treatment. No runoff will be directed to the wetland. No

residential lots are proposed next to the wetland, therefore covenants and integrated pest management shouldn't be required. The final outer buffer will be protected via fencing and signage to prevent human and pet disturbance of the wetland.

- *Infiltrate or treat, detain, and disperse new runoff into buffer*

Road runoff will be collected and directed to the onsite stormwater facility for detention and treatment. No runoff will be directed to the wetland. No residential lots are proposed next to the wetland therefore, no new runoff is able to disperse into the buffer. Runoff from the surrounding uplands is not Wetland A's main source of hydrology and the groundwater table will continue to support wetland hydrology. All indirect wetland impacts due to insufficient buffer width will be compensated for via appropriate mitigation. Refer to the *Bank Use Plan* for indirect wetland impact mitigation details (ELS 2022).

- *Plant dense vegetation around buffer, such as rose or hawthorn*

Due to the proposed development adjacent to the wetland and buffer consisting of public sidewalks permanent fencing instead of dense vegetation is proposed to protect the wetland and buffer from human and pet disturbance. Additionally, signage that reads "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" will be placed every 50 feet along the permanent fencing.

- *Utilize best management practices to control dust*

A water truck will be made available to prevent wind erosion and dust blowing during construction.

AVOIDANCE AND MINIMIZATION

This plan describes a series of measures that will be implemented to avoid, minimize, and compensate for impacts to wetland A, RB impacts, as well as the removal of one mature Oregon white oak. Allowed uses and activities within RB per VMC discussed in the *Mitigation Plan* section of this report include:

- Indirect impacts to Wetland A will be satisfied by purchasing bank credits at Terrace Mitigation Bank, please refer to *Kevanna Park Meadows Bank Use Plan* (ELS 2022).
- Impacts to oaks and the RB are avoided and minimized to the greatest extent practicable.
- RB and Oak impacts will be compensated for through onsite RMA and RB enhancement described in the *Mitigation Plan* section.

Avoidance Measures

Avoiding impacts to critical areas and priority habitat were the primary consideration during the project's design. Impacts to the RB, one oak, and Wetland A's buffer could not be avoided in order to accommodate the proposed development of 35 residential lots and the required road construction and alignment per the City of Vancouver. The proposed lot layout for the buildings has gone through several revisions to avoid oak, RMA, and direct wetland impacts. All impacts that could not be

avoided during the design process can be fully compensated to result in no net loss of ecological function

Minimization Measures

In addition to the avoidance measures made possible by the preliminary lot redesign, the following minimization measures will further reduce impacts to the wetland, oaks, and RB, and minimize habitat disruption beyond the extent required to undertake the proposal. The minimization measures are as follows:

- Install temporary construction fencing as needed around the mitigation and construction areas.
- Install permanent fencing between the proposed lots along the RB and between the sidewalk and the wetland buffer.
- Grading to occur during the dry season to minimize surface runoff.
- Best management practices, including, applying native grass seed to temporarily disturbed areas, stabilizing work area entrances via installation of gravel, and making a water truck available to prevent wind erosion and dust blowing during construction.
- Buffer reduction techniques have been implemented to minimize indirect impacts to Wetland A.
- Road runoff associated with the proposed road construction will be routed to the proposed stormwater facility onsite.
- Permanent fencing will be installed after construction along Wetland A's buffer, and signs will be installed at 50-foot intervals affixed to the fencing that will read, "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" according to *VMC 20.740.140(C)(1)(c)(iv)*.
- Permanent fencing will be installed after construction along the RB buffer, and signs will be posted on public and private properties at an interval of one per lot for single-family residential uses and installed at 50-foot intervals affixed to the fencing that will read, "The area beyond this sign is a fish and wildlife habitat conservation area. Alteration or disturbance is prohibited by law. Please call the City of Vancouver for more information" according to *VMC 20.740.110(C)(1)(d)(2)*.

Compensation Measures

Wetland Buffer Reduction and Indirect Wetland Impacts – The land use intensity will be reduced from high to moderate through site design measures, translating to a buffer reduction from 80 feet down to 60 feet per *VMC 20.740.140 (C)(1)(b)(iii)(B)*. Indirect impacts to Wetland A will be mitigated through bank credit purchase at Terrace Mitigation Bank, see *Kevanna Park Meadows Bank Use Plan* (ELS 2022).

RMA and RB Enhancement - In accordance with *VMC 20.740.110(C)(2)*, 1.526 acres (66,466 square feet) of the RMA and RB within the vicinity of the impact will be enhanced with native shrub species, Oregon white oaks, and invasive species removal, for an overall enhancement ratio of 1.94:1. (Figure 4).

UNAVOIDABLE IMPACTS

The installation of NE 46th Avenue will result in 0.106 acres (4,625 sq. ft.) of indirect wetland impacts to Wetland A due to insufficient buffer width (Figure 3). All indirect wetland impacts will be compensated for via credit purchase at the Terrace Mitigation Bank (See *Kevanna Park Meadows Bank Use Plan*, ELS 2022).

As designed, the proposed residential development and installation of NE 46th Avenue will result in unavoidable impacts to one Oregon white oak and the riparian buffer of Burnt Bridge Creek. This will result in a total of 0.028 acres (1,216 sq. ft.) of oak canopy removal and 0.760 acres (33,098 sq. ft.) of RB impacts. Table 4 summarizes proposed critical area impacts.

Table 4. Summary of Critical Area Impacts.

Impact Area	Category ¹ / Cowardin Class ² / HGM Class ³ /Type ⁴	Impact Type	Impact Amount
Wetland A Buffer	III/Forested, Scrub-shrub/Depressional	Indirect/ Road Construction	0.106 acres (4,625 sq. ft.)
Burnt Bridge Creek RB (Type F)	Type F	Buffer/ Lot Construction	0.760 acres (33,098 sq. ft.)
Oregon White Oak Canopy	N/A	Removal/ Road Construction	0.028 acres (1,216 sq. ft.)

¹Hruby 2004, ²Cowardin et al. 1979, ³NRCS 2008, ⁴VMC Table 20.740.110-1

MITIGATION PLAN

Burnt Bridge Creek Riparian Management Area and Riparian Buffer

Approximately 0.760 acres (33,098 sq. ft.) of the Burnt Bridge Creek RB will be impacted by the proposed subdivision (Figure 3). In accordance with VMC 20.740.110(C)(2), 1.526 acres (66,466 square feet) of the RMA and RB within the vicinity of the impact will be enhanced with native shrub species, Oregon white oaks, and invasive species removal, for an overall enhancement ratio of 1.94:1. Most of the impacted RMA and RB currently consist of mowed grasses and the proposed enhancement will result in a net gain of ecological functions. Installation of native vegetation will improve the stream buffer's ability to trap sediments and pollutants, reduce stormwater surface flows, and protect the stream from the surrounding development. The enhancement will also create more habitat interspersed adjacent to Burnt Bridge Creek, making it more valuable to a greater variety of animal species and providing higher levels of screening from the proposed and existing development.

Table 5. Summary of Proposed RMA and RB Mitigation.

Critical Areas	Proposed Impact	Impact Amount	Ratio	Enhancement Amount	Mitigation Activities
RMA			1.94:1	1.196 acres (52,073sq. ft.)	- Remove invasive species - Plant native shrubs - Monitor planted shrubs for 5 years
RB	Buffer/ Lot Construction	0.760 acres (33,098 sq. ft.)		0.330 acres (14,393 sq. ft.)	
Total				1.526 acres (66,466 sq. ft.)	

Table 6. Summary of Oak Impacts and Proposed Mitigation

Impact Amount	Ratio	Oak Size	LSER ¹	Amount	Enhancement Amount	Mitigation Activities
Oregon White Oak Canopy Loss 0.028 acres (1,216 sq. ft.)	6:1	Bare Root/Gallon	N/A	33	*0.167 acres (7,296 sq. ft.)	- Remove invasive species - Plant 6, 2" caliper oaks, depending on availability, in the RMA or RB - Monitor planted oaks for 5 years
		1" Caliper	1:3	11		
		1.5" Caliper	1:4	9		
		2" Caliper	1:6	6		

¹The large stem equivalency ratios are from Brent Davis at Clark County. The ratios indicate how many large stem stock need to be installed in comparison to small stock. For example, the 1:3 ratio for 1" caliper oaks translates to one 1" caliper oak for every 3 bare root plantings. *Oregon white oak canopy enhancement total is not included in the total enhancement area as enhancement will occur in the RMA and RB.

Goals, Objectives, and Performance Standards

The goal of this mitigation plan is to fully compensate for RB impacts and Oregon white oak canopy loss associated with the development of the proposed subdivision. The applicant proposes to enhance approximately 1.526 acres (66,466 sq. ft.) of the RMA and RB onsite (Figure 4). This area is currently comprised of scattered trees, scrub-shrub, herbaceous species, and invasive blackberries. The enhancement area will be cleared of invasive species and planted with 6 Oregon white oak trees and 920 native shrubs, providing greater habitat diversity, refuge, and forage opportunities than currently exist. To accomplish this goal, the following objectives and performance standards are appropriate to ensure the success of the enhancement area.

Vegetation

*Objective 1. Enhance a minimum of 1.526 acres of RMA and RB by thoroughly investigating for and removing or controlling the growth of invasive species through cutting or spraying, including, but not limited to, reed canarygrass (*Phalaris arundinacea*), Canada thistle (*Cirsium arvense*), scotch broom (*Cytisus scoparius*), evergreen blackberry (*Rubus laciniatus*) and Himalayan blackberry (*Rubus armeniacus*).*

Performance Standard 1a: Remove or control existing invasive species from at least 1.526 acres in the RMA and RB enhancement area. Document the removal of invasive plants within the enhancement areas in the as-built report.

Performance Standard 1b: In all years, invasive plant species will not exceed 10 percent aerial cover within the RMA and RB enhancement area. Percent cover of invasive species will be documented in annual monitoring reports.

Objective 2. Enhance a minimum of 1.526 acres of the existing RMA and RB plant community by planting Oregon white oak trees and native shrubs within the RMA and RB enhancement area.

Performance Standard 2a: Oregon white oaks and native shrubs will be installed at spacing intervals of 15-foot and 6-foot centers, respectively.

Performance Standard 2b: In Year 1, planted species will achieve 100 percent survival. If dead plants are replaced, this performance standard will be met. Document in annual monitoring report.

Performance Standard 2c: In Year 2, planted species will achieve 95 percent survival. If dead plants are replaced, this performance standard will be met. Document in annual monitoring report.

Performance Standard 2d: In Year 3, planted oaks will have a minimum 15 percent aerial cover, and a minimum 25 percent aerial cover by native shrubs. Dead plants will be replaced if this performance standard is not met. Document in annual monitoring report.

Performance Standard 2e: In Year 5, planted oaks will have a minimum 25 percent aerial cover, and a minimum 35 percent aerial cover by native shrubs. Dead plants will be replaced if this performance standard is not met. Document in annual monitoring report.

Protection

Objective 3. Provide long-term protection for the enhancement area.

Performance Standard 3a: Record a conservation covenant with Clark County protecting the enhancement area in perpetuity. This performance standard will be met when the conservation covenant is recorded at the County and a copy will be provided in the as-built report.

Performance Standard 3b: Permanent fencing will be installed along the final RB buffer and along the wetland buffer. This performance standard will be met when fencing is reported to be in place in the final monitoring report.

Performance Standard 3c: RB buffer signs reading, “The area beyond this sign is a fish and wildlife habitat conservation area. Alteration or disturbance is prohibited by law. Please call the City of Vancouver for more information.” will be posted every 50 feet along the fencing and will remain in legible condition. They will be replaced if they become missing or illegible. This performance standard will be met when signs are reported to be in place in the final monitoring report.

Planting Plan

Site Specifications

1. Stake or flag the RMA and RB boundaries.
2. Stake or flag the enhancement area boundaries.
3. Install silt fencing at the edge of disturbance.
4. Remove invasive species.
5. Install native plantings according to plant specifications.
6. Install native plantings with tree protection tubes.
7. Install fencing and signage.
8. Remove silt fencing once bare area has been stabilized.

Planting Implementation

1. Plant the specified trees and shrubs in the fall (October-November) or early spring (February-March) at the intervals listed in Table 4. Space the plants somewhat irregularly and in groups to create heterogeneity in the density and appearance of the enhancement areas. Plant the 1-gallon potted stock with a tree shovel or comparable tool.
2. Remove the plant from the pot and work the roots free from majority of potted soil.
3. Place the potted plant species in the planting holes so that their roots can extend down entirely and do not bend upward or circle inside the hole (no “J” or “U” roots).
4. Position the root crowns so that they are at or slightly above the level of the surrounding soil.
5. Compact the soil around the planted species to eliminate air spaces.
6. Irrigate all newly installed plants as site and weather conditions warrant.

Gallon Stock

1. 1-gallon potted species will be purchased from a native plant nursery.
2. 1-gallon potted plants will be a minimum size of 18- to 36-inches tall.
3. 1-gallon potted stock will be kept cool and moist prior to being planted.
4. 1-gallon potted stock will have well-developed roots and sturdy stems, with an appropriate root-to-shoot ratio.
5. Unplanted potted stock will be properly stored at the end of each day.
6. The environmental consultant will be responsible for inspecting potted plant stock prior to and during planting, culling unacceptable plant materials.

Bare-Root Stock

1. Bare-root species will be purchased from a native plant nursery.
2. Plants will be protected until installation by being refrigerated, covered with damp burlap, and placed in moist sand, peat, or other method of keeping the roots cool and moist.
3. Plants will have well-developed roots and sturdy stems, with an appropriate root-to-shoot ratio.
4. No damaged or desiccated roots or diseased plants will be accepted. In particular, bare-root trees must not have damaged or “J-rooted” taproots.
5. All bare-root stock must be kept cool and moist prior to installation.
6. Unused bare-root stock must be properly stored at the end of each planting day to prevent the roots from desiccating.
7. The planter will be responsible for inspecting the bare root stock prior to and during planting; unacceptable plant materials will not be planted.

Planting Specifications

The enhancement area will be cleared of invasive species by hand, mechanically, or through herbicide application, and then planted with 6 Oregon white oak trees and 920 native shrubs, providing greater habitat diversity, refuge, and forage opportunities than currently exist. Mitigation plantings will be installed in the late fall to early spring when the site conditions are wettest, and the plants are dormant. Additionally, plants will be installed in mono-specific groups to better mimic the natural environment and enhance plant survival. The proposed species were selected due to being observed elsewhere onsite and appearing healthy, therefore environmental conditions onsite are likely ideal. Mitigation plantings will be installed with tree protection tubes surrounded by mulch to discourage herbivory and further increase the survivability of planted tree and shrub species. The table below summarizes the plant species, spacing, and quantities for the wetland enhancement area. Figure 4 details the enhancement area and plant spacing.

Table 7. Plant Specifications for RMA & RB Enhancement Area.

Common Name	Scientific Name and FAC Status	Stock	Spacing (feet)	Quantity
Trees				
Oregon white oak	Quercus garryana (FACU)	2” caliper	15 feet	6
Total Trees				6
Shrubs				
Common snowberry	Symphoricarpos albus (FACU)	Bare-root	6 feet	230
Nootka rose	Rosa nutkana (FAC)			230
Black hawthorn	Crataegus douglasii (FAC)			230
Thimbleberry	Rubus parviflorus (FACU)			230
Total Shrubs				920
Total				926

Monitoring, Maintenance, and Contingency Measures

Monitoring and maintenance of the enhancement area will occur for a 5-year period with annual monitoring and reporting occurring in Years, 1, 2, 3, and 5. Monitoring will be conducted by the applicant unless otherwise assigned. A minimum of 4 permanent monitoring plots, demarcated by metal t-posts, will be established in the RB and RMA enhancement areas. Plants will be counted and assessed for health during each monitoring visit. Additionally, at least three photo stations will be established, one at each monitoring plot to photo-document vegetation establishment. Photo station location and the direction in which the picture is taken will also be recorded on the as-built.

The goal of monitoring will be to determine if the previously stated performance standards are met. Monitoring reports will be submitted to the County by December 31st of each monitoring year. At minimum, the following items will be included in the report:

- Location map and as-built drawing, including any changes.
- Historic description of project, including dates of plant installation, current year of monitoring, and remedial actions taken (if any).
- Description of monitoring methods.

- Documentation of vegetative performance standards and overall development of plant communities.
- Assessment of invasive plant species and recommendations for management.
- Photographs from established photopoints.
- Observations of wildlife, including, amphibians, invertebrates, reptiles, birds, and mammals. If photographs are taken, they will be included.
- Summary of maintenance and contingency measures completed for the past year and proposed for the next year.

Vegetation

Monitoring will occur annually during the growing season, preferably during the same two-week period to better compare data. The following information will be gathered within the established monitoring plots:

- Percent survival of woody species in Years 1, 2, 3, and 5.
- Percent cover of non-native, invasive species in all monitoring years
- General health of plants in the monitoring plot, noting specific problems and potential causes.
- Photographic documentation of vegetative changes over time from established photopoints

Overall vegetative conditions outside monitoring plots will also be observed and discussed in the monitoring reports.

Maintenance

Maintenance will occur during the growing season and will include the following:

- Irrigating planting areas every other week or as needed in the dry season for the first three years. Taper watering in Years 2 and 3, watering approximately every 3 to 4 weeks in the dry season, or as needed.
- Remove competing herbaceous species at least three times yearly within a 3-foot radius of planted trees and shrubs and re-apply mulch as needed.
- Weed-eat, spray, or mow invasive species as needed during the growing season.
- Replace dead or failed plants as described for the original installation to meet the minimum performance standards.

Contingency Plan

If the performance criteria are not met, steps will be taken to correct the situation in a timely manner. The following steps will be implemented when an area is identified as failing or potentially failing:

- Identify the cause(s) of the failure or potential failure.
- Identify the extent of the failure or potential failure.
- Implement corrective actions such as irrigating, fertilizing, and replanting.
- Document the activities and include this data in the monitoring reports.
- If a routine corrective action will not correct the problem, immediately consult with the appropriate agencies.
- Evaluate recommendations from resource agency staff and implement recommendations in a timely manner.

Funding for corrective actions will be the responsibility of the applicant.

