

**BEFORE THE LAND USE HEARING EXAMINER
FOR THE CITY OF CAMAS, WASHINGTON**

Regarding an application by METT RI, LLC)	FINAL ORDER ON
for approval of a preliminary plat to divide)	<u>RECONSIDERATION</u>
10.4-acres into 28 lots in the R-10 zone at)	File# SUB22-04¹
3210 NW McIntosh Road, in the City of Camas)	(McIntosh Subdivision)

A. SUMMARY

1. On February 27, 2023, City of Camas Hearing Examiner Joe Turner (the "examiner") issued a Final Order approving this application subject to conditions (the "Original Final Order"). Section 18.55.235 of the Camas Municipal Code (the "CMC") provides that any party may request reconsideration of the examiner's decision if they believe that the examiner's decision is "[b]ased on erroneous procedures, errors of law or fact, or the discovery of new evidence which could not be reasonably available at the public hearing..."

2. On March 7, 2023, representatives of the applicant filed a request for reconsideration of the Original Final Order.²

3. Based on the findings provided or incorporated herein, the examiner grants the reconsideration request and modifies the findings and conditions set out in the Original Final Order.

B. DISCUSSION

1. CMC 18.55.235 provides:

Any party of record believing that a decision of the hearings examiner is based on erroneous procedures, errors of law or fact, or the discovery of new evidence which could not be reasonably available at the public hearing, may make a written request to the examiner, filed with the city clerk, to be accompanied by an appeal fee, for reconsideration by the examiner.

- A. Time Frame. The request for reconsideration shall be filed within fourteen calendar days of the date the decision was rendered.
- B. Content. The request for reconsideration shall contain the following:
 - 1. The case number designated by the city and the name of the applicant;
 - 2. The name and signature of each Petitioner;
 - 3. The specific aspect(s) of the decision being appealed, the reasons why each aspect is in error as a matter of fact or law, and the

¹ This approval includes consolidated files: ARCH22-10 (Archaeological Review), CA22-11 (Critical Areas Review), MAJVAR22-05 (Major Variance), and SEPA22-15 (State Environmental Policy Act).

² The applicant submitted a signed copy of the motion on March 9, 2022.

evidence relied on to prove the error. If Petitioner wants to introduce new evidence in support of the appeal, the written appeal must explain why such evidence should be considered.

- C. The hearings examiner may, after review of the materials submitted in conjunction with the reconsideration request, and review of the open record hearing transcript, take further action as he or she deems proper; including, but not limited to, denying the request, modifying the decision, or affirming the decision.
- D. The hearings examiner shall issue a decision on a request for reconsideration within forty-five (45) days of the filing of the request for reconsideration. When a request for reconsideration has been timely filed, any appeal to Clark County Superior Court under the Land Use Petition Act shall be filed within twenty-one (21) days after a hearings examiner issues its decision on the request for reconsideration.

2. The examiner finds that the applicant is a party of record. The applicant submitted the application and representatives of the applicant participated in review of the application, submitting oral and written testimony into the record.

3. The applicant filed the signed request for reconsideration on March 9, 2023, within the 14-day deadline established by CMC 18.55.235.A. The request for reconsideration includes the applicant's name, is signed by the applicant's representatives, and specifies which aspects of the decision are being appealed. Therefore, the examiner finds that the request complies with the procedural requirements of CMC 18.55.235.

4. The applicant objected to the examiner's denial of the requested variance to the maximum building coverage requirement of CMC 18.09.040 Table 1.A and "Plat Note" 3 in the conditions of approval of the Original Final Order. The applicant originally proposed a variance to allow a blanket 50-percent lot coverage for all of the proposed lots on the site, regardless of size. With the motion for reconsideration, the applicant clarified that they only intended the variance for smaller lots, "8,000+/-" square feet, in order to allow construction of homes on the smaller lots that are comparable to homes on the remainder of the site and on surrounding properties. As modified, the variance would only apply to proposed Lots 3 through 18 on the western portion of the site.