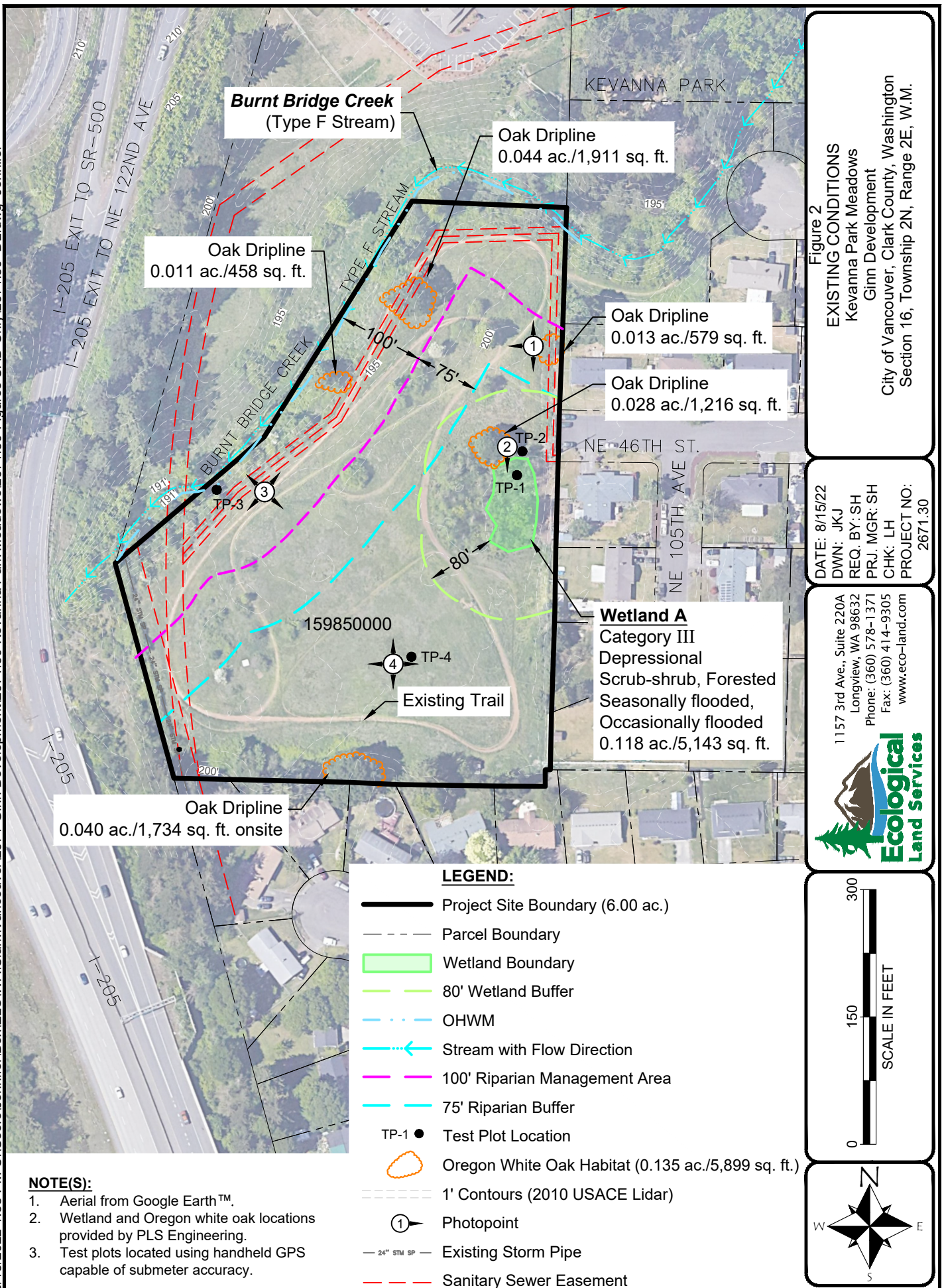
LIMITATIONS

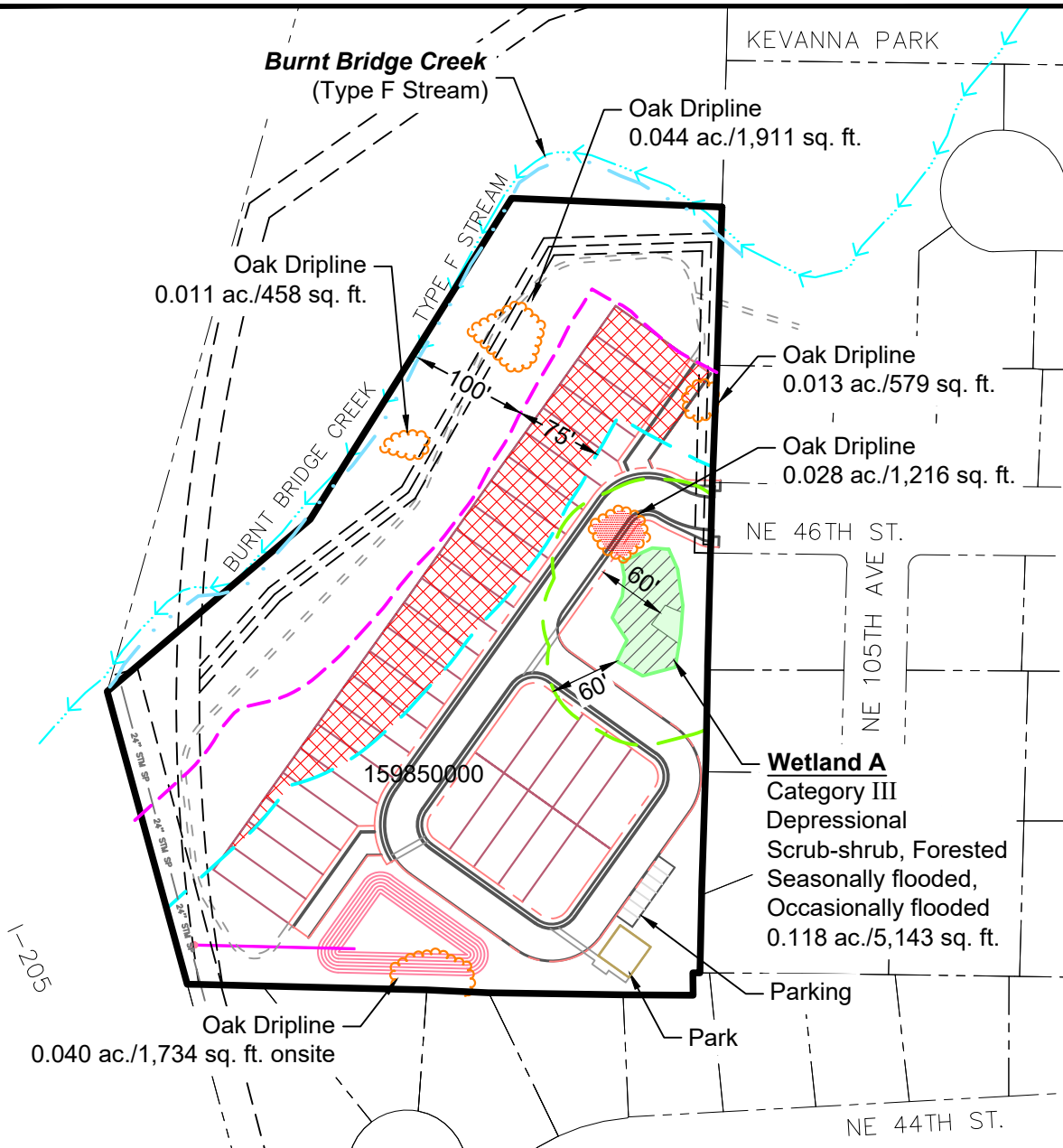
ELS bases the above listed determinations and conclusions on standard scientific methodology and best professional judgment. In our opinion, local, state, and federal regulatory agencies should agree with the conclusions of this report. However, this should be considered a preliminary report and should be used at your own risk until it has been reviewed and approved in writing by the appropriate regulatory agencies.

REFERENCES

- City of Vancouver. 2021. *Vancouver Municipal Code (VMC)*, Chapter 20.740.110 *Fish and Wildlife Habitat Conservation Areas*. Vancouver, Washington.
- City of Vancouver. 2021. *Vancouver Municipal Code (VMC)*, Chapter 20.740.140 *Wetlands*. Vancouver, Washington.
- Cowardin, L.M., C. Carter, F.C. Golet, and E.T. LaRoe. 1979. *Classification of Wetlands and Deepwater Habitats of the United States*. FWS/OBS-78/31. U.S. Department of the Interior, Fish and Wildlife Service, Office of Biological Services, Washington D.C.
- Ecological Land Services, Inc. (ELS). 2022. *Kevanna Park Meadows Bank Use Plan, Vancouver, Washington*. August 2022.
- Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*, Technical Report Y-87-1. U.S. Army Corps of Engineer Waterways Experiment Station, Vicksburg, Mississippi.
- Hruby, T. 2014. *Washington State Wetland Rating System for Western Washington – 2014 update*. Washington State Department of Ecology Publication #14-06-029. Olympia, Washington.
- Larsen, Eric M. and Morgan, John T. 1998. *Management Recommendations for Washington's Priority Habitats Oregon White Oak Woodlands*. Washington Department of Fish and Wildlife (WDFW). January 1998.
- Natural Resource Conservation Service (NRCS). 2008. *Hydrogeomorphic Wetland Classification System: An Overview and Modification to Better Meet the Needs of the Natural Resources Conservation Service*. United States Department of Agriculture Technical Note, #190-8-76.
- Natural Resources Conservation Service (NRCS). 2022. Web Soil Survey. Available at: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed July 2022.
- U.S. Army Corps of Engineers (USACE). 2010. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)*, ed. J.S. Wakeley, R.W. Lichvar, and C.V. Noble. ERDC/EL TR-08-13. Vicksburg, MS: U.S. Army Engineer Research and Development Center.
- U.S. Fish & Wildlife Service (USFWS). 2022. National Wetlands Inventory. Online document <https://www.fws.gov/wetlands/data/mapper.html>. Accessed July 2022.

FIGURES AND PHOTOPLATES





LEGEND:

- Project Site Boundary (6.00 ac.)
- Parcel Boundary
- Wetland Boundary
- 60' Reduced Wetland Buffer
- OHWM
- Stream with Flow Direction
- 100' Riparian Management Area
- 75' Riparian Buffer
- Oregon White Oak Habitat
(0.135 ac./5,899 sq. ft.)
- 24" STM SP Existing Storm Pipe
- Sanitary Sewer Easement

LEGEND (cont.):

- Proposed Lots
- Proposed Trail
- Proposed Road ROW
- Proposed Sidewalk
- Proposed Playground
- Proposed Storm Pond
- Proposed Storm Pond Outfall Pipe
- Riparian Buffer Impact (0.760 ac./33,098 sq. ft.)
- Oak Dripline Impact (0.028 ac./1,216 sq. ft.)
- Indirect Wetland Impact (0.106 ac./4,625 sq. ft.)
(See Bank Use Plan for mitigation details)

NOTE(S):

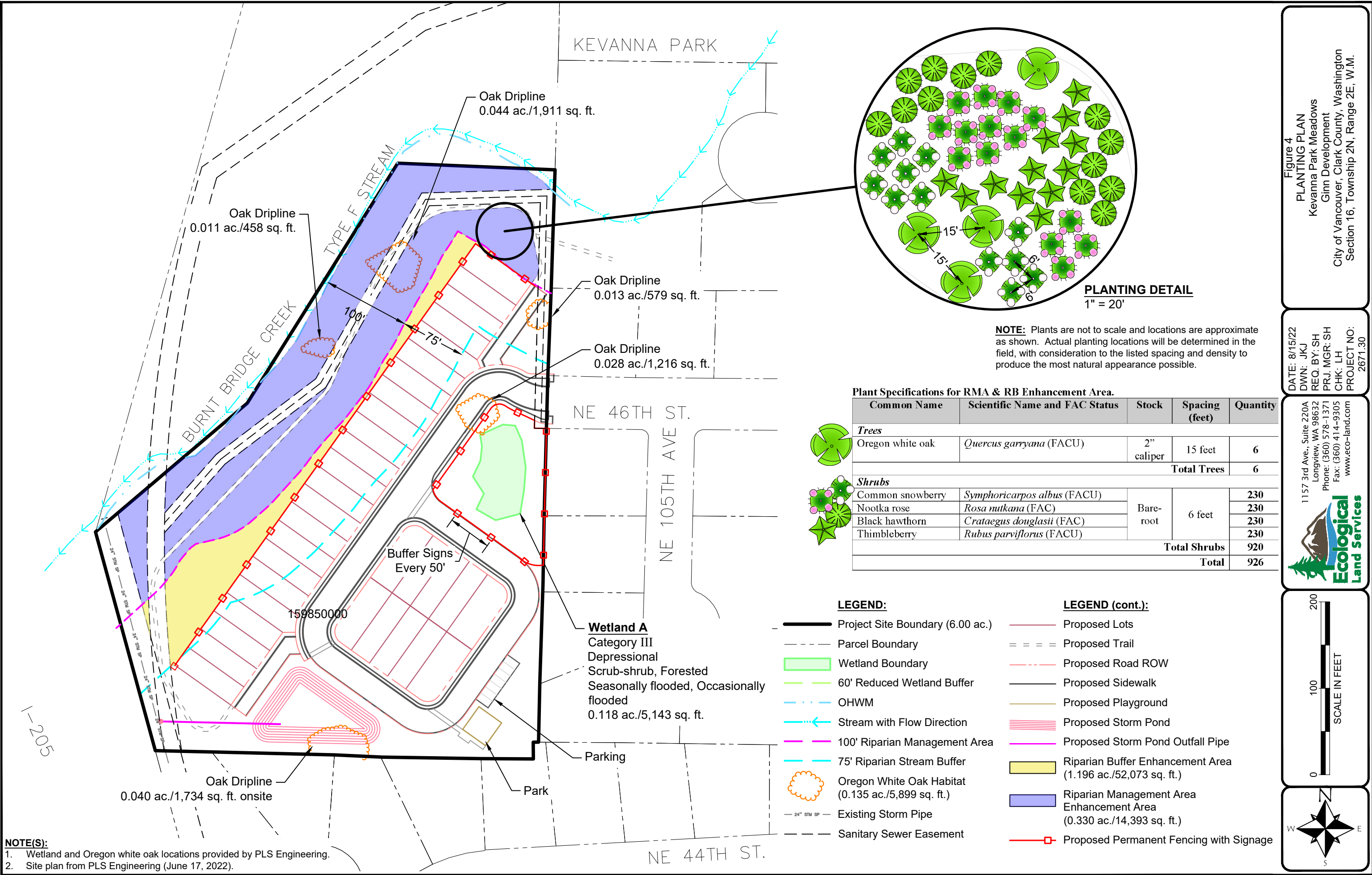
1. Wetland and Oregon white oak locations provided by PLS Engineering.
2. Test plots located using handheld GPS capable of submeter accuracy.
3. Site plan from PLS Engineering (June 17, 2022).

Figure 3
PROPOSED CONDITIONS
Kevanna Park Meadows
Ginn Development
City of Vancouver, Clark County, Washington
Section 16, Township 2N, Range 2E, W.M.

DATE: 8/15/22
DWN: JKJ
REQ. BY: SH
PRJ. MGR: SH
CHK: LH
PROJECT NO:
2671.30

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300
150
0
SCALE IN FEET



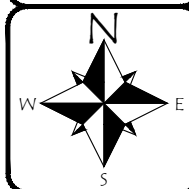


LEGEND:

- Project Site Boundary
- NRCS Soil Boundary
- LgB** Lauren gravelly loam, 0 to 8 percent slopes. Not hydric.

NOTE(S):

1. Map provided on-line by NRCS at web address:
<http://websoilsurvey.nrcs.usda.gov/app/>



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Figure 5
NRCS SOIL SURVEY
Kevanna Park Meadows
Ginn Development
City of Vancouver, Clark County, Washington
Section 16, Township 2N, Range 2E, W.M.



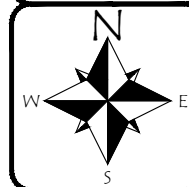
LEGEND:

- Project Site Boundary
- Wetlands**
- Riverine

R2UBHx Riverine, lower perennial, unconsolidated bottom, excavated.

NOTE(S):

1. Map provided on-line by US Fish & Wildlife Service at web address:
<https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper>



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Figure 6

USFWS NATIONAL WETLANDS INVENTORY
Kevanna Park Meadows
Ginn Development
City of Vancouver, Clark County, Washington
Section 16, Township 2N, Range 2E, W.M.

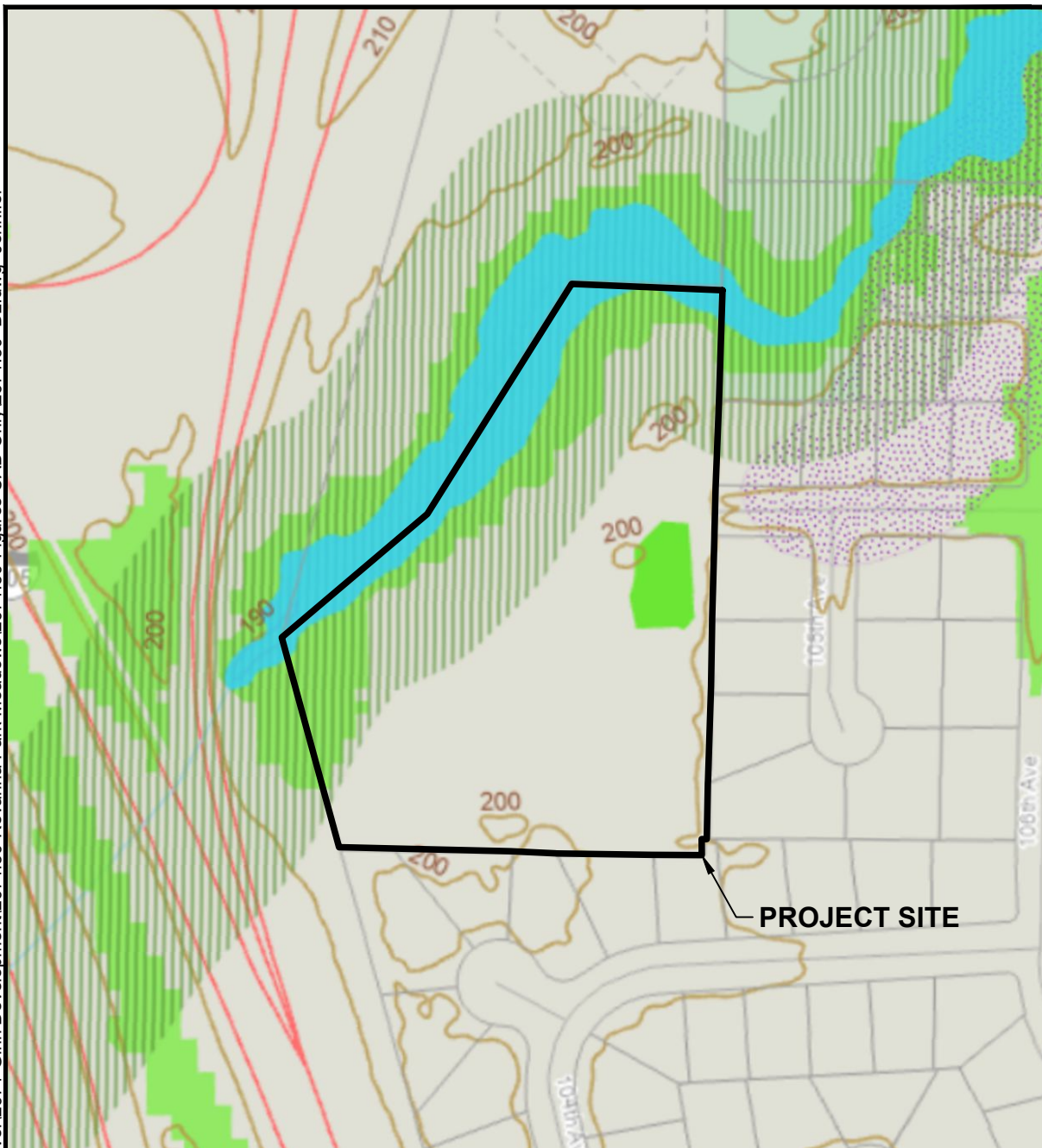


Figure 7
CLARK COUNTY CRITICAL AREAS
 Kevanna Park Meadows
 Ginn Development
 City of Vancouver, Clark County, Washington
 Section 16, Township 2N, Range 2E, W.M.

DATE: 8/15/22
 DWN: JKJ
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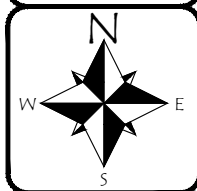
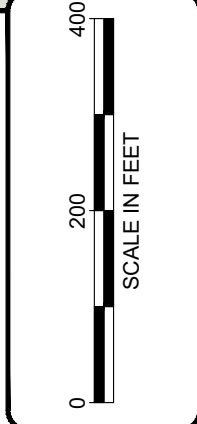
LEGEND:

- Project Site Boundary
- Environmental
- Priority Habitats and Species Group
- Riparian Habitat
- Riparian Habitat Area
- Slopes and Geologic Hazards Group
- Contour Lines
- Contour Lines - 10 ft

- Soils and Wetlands Inventory
- Hydric Soils
- Potential Wetlands Presence
- Permitted Wetland
- Environmental Constraints
- Floodway or Floodway Fringe

NOTE(S):

1. Map provided on-line by Clark County at web address: <https://gis.clark.wa.gov/maponline/index.cfm?site=Environmental>



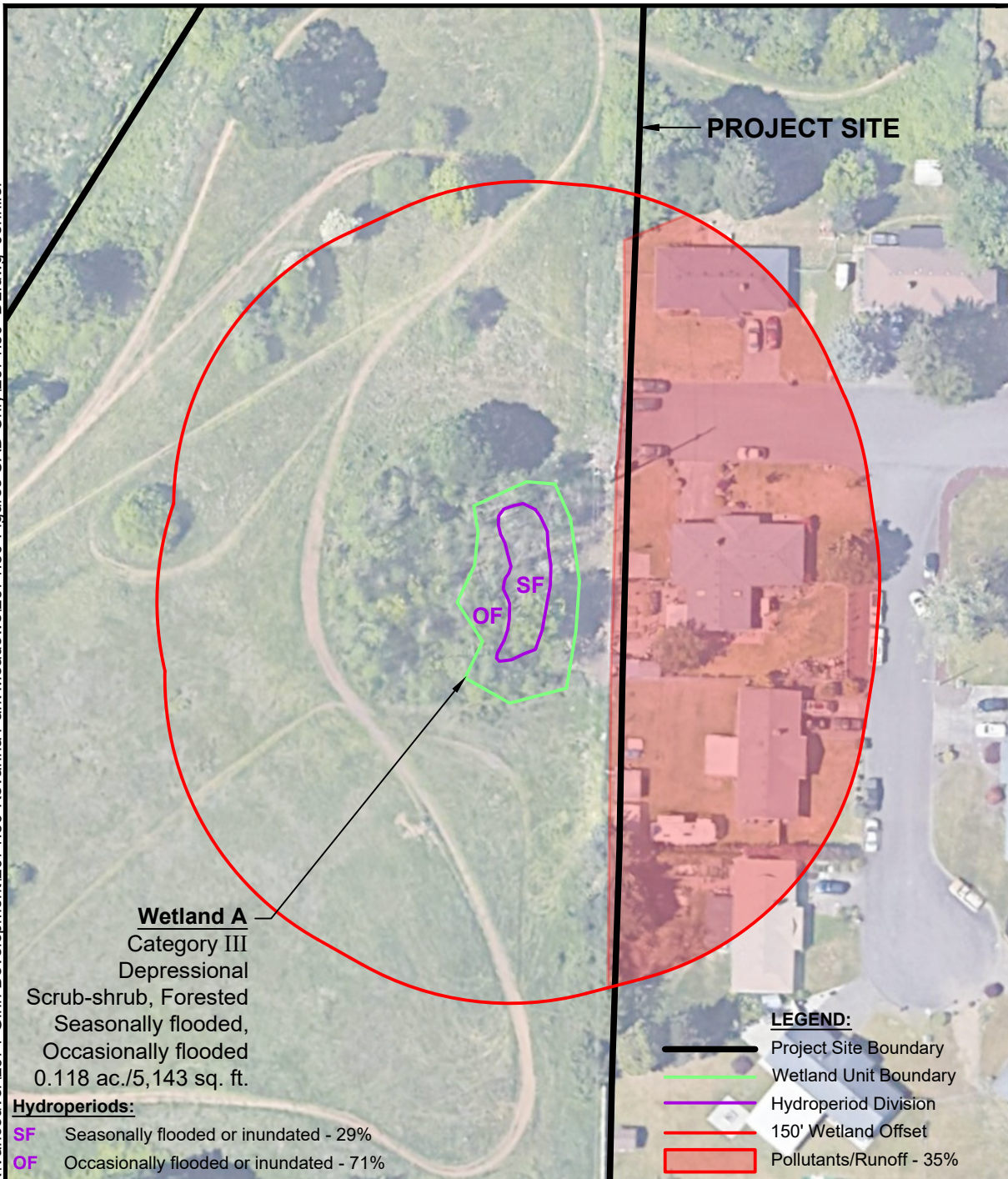
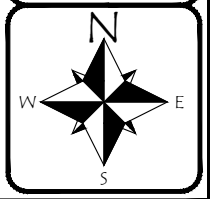
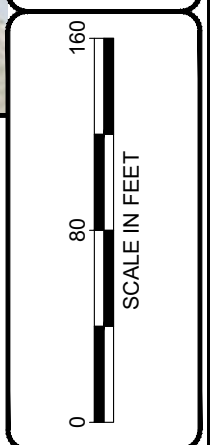


Figure 8
WETLAND RATING FORM-150' OFFSET
Kevanna Park Meadows
Ginn Development
City of Vancouver, Clark County, Washington
Section 16, Township 2N, Range 2E, W.M.