5. The examiner finds that a variance to the maximum lot coverage standard for smaller lots complies with the applicable approval criteria.

a. This limited lot coverage variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located. CMC 18.45.040.B(1).

i. The site and properties abutting the northern portion of the site are zoned R-10 (Single Family Residential, 10,000 square-foot average lot size), which allows lot sizes between 8,000 and 14,000 square feet, with an average lot size of 10,000 square feet. (CMC 18.09.040, Table 1.A). However, properties abutting the remainder of

the site are zoned R-15 (Single Family Residential, 15,000 square-foot average lot size). Therefore, development on this site is subject to the beveling requirements of CMC 18.09.080.B, which requires that any lots abutting R-15 zoned properties contain 14,000 square feet, the maximum size allowed by the R-10 zoning. Nearly three-quarters of the site is bounded by R-15 zoned properties. In addition, the size and shape of the site and location of existing roads further limit design options on this site. Therefore, the applicant had to develop the remainder of the site with 8,000+/- square foot lots in order to offset the required 14,000 square foot lots and meet the 10,000 square foot average lot size requirement for the site.

ii. As discussed in the Original Final Order, a blanket variance allowing homes on all of the proposed lots, some of which are the largest lot size allowed in the R-10 zone, to exceed the maximum lot coverage standards would grant a special privilege to this development that is not available to other large lots in the vicinity, or the R-10 zone.

iii. However, the examiner finds that limiting the lot coverage variance to only the smallest lots on the site would not grant a special privilege to this development. The limited variance would merely allow the applicant to develop these lots with home sizes comparable to those allowed on other R-10 zoned properties that are not as constrained by the beveling requirement. Therefore, approval of this variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity or the R-10 zone. The variance will allow the applicant to develop homes on all lots on the site that are comparable in size and value to those on abutting properties.

b. The limited lot coverage variance is necessary, because of special circumstances or conditions relating to the size, shape, topography, location, or surroundings of the site, to provide it with use, rights, and privileges permitted to other properties in the vicinity and in the R-10 zone. CMC 18.45.040.B(2). All residential zoned properties are subject to the beveling requirement of CMC 18.09.080.B. However, most other R-10 zoned parcels are not subject to the same constraints as this site; a relatively narrow parcel with R-15 zoned lands abutting nearly three-quarters of the site boundaries. This is a special circumstance or condition that does not apply to most other properties in the vicinity and in the R-10 zone.

c. The lot coverage will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and in the R-10 zone that applies to the site. With the exception of Lots 25, 26, and 28, all lots would remain subject to the same setback standards as other lots of similar size.

d. Therefore, the examiner grants the requested variance to the maximum lot coverage standard for proposed Lots 3 through 18. Plat Note 3 should be modified to that effect.

D. CONCLUSION AND DECISION

Based on the above findings and discussion, the examiner grants the applicant's reconsideration request and approves SUB22-04 (McIntosh Subdivision) and consolidated files ARCH22-10, CA22-11, MAJVAR22-05, and SEPA22-15 subject to the following revised conditions.

Conditions of Approval

Standard Conditions:

1. Engineering site improvement plans shall be prepared in accordance with the City of Camas Design Standards Manual (CDSM) and CMC 17.19.040.
2. The engineering site plans shall be prepared by a licensed civil engineer in Washington State and submitted to the City's Community Development (CDEV) Engineering Department for review and approval. Submittal requirements for first review are as follows:
 - a. Submit four (4) full size sets and one (1) half size set of plans.
 - b. Submit one (1) electronic version of the final (TIR) stormwater report. Do not submit any hard copies of the Final TIR.
 - c. Submit a stamped preliminary engineer's estimate.
3. Community Development (CDEV) Engineering shall collect a total three-percent plan review and construction inspection (PR&CI) fee for the proposed development.
 - a. A preliminary construction estimate shall be submitted to the CDEV Engineering Dept prior to or with submittal of plans for first review.
 - b. Payment of the one-percent plan review (PR) fee shall be due prior to the start of the plan review process. The PR fees will be provided by the engineering staff.
 - c. Payment of the two-percent construction inspection (CI) fee shall be due prior to construction plan approval and release of approved plans to the applicant's consultant. The CI fees due will be provided by the engineering staff.
 - d. Under no circumstances will the applicant be allowed to begin construction prior to construction plan approval.
4. Installation of public improvements shall be in accordance with CMC 17.21 Procedures for Public Improvements.
5. If applicable, existing wells, septic tank, and septic drain fields shall be decommissioned in accordance with state and county guidelines, per CMC 17.19.020.
6. Any entrance structures or signs proposed or required for this project will be reviewed and approved by the city.
 - a. All designs will be in accordance with applicable City codes.
 - b. The maintenance of the entrance structure will be the responsibility of the homeowners.
7. The applicant will be responsible for ensuring that private utilities; underground power, telephone, gas, CATV, streetlights, and associated appurtenances are installed.
8. A six-foot private utility easement (PUE) shall be located outside of the right-of-way on public streets and outside of the tracts on private streets.

9. A draft street lighting plan shall be submitted to development engineering for review prior to final plan submittal to Clark Public Utility.
10. The applicant will be required to purchase all permanent traffic control signs, street name signs, street lighting, traffic control markings, and gate and controller for the improved subdivision.
11. Prior to any land-disturbing activities of an acre or more, the applicant shall have approved final engineering plans and shall submit a copy of the *NPDES General Construction Stormwater Permit* (GCSWP), which is issued by the Washington State Department of Ecology, and the *Stormwater Pollution Prevention Plan* (SWPPP), which is required as a component of the NPDES GCSWP permit.
12. Prior to commencing any land-disturbing activities of an acre or more, the applicant shall submit an Erosion Control Bond (ESC) in the amount of 200-percent of the cost for erosion control measures, per CMC 17.21.030.B and CMC 14.06.200.
13. In the event any item of archaeological interest is uncovered during a permitted ground disturbing action or activity, all ground disturbing activities shall immediately cease, and the applicant shall notify the City and the Department of Archaeology and Historic Preservation (DAHP).
14. Prior to final acceptance, the applicant shall remove all temporary erosion prevention and sediment control measures from the site at completion of all site improvements, which includes stabilization of all disturbed soil, prior to issuance of Final Acceptance from CDEV Engineering.
15. Prior to final acceptance, final as-built construction drawing submittals shall meet the requirements of the Camas Design Standards Manual (CDSM).
 - a. As-builts are to be submitted as PDFs and in either AutoCad or Carlson formats. The cover sheet for the as-builts is to include the originally approved and signed cover sheet.
16. Prior to final acceptance the two-year warranty maintenance bond is to be submitted in accordance with CMC 17.21.070.A Upon final acceptance of the development improvements a two-year (2) warranty bond commences.
17. Per CMC 17.21.070.E A letter of final acceptance will be issued once all items listed in 17.21.070.B-C are completed.
18. Final plat submittals shall meet the requirements of the CMC 17.11.060, CMC 17.01.050, and the Camas Design Standards Manual.
19. A homeowner's association (HOA) will be required and a copy of the CC&Rs for the development will need to be submitted to the City for review and approval. Specifically, the applicant will need to make provisions in the CC&Rs for ownership and maintenance of the private storm drainage systems, open spaces, retaining walls, fencing, walls, landscaping, irrigation, private roads, and tracts or easements outside of the City's right-of-way if applicable. Further, all necessary easements and dedications should be noted on the final plat.
20. The CC&R' shall not preclude accessory dwelling units.

21. The applicant shall take appropriate measures to ensure landscaping success for a minimum of three years after issuance of Certificate of Occupancy. If plantings fail to survive, the property owner shall promptly replace them.
22. Automatic fire sprinklers installed per NFPA 13D or 13R shall be required in all new residential structures.
23. Provisions for parking enforcement on private Tracts/access driveways, acceptable to the Fire Marshal, shall be included in the CC&Rs at the time of final platting.
24. Per CMC 17.21.060.H Permits for one sales office and/or one model home per plat or phase may be issued after the final plat is recorded, and prior to final acceptance. Building permit applications, for any other residential buildings, will not be accepted until after final acceptance is issued.