DATE: 8/15/22
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Ecological Land Services



Rating Question	Description	Wetland A
D 1.1, D 4.1	Location of Outlet	Wetland is a depression with no outlet
D 1.3	Distribution of persistent plants	Wetland has persistent plants >1/2 the area
D. 1.4	Area of seasonally flooded	Area seasonally ponded >1/4 of area
D 2.2	Boundary of area w/in 150' of the wetland in land uses that generate pollutants	>10% area within 150' in land use that generate pollutants
D 5.2	Boundary of area w/in 150' of the wetland in land uses that generate excess runoff	>10% area within 150' in land use that generate excess runoff
D 4.3	Contributing Basin-Contribution of wetland to storage in the watershed	The area of the basin is 10 to 100 times the area of the unit
D 5.3	Contributing Basin covered in intensive land uses	<25% of the contributing basin is covered with intensive land uses
H 1.1	Cowardin Plant Classes	Scrub-shrub, forested
H 1.2	Hydroperiods	Seasonally flooded, occasionally flooded
H 1.4	Interspersion of habitats	Low interspersion of habitats

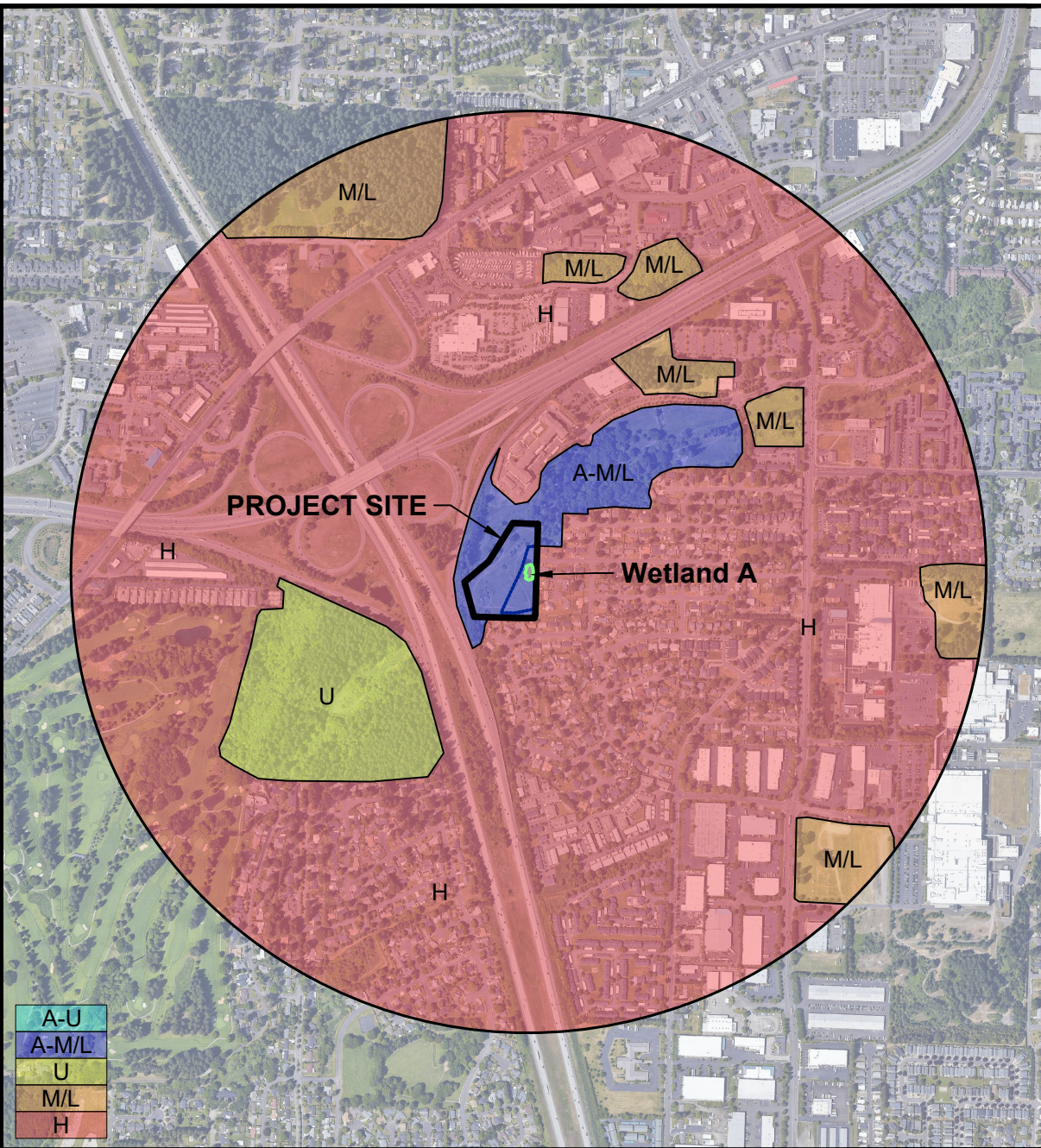
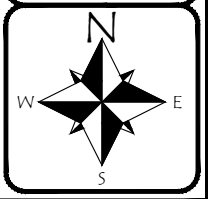
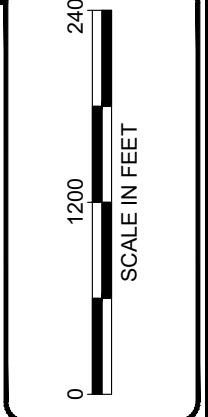


Figure 9
WETLAND RATING FORM-1 km OFFSET
 Kevanna Park Meadows
 Ginn Development
 City of Vancouver, Clark County, Washington
 Section 16, Township 2N, Range 2E, W.M.

DATE: 8/15/22
 DWN: JKJ
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Ecological Land Services



LEGEND:		H2.1 Accessible Habitat	H2.2 Undisturbed Habitat
	Project Site Boundary	A-U A-U (00.0%)	U U (4.8%)
	Wetland Unit Boundary	A-M/L A-M/L (3.8%)	M/L M/L (6.2%)
	Contributing Basin 11x area of Wetland A	H2.3 Land Use Intensity	
		H H (85.3%)	

H 2.1. Accessible Habitat Equation

$$\% \text{ [A-U] habitat } 00.0\% + [(\% \text{ [A-M/L] intensity land uses})/2] \text{ } 1.9\% = 1.9\%$$

H 2.2. Total Undisturbed Habitat Equation

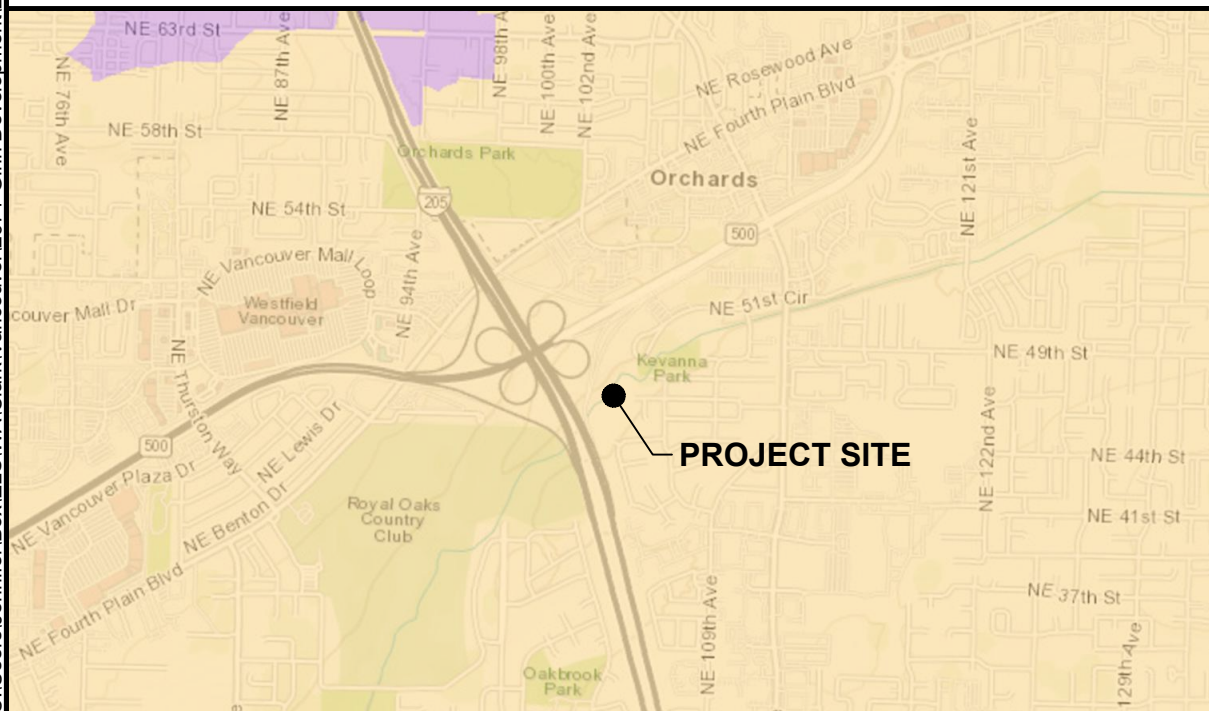
$$\% \text{ [A-U] } + \% \text{ [U] habitat } 4.8\% + [(\% \text{ [A-M/L] } + \% \text{ [M/L] land uses})/2] \text{ } 5.0\% = 9.8\%$$

Water

-  Category 5 - 303d
-  Category 4C
-  Category 4B
-  Category 4A
-  Category 2
-  Category 1

- Sediment**
- Category 5 - 303d
 - Category 4C
 - Category 4B
 - Category 4A
 - Category 2
 - Category 1

- Subbasins**
-  12 Digit HUC Boundary



WQ Improvement Projects

- Approved
- In Development

NOTE(S):

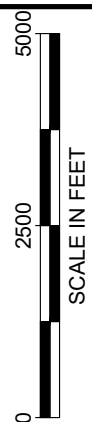
1. Map provided on-line by Washington State Department of Ecology at web address:
<https://fortress.wa.gov/ecy/waterqualityatlas/map.aspx?>

Figure 10

WETLAND RATING FORM-303(d) and TMDLS
Figure 10
Kevanna Park Meadows
Ginn Development
City of Vancouver, Clark County, Washington
Section 16, Township 2N, Range 2E, W.M.

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Photopoint 1. North view, taken near eastern property boundary.



Photopoint 1. South view, taken near eastern property boundary. Wetland A pictured at top right of photo.



Photopoint 1. West view, taken near eastern property boundary. On-site Oregon white oak pictured at top right of photo.



Photopoint 2. South view of Wetland A.



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Photoplate #1
Site Photos
Kevanna Park Meadows
Vancouver, WA
Section 16, Township 2N, Range 2E, W.M.



Photopoint 3. Northeast view, taken near western property boundary. Burnt Bridge Creek is to the left of photo (not pictured).



Photopoint 3. West view, taken near western property boundary. Burnt Bridge Creek is just beyond the blackberry brambles.



Photopoint 3. Southeast view, taken near western property boundary.



Photopoint 3. Southwest view, taken near western property boundary.



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Photoplate #2
Site Photos
Kevanna Park Meadows
Vancouver, WA
Section 16, Township 2N, Range 2E, W.M.



Photopoint 4. East view, taken from southern portion of project area.



Photopoint 4. North view, taken from southern portion of project area.



Photopoint 4. South view, taken from southern portion of project area.



Photopoint 4. West view, taken from southern portion of project area.



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Photoplate #3
Site Photos
Kevanna Park Meadows
Vancouver, WA
Section 16, Township 2N, Range 2E, W.M.

APPENDIX A: WETLAND DETERMINATION DATA FORMS

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys and Coast Region

Project/Site: Kevanna Park Meadows City/County: Vancouver / Clark County Sampling Date: 6/29/22
 Applicant/Owner: Ginn Development State: WA Sampling Point: TP-1
 Investigator(s): Hastings, S.; Johnson, B. Section, Township, Range: S16, T2N, R2E
 Landform (hillslope, terrace, etc.): Terraces Local relief: (concave, convex, none): Concave Slope (%): 0-8%
 Subregion (LRR): LRRa Lat: 45.6551566 Long: -122.5658043 Datum: 83
 Soil Map Unit Name: Lauren gravelly loam, 0 to 8 percent slopes NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain Remarks.)
 Are Vegetation ☐, Soil ☐, or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐ Hydric Soils Present? Yes ☒ No ☐ Wetland Hydrology Present? Yes ☒ No ☐	Is the Sampled Area within a Wetland? Yes ☒ No ☐
--	---

Remarks: This test plot was located within parcel 159850000, near the central eastern Project Area boundary in Wetland A. This test plot met all three wetland indicators with 57% hydrophytic vegetation, soils with Depleted Matrix (F3), and the presence of primary hydrologic indicators: Algal Mat or crust (B4) and Oxidized Rhizospheres Along Living Roots (C3), and secondary hydrologic indicators Water-Stained Leaves (B9) and Geomorphic Position (D2). Hydrologic conditions within this Project Area were not typical for the time of year, as antecedent rainfall was determined to be wetter for the 3 months prior to the site visit.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30</u> ft radius)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test Worksheet	
1. <u>Populus tremuloides</u>	50%	yes	FACU	Number of Dominant Species That Are OBL, FACW, or FAC:	<u>4</u> (A)
2. <u>Fraxinus latifolia</u>	20%	yes	FACW		
3. _____	%				
4. _____	%			Total Number of Dominant Species Across All Strata:	<u>7</u> (B)
50% = <u>35</u> 20% = <u>14</u>	70%	=Total Cover		Percent of Dominant Species That Are OBL, FACW, or FAC	<u>57</u> (A/B)
Sapling/Shrub Stratum (Plot size: <u>15</u> ft. radius)				Prevalence Index worksheet	
1. <u>Rosa nutkana</u>	30%	yes	FACU	Total % Cover of:	Multiply by:
2. <u>Populus tremuloides</u>	15%	yes	FACU	OBL species _____	x 1= _____
3. _____	%			FACW species _____	x 2= _____
4. _____	%			FAC species _____	x 3= _____
5. _____	%			FACU species _____	x 4= _____
50% = <u>23</u> 20% = <u>9</u>	45%	=Total Cover		UPL species _____	x 5= _____
Herb Stratum (Plot size: <u>5</u> ft radius)				Column Totals:	(A) _____ (B) _____
1. <u>Carex obnupta</u>	40%	yes	OBL	Prevalence Index = B/A = _____	
2. <u>Rumex crispus</u>	15%	yes	FAC	Hydrophytic Vegetation Indicators:	
3. <u>Phalaris arundinacea</u>	15%	yes	FACW	☐ 1 – Rapid Test for Hydrophytic Vegetation	
4. _____	%			☒ 2 – Dominance Test is >50%	
5. _____	%			☐ 3 - Prevalence Index is ≤3.0 ¹	
6. _____	%			☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet)	
7. _____	%			☐ 5 - Wetland Non-Vascular Plants ¹	
8. _____	%			☐ Problematic Hydrophytic Vegetation ¹ (Explain)	
9. _____	%				
10. _____	%				
11. _____	%				
50% = <u>35</u> 20% = <u>14</u>	70%	=Total Cover		¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.	
Woody Vine Stratum (Plot size: <u>15</u> ft radius)				Hydrophytic Vegetation Present?	
1. _____	%			Yes ☒ No ☐	
2. _____	%				
50% = ____ 20% = ____	%	=Total Cover			
% Bare Ground in Herb Stratum <u>30%</u>					
Remarks:					

SOIL

Sampling Point: TP-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-5	10YR 2/2	97%	10YR 5/8	3%	C	PL	Silt loam	
5-16	10YR 4/2	40%	10YR 4/6	25%	C	M	Clay	
	10YR 5/1	35%		%				
		%		%				
		%		%				
		%		%				
		%		%				
		%		%				

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.²Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils

☐ Histosol (A1)

☐ Histic Epipedon (A2)

☐ Black Histic (A3)

☐ Hydrogen Sulfide (A4)

☐ Depleted Below Dark Surface (A11)

☐ Thick Dark Surface (A12)

☐ Sandy Mucky Minerals (S1)

☐ Sandy Gleyed Matrix (S4)

☐ Sandy Redox (S5)

☐ Stripped Matrix (S6)

☐ Loamy Mucky Mineral (F1) (except MLRA 1)

☐ Loamy Gleyed Matrix (F2)

☒ Depleted Matrix (F3)

☐ Redox Dark Surface (F6)

☐ Depleted Dark Surface (F7)

☐ Redox Depressions (F8)

☐ 2 cm Muck (A10)

☐ Red Parent Material (TF2)

☐ Very Shallow Dark Surface (TF12)

☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and Wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if present):

Type:

Depth (inches):

Remarks:

Hydric Soil Present?

Yes☒ No☐

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (min. of one required; check all that apply)

Secondary Indicators (2 or more required)

☐ Surface Water (A1)

☐ High Water Table (A2)

☐ Saturation (A3)

☐ Water Marks (B1)

☐ Sediment Deposits (B2)

☐ Drift Deposits (B3)

☒ Algal Mat or crust (B4)

☐ Iron Deposits (B5)

☐ Surface Soil Cracks (B6)

☐ Inundation Visible on Aerial Imagery (B7)

☐ Sparsely Vegetated Concave Surface (B8)

☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)

☐ Salt Crust (B11)

☐ Aquatic Invertebrates (B13)

☐ Hydrogen Sulfide Odor (C1)

☒ Oxidized Rhizospheres along Living Roots (C3)

☐ Presence of Reduced Iron (C4)

☐ Recent Iron Reduction in Tilled Soils (C6)

☐ Stunted or Stressed Plants (D1) (LRR A)

☐ Other (Explain in Remarks)

☒ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)

☐ Drainage Patterns (B10)

☐ Dry-Season Water Table (C2)

☐ Saturation Visible on Aerial Imagery (C9)

☒ Geomorphic Position (D2)

☐ Shallow Aquitard (D3)

☐ FAC Neutral Test (D5)

☐ Raised Ant Mounds (D6) (LRR A)

☐ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes☐ No☒ Depth (Inches):

Water Table Present? Yes☐ No☒ Depth (Inches):

Saturation Present? Yes☐ No☒ Depth (Inches):

(Includes Capillary fringe)

Wetland Hydrology Present?

Yes☒ No☐

Describe Recorded Data (Stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:Hydrologic conditions within this Project Area were not typical for the time of year, as antecedent rainfall was determined to be wetter for the 3 months prior to the site visit.

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys and Coast Region

Project/Site: Kevanna Park Meadows City/County: Vancouver / Clark County Sampling Date: 6/29/22
 Applicant/Owner: Ginn Development State: WA Sampling Point: TP-2
 Investigator(s): Hastings, S.; Johnson, B. Section, Township, Range: S16, T2N, R2E
 Landform (hillslope, terrace, etc.): Terraces Local relief: (concave, convex, none): Convex Slope (%): 0-8%
 Subregion (LRR): LRRa Lat: 45.6552337 Long: -122.565782 Datum: 83
 Soil Map Unit Name: Lauren gravelly loam, 0 to 8 percent slopes NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain Remarks.)
 Are Vegetation ☐, Soil ☐, or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐ Hydric Soils Present? Yes ☐ No ☒ Wetland Hydrology Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Remarks: This test plot was located within parcel 159850000, near the central eastern Project Area boundary upslope of Wetland A. This test plot met one wetland indicator with 55% hydrophytic vegetation; therefore, it does not meet the criteria of being a wetland. Hydrologic conditions within this Project Area were not typical for the time of year, as antecedent rainfall was determined to be wetter for the 3 months prior to the site visit.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>50</u> ft radius)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test Worksheet
1. <u>Populus tremuloides</u>	20%	yes	FACU	Number of Dominant Species That Are OBL, FACW, or FAC: <u>6</u> (A) Total Number of Dominant Species Across All Strata: <u>11</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>55</u> (A/B)
2. <u>Fraxinus latifolia</u>	15%	yes	FACW	
3. _____	%			
4. _____	%			
50% = <u>18</u> 20% = <u>7</u>	35%	=Total Cover		Prevalence Index worksheet Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1= _____ FACW species _____ x 2= _____ FAC species _____ x 3= _____ FACU species _____ x 4= _____ UPL species _____ x 5= _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A= _____
Sapling/Shrub Stratum (Plot size: <u>15</u> ft. radius)				Hydrophytic Vegetation Indicators: ☐ 1 – Rapid Test for Hydrophytic Vegetation ☒ 2 – Dominance Test is >50% ☐ 3 - Prevalence Index is ≤3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ 5 - Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain)
1. <u>Populus tremuloides</u>	30%	yes	FACU	
2. <u>Rosa nutkana</u>	15%	yes	FAC	
3. _____	%			
4. _____	%			
5. _____	%			
50% = <u>23</u> 20% = <u>9</u>	45%	=Total Cover		
Herb Stratum (Plot size: <u>5</u> ft radius)				
1. <u>Galium aparine</u>	30%	yes	FACU	
2. <u>Lactuca serriola</u>	20%	yes	FACU	
3. <u>Poa sp.*</u>	15%	yes	FAC	
4. <u>Bromus arvensis</u>	15%	yes	UPL	
5. <u>Holcus lanatus</u>	15%	yes	FAC	
6. <u>Phalaris arundinacea</u>	15%	yes	FACW	
7. <u>Vicia americana</u>	5%	no	FAC	
8. <u>Cirsium arvense</u>	5%	no	FAC	
9. _____	%			
10. _____	%			
11. _____	%			
50% = <u>60</u> 20% = <u>24</u>	120%	=Total Cover		
Woody Vine Stratum (Plot size: <u>15</u> ft radius)				
1. <u>Rubus armeniacus</u>	15%	yes	FAC	¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
2. _____	%			
50% = <u>8</u> 20% = <u>3</u>	15%	=Total Cover		
% Bare Ground in Herb Stratum _____ %				Hydrophytic Vegetation Present? Yes ☒ No ☐
Remarks: *Poa sp. assumed FAC.				

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-16	10YR 3/3	100%		%			Loam	See Remarks Below
		%		%				
		%		%				
		%		%				
		%		%				
		%		%				
		%		%				
		%		%				

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.²Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils

☐ Histosol (A1)
☐ Histic Epipedon (A2)
☐ Black Histic (A3)
☐ Hydrogen Sulfide (A4)
☐ Depleted Below Dark Surface (A11)
☐ Thick Dark Surface (A12)
☐ Sandy Mucky Minerals (S1)
☐ Sandy Gleyed Matrix (S4)

☐ Sandy Redox (S5)
☐ Stripped Matrix (S6)
☐ Loamy Mucky Mineral (F1) (except MLRA 1)
☐ Loamy Gleyed Matrix (F2)
☐ Depleted Matrix (F3)
☐ Redox Dark Surface (F6)
☐ Depleted Dark Surface (F7)
☐ Redox Depressions (F8)

☐ 2 cm Muck (A10)
☐ Red Parent Material (TF2)
☐ Very Shallow Dark Surface (TF12)
☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and Wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if present):

Type:
Depth (inches):

Hydric Soil Present? Yes No

Remarks: Rocks/gravel were observed throughout the soil profile.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (min. of one required; check all that apply)

Secondary Indicators (2 or more required)

☐ Surface Water (A1)
☐ High Water Table (A2)
☐ Saturation (A3)
☐ Water Marks (B1)
☐ Sediment Deposits (B2)
☐ Drift Deposits (B3)
☐ Algal Mat or crust (B4)
☐ Iron Deposits (B5)
☐ Surface Soil Cracks (B6)
☐ Inundation Visible on Aerial Imagery (B7)
☐ Sparsely Vegetated Concave Surface (B8)

☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
☐ Salt Crust (B11)
☐ Aquatic Invertebrates (B13)
☐ Hydrogen Sulfide Odor (C1)
☐ Oxidized Rhizospheres along Living Roots (C3)
☐ Presence of Reduced Iron (C4)
☐ Recent Iron Reduction in Tilled Soils (C6)
☐ Stunted or Stressed Plants (D1) (LRR A)
☐ Other (Explain in Remarks)

☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
☐ Drainage Patterns (B10)
☐ Dry-Season Water Table (C2)
☐ Saturation Visible on Aerial Imagery (C9)
☐ Geomorphic Position (D2)
☐ Shallow Aquitard (D3)
☐ FAC Neutral Test (D5)
☐ Raised Ant Mounds (D6) (LRR A)
☐ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes No Depth (Inches):
Water Table Present? Yes No Depth (Inches):
Saturation Present? Yes No Depth (Inches):
(Includes Capillary fringe)

Wetland Hydrology Present? Yes No

Describe Recorded Data (Stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:Hydrologic conditions within this Project Area were not typical for the time of year, as antecedent rainfall was determined to be wetter for the 3 months prior to the site visit.

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys and Coast Region

Project/Site: Kevanna Park Meadows City/County: Vancouver / Clark County Sampling Date: 6/29/22
 Applicant/Owner: Ginn Development State: WA Sampling Point: TP-3
 Investigator(s): Hastings, S.; Johnson, B. Section, Township, Range: S16, T2N, R2E
 Landform (hillslope, terrace, etc.): Terraces Local relief: (concave, convex, none): Convex Slope (%): 0-8%
 Subregion (LRR): LRRA Lat: 45.65508403 Long: -122.5671853 Datum: 83
 Soil Map Unit Name: Lauren gravelly loam, 0 to 8 percent slopes NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain Remarks.)
 Are Vegetation ☐, Soil ☐, or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No ☐ Hydric Soils Present? Yes ☐ No ☒ Wetland Hydrology Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Remarks: This test plot was located within parcel 159850000, near the central western Project Area boundary adjacent to Burnt Bridge Creek. This test plot met one wetland indicator with 100% hydrophytic vegetation; therefore, it does not meet the criteria of being a wetland. Hydrologic conditions within this Project Area were not typical for the time of year, as antecedent rainfall was determined to be wetter for the 3 months prior to the site visit.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30</u> ft radius)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test Worksheet
1. _____	%			Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: <u>1</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
2. _____	%			
3. _____	%			
4. _____	%			
50% = ____ 20% = ____	%	=Total Cover		Prevalence Index worksheet Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1= _____ FACW species _____ x 2= _____ FAC species _____ x 3= _____ FACU species _____ x 4= _____ UPL species _____ x 5= _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A= _____
Sapling/Shrub Stratum (Plot size: <u>15</u> ft. radius)				Hydrophytic Vegetation Indicators: ☐ 1 – Rapid Test for Hydrophytic Vegetation ☒ 2 – Dominance Test is >50% ☐ 3 - Prevalence Index is ≤3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ 5 - Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain)
1. _____	%			
2. _____	%			
3. _____	%			
4. _____	%			
5. _____	%			
50% = ____ 20% = ____	%	=Total Cover		
Herb Stratum (Plot size: <u>5</u> ft radius)				
1. <i>Phalaris arundinacea</i>	50%	yes	FACW	
2. <i>Conium maculatum</i>	15%	no	FAC	
3. <i>Impatiens capensis</i>	10%	no	FACW	
4. <i>Galium aparine</i>	8%	no	FACU	
5. <i>Cirsium arvense</i>	5%	no	FAC	
6. <i>Epilobium ciliatum</i>	5%	no	FACW	
7. <i>Lysichiton americanus</i>	2%	no	OBL	
8. _____	%			
9. _____	%			
10. _____	%			
11. _____	%			
50% = <u>48</u> 20% = <u>19</u>	95%	=Total Cover		
Woody Vine Stratum (Plot size: <u>15</u> ft radius)				
1. _____	%			¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
2. _____	%			
50% = ____ 20% = ____	%	=Total Cover		Hydrophytic Vegetation Present? Yes ☒ No ☐
% Bare Ground in Herb Stratum <u>5%</u>				
Remarks:				

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-14	10YR 3/2	100%		%			Silty clay loam	
14-16	10YR 3/2	95%	5YR 5/8	5%	C	M	Silty clay loam	
		%		%				
		%		%				
		%		%				
		%		%				
		%		%				
		%		%				

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.²Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils

☐ Histosol (A1)

☐ Histic Epipedon (A2)

☐ Black Histic (A3)

☐ Hydrogen Sulfide (A4)

☐ Depleted Below Dark Surface (A11)

☐ Thick Dark Surface (A12)

☐ Sandy Mucky Minerals (S1)

☐ Sandy Gleyed Matrix (S4)

☐ Sandy Redox (S5)

☐ Stripped Matrix (S6)

☐ Loamy Mucky Mineral (F1) (except MLRA 1)

☐ Loamy Gleyed Matrix (F2)

☐ Depleted Matrix (F3)

☐ Redox Dark Surface (F6)

☐ Depleted Dark Surface (F7)

☐ Redox Depressions (F8)

☐ 2 cm Muck (A10)

☐ Red Parent Material (TF2)

☐ Very Shallow Dark Surface (TF12)

☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and Wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if present):

Type:

Depth (inches):

Remarks:

Hydric Soil Present? Yes ☐ No ☒

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (min. of one required; check all that apply)

Secondary Indicators (2 or more required)

☐ Surface Water (A1)

☐ High Water Table (A2)

☐ Saturation (A3)

☐ Water Marks (B1)

☐ Sediment Deposits (B2)

☐ Drift Deposits (B3)

☐ Algal Mat or crust (B4)

☐ Iron Deposits (B5)

☐ Surface Soil Cracks (B6)

☐ Inundation Visible on Aerial Imagery (B7)

☐ Sparsely Vegetated Concave Surface (B8)

☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)

☐ Salt Crust (B11)

☐ Aquatic Invertebrates (B13)

☐ Hydrogen Sulfide Odor (C1)

☐ Oxidized Rhizospheres along Living Roots (C3)

☐ Presence of Reduced Iron (C4)

☐ Recent Iron Reduction in Tilled Soils (C6)

☐ Stunted or Stressed Plants (D1) (LRR A)

☐ Other (Explain in Remarks)

☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)

☐ Drainage Patterns (B10)

☐ Dry-Season Water Table (C2)

☐ Saturation Visible on Aerial Imagery (C9)

☐ Geomorphic Position (D2)

☐ Shallow Aquitard (D3)

☒ FAC Neutral Test (D5)

☐ Raised Ant Mounds (D6) (LRR A)

☐ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes ☐ No ☒ Depth (Inches):

Water Table Present? Yes ☐ No ☒ Depth (Inches):

Saturation Present? Yes ☐ No ☒ Depth (Inches):

(Includes Capillary fringe)

Wetland Hydrology Present? Yes ☐ No ☒

Describe Recorded Data (Stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:Hydrologic conditions within this Project Area were not typical for the time of year, as antecedent rainfall was determined to be wetter for the 3 months prior to the site visit.

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys and Coast Region

Project/Site: Kevanna Park Meadows City/County: Vancouver / Clark County Sampling Date: 6/29/22
 Applicant/Owner: Ginn Development State: WA Sampling Point: TP-4
 Investigator(s): Hastings, S.; Johnson, B. Section, Township, Range: S16, T2N, R2E
 Landform (hillslope, terrace, etc.): Terraces Local relief: (concave, convex, none): Convex Slope (%): 0-8%
 Subregion (LRR): LRRA Lat: 45.6545606 Long: -122.5662681 Datum: 83
 Soil Map Unit Name: Lauren gravelly loam, 0 to 8 percent slopes NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☐ No ☒ (If no, explain Remarks.)
 Are Vegetation ☐, Soil ☐, or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No ☐
 Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☐ No ☒ Hydric Soils Present? Yes ☒ No ☐ Wetland Hydrology Present? Yes ☐ No ☒	Is the Sampled Area within a Wetland? Yes ☐ No ☒
Remarks: This test plot was located within parcel 159850000, in the southern portion of the Project Area. This test plot met one wetland indicator, Depleted Matrix (F3); therefore, it does not meet the criteria of being a wetland. Hydrologic conditions within this Project Area were not typical for the time of year, as antecedent rainfall was determined to be wetter for the 3 months prior to the site visit.	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30</u> ft radius)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test Worksheet
1. _____	%			Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>4</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC <u>50</u> (A/B)
2. _____	%			
3. _____	%			
4. _____	%			
50% = ____ 20% = ____	%	=Total Cover		Prevalence Index worksheet Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1= _____ FACW species _____ x 2= _____ FAC species _____ x 3= _____ FACU species _____ x 4= _____ UPL species _____ x 5= _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A= _____
Sapling/Shrub Stratum (Plot size: <u>15</u> ft. radius)				
1. <u>Rosa nutkana</u>	10%	yes	FAC	
2. <u>Symphoricarpos albus</u>	5%	no	FACU	
3. _____	%			
4. _____	%			
5. _____	%			
50% = <u>8</u> 20% = <u>3</u>	15%	=Total Cover		
Herb Stratum (Plot size: <u>5</u> ft radius)				Hydrophytic Vegetation Indicators: ☐ 1 – Rapid Test for Hydrophytic Vegetation ☐ 2 – Dominance Test is >50% ☐ 3 - Prevalence Index is ≤3.0 ¹ ☐ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ☐ 5 - Wetland Non-Vascular Plants ¹ ☐ Problematic Hydrophytic Vegetation ¹ (Explain)
1. <u>Bromus arvensis</u>	30%	yes	UPL	
2. <u>Anthoxanthum odoratum</u>	30%	yes	FACU	
3. <u>Agrostis sp.*</u>	20%	yes	FAC	
4. <u>Leucanthemum vulgare</u>	5%	no	FACU	
5. <u>Prunella vulgaris</u>	5%	no	FACU	
6. <u>Parentucellia viscosa</u>	5%	no	FAC	
7. <u>Rumex acetosella</u>	5%	no	FACU	
8. _____	%			
9. _____	%			
10. _____	%			
11. _____	%			
50% = <u>50</u> 20% = <u>20</u>	100%	=Total Cover		
Woody Vine Stratum (Plot size: <u>15</u> ft radius)				¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. _____	%			
2. _____	%			
50% = ____ 20% = ____	%	=Total Cover		
% Bare Ground in Herb Stratum <u>0</u>%				Hydrophytic Vegetation Present? Yes ☐ No ☒
Remarks: * <i>Agrostis sp.</i> assumed FAC.				

SOIL

Sampling Point: TP-4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-9	10YR 4/2	40%		%			Silt loam	
	10YR 4/3	30%		%				
	10YR 3/3	30%		%				
9-16	10YR 2/1	85%	10YR 5/6	3%	C	M	Silt loam	
	10YR 6/4	12%		%				
		%		%				
		%		%				
		%		%				

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.²Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils

☐ Histosol (A1)

☐ Histic Epipedon (A2)

☐ Black Histic (A3)

☐ Hydrogen Sulfide (A4)

☐ Depleted Below Dark Surface (A11)

☐ Thick Dark Surface (A12)

☐ Sandy Mucky Minerals (S1)

☐ Sandy Gleyed Matrix (S4)

☐ Sandy Redox (S5)

☐ Stripped Matrix (S6)

☐ Loamy Mucky Mineral (F1) (except MLRA 1)

☐ Loamy Gleyed Matrix (F2)

☒ Depleted Matrix (F3)

☐ Redox Dark Surface (F6)

☐ Depleted Dark Surface (F7)

☐ Redox Depressions (F8)

☐ 2 cm Muck (A10)

☐ Red Parent Material (TF2)

☐ Very Shallow Dark Surface (TF12)

☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and Wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if present):

Type:

Depth (inches):

Remarks:

Hydric Soil Present? Yes☒ No☐

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (min. of one required; check all that apply)

Secondary Indicators (2 or more required)

☐ Surface Water (A1)

☐ High Water Table (A2)

☐ Saturation (A3)

☐ Water Marks (B1)

☐ Sediment Deposits (B2)

☐ Drift Deposits (B3)

☐ Algal Mat or crust (B4)

☐ Iron Deposits (B5)

☐ Surface Soil Cracks (B6)

☐ Inundation Visible on Aerial Imagery (B7)

☐ Sparsely Vegetated Concave Surface (B8)

☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)

☐ Salt Crust (B11)

☐ Aquatic Invertebrates (B13)

☐ Hydrogen Sulfide Odor (C1)

☐ Oxidized Rhizospheres along Living Roots (C3)

☐ Presence of Reduced Iron (C4)

☐ Recent Iron Reduction in Tilled Soils (C6)

☐ Stunted or Stressed Plants (D1) (LRR A)

☐ Other (Explain in Remarks)

☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)

☐ Drainage Patterns (B10)

☐ Dry-Season Water Table (C2)

☐ Saturation Visible on Aerial Imagery (C9)

☐ Geomorphic Position (D2)

☐ Shallow Aquitard (D3)

☐ FAC Neutral Test (D5)

☐ Raised Ant Mounds (D6) (LRR A)

☐ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes☐ No☒ Depth (Inches):

Water Table Present? Yes☐ No☒ Depth (Inches):

Saturation Present? Yes☐ No☒ Depth (Inches):

(Includes Capillary fringe)

Wetland Hydrology Present? Yes☐ No☒

Describe Recorded Data (Stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:Hydrologic conditions within this Project Area were not typical for the time of year, as antecedent rainfall was determined to be wetter for the 3 months prior to the site visit.

APPENDIX B: WETLAND RATING FORM

Wetland name or number A

RATING SUMMARY – Western Washington

Name of wetland (or ID #): Wetland A Date of site visit: 6/29/2022

Rated by S. Hastings Trained by Ecology? Yes Date of training 6-2022

HGM Class used for rating Depressional Wetland has multiple HGM classes? Y X N

NOTE: Form is not complete without the figures requested (*figures can be combined*).

Source of base aerial photo/map Google Earth

OVERALL WETLAND CATEGORY III (based on functions___or special characteristics___)

1. Category of wetland based on FUNCTIONS

_____ Category I – Total score = 23 – 27

_____ Category II – Total score = 20 – 22

X Category III – Total score = 16 – 19

_____ Category IV – Total score = 9 – 15

FUNCTION	Improving Water Quality	Hydrologic	Habitat	
<i>Circle the appropriate ratings</i>				
Site Potential	H <u>M</u> L	H <u>M</u> L	H M <u>L</u>	
Landscape Potential	H <u>M</u> L	H <u>M</u> L	H M <u>L</u>	
Value	<u>H</u> M L	H <u>M</u> L	<u>H</u> M L	TOTAL
Score Based on Ratings	7	6	5	18

**Score for each
function based
on three
ratings
(order of ratings
is not
important)**

9 = H,H,H

8 = H,H,M

7 = H,H,L

7 = H,M,M

6 = H,M,L

6 = M,M,M

5 = H,L,L

5 = M,M,L

4 = M,L,L

3 = L,L,L

2. Category based on SPECIAL CHARACTERISTICS of wetland

CHARACTERISTIC	CATEGORY
Estuarine	I II
Wetland of High Conservation Value	I
Bog	I
Mature Forest	I
Old Growth Forest	I
Coastal Lagoon	I II
Interdunal	I II III IV
None of the above	<u>N/A</u>

Wetland name or number A

Maps and figures required to answer questions correctly for Western Washington

Depressional Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	D 1.3, H 1.1, H 1.4	2
Hydroperiods	D 1.4, H 1.2	2
Location of outlet (<i>can be added to map of hydroperiods</i>)	D 1.1, D 4.1	2
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	D 2.2, D 5.2	8
Map of the contributing basin	D 4.3, D 5.3	9
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	9
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	D 3.1, D 3.2	10
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	D 3.3	10

Riverine Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Ponded depressions	R 1.1	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	R 2.4	
Plant cover of trees, shrubs, and herbaceous plants	R 1.2, R 4.2	
Width of unit vs. width of stream (<i>can be added to another figure</i>)	R 4.1	
Map of the contributing basin	R 2.2, R 2.3, R 5.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	R 3.1	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	R 3.2, R 3.3	

Lake Fringe Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	L 1.1, L 4.1, H 1.1, H 1.4	
Plant cover of trees, shrubs, and herbaceous plants	L 1.2	
Boundary of area within 150 ft of the wetland (<i>can be added to another figure</i>)	L 2.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	L 3.1, L 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	L 3.3	

Slope Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Plant cover of dense trees, shrubs, and herbaceous plants	S 1.3	
Plant cover of dense, rigid trees, shrubs, and herbaceous plants (<i>can be added to figure above</i>)	S 4.1	
Boundary of 150 ft buffer (<i>can be added to another figure</i>)	S 2.1, S 5.1	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and undisturbed habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	S 3.1, S 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	S 3.3	

HGM Classification of Wetlands in Western Washington

For questions 1-7, the criteria described must apply to the entire unit being rated.

If the hydrologic criteria listed in each question do not apply to the entire unit being rated, you probably have a unit with multiple HGM classes. In this case, identify which hydrologic criteria in questions 1-7 apply, and go to Question 8.

1. Are the water levels in the entire unit usually controlled by tides except during floods?

☒ NO – go to 2

YES – the wetland class is **Tidal Fringe** – go to 1.1

- 1.1 Is the salinity of the water during periods of annual low flow below 0.5 ppt (parts per thousand)?