Special Conditions of Approval:

Planning:

25. The recommendations provided by the Department of Ecology shall be complied with.
26. The recommendations in the Geotechnical Report by Earth Engineering, Inc. dated March 1, 2022, shall be followed.
27. The recommendations in the Arborists Report by Jerry Hofer, dated February 6, 2023, shall be followed.
28. If potential artifacts are discovered during construction, work must immediately cease, and both the State Department of Archaeological and Historic Preservation and the City shall be notified.

Prior to Final Engineering Plan Approval:

Planning:

29. Retaining walls shall comply with CMC 18.17.060.
30. A final landscape, tree, and vegetation plan consistent with the landscaping standards in CMC Chapter 18.13 shall be submitted to the City for review and approval prior to engineering plan approval. The final landscape plan shall specify what larger tree or shrubs can be installed at the north entrance of the subdivision to create an entry statement. Plants utilized will need to be per the approved City's Tree list and per the Camas Design Manual planting specifications and landscape notes.

Engineering:

Water

31. The applicant shall submit revised water utility plans with all the future services and meter boxes located in planter strips or behind curb tight sidewalks.
32. The applicant shall submit revised the water utility plans to include the location for installation of the water sampling station onsite.
33. The applicant shall submit revised water utility plans showing the locations of all proposed irrigation services and the size of each irrigation meter.

Storm Drainage:

34. The applicant shall submit a complete set of stormwater plans for review and approval, per MR #1 of the TIR.
35. The applicant shall submit a revised stormwater plan that includes limiting impacts from roof drain and surface water runoff from Lots 1, 2, 27 and 28, in addition to the measures proposed for Lots 3 thru 26. Said plan should ensure that adjacent parcels and downstream drainageways and/or adjacent properties are not negatively affected by roof drain downspouts and surface water runoff, per Camas Municipal Code (CMC) 14.02 and 17.19.040.C.
36. The applicant shall revise the stormwater plans to show the proposed Filterra treatment structure at future Tract A located outside of the public right-of-way, within Tract A. Additionally, private rear or side yard drainage systems are to be placed within an easement across the applicable lots.
37. The stormwater utility plans shall be submitted with design information for proposed detention ponds and rear or side yard roof drain infiltration trenches.
38. The final stormwater TIR is to be submitted with both the City of Camas June 2022 *Stormwater Sewer System Operations & Maintenance Manual* and the maintenance requirements for the treatment vaults.
39. A final stormwater report (TIR) is to be submitted to the City for review and approval.
40. The applicant shall provide measures to accommodate stormwater runoff from the proposed temporary driveway serving the existing homes southwest of the site.

Erosion Control:

41. The applicant shall submit a complete set of Erosion Sediment Control (ESC) plans, as a part of the site improvement plans for review and approval.

Sanitary Sewer Disposal:

42. The engineering plans shall be revised with the existing sanitary sewer main, sewer manholes, and water main placed in a utility easement that is to be dedicated to the city, along the eastern property line of future Lot 1. The easement shall be a minimum 15 feet wide where it contains one utility (water or sewer) and 20 feet wide where it contains two utilities (water and sewer), unless otherwise approved by City engineering staff.
 - a. The access and utility easement is to consist of a minimum 12-foot-wide hard surfacing to allow for access to the sewer main and manholes, the water main, and future Tract C, Utility Tract.
43. The engineering plans shall be revised to include a minimum 15-foot-wide utility access and maintenance easement from the end of future "NW Garden Court", between future Lots 21 thru 24, and south to future NW 5th Avenue, with right-of-entry granted to the city.

[Existing wells, septic tanks, and septic drain fields]:

44. The applicant shall provide documentation to the city that any existing wells, or septic systems have been properly decommissioned in accordance with State and County

guidelines. Additionally, any water rights associated with a decommissioned well shall be transferred to the City.