NO – **Saltwater Tidal Fringe (Estuarine)**

YES – **Freshwater Tidal Fringe**

*If your wetland can be classified as a Freshwater Tidal Fringe use the forms for **Riverine** wetlands. If it is Saltwater Tidal Fringe it is an **Estuarine** wetland and is not scored. This method **cannot** be used to score functions for estuarine wetlands.*

2. The entire wetland unit is flat and precipitation is the only source (>90%) of water to it. Groundwater and surface water runoff are NOT sources of water to the unit.

☒ NO – go to 3

YES – The wetland class is **Flats**

*If your wetland can be classified as a Flats wetland, use the form for **Depressional** wetlands.*

3. Does the entire wetland unit **meet all** of the following criteria?

- ___ The vegetated part of the wetland is on the shores of a body of permanent open water (without any plants on the surface at any time of the year) at least 20 ac (8 ha) in size;
___ At least 30% of the open water area is deeper than 6.6 ft (2 m).

☒ NO – go to 4

YES – The wetland class is **Lake Fringe** (Lacustrine Fringe)

4. Does the entire wetland unit **meet all** of the following criteria?

- ___ The wetland is on a slope (*slope can be very gradual*),
___ The water flows through the wetland in one direction (unidirectional) and usually comes from seeps. It may flow subsurface, as sheetflow, or in a swale without distinct banks,
___ The water leaves the wetland **without being impounded**.

☒ NO – go to 5

YES – The wetland class is **Slope**

NOTE: Surface water does not pond in these type of wetlands except occasionally in very small and shallow depressions or behind hummocks (depressions are usually <3 ft diameter and less than 1 ft deep).

5. Does the entire wetland unit **meet all** of the following criteria?

- ___ The unit is in a valley, or stream channel, where it gets inundated by overbank flooding from that stream or river,
___ The overbank flooding occurs at least once every 2 years.

Wetland name or number A

NO – go to 6

YES – The wetland class is **Riverine**

NOTE: The Riverine unit can contain depressions that are filled with water when the river is not flooding

6. Is the entire wetland unit in a topographic depression in which water ponds, or is saturated to the surface, at some time during the year? *This means that any outlet, if present, is higher than the interior of the wetland.*

NO – go to 7

YES – The wetland class is **Depressional**

7. Is the entire wetland unit located in a very flat area with no obvious depression and no overbank flooding? The unit does not pond surface water more than a few inches. The unit seems to be maintained by high groundwater in the area. The wetland may be ditched, but has no obvious natural outlet.

NO – go to 8

YES – The wetland class is **Depressional**

8. Your wetland unit seems to be difficult to classify and probably contains several different HGM classes. For example, seeps at the base of a slope may grade into a riverine floodplain, or a small stream within a Depressional wetland has a zone of flooding along its sides. **GO BACK AND IDENTIFY WHICH OF THE HYDROLOGIC REGIMES DESCRIBED IN QUESTIONS 1-7 APPLY TO DIFFERENT AREAS IN THE UNIT** (make a rough sketch to help you decide). Use the following table to identify the appropriate class to use for the rating system if you have several HGM classes present within the wetland unit being scored.

NOTE: Use this table only if the class that is recommended in the second column represents 10% or more of the total area of the wetland unit being rated. If the area of the HGM class listed in column 2 is less than 10% of the unit; classify the wetland using the class that represents more than 90% of the total area.

HGM classes within the wetland unit being rated	HGM class to use in rating
Slope + Riverine	Riverine
Slope + Depressional	Depressional
Slope + Lake Fringe	Lake Fringe
Depressional + Riverine along stream within boundary of depression	Depressional
Depressional + Lake Fringe	Depressional
Riverine + Lake Fringe	Riverine
Salt Water Tidal Fringe and any other class of freshwater wetland	Treat as ESTUARINE

*If you are still unable to determine which of the above criteria apply to your wetland, or if you have **more than 2 HGM classes** within a wetland boundary, classify the wetland as Depressional for the rating.*

Wetland name or number A

DEPRESSIONAL AND FLATS WETLANDS		
Water Quality Functions - Indicators that the site functions to improve water quality		
D 1.0. Does the site have the potential to improve water quality?		
D 1.1. Characteristics of surface water outflows from the wetland: Wetland is a depression or flat depression (QUESTION 7 on key) with no surface water leaving it (no outlet). points = 3 Wetland has an intermittently flowing stream or ditch, OR highly constricted permanently flowing outlet. points = 2 Wetland has an unconstricted, or slightly constricted, surface outlet that is permanently flowing points = 1 Wetland is a flat depression (QUESTION 7 on key), whose outlet is a permanently flowing ditch. points = 1		3
D 1.2. The soil 2 in below the surface (or duff layer) is true clay or true organic (use NRCS definitions). Yes = 4 No = 0		0
D 1.3. Characteristics and distribution of persistent plants (Emergent, Scrub-shrub, and/or Forested Cowardin classes): Wetland has persistent, ungrazed, plants > 95% of area points = 5 Wetland has persistent, ungrazed, plants > ½ of area points = 3 Wetland has persistent, ungrazed plants > 1/10 of area points = 1 Wetland has persistent, ungrazed plants < 1/10 of area points = 0		3
D 1.4. Characteristics of seasonal ponding or inundation: <i>This is the area that is ponded for at least 2 months. See description in manual.</i> Area seasonally ponded is > ½ total area of wetland points = 4 Area seasonally ponded is > ¼ total area of wetland points = 2 Area seasonally ponded is < ¼ total area of wetland points = 0		2
Total for D 1		8

Rating of Site Potential If score is: 12-16 = H X 6-11 = M 0-5 = L Record the rating on the first page

D 2.0. Does the landscape have the potential to support the water quality function of the site?		
D 2.1. Does the wetland unit receive stormwater discharges?	Yes = 1 No = 0	0
D 2.2. Is > 10% of the area within 150 ft of the wetland in land uses that generate pollutants?	Yes = 1 No = 0	1
D 2.3. Are there septic systems within 250 ft of the wetland?	Yes = 1 No = 0	0
D 2.4. Are there other sources of pollutants coming into the wetland that are not listed in questions D 2.1-D 2.3?	Yes = 1 No = 0	0
Source		
Total for D 2		1

Rating of Landscape Potential If score is: 3 or 4 = H X 1 or 2 = M 0 = L Record the rating on the first page

D 3.0. Is the water quality improvement provided by the site valuable to society?		
D 3.1. Does the wetland discharge directly (i.e., within 1 mi) to a stream, river, lake, or marine water that is on the 303(d) list?	Yes = 1 No = 0	0
D 3.2. Is the wetland in a basin or sub-basin where an aquatic resource is on the 303(d) list?	Yes = 1 No = 0	1
D 3.3. Has the site been identified in a watershed or local plan as important for maintaining water quality (answer YES if there is a TMDL for the basin in which the unit is found)?	Yes = 2 No = 0	2
Total for D 3		3

Rating of Value If score is: X 2-4 = H 1 = M 0 = L Record the rating on the first page

Wetland name or number A

DEPRESSIONAL AND FLATS WETLANDS

Hydrologic Functions - Indicators that the site functions to reduce flooding and stream degradation

D 4.0. Does the site have the potential to reduce flooding and erosion?

D 4.1. Characteristics of surface water outflows from the wetland:

- | | | |
|---|------------|----------|
| Wetland is a depression or flat depression with no surface water leaving it (no outlet) | points = 4 | 4 |
| Wetland has an intermittently flowing stream or ditch, OR highly constricted permanently flowing outlet | points = 2 | |
| Wetland is a flat depression (QUESTION 7 on key), whose outlet is a permanently flowing ditch | points = 1 | |
| Wetland has an unconstricted, or slightly constricted, surface outlet that is permanently flowing | points = 0 | |

D 4.2. Depth of storage during wet periods: Estimate the height of ponding above the bottom of the outlet. For wetlands with no outlet, measure from the surface of permanent water or if dry, the deepest part.

- | | | |
|--|------------|----------|
| Marks of ponding are 3 ft or more above the surface or bottom of outlet | points = 7 | 3 |
| Marks of ponding between 2 ft to < 3 ft from surface or bottom of outlet | points = 5 | |
| Marks are at least 0.5 ft to < 2 ft from surface or bottom of outlet | points = 3 | |
| The wetland is a "headwater" wetland | points = 3 | |
| Wetland is flat but has small depressions on the surface that trap water | points = 1 | |
| Marks of ponding less than 0.5 ft (6 in) | points = 0 | |

D 4.3. Contribution of the wetland to storage in the watershed: Estimate the ratio of the area of upstream basin contributing surface water to the wetland to the area of the wetland unit itself.

- | | | |
|---|------------|----------|
| The area of the basin is less than 10 times the area of the unit | points = 5 | 3 |
| The area of the basin is 10 to 100 times the area of the unit | points = 3 | |
| The area of the basin is more than 100 times the area of the unit | points = 0 | |
| Entire wetland is in the Flats class | points = 5 | |

Total for D 4

Add the points in the boxes above

10

Rating of Site Potential If score is: 12-16 = H X 6-11 = M 0-5 = L

Record the rating on the first page

D 5.0. Does the landscape have the potential to support hydrologic functions of the site?

- | | | |
|---|----------------|----------|
| D 5.1. Does the wetland receive stormwater discharges? | Yes = 1 No = 0 | 0 |
| D 5.2. Is >10% of the area within 150 ft of the wetland in land uses that generate excess runoff? | Yes = 1 No = 0 | 1 |
| D 5.3. Is more than 25% of the contributing basin of the wetland covered with intensive human land uses (residential at >1 residence/ac, urban, commercial, agriculture, etc.)? | Yes = 1 No = 0 | 0 |

Total for D 5

Add the points in the boxes above

1

Rating of Landscape Potential If score is: 3 = H X 1 or 2 = M 0 = L

Record the rating on the first page

D 6.0. Are the hydrologic functions provided by the site valuable to society?

D 6.1. The unit is in a landscape that has flooding problems. Choose the description that best matches conditions around the wetland unit being rated. Do not add points. Choose the highest score if more than one condition is met.

The wetland captures surface water that would otherwise flow down-gradient into areas where flooding has damaged human or natural resources (e.g., houses or salmon redds):

- Flooding occurs in a sub-basin that is immediately down-gradient of unit.
- Surface flooding problems are in a sub-basin farther down-gradient.

Flooding from groundwater is an issue in the sub-basin.

points = 2
points = 1
points = 1

1

The existing or potential outflow from the wetland is so constrained by human or natural conditions that the water stored by the wetland cannot reach areas that flood. Explain why _____

points = 0

There are no problems with flooding downstream of the wetland.

points = 0

D 6.2. Has the site been identified as important for flood storage or flood conveyance in a regional flood control plan?

Yes = 2 No = 0

0

Total for D 6

Add the points in the boxes above

1

Rating of Value If score is: 2-4 = H X 1 = M 0 = L

Record the rating on the first page

Wetland name or number A

These questions apply to wetlands of all HGM classes.

HABITAT FUNCTIONS - Indicators that site functions to provide important habitat

H 1.0. Does the site have the potential to provide habitat?

H 1.1. Structure of plant community: *Indicators are Cowardin classes and strata within the Forested class. Check the Cowardin plant classes in the wetland. Up to 10 patches may be combined for each class to meet the threshold of ¼ ac or more than 10% of the unit if it is smaller than 2.5 ac. Add the number of structures checked.*

- | | | |
|---|----------------------------------|----------|
| ☐ Aquatic bed | 4 structures or more: points = 4 | 1 |
| ☐ Emergent | 3 structures: points = 2 | |
| ☒ Scrub-shrub (areas where shrubs have > 30% cover) | 2 structures: points = 1 | |
| ☒ Forested (areas where trees have > 30% cover) | 1 structure: points = 0 | |
| <i>If the unit has a Forested class, check if:</i> | | |
| ☐ The Forested class has 3 out of 5 strata (canopy, sub-canopy, shrubs, herbaceous, moss/ground-cover) that each cover 20% within the Forested polygon | | |

H 1.2. Hydroperiods

Check the types of water regimes (hydroperiods) present within the wetland. The water regime has to cover more than 10% of the wetland or ¼ ac to count (*see text for descriptions of hydroperiods*).

- | | | |
|--|-------------------------------------|----------|
| ☐ Permanently flooded or inundated | 4 or more types present: points = 3 | 1 |
| ☒ Seasonally flooded or inundated | 3 types present: points = 2 | |
| ☒ Occasionally flooded or inundated | 2 types present: points = 1 | |
| ☐ Saturated only | 1 type present: points = 0 | |
| ☐ Permanently flowing stream or river in, or adjacent to, the wetland | | |
| ☐ Seasonally flowing stream in, or adjacent to, the wetland | | |
| ☐ Lake Fringe wetland | 2 points | |
| ☐ Freshwater tidal wetland | 2 points | |

H 1.3. Richness of plant species

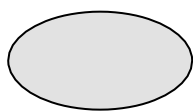
Count the number of plant species in the wetland that cover at least 10 ft².

*Different patches of the same species can be combined to meet the size threshold and you do not have to name the species. **Do not include Eurasian milfoil, reed canarygrass, purple loosestrife, Canadian thistle***

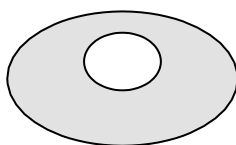
- | | | |
|------------------------------|------------|----------|
| If you counted: > 19 species | points = 2 | 1 |
| 5 - 19 species | points = 1 | |
| < 5 species | points = 0 | |

H 1.4. Interspersion of habitats

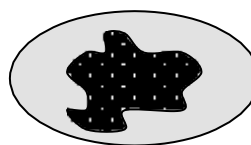
Decide from the diagrams below whether interspersions among Cowardin plants classes (described in H 1.1), or the classes and unvegetated areas (can include open water or mudflats) is high, moderate, low, or none. *If you have four or more plant classes or three classes and open water, the rating is always high.*



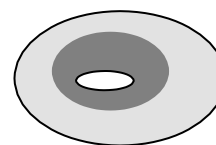
None = 0 points



Low = 1 point

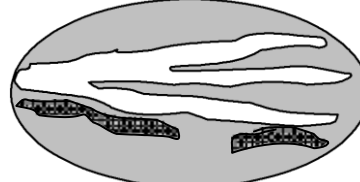
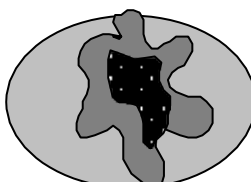
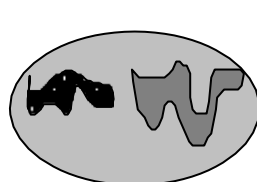


Moderate = 2 points



1

All three diagrams in this row are **HIGH = 3points**



Wetland name or number A

H 1.5. Special habitat features: Check the habitat features that are present in the wetland. <i>The number of checks is the number of points.</i> ☒ Large, downed, woody debris within the wetland (> 4 in diameter and 6 ft long). ☒ Standing snags (dbh > 4 in) within the wetland ☐ Undercut banks are present for at least 6.6 ft (2 m) and/or overhanging plants extends at least 3.3 ft (1 m) over a stream (or ditch) in, or contiguous with the wetland, for at least 33 ft (10 m) ☐ Stable steep banks of fine material that might be used by beaver or muskrat for denning (> 30 degree slope) OR signs of recent beaver activity are present (<i>cut shrubs or trees that have not yet weathered where wood is exposed</i>) ☐ At least ¼ ac of thin-stemmed persistent plants or woody branches are present in areas that are permanently or seasonally inundated (<i>structures for egg-laying by amphibians</i>) ☐ Invasive plants cover less than 25% of the wetland area in every stratum of plants (<i>see H 1.1 for list of strata</i>)		2
Total for H 1	Add the points in the boxes above	6

Rating of Site Potential If score is: 15-18 = H 7-14 = M X 0-6 = L

Record the rating on the first page

H 2.0. Does the landscape have the potential to support the habitat functions of the site?

H 2.1. Accessible habitat (include <i>only habitat that directly abuts wetland unit</i>). Calculate: % undisturbed habitat <u>0</u> + [(<u>3.8</u>% moderate and low intensity land uses)/2] <u>1.9</u> = <u>1.9</u>% If total accessible habitat is: > 1/3 (33.3%) of 1 km Polygon points = 3 20-33% of 1 km Polygon points = 2 10-19% of 1 km Polygon points = 1 < 10% of 1 km Polygon points = 0		0
H 2.2. Undisturbed habitat in 1 km Polygon around the wetland. Calculate: % undisturbed habitat <u>4.8</u> + [(<u>3.8</u>% moderate and <u>6.2</u>% low intensity land uses)/2] <u>5</u> = <u>9.8</u>% Undisturbed habitat > 50% of Polygon points = 3 Undisturbed habitat 10-50% and in 1-3 patches points = 2 Undisturbed habitat 10-50% and > 3 patches points = 1 Undisturbed habitat < 10% of 1 km Polygon points = 0		0
H 2.3. Land use intensity in 1 km Polygon: If > 50% of 1 km Polygon is high intensity land use points = (- 2) ≤ 50% of 1 km Polygon is high intensity points = 0		-2
Total for H 2	Add the points in the boxes above	-1

Rating of Landscape Potential If score is: 4-6 = H 1-3 = M X < 1 = L

Record the rating on the first page

H 3.0. Is the habitat provided by the site valuable to society?

H 3.1. Does the site provide habitat for species valued in laws, regulations, or policies? <i>Choose only the highest score that applies to the wetland being rated.</i> Site meets ANY of the following criteria: points = 2 ☒ It has 3 or more priority habitats within 100 m (see next page) ☐ It provides habitat for Threatened or Endangered species (any plant or animal on the state or federal lists) ☐ It is mapped as a location for an individual WDFW priority species ☐ It is a Wetland of High Conservation Value as determined by the Department of Natural Resources ☐ It has been categorized as an important habitat site in a local or regional comprehensive plan, in a Shoreline Master Plan, or in a watershed plan Site has 1 or 2 priority habitats (listed on next page) within 100 m points = 1 Site does not meet any of the criteria above points = 0		2
---	--	----------

Rating of Value If score is: X 2 = H 1 = M 0 = L

Record the rating on the first page

WDFW Priority Habitats

Priority habitats listed by WDFW (see complete descriptions of WDFW priority habitats, and the counties in which they can be found, in: Washington Department of Fish and Wildlife. 2008. Priority Habitat and Species List. Olympia, Washington. 177 pp. <http://wdfw.wa.gov/publications/00165/wdfw00165.pdf> Error! Hyperlink reference not valid. <http://wdfw.wa.gov/conservation/phs/list/>Error! Hyperlink reference not valid.

Count how many of the following priority habitats are within 330 ft (100 m) of the wetland unit: **NOTE:** *This question is independent of the land use between the wetland unit and the priority habitat.*

☐ **Aspen Stands:** Pure or mixed stands of aspen greater than 1 ac (0.4 ha).

☐ **Biodiversity Areas and Corridors:** Areas of habitat that are relatively important to various species of native fish and wildlife (*full descriptions in WDFW PHS report*).

☐ **Herbaceous Balds:** Variable size patches of grass and forbs on shallow soils over bedrock.

☐ **Old-growth/Mature forests:** Old-growth west of Cascade crest – Stands of at least 2 tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) > 32 in (81 cm) dbh or > 200 years of age. Mature forests – Stands with average diameters exceeding 21 in (53 cm) dbh; crown cover may be less than 100%; decay, decadence, numbers of snags, and quantity of large downed material is generally less than that found in old-growth; 80-200 years old west of the Cascade crest.

☒ **Oregon White Oak:** Woodland stands of pure oak or oak/conifer associations where canopy coverage of the oak component is important (*full descriptions in WDFW PHS report p. 158 – see web link above*).

☒ **Riparian:** The area adjacent to aquatic systems with flowing water that contains elements of both aquatic and terrestrial ecosystems which mutually influence each other.

☐ **Westside Prairies:** Herbaceous, non-forested plant communities that can either take the form of a dry prairie or a wet prairie (*full descriptions in WDFW PHS report p. 161 – see web link above*).

☒ **Instream:** The combination of physical, biological, and chemical processes and conditions that interact to provide functional life history requirements for instream fish and wildlife resources.

☐ **Nearshore:** Relatively undisturbed nearshore habitats. These include Coastal Nearshore, Open Coast Nearshore, and Puget Sound Nearshore. (*full descriptions of habitats and the definition of relatively undisturbed are in WDFW report – see web link on previous page*).

☐ **Caves:** A naturally occurring cavity, recess, void, or system of interconnected passages under the earth in soils, rock, ice, or other geological formations and is large enough to contain a human.

☐ **Cliffs:** Greater than 25 ft (7.6 m) high and occurring below 5000 ft elevation.

☐ **Talus:** Homogenous areas of rock rubble ranging in average size 0.5 - 6.5 ft (0.15 - 2.0 m), composed of basalt, andesite, and/or sedimentary rock, including riprap slides and mine tailings. May be associated with cliffs.

☒ **Snags and Logs:** Trees are considered snags if they are dead or dying and exhibit sufficient decay characteristics to enable cavity excavation/use by wildlife. Priority snags have a diameter at breast height of > 20 in (51 cm) in western Washington and are > 6.5 ft (2 m) in height. Priority logs are > 12 in (30 cm) in diameter at the largest end, and > 20 ft (6 m) long.

Note: All vegetated wetlands are by definition a priority habitat but are not included in this list because they are addressed elsewhere.

Wetland name or number A

CATEGORIZATION BASED ON SPECIAL CHARACTERISTICS

Wetland Type	Category
<i>Check off any criteria that apply to the wetland. Circle the category when the appropriate criteria are met.</i>	
SC 1.0. Estuarine wetlands Does the wetland meet the following criteria for Estuarine wetlands? — The dominant water regime is tidal, — Vegetated, and — With a salinity greater than 0.5 ppt Yes – Go to SC 1.1 No = Not an estuarine wetland	
SC 1.1. Is the wetland within a National Wildlife Refuge, National Park, National Estuary Reserve, Natural Area Preserve, State Park or Educational, Environmental, or Scientific Reserve designated under WAC 332-30-151? Yes = Category I No - Go to SC 1.2	Cat. I
SC 1.2. Is the wetland unit at least 1 ac in size and meets at least two of the following three conditions? — The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing, and has less than 10% cover of non-native plant species. (If non-native species are <i>Spartina</i> , see page 25) — At least ¾ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or un-grazed or unmowed grassland. — The wetland has at least two of the following features: tidal channels, depressions with open water, or contiguous freshwater wetlands. Yes = Category I No = Category II	Cat. I Cat. II
SC 2.0. Wetlands of High Conservation Value (WHCV) SC 2.1. Has the WA Department of Natural Resources updated their website to include the list of Wetlands of High Conservation Value? Yes – Go to SC 2.2 No – Go to SC 2.3 SC 2.2. Is the wetland listed on the WDNR database as a Wetland of High Conservation Value? Yes = Category I No = Not a WHCV SC 2.3. Is the wetland in a Section/Township/Range that contains a Natural Heritage wetland? http://www1.dnr.wa.gov/nhp/refdesk/datasearch/wnhpwetlands.pdf Error! Hyperlink reference not valid. Yes – Contact WNHP/WDNR and go to SC 2.4 No = Not a WHCV SC 2.4. Has WDNR identified the wetland within the S/T/R as a Wetland of High Conservation Value and listed it on their website? Yes = Category I No = Not a WHCV	Cat. I
SC 3.0. Bogs Does the wetland (or any part of the unit) meet both the criteria for soils and vegetation in bogs? <i>Use the key below. If you answer YES you will still need to rate the wetland based on its functions.</i> SC 3.1. Does an area within the wetland unit have organic soil horizons, either peats or mucks, that compose 16 in or more of the first 32 in of the soil profile? Yes – Go to SC 3.3 No – Go to SC 3.2 SC 3.2. Does an area within the wetland unit have organic soils, either peats or mucks, that are less than 16 in deep over bedrock, or an impermeable hardpan such as clay or volcanic ash, or that are floating on top of a lake or pond? Yes – Go to SC 3.3 No = Is not a bog SC 3.3. Does an area with peats or mucks have more than 70% cover of mosses at ground level, AND at least a 30% cover of plant species listed in Table 4? Yes = Is a Category I bog No – Go to SC 3.4 NOTE: If you are uncertain about the extent of mosses in the understory, you may substitute that criterion by measuring the pH of the water that seeps into a hole dug at least 16 in deep. If the pH is less than 5.0 and the plant species in Table 4 are present, the wetland is a bog. SC 3.4. Is an area with peats or mucks forested (> 30% cover) with Sitka spruce, subalpine fir, western red cedar, western hemlock, lodgepole pine, quaking aspen, Engelmann spruce, or western white pine, AND any of the species (or combination of species) listed in Table 4 provide more than 30% of the cover under the canopy? Yes = Is a Category I bog No = Is not a bog	Cat. I

Wetland name or number A

SC 4.0. Forested Wetlands Does the wetland have at least <u>1 contiguous acre</u> of forest that meets one of these criteria for the WA Department of Fish and Wildlife's forests as priority habitats? <i>If you answer YES you will still need to rate the wetland based on its functions.</i> — Old-growth forests (west of Cascade crest): Stands of at least two tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) that are at least 200 years of age OR have a diameter at breast height (dbh) of 32 in (81 cm) or more. — Mature forests (west of the Cascade Crest): Stands where the largest trees are 80- 200 years old OR the species that make up the canopy have an average diameter (dbh) exceeding 21 in (53 cm). Yes = Category I No = Not a forested wetland for this section	Cat. I
SC 5.0. Wetlands in Coastal Lagoons Does the wetland meet all of the following criteria of a wetland in a coastal lagoon? — The wetland lies in a depression adjacent to marine waters that is wholly or partially separated from marine waters by sandbanks, gravel banks, shingle, or, less frequently, rocks — The lagoon in which the wetland is located contains ponded water that is saline or brackish (> 0.5 ppt) during most of the year in at least a portion of the lagoon (<i>needs to be measured near the bottom</i>) Yes – Go to SC 5.1 No = Not a wetland in a coastal lagoon SC 5.1. Does the wetland meet all of the following three conditions? — The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing), and has less than 20% cover of aggressive, opportunistic plant species (see list of species on p. 100). — At least ¾ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or un-grazed or unmowed grassland. — The wetland is larger than 1/10 ac (4350 ft²) Yes = Category I No = Category II	Cat. I Cat. II
SC 6.0. Interdunal Wetlands Is the wetland west of the 1889 line (also called the Western Boundary of Upland Ownership or WBUO)? <i>If you answer yes you will still need to rate the wetland based on its habitat functions.</i> In practical terms that means the following geographic areas: - X Long Beach Peninsula: Lands west of SR 103 — Grayland-Westport: Lands west of SR 105 — Ocean Shores-Copalis: Lands west of SR 115 and SR 109 Yes – Go to SC 6.1 No = not an interdunal wetland for rating SC 6.1. Is the wetland 1 ac or larger and scores an 8 or 9 for the habitat functions on the form (rates H,H,H or H,H,M for the three aspects of function)? Yes = Category I No – Go to SC 6.2 SC 6.2. Is the wetland 1 ac or larger, or is it in a mosaic of wetlands that is 1 ac or larger? Yes = Category II No – Go to SC 6.3 SC 6.3. Is the unit between 0.1 and 1 ac, or is it in a mosaic of wetlands that is between 0.1 and 1 ac? Yes = Category III No = Category IV	Cat I Cat. II Cat. III Cat. IV
Category of wetland based on Special Characteristics If you answered No for all types, enter "Not Applicable" on Summary Form	N/A

Wetland name or number A

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BANK USE PLAN

August 18, 2022



Kevanna Park Meadows *Vancouver/Clark County, WA*

Prepared for
Ginn Development
502 NE 72nd Street
(360)-608-6026

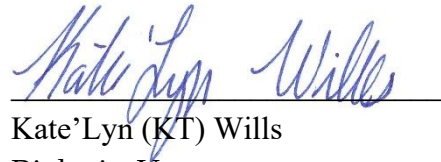
Prepared by
Ecological Land Services
1157 3rd Avenue, Suite 220A • Longview, WA 98632
(360) 578-1371 • Project Number 2671.30

SIGNATURE PAGE

The information and data in this report were compiled and prepared under the supervision and direction of the undersigned.

A handwritten signature in blue ink, reading "Sara Hastings", written over a horizontal line.

Sara Hastings
Biologist I

A handwritten signature in blue ink, reading "Kate'Lyn Wills", written over a horizontal line.

Kate'Lyn (KT) Wills
Biologist V

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RESPONSIBLE PARTIES

APPLICANT

Ginn Development
Attn: Chad Stewart
502 NE 72nd Street
Vancouver, WA 98665
Chad@ginngroup.com
(360) 608-6026

PROPERTY OWNER

Affinity Vancouver Manager, LLC
120 W Cataldo Ave, STE 100
Spokane, WA 99201

MITIGATION BANK

Terrace Mitigation Bank, LLC
Contact: Neil Pedersen
7408 NE 113th Circle
Vancouver, WA 98662
neil.pedersen@rotschyinc.com
(360) 334-3100

PROJECT ENGINEER

PLS Engineering
Attn: Jason Taylor
604 W. Evergreen Blvd.
Vancouver, WA 98660
jason@plsengineering.com
(360) 944-6519

ENVIRONMENTAL CONSULTANT

Ecological Land Services, Inc.
Attn: Sara Hastings, Biologist
1157 3rd Avenue, Suite 220A
Longview, Washington 98632
sara@eco-land.com
(360) 578-1371

INTRODUCTION

Ecological Land Services, Inc. (ELS) prepared this Bank Use Plan on behalf of the applicant, Ginn Development, for the development of a 33-lot planned development of single-family detached homes in the City of Vancouver (CoV), Clark County, Washington. The approximately 6-acre project site is located within a portion of Section 16, Township 2 North, Range 2 East, of the Willamette Meridian (Figure 1).

The project will result in 0.106 acres (4,625 sq. ft.) of indirect Category III wetland impacts. Mitigation will consist of purchasing 0.053 credits from the Terrace Mitigation Bank (TMB) to:

- 1) Compensate for indirect wetland impacts to a Category III wetland and
- 2) Ensure no net loss of ecological functions

This Bank Use Plan was prepared according to the City of Vancouver Municipal Code (VMC), *Chapter 20.740 Critical Areas Protection* (2021), the Interagency Review Team (IRT) for Washington State's Guidance Paper, *Using Credits from Wetland Mitigation Banks: Guidance to Applicants on Submittal Contents for Bank Use Plans* (2009), the Washington State Department of Ecology (Ecology) *Wetland Mitigation in Washington State* (2006), and the U.S. Army Corps of Engineers' (Corps) *Compensatory Mitigation for Losses of Aquatic Resources* (33 C.F.R. §332 (2008)).

PROPOSED DESCRIPTION

PROJECT LOCATION

The project site consists of Clark County Tax Parcel 159850000 located at the terminus of NE 46th Street, in Vancouver, Washington. The approximately 6-acre project site is located within a portion of Section 16, Township 2 North, Range 2 East, of the Willamette Meridian (Figure 1).

PROPOSED DEVELOPMENT

The applicant is proposing the development of a 33-lot planned development for single-family detached homes. This will require clearing, grading, leveling of the site, installing utilities, constructing a stormwater facility, frontage street improvements, constructing a 4-foot wide pervious walking path (wood chips), and a required road extension/alignment of NE 46th Street per the City of Vancouver (CoV). Construction activities associated with the road extension and alignment of NE 46th Street, and the pedestrian sidewalk will result in a total of 0.106 acres (4,625 sq. ft.) of indirect wetland impacts due to insufficient buffer width (Figure 3). Due to the proposed development adjacent to the wetland and buffer consisting of public sidewalks, permanent fencing will be installed to discourage disturbance of the wetland buffer from human and pet use. Additionally, signage that reads "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" will be placed every 50 feet along the permanent fencing.

Additional critical area impacts from the proposed development of single-family homes includes impacts to the riparian buffer (RB) of Burnt Bridge Creek and one Oregon white oak that must be removed to install the required NE 46th Street extension and alignment. Mitigation for the RB and

Oregon white oak impacts will include onsite enhancement. For more information regarding RB and oak impacts and onsite mitigation, please refer to *Kevanna Park Meadows Critical Areas Report and Stream Mitigation Plan* (ELS 2022).

Further wetland impacts will be avoided and minimized by utilizing best management practices (BMPs) including installing silt fencing along the outer buffer boundary, applying native grass seed to disturbed areas not being paved when grading is complete, and making a water truck available to prevent dust blowing during construction. The development area will be cleared of vegetation and levelled prior to construction. Additional BMPs are discussed in the *Avoidance and Minimization Section* of the *Kevanna Park Meadows Critical Areas Report and Stream Mitigation Plan* (ELS 2022). Construction is anticipated to start upon receipt of permits.

EXISTING CONDITIONS

EXISTING AND SURROUNDING LAND USES

The 6-acre site is zoned as “Low Density Residential-6du/ac (R-6)”. The project site is currently vacant containing no structures and is accessed at the terminus of NE 46th Street. The topography of the site is generally flat, but slopes down from east to west dropping approximately nine feet in elevation. Burn Bridge Creek, a Type F (fish bearing) stream, flows westerly along the northern parcel boundary and continues offsite. Flow was evident during the site visit on June 29, 2022. The stream channel is approximately five feet wide and two feet below the top of the bank (Figure 2). One wetland, Wetland A, was delineated in the central eastern portion of the site within a topographic depression. Wetland A is composed of forested and scrub-shrub vegetation communities and has no discernible outlet, receiving the majority of its hydrology from runoff originating from uplands. The project site consists mainly of pasture grass that is mowed annually, with scrub-shrub and herbaceous vegetation along the stream at the northern property boundary and forested with scrub-shrub vegetation within the wetland. Additionally, an existing trail circumnavigates the project site. The properties to the north and northeast contain an apartment complex with 100 or more units and Kevanna Park. Properties to the east and south of the project site consist of single-family residences, while the site is bordered to the west by Highway Interstate 205 (I-205) and I-205 Exit to NE 122nd Ave (Figure 2).

LANDSCAPE POSITION

The Washington State Department of Ecology’s Water Quality Atlas maps the project site in Watershed Resource Inventory Areas (WRIA) 28-Salmon-Washougal within the Burnt Bridge Creek 12-digit Hydrologic Unit Code (HUC): 170800030101. The project site lies within the service area of TMB, and approximately 2.5 miles southwest of the TMB location.

CRITICAL AREAS DESCRIPTIONS

ELS completed a critical areas assessment for the project site on June 29, 2022, to make determinations about the presence or absence of critical areas. ELS delineated one wetland and identified five Oregon white oaks. PLS Engineering determined the ordinary high water mark (OHWM) of Burnt Bridge Creek and mapped the driplines of the oaks. All critical areas flagging was surveyed by PLS Engineering. For details regarding existing conditions of Burnt Bridge Creek and the Oregon white oak, please refer to *The Kevanna Park Meadows Critical Areas Report and Stream Buffer Mitigation Plan* (ELS 2022).

Wetland A

Wetland A is a Category III forested and scrub-shrub, depressional wetland totaling approximately 0.118 acres. The wetland/upland boundary is characterized by an obvious change in vegetation and in elevation. The wetland vegetation onsite is dominated by quaking aspen, Oregon ash, Nootka rose, slough sedge, curly dock, and reed canarygrass. Wetland hydrology likely comes from a shallow groundwater table, runoff, and precipitation. Hydroperiods include seasonally flooded and occasionally flooded. According to the *Washington State Wetland Rating System for Western Washington: 2014 Update* (Rating System); Wetland A is a Category III wetland with 18 points; scoring 7 points for water quality functions, 6 points for hydrologic functions, and 5 points for habitat functions.

Wetland Buffers

Standard wetland buffers are based on wetland category and habitat function score from the Rating System in conjunction with the proposed land use intensity (VMC 20.740.140(C)(1)(b)). Wetland A is a Category III wetland with a low habitat score of 5. According to VMC Table 20.740.140-5, Category III wetlands with a low habitat score and a proposed high intensity land use are determined to have an 80-foot buffer. Table 1 summarizes the wetland onsite.

Table 1. Summary of Wetlands Onsite.

Critical Area	Category¹/Cowardin²/ HGM³	Size/Canopy Area	Buffer Width⁴
Wetland A	III/Forested, Scrub-shrub/Depressional	0.118 acres (5,143 sq. ft.)	80 feet

¹Hruby 2014, ²Cowardin et al. 1979, ³NRCS 2008, ⁴VMC Table 20.740.140-5

AVOIDANCE AND MINIMIZATION OF IMPACTS

This plan describes a series of measures that will be implemented to avoid, minimize, and compensate for indirect impacts to wetland A. Allowed uses and activities within the wetland and wetland buffer per VMC discussed in this report include:

- Direct impacts to Wetland A are completely avoided.
- Indirect impacts to Wetland A are minimized to the greatest extent practicable through the implementation of best management practices (BMPs).
- Indirect impacts to Wetland A will be satisfied by purchasing 0.053 bank credits at Terrace Mitigation Bank.

Avoidance Measures

Avoiding impacts to critical areas and priority habitat were the primary consideration during the project's design. Indirect wetland impacts to Wetland A could not be completely avoided due to the required road construction and alignment per the City of Vancouver. The proposed lot layout for the buildings has gone through several revisions to avoid direct wetland impacts. All impacts that could not be avoided during the design process can be fully compensated to result in no net loss of ecological function.

Minimization Measures

In addition to the avoidance measures made possible by the preliminary lot redesign, the following minimization measures and BMPs will further reduce impacts to the wetland and minimize habitat disruption beyond the extent required to undertake the proposal. The minimization measures are as follows:

- Install temporary construction fencing as needed around the mitigation and construction areas.
- Install permanent fencing between the sidewalk and the wetland buffer.
- Grading to occur during the dry season to minimize surface runoff.
- Best management practices, including, applying native grass seed to temporarily disturbed areas, stabilizing work area entrances via installation of gravel, and making a water truck available to prevent wind erosion and dust blowing during construction.
- Buffer reduction techniques have been implemented to minimize indirect impacts to Wetland A.
- Road runoff associated with the proposed road construction will be routed to the proposed stormwater facility onsite.
- Permanent fencing will be installed after construction along Wetland A's buffer, and signs will be installed at 50-foot intervals affixed to the fencing that will read, "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" according to VMC 20.740.140(C)(1)(c)(iv).

Compensation Measures

To reduce the total indirect wetland impacts, the wetland buffer will be reduced as allowed by the VMC. The land use intensity will be reduced from high to moderate through site design measures, translating to a buffer reduction from 80 feet down to 60 feet per VMC 20.740.140 (C)(1)(b)(iii)(B). To accommodate the required road construction, indirect wetland impacts are unavoidable. A total of 0.106 acres (4,625 sq ft) indirect impacts to Wetland A are proposed due to insufficient buffer width (Figure 3). The applicant proposes that mitigation for indirect wetland impacts will be satisfied by purchasing 0.053 credits at Terrace Mitigation Bank.

UNAVOIDABLE WETLAND IMPACT ACREAGE

The installation of NE 46th Avenue will result in 0.106 acres (4,625 sq. ft.) of indirect wetland impacts to Wetland A due to insufficient buffer width (Figure 3). All indirect wetland impacts will be compensated for via credit purchase at the Terrace Mitigation Bank. Table 4 summarizes proposed critical area impacts.

Table 2. Summary of Critical Area Impacts.

Critical Area	Category ¹ / Cowardin Class ² / HGM Class ³	Impact Type	Impact Amount
Wetland A	III/Forested, Scrub-shrub/Depressional	Indirect	0.106 acres (4,625 sq. ft.)

¹Hruby 2014, ²Cowardin et al. 1979, ³NRCS 2008

IMPACTED WETLAND FUNCTIONS

Wetland functions were assessed based on the Rating System. Indirect impacts as described in Table 2 will result in a loss of available habitat area and reduced wetland functions. Wetlands and their buffers provide habitat opportunity for forage, refuge, mobility, and thermal protection. Additionally, buffers help screen the wetland from adjacent developments blocking noise, providing visual separation, and providing protection from other human disturbances (Castelle et al 1992). Depressional wetlands provide groundwater detention functions, and their buffers help reduce impacts to wetland functions by moderating the effects of stormwater runoff, stabilizing soil to prevent erosion, filtering runoff, and moderating water level fluctuations. The remaining buffer surrounding Wetland A will continue to provide some screening from surrounding development, and because direct wetland fill was avoided, Wetland A will continue to provide groundwater recharge and detention functions.

Water Quality Functions

Wetland A provides a moderate level of water quality functions because Wetland A has no outlet and has persistent ungrazed plants covering greater than half the area. Greater than 10 percent of the area within 150 feet of the wetland generates pollutants. The wetland has a moderate value to society due to its ability to improve water quality because of an aquatic resource in the basin on the 303(d) list. Additionally, there is a total maximum daily load (TMDL) in development for the site. Vegetation onsite consists of regularly mowed grasses which have a low potential to slow the velocity of surface runoff, therefore indirect wetland impacts resulting from insufficient buffer width will be minimal. Best management practices will be in place prior to construction to prevent sedimentation or other water-quality impacts to Wetland A.

Hydrologic Functions

Wetland A provides a moderate level of hydrologic functions due to the wetland having greater than a quarter of the area within the contributing basin where land uses generate excess surface runoff. A change to hydroperiods in Wetland A is unlikely as runoff from the surrounding uplands is not Wetland A's main source of hydrology and the groundwater table will continue to support wetland hydrology. Surface flooding problems are known to exist in a sub-basin farther down-gradient.

Habitat Functions

Wetland A has a low potential to provide wildlife habitat due to being comprised of only two Cowardin classes and having only two hydroperiods: seasonally flooded and occasionally flooded. Additionally, Wetland A has a moderate richness of plant species and a low interspersions of habitats which reduces the number of available ecological niches. The proposed development will result in minimal habitat function loss as accessibility of habitat provided by the wetland and its buffer to other wetlands or forested areas in the local vicinity is limited by the adjacent highway, community park, residential land uses, and paved roads that decrease the suitability for different guilds of wildlife. Fauna that likely occur on the project site include birds and rodents. The landscape potential is low due to the degree of accessibility of adjacent undisturbed habitat.

MITIGATION SITE SELECTION RATIONALE

The wetland proposed for impact is located within the service area for the Terrace Mitigation Bank. The project site is located approximately 2.5 miles southwest of the Bank site near the central portion of the Burnt Bridge Creek watershed (Figure 4). The proposed indirect wetland impacts lie within the Middle Burnt Bridge Creek sub-watershed which is within the central portion of the service area. The 0.106 acres of proposed indirect wetland impacts will be mitigated by purchasing credits from Terrace Mitigation Bank at ratios specified in the Terrace Mitigation Bank's Mitigation Banking Instrument (MBI) for impacts to Category III wetlands (2017).