Roads:

[Public Roads]

45. The engineering plans shall provide for a continuous sidewalk connection from the east end of the sidewalk installed with the adjacent Ilwaco subdivision, along the frontage of the proposed development, and ending at the west end of the curb ramp installed with The Ridge subdivision at NW Fremont Street.
46. The engineering plans shall be submitted with the required 17-foot right-of-way dedication on NW McIntosh Road to allow for the 37-foot full depth half-width street improvement, including a minimum of 23-feet of paved surface, curb & gutter, eight-foot planter strip, and six-foot detached sidewalk in accordance with CDSM Street Detail ST5 3 Lane Collector/Arterial.
47. The engineering plans shall be submitted with the minimum curb radius of 35-feet on both sides of the intersection at NW McIntosh Road and the future public access road (NW Halifax Street).
48. Prior to final engineering plan approval, the applicant shall work with staff to provide an acceptable transition between the future extension of NW 5th Avenue to tie into the existing NW 5th Avenue to the east.
49. The engineering plans shall be submitted with the unidentified triangular shaped parcel on the east side of future Lot 3 shown as a public tract to allow for future access improvements to the southern parcel (PIN 217455000).
50. All construction traffic shall access the site from NW McIntosh Road until infrastructure construction has been completed on the site.

[Private Roads]

51. The applicant shall be required to provide a design for a 'No Parking and Towing' sign for review and approval.
 - a. Said sign is to include contact information for a towing company.
 - b. The applicant shall be required to install the 'No Parking and Towing' signs prior to final acceptance on future private road (NW Garden Court) and on the private road access to Lots 22 and 23.
52. The applicant is to work with the engineering staff and the Fire Marshal to provide an acceptable dead-end turnaround on the private road/shared driveway serving Lots 22 and 23. Additionally, the private road access to Lots 22 and 23 is to be placed in a Tract to be owned and maintained by the adjacent homeowners and/or the homeowners association (HOA).
53. The applicant shall obtain City approval of the temporary private driveway serving the existing homes southwest of the site.

[Street lighting]:

54. All street light locations are to be shown on the engineering and landscape plans.
55. Streetlights on private streets are required to be metered separately and are to be owned and maintained by the HOA/homeowners.

56. Prior to submittal of electrical plans to Clark Public Utilities, the preliminary electrical plans for streetlights, transformers, J-boxes, etc., which are prepared by others, are to be submitted to the city for review and approval.

[Street trees and Landscaping]:

57. The applicant shall show proposed driveway locations for each lot to ensure that street trees are not impacted.
58. The applicant shall submit a final landscape plan consistent with the landscaping standards in CMC Chapter 18.13 to the City for review and approval, in addition to CMC Chapter 17.19.030.F.6, and include plantings from the City's approved plant list.

[Storm Facility Landscaping]:

59. The applicant shall submit revised stormwater facility plans that provide for a minimum six-foot-high black vinyl coated chain link fence with top rail installed along the property lines of Tracts A and B where the tracts abuts the future Lot 11 and Lots 26 and 27. Additionally, the plans are to provide for a minimum 16-foot-wide double gate at the access road to the facility and a minimum 4-foot-wide man gate.

Traffic Impact Analysis:

60. The engineering plans are to be submitted with the site vision clearance/site distance triangles shown on the final engineering plans at the intersection of future public road (NW Halifax Street) and NW McIntosh Road.

Prior to Land-Disturbing Activities:

61. Prior to any land-disturbing activities the applicant shall submit the required SWPPP, per MR #2 of the preliminary TIR.
62. Prior to any land-disturbing activities, an electronic copy of Ecology's NPDES GCSWP permit, an electronic copy of the SWPPP, and the financial security for erosion and sediment control are to be submitted to the city.
63. Prior to any land-disturbing activities, which includes tree cutting, clearing and grading, an approved set of final engineering plans, including the erosion prevention and sediment control measures is required.