Rationale for selecting this mitigation bank is as follows:

- The development project does not propose impacts to critical wetland functions that should be replaced onsite. The impacted habitat functions can be fully replaced within the Bank site.
- The wetland mitigation needs of the project correspond directly with the purpose, goals, and objectives of the Bank, as the general Bank goal is to restore approximately 89.15 acres of self-sustaining, diverse forest, scrub-shrub, and emergent wetland habitat. This restoration will be accomplished through re-establishment of a native emergent wetland plant community, and re-establishment of hydrology through the disabling of the drain tiles throughout the Bank site.

The 2008 *Compensatory Mitigation for Losses of Aquatic Resources, Final Rule* (Corps) recommends purchasing mitigation bank credits for ecological considerations (lower risk of failure and lower temporal loss of resources and services) and to avoid the maintenance and contingency issues and outright failures that often accompany permittee-responsible mitigation sites. Use of the Terrace Mitigation Bank substantially lowers the risk of failure and temporal loss of resource functions and services over newly established, permittee-responsible mitigation sites. Offsite mitigation will be more meaningful and beneficial to the watershed. As described below, the functional lift anticipated in the Terrace Mitigation Bank will adequately compensate for any wetland or buffer functions lost by this project.

WETLAND FUNCTIONS PROVIDED AT MITIGATION BANK

The general goal of the Bank is to restore approximately 89.15 acres of self-sustaining, diverse forest, scrub-shrub, and emergent wetland habitat, similar to pre-agricultural conditions.

The primary ecological goals of Terrace Mitigation Bank consist of:

- Re-establishing hydrology through the disabling of the drain tiles throughout the site;
- Establishing a native historic forested, scrub-shrub, and emergent wetland plant community in re-established and rehabilitated wetland areas;
- Establishing a native upland scrub-shrub plant community in the upland buffer area within the BPA easement;
- Reshaping of incised stream banks to reconnect the stream to its floodplain and existing wetlands;
- Enhancement of the riparian area along Burnt Bridge Creek by removing invasive species and planting native trees and shrubs to increase shading and lower water temperatures, and provide improved habitat structure and diversity;

- Removing an existing culvert crossing at the west property boundary to improve stream flow, and;
- Removing existing invasive species and preventing the establishment of invasive species throughout the Bank site.

A wetland functions assessment was performed for the Bank, which was based on the water quality, hydrology, and habitat functions identified in the *Rating System* (Hruby 2014).

Water Quality

Water quality functions will be significantly improved over current conditions by replacing the existing disturbed wetland vegetation with forested, scrub-shrub, and emergent persistent vegetation that can trap sediments and pollutants, and the increased inundation resulting from disabling the drain tiles will increase the wetland's ability to provide denitrification.

Additionally, the Bank site itself directly contributes agricultural runoff high in sediment and herbicides. Establishment of the Bank will allow onsite agricultural practices to cease, eliminating the potential for chemical contaminants to enter the downstream watershed from the site. The resulting overall score for the wetland unit improving water quality functions is high (9 points), which reflects a 3 point increase over baseline conditions.

Hydrology

Currently, groundwater, runoff, and flood water from Burnt Bridge Creek within the Bank site is quickly and effectively conveyed downstream through the extensive drain tile system. Once the drain tiles are disabled, water will be impounded for a much longer duration than current conditions, and groundwater storage will be increased, improving the site's hydrologic function. This will supplement summer base flows within Burnt Bridge Creek, buffer peak flows during flood events, reduce offsite flooding, reduce erosion, provide temperature regulation within the Burnt Bridge Creek during the summer, and recharge groundwater.

By increasing groundwater levels at the Bank site through disabling drain tiles, it will have an effect of "mounding" the groundwater. This adds downward pressure on the groundwater as well as increased storage due to the highly absorbent peat soils. Therefore, it should not be assumed that a groundwater elevation increase at the Bank site only benefits Burnt Bridge Creek Watershed hydrologically. Once the tiles are disabled, the flow path of the shallower groundwater will not only be lateral to Burnt Bridge Creek but also vertical and downward to the larger aquifer within the Upper Troutdale Formation (that bisects and discharges to both Burnt Bridge Creek and Lacamas Watersheds), thus providing hydrological improvements to areas well outside of the Bank boundary. The resulting overall score for the wetland unit improving hydrologic functions is moderately high (7 points), which reflects a 3 point increase over baseline conditions.

Wildlife Habitat

The majority of the Bank site currently contains limited habitat for wildlife. The wetlands onsite are low quality wetlands within managed agricultural fields. Within the Bank site, Burnt Bridge Creek consists of a ditched, incised channel with very little native riparian vegetation, and provides less than ideal conditions for resident fish. The Oregon white oak woodland adjacent to the northeast portion of the Bank provides some adjacent priority habitat for the Bank, but this habitat

has been impacted by the construction of residential and commercial structures and associated impervious surfaces, invasive species, and competition and succession by Douglas-fir (*Pseudotsuga menziesii*). The woodland area is currently disconnected from the existing wetlands by the historic and existing agricultural use of the majority of the Bank site.

The site plan will provide diverse wetland habitat for a variety of large and small mammals, song birds, waterfowl, amphibians, and insects. The addition of trees and shrubs along Burnt Bridge Creek will provide temperature regulation, cover, leaf litter, all important to the overall health of the stream system. Large woody material incorporated within the Bank site, in the form of horizontal logs and snags, and habitat features such as bird boxes and perch poles will provide additional areas for perching and nesting habitat for avian species. The resulting overall score for the wetland unit providing wildlife habitat functions is moderately high (7 points), which reflects a 2 point increase over baseline conditions.

ANTICIPATED FUNCTIONAL LIFT

The Bank site will re-establish high quality wetlands and associated wildlife habitat where there is currently a mostly barren, drained agricultural field, providing for significant overall functional lift. Wetlands onsite are expected to be rated as Category I wetlands post-construction (20 years following final mitigation site work and plantings, in contrast to the majority of onsite wetlands which are currently considered Category IV wetlands. The overall functional lift (an increase of 7 to 8 wetland rating points) provided by the post-construction wetlands is reflected in the change (lift) in wetland rating score from the baseline conditions of the four existing Category III, and fourteen Category IV wetlands with the post-construction wetlands scoring 23 points (Category I wetland), and the existing wetlands scoring 15 or 16 total points (Category IV or Category III wetland).

The Bank site location within the landscape and overall design will provide a significant ecological benefit not only to the immediate, surrounding area, but throughout a large portion of the watershed. The post-construction Bank site will consist of a forested, scrub-shrub, and emergent depressional flow-through wetland system that contain the headwaters of a perennial stream. As a whole, the Bank site will provide variety of water regimes, vegetation interspersions, and habitat features which will provide diverse habitat opportunity for wildlife. The re-established wetlands will also increase flood storage, improve water quality, help prevent downstream erosion, recharge groundwater to supplement low summer flows and keep summer water temperatures cooler, similar to pre-agricultural conditions.

WETLAND FUNCTIONS NOT MITIGATED AT MITIGATION BANK

The Bank site is designed to have an overall functional lift in all its baseline water quality, hydrology, and habitat functions over time raising them from their existing low moderate to high functions. Terrace Mitigation Bank will adequately mitigate for all habitat functions permanently impacted by the proposed development of 33 residential lots and required road construction/alignment.

PROPOSED MITIGATION CREDITS

Table 3 is taken from the Terrace Mitigation Bank MBI and lists the recommended credit ratios for purchasing credits based on the impacted resource category.

Table 3. Credits Recommended for Wetland and Buffer Impacts at TMB.

Resource Impact	Bank Credits: Impact Area
Category I Wetland	Case-by-case
Category II Wetland	1.2:1
Category III Wetland	1:1
Category IV Wetland	0.85:1
Critical Area Buffer	Case-by-case

Per Table 3, direct impacts to a Category III wetland are to be mitigated at a 1:1 ratio. For the 0.106 acres of indirect impacts due to insufficient buffer width, a multiplier of 50 percent (0.50:1) is proposed based on the rationale that indirect impacts can be adequately compensated for by using 50 percent of the banks required ratio for direct wetland impacts. Indirect impacts adversely affect the ability of a wetland to provide functions and values which the wetland provided prior to disturbance. Examples are changes in drainage characteristics, changes in water levels, and changes in wetland characteristics. Direct impacts result in immediate changes of hydrological characteristics of a wetland, loss of habitat, loss of flood storage, and loss of nutrient removal or retention. Indirect impacts do not result in these immediate changes, therefore mitigating at 50 percent of the Bank's required ratio for direct impacts is reasonable and scientifically sound. This bank use plan proposes to purchase a total of 0.053 Bank credits to compensate for 0.106 acres of indirect impacts to a Category III wetland. Purchasing 0.053 credits will fully compensate for the proposed indirect impacts and ensure there is no net loss of ecological function. Table 4 details the mitigation ratios used to calculate the number of Bank credits needed to compensate for project impacts.

Table 4. Mitigation Bank Credits Proposed for Project Impacts.

Impacted Resource	Impact Type	Impact Area	Bank Ratio	Impact Multiplier	Proposed Credit Purchase ¹
Category III Wetland A	Permanent /Indirect	0.106 acres (4,625 sq. ft.)	1:1	0.50	0.053

¹ Credit purchase based on acreage totals

CREDIT PURCHASE OR TRANSFER TIMING

Ginn Development will enter into a Buy/Sell Agreement with Terrace Mitigation Bank for purchasing mitigation credits as specified in Table 4 to appropriately mitigate for the proposed project impacts. The actual purchase of credits will occur following permit issuance, and prior to project impacts from the development. In no case shall credits be applied (e.g. debited from the bank) to a receiving (impact) project unless and until permits have been issued for the underlying

activity by the agencies with jurisdiction. Nothing in the mitigation credit Purchase Agreement shall be interpreted or construed to permit any activity that otherwise requires a federal, state, and/or local permit.

CONFIRMATION OF MITIGATION CREDIT AVAILABILITY

Terrace Mitigation Bank, LLC, the Bank Sponsor, has met all the required terms and conditions for the release of mitigation credits from the Terrace Mitigation Bank. Proof of the current number of available mitigation credits at the Terrace Mitigation Bank site can be confirmed by approving agency(s) through the Interagency Review Team.

Interagency Review Team contact information:

Kate Thompson

Washington Department of Ecology
Shorelands and Environmental Assistance
Program
P.O. Box 47600
Olympia, WA 98504
(360) 407-6749
kate.thompson@ecy.wa.gov

Suzanne Anderson

US Army Corps of Engineers
Regulatory Branch, Seattle District
PO Box 3755
Seattle, WA 98124
206-764-3708
Suzanne.L.Anderson@usace.army.mil

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FIGURES

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WASHINGTON

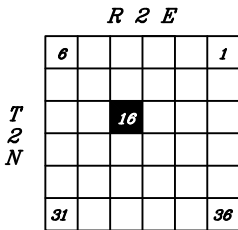


PROJECT SITE

Latitude: 45.6553°

Longitude: -122.5664°

LOCATION MAP



NOTE:

Quadrangle topographic map from USGS.

PROJECT VICINITY MAP



BANK SITE

PROJECT SITE

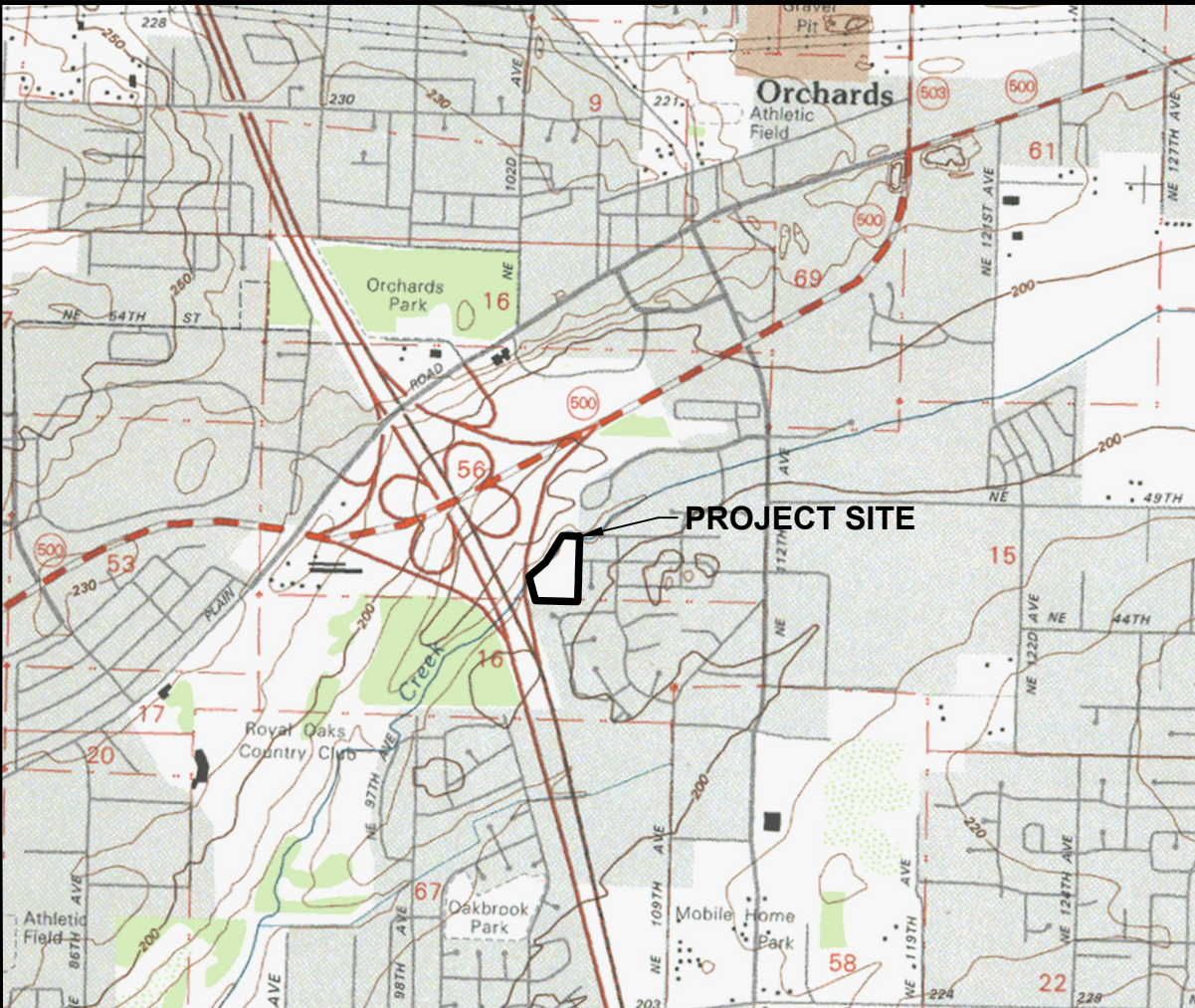


Figure 1

VICINITY MAP

Kavanaugh Park Meadows

Ginn Development

City of Vancouver, Clark County, Washington
Section 16, Township 2N, Range 2E, W.M.

DATE: 8/18/22

DWN: JKJ

REQ. BY: SH

PRJ. MGR: SH

CHK: LH

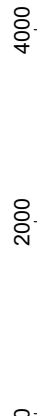
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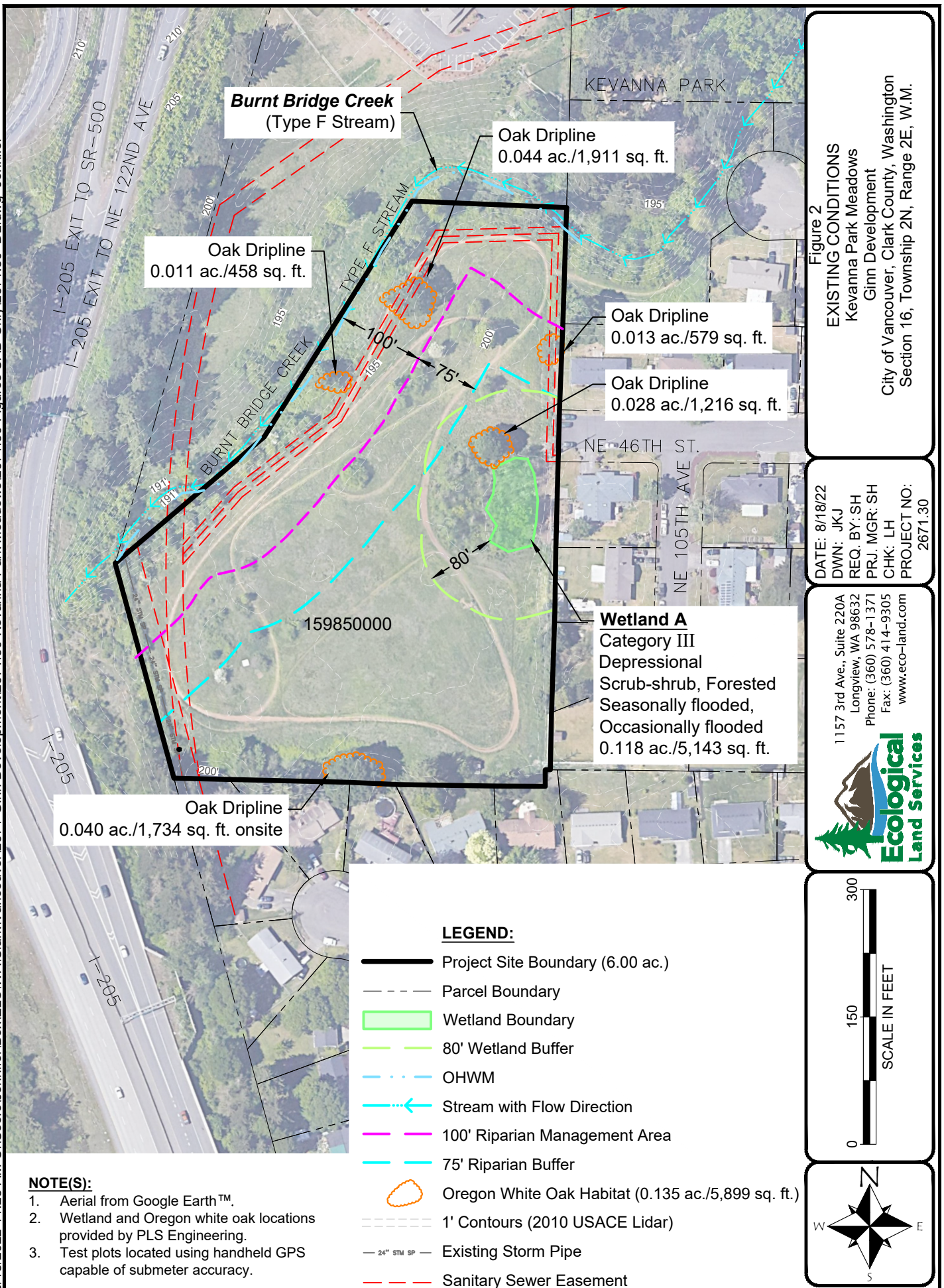
1157 3rd Ave., Suite 220A
Longview, WA 98632