Prior to Final Plat Approval:

Planning:

64. Lots 25 and 26 shall provide a minimum 25-foot rear yard setback and a minimum 20-foot front yard setback. Lot 28 shall provide a minimum 20-foot rear yard setback. All other lots and setbacks shall comply with the setback requirements of CMC 18.090.040 Table 2.
65. Lots 5 and 6 are not considered irregular lots and shall follow current setbacks per CMC 18.09.040 Table 2.
66. Pursuant to the approved variance, Lots 3 through 18 are allowed a maximum 50-percent building lot coverage. All remaining lots shall comply with the maximum 35-percent building lot coverage allowed by CMC 18.09.040 Table 1.A.

Engineering:

67. Prior to final plat approval the following note is to be added to the final plat.
- a. Tract __, a private road, includes a blanket utility access and maintenance easement conveyed to the city, over and under the water main located in the private street.
68. The following notes shall be added to the final plat stating that:
- a. The stormwater facilities located on Tract A and Tract B are to be owned and maintained by the homeowners/Homeowner Association (HOA) at the end of the two-year warranty period, which expires two -years after final acceptance.
 - b. Right-of-entry is to be granted to the city for inspection purposes of the stormwater facilities located on Tract A and Tract B.
 - c. Private rear or side yard drainage systems are to be owned and maintained by the HOA or the applicable lot owners upon which the private stormwater systems/easements are located.
69. The final plat shall be revised with the existing sanitary sewer main, sanitary sewer manholes, and water place in an easement along the eastern property line of future Lot 1. The easement is to an access and utility easement over and under the existing water and sanitary sewer, with right-of-entry granted to the city. The easement shall be a minimum 15 feet wide where it contains one utility (water or sewer) and 20 feet wide where it contains two utilities (water and sewer), unless otherwise approved by City engineering staff.
70. A note is to be added to the plat that a blanket utility access and maintenance easement is provided to the city over and under the sanitary sewer main located in the future private road “NW Garden Court”.
71. The final plat shall be revised with a 15-foot-wide utility access and maintenance easement over the new sanitary sewer main and sewer manhole from the end of future “NW Garden Court”, between Lots 21 thru 24, and south to future NW 5th Avenue, with right-of-entry granted to the city.
72. The final plat shall provide for the dedication of Tract __, the unidentified triangular shaped parcel, located on the east side of proposed Lot 3. Tract __ is to be dedicated as a public tract set aside for future access improvements to parcel number 217455000.
73. The private road access to Lots 22 and 23 is to be placed in a Tract to be owned and maintained by the adjacent homeowners and/or the homeowners association (HOA).

Prior to Final Acceptance:

Planning:

74. Irrigation and landscaping should be installed or bonded for prior to final acceptance.

Engineering:

75. The applicant shall provide a design for a ‘No Parking and Towing’ sign for review and approval.

- a. Said sign is to include contact information for a towing company, as the city does not provide towing on private roads, nor does the city enforce no parking on private roads.
 - b. The applicant shall install the 'No Parking and Towing' signs prior to final acceptance.
76. With the exception of perimeter erosion fencing, the applicant shall remove all temporary erosion prevention and sediment control measures from the site at completion of all site improvements, which includes stabilization of all disturbed soil, prior to issuance of Final Acceptance from CDEV Engineering. The applicant shall retain erosion control measures on the perimeter of the site until home construction is completed on the proposed lots.
77. Final as-built construction drawing submittals shall meet the requirements of the Camas Design Standards Manual (CDSM).
- a. As-builts are to be submitted as PDFs and in either AutoCad or Carlson formats. The cover sheet for the as-builts is to include the originally approved and signed cover sheet.
78. The two-year warranty maintenance bond is to be submitted in accordance with CMC 17.21.070.A Upon final acceptance of the development improvements a two-year (2) warranty bond commences.
79. The applicant is required to pay the proportionate share amount of \$34,000.00 to the City of Vancouver. The applicant is to provide Camas staff with documentation of payment of said proportionate share amount.

Prior to Building Permit Approval:

80. Single-family building permit applications are to include information regarding connection of roof drain downspouts to the rear yard stormwater laterals that discharge to the rear yard infiltration trenches.

Prior to Final Occupancy:
Planning:

81. Street trees adjacent to lots should be installed prior to final occupancy or bonded for per CMC 17.19.030.F.4.

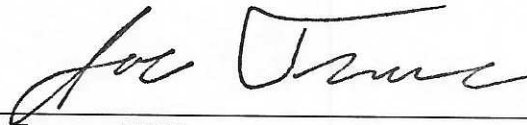
Proposed Plat Notes

1. A homeowner's association (HOA) will be required for this development. Copies of the CC&Rs shall be submitted and on file with the City of Camas.
2. Building permits will not be issued by the Building Department until all subdivision improvements are completed and Final Acceptance has been issued by the City.
3. Pursuant to the approved variance, maximum building lot coverage is 50-percent for Lots 3 through 18. Per CMC 18.09.040 Table 1.A, maximum building lot coverage is 35-percent for all other lots in this subdivision.

4. The lots in this subdivision are subject to traffic impact fees, school impact fees, fire impact fees and park/open space impact fees. Each new dwelling will be subject to the payment of appropriate impact fees at the time of building permit issuance.
5. Wetlands, critical areas, and associated buffers shall be maintained in their natural state as described in the Final Wetland Mitigation Plan (Note: add date after approval) that is recorded with this plat by the HOA. Any modifications to critical areas and buffers must be approved in writing by the city after submittal of a revised critical area report.
6. Tree topping is not permitted within this development, nor removal of more than 20 percent of a tree's canopy. Trees that are determined to be hazardous by a licensed arborist may be removed after approval by the City. Required street trees shall be promptly replaced with an approved species.
7. In the event any item of archaeological interest is uncovered during the course of a permitted ground disturbing action or activity, all ground disturbing activities shall immediately cease, and the applicant shall notify the City and the Department of Archaeology and Historic Preservation (DAHP).
8. Tract __, a private road includes a utility access and maintenance easement conveyed to the city, over and under the water main located in the private street.
9. Stormwater facilities in Tracts A and B shall be owned and maintained by the homeowners/Homeowner Association (HOA) at the end of the two-year warranty period, which expires two -years after final acceptance.
10. Right-of-entry is to be granted to the city for inspection purposes of the stormwater facilities located on Tract A and Tract B.
11. Private rear and/or side yard stormwater drainage systems are to be placed in private stormwater easements and owned and maintained by the HOA or the applicable lot owners upon which the private stormwater systems easements are located.
12. The easement along the eastern property line of future Lot 1 is an access and utility easement over and under the existing water and sanitary sewer, with right-of-entry granted to the city.
13. Tract __, a private road "NW Garden Court" is covered by a blanket access and maintenance easement over and under the sanitary sewer main.
14. The 15-foot-wide access and utility easement, from the end of future "NW Garden Court", between Lots 21 thru 24, and south to NW 5th Avenue is provided over and under the sanitary sewer main and sanitary manhole, with a right-of-entry granted to the city.
15. Tract _ contains an access and maintenance easement over and under the existing water, sanitary sewer main, and sanitary sewer manholes, with right-of entry granted to the city.
16. Tract _ is a public tract set aside for future access improvements to Parcel Number 217455000. Ownership and maintenance of said tract will be the responsibility of the city.

17. Tract _ is a private road access to Lots 22 and 23 and is to be owned and maintained by the adjacent homeowners and/or the homeowners association (HOA).
18. Lots 25 and 26 shall provide a minimum 25-foot rear yard setback and a minimum 20-foot front yard setback. Lot 28 shall provide a minimum 20-foot rear yard setback. All other setbacks shall comply with the setback requirements of CMC 18.090.040 Table 2.

DATED this 13 day of March 2023.



Joe Turner, AICP
City of Camas Land Use Hearing Examiner