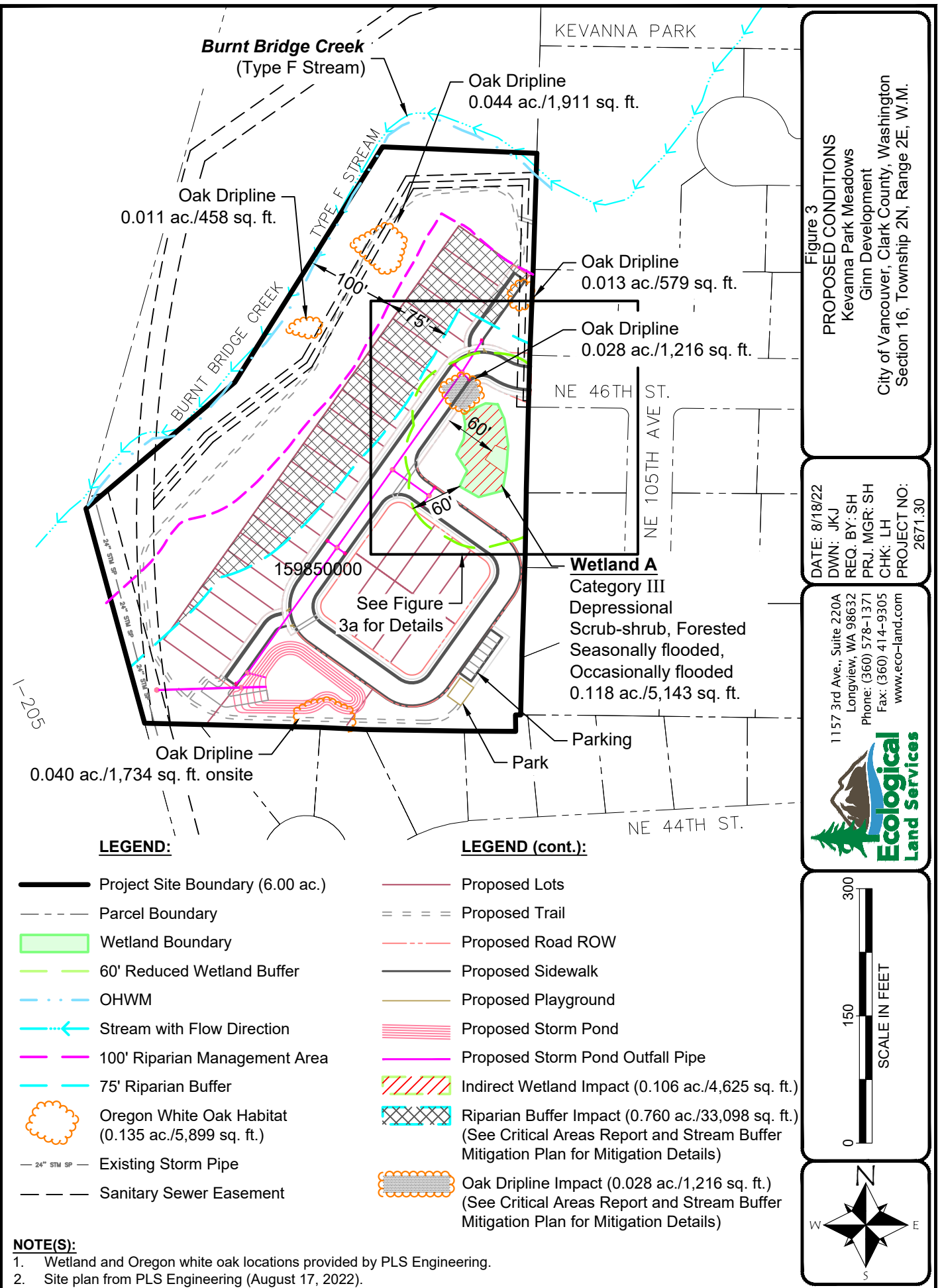
Phone: (360) 578-1371

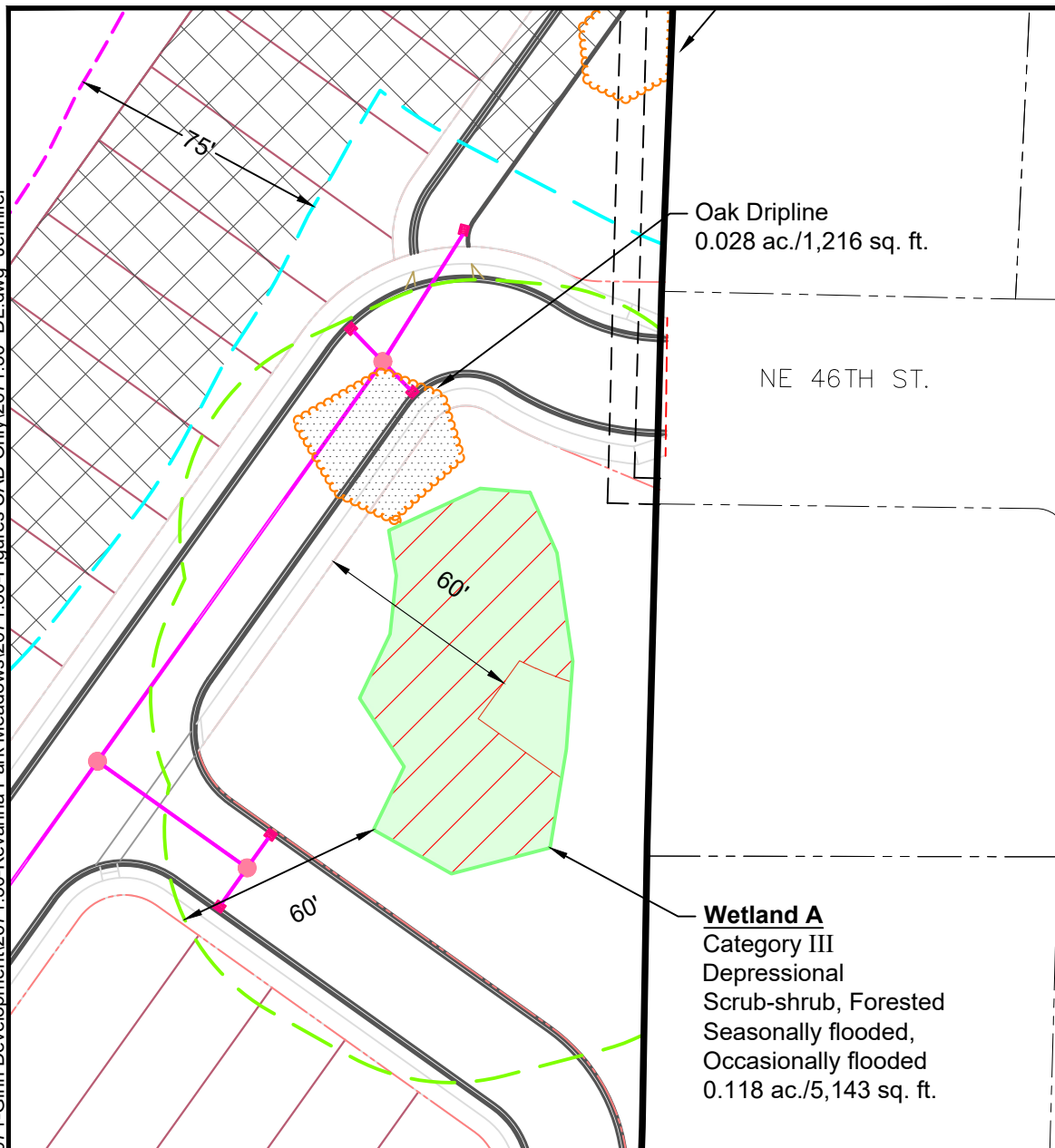
Fax: (360) 414-9305

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LEGEND:

- Project Site Boundary (6.00 ac.)
- Parcel Boundary
- Wetland Boundary
- 60' Reduced Wetland Buffer
- 100' Riparian Management Area
- 75' Riparian Buffer
- Oregon White Oak Habitat (0.135 ac./5,899 sq. ft.)

LEGEND (cont.):

- Proposed Lots
- Proposed Trail
- Proposed Road ROW
- Proposed Sidewalk
- Proposed Stormwater Pipe
- Indirect Wetland Impact (0.106 ac./4,625 sq. ft.)
- Riparian Buffer Impact (0.760 ac./33,098 sq. ft.) (See Critical Areas Report and Stream Buffer Mitigation Plan for Mitigation Details)
- Oak Dripline Impact (0.028 ac./1,216 sq. ft.) (See Critical Areas Report and Stream Buffer Mitigation Plan for Mitigation Details)

NOTE(S):

1. Wetland and Oregon white oak locations provided by PLS Engineering.
2. Site plan from PLS Engineering (August 17, 2022).

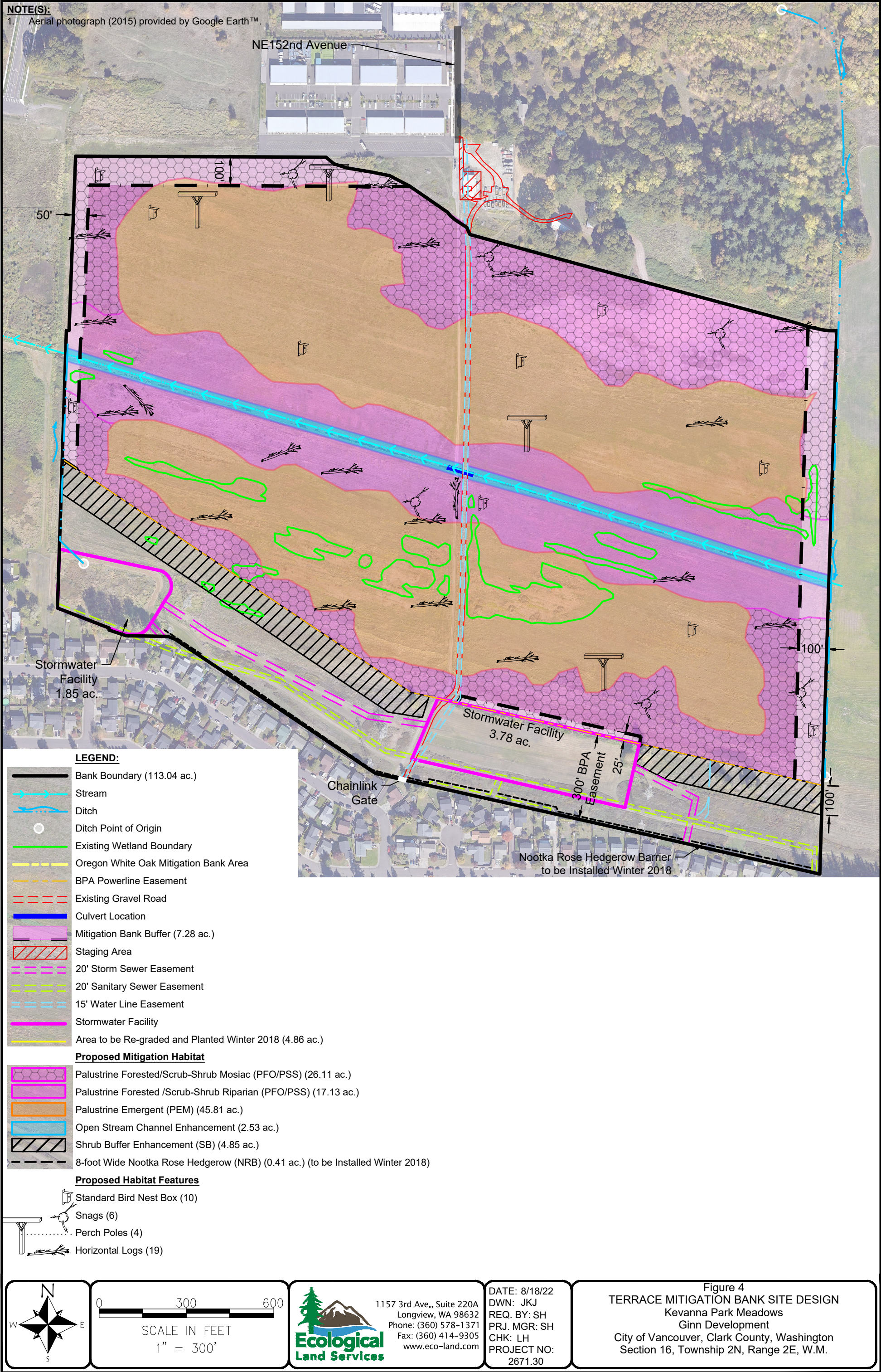
Figure 3a
PROPOSED CONDITIONS DETAIL
Kevanna Park Meadows
Ginn Development
City of Vancouver, Clark County, Washington
Section 16, Township 2N, Range 2E, W.M.

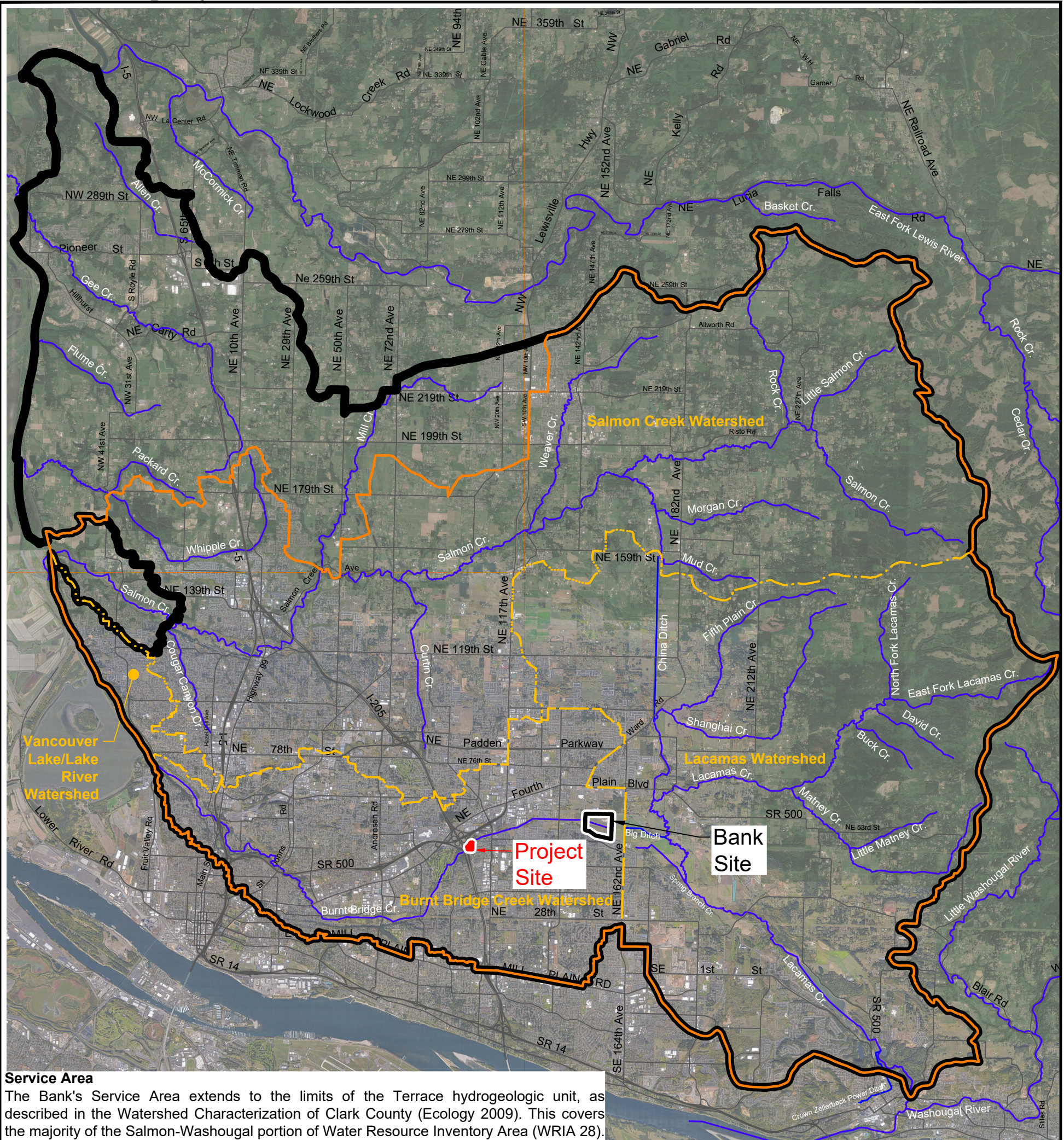
DATE: 8/18/22
DWN: JKJ
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PRJ. MGR: SH
CHK: LH
PROJECT NO: 2671.30

1157 3rd Ave., Suite 220A
Longview, WA 98632
Phone: (360) 578-1371
Fax: (360) 414-9305
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**Ecological
Land Services**

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50
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SCALE IN FEET





Service Area
The Bank's Service Area extends to the limits of the Terrace hydrogeologic unit, as described in the Watershed Characterization of Clark County (Ecology 2009). This covers the majority of the Salmon-Washougal portion of Water Resource Inventory Area (WRIA 28).

Limits of Terrace Mitigation Bank Service Area	
Northern Limits	Salmon Creek RM 0.60 and 8.96; Upper Whipple Creek, Woodin Creek, and Rock Creek Subwatersheds
Western Limits	Lakeshore and Lower Burnt Bridge Creek Subwatersheds
Southern Limits	Middle Burnt Bridge Creek, Burton Sink, Dwyer Creek, and Lacamas Lake Subwatersheds
Eastern Limits	Matney Creek, Upper Lacamas, and Salmon Creek RM 22.20
Watersheds that are wholly (Lacamas/Burnt Bridge Creek) or partially (Salmon Creek/Vancouver Lake/Lake River) encompassed within the Service Area	Sub-watersheds in Service Area
Lacamas	China Ditch, Lower Fifth Plain, Upper Fifth Plain Creek, Shanghai Creek, Upper Lacamas Creek, Lower Lacamas Creek, Matney Creek, Dwyer Creek, and Lacamas Lake
Burnt Bridge Creek	Lower Burnt Bridge Creek, Middle Burnt Bridge Creek, Upper Burnt Bridge Creek, and Burton Sink
Salmon Creek	Salmon Creek RM 0.60, 3.83, 8.96, 14.66, and 22.20; Cougar Creek, Curtin Creek, Woodin Creek, Morgan Creek, Rock Creek, and Upper Whipple Creek
Vancouver Lake/Lake River	Lakeshore

- LEGEND:**
- Service Area
 - Watershed Boundary
 - Terrace Hydrogeologic Unit
 - Roads
 - Streams

NOTES: Aerial photo from Google Earth™. Subwatershed boundaries from Clark County GIS Department.

1157 3rd Ave., Suite 220A
Longview, WA 98632
Phone: (360) 578-1371
Fax: (360) 414-9305
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Figure 5
TERRACE MITIGATION BANK SERVICE AREA
Kevanna Park Meadows
Ginn Development
City of Vancouver, Clark County, Washington
Section 16, Township 2N, Range 2E, W.M.

KEVANNA PARK MEADOWS



Existing Conditions



Existing Conditions

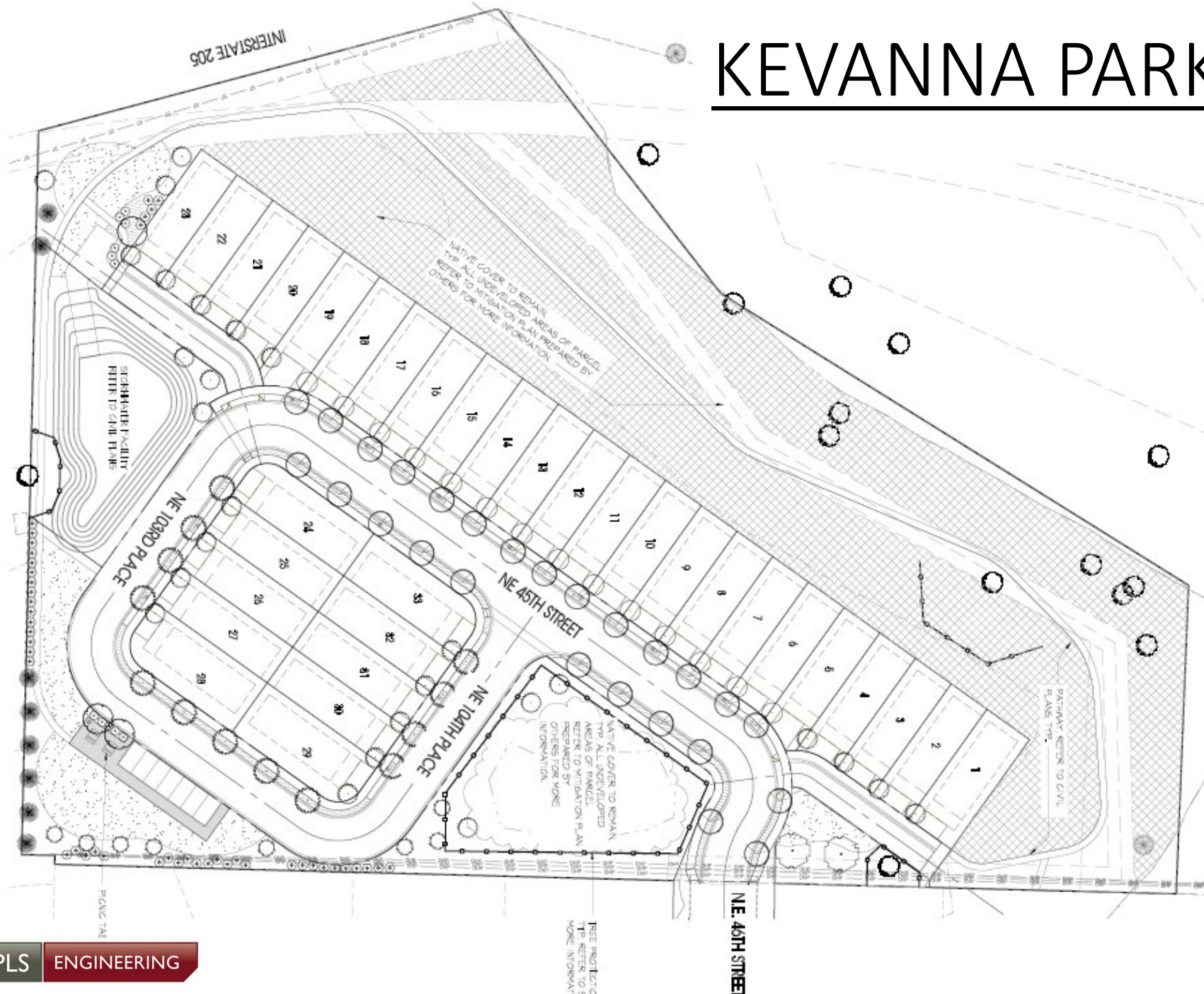


Kevanna Park (nearby)
City of Vancouver neighborhood park



Legend	
Proposed Asphalt Concrete	
Proposed Cement Concrete	
Proposed Woodchip Path	
Proposed Parking Count	

KEVANNA PARK MEADOWS



Conclusions

- All application requirements met
- All applicable approval criteria met

**RECOMMEND APPROVAL, CONSISTENT WITH HEARING
EXAMINER'S FINAL ORDER & RECOMMENDATIONS**