

Comments on the Camas Heights proposal.
Ken Miles, 5/3/2022

I am certain that the neighborhood planned by Lennar for this property will be a desirable one for future Camas residents and will be a success for Lennar. I am commenting to Lennar in the hope that they will be encouraged to consider how their project could be improved and potentially return a more favorable ROI on their investment. In addition, I want to encourage the City of Camas to view its codes with fresh eyes and to interpret them plainly and without bias.

1. Tract F: On the northern end of the property, Lennar envisions an “Open Space Tract F” that is 60 feet deep for most of the width of the property. It is of a moderately steep slope and is currently occupied by a grove of mature trees. And yet Lennar plans on clear cutting the entire space and re-grading and replanting it. It appears that Lennar envisions a 10% final grade for the streets approaching Tract F and connecting N 88th Ave to N 90th Ave (a rise of 50 feet over a distance of approximately 504 feet). However, the CMC allows for a grade of 12% on streets of this type (CMC 17.19.040 12b).¹ In addition, the CMC allows for higher grades under certain circumstances, including when “the greater grade would minimize disturbance of critical slopes.” (CMC 17.19.040 12b ii). By increasing the grade towards the planned N 90th Ave, Lennar can reduce its need to disturb this area.

Furthermore, the City of Camas affirms the recommendations of the Storm Water Management Manual for Western Washington (SWMMWW)² which asserts that:

"Ground cover is the most important factor in terms of preventing erosion. Saving existing vegetation will prevent erosion better than constructing BMPs (Best Management Practices)."³

"Limiting site disturbance is the single most effective method for reducing erosion. For example, conifers can hold up to about 50 percent of all rain that falls during a storm. Up to 20-30 percent of this rain may never reach the ground but is taken up by the tree or evaporates. Another benefit is that the rain held in the tree can be released slowly to the ground after the storm... Natural vegetation should be preserved on steep slopes, near perennial and intermittent watercourses or swales, and on building sites in wooded areas."⁴

In light of all of these considerations, I urge Lennar and The City to adjust the plan for “Tract F”. Increase the grade for this area to the maximum that the CMC and prudence will allow. Revisit the list of trees slated for removal in this grove and adjust the list down to preserve many which currently stabilize the slope. Note that some of these trees are within a few feet of the northern border. Lennar cannot literally grade to the actual property line without risking destabilizing the slope of the adjoining property. Prime candidates for preservation in this area include the dominant trees in this grove as well as those that are closest to the northern boundary. By thinning, rather than clear cutting Tract F, Lennar should be able to lower its expenses with less aggressive grading and clearing of the area. It should also be able to realize a savings with a less substantial investment in retaining walls and slope

1 https://library.municode.com/wa/camas/codes/code_of_ordinances?nodeId=TIT17LADE_CH17.19DEIMST_17.19.040INST

“Grades shall not exceed six percent on major and secondary arterials, ten percent on collector streets, or twelve percent on any other street.” Per CMC 18.03.040 “Definitions” a neighborhood (or type 9 “minor”) street is among the “other street” categories listed.

2 CMC 14.02.050 https://library.municode.com/wa/camas/codes/code_of_ordinances?nodeId=TIT14STPR. “The latest edition of the ... SWMMWW as modified by the City's Design Standards Manual is adopted by reference, and the recommendations and requirements contained therein will be the minimum standards for this chapter...”

3 <https://apps.ecology.wa.gov/publications/documents/1910021.pdf> P260.

4 Ibid P271.

stabilization measures. In addition, Lennar should expect a revenue increase for lots 33-43 in that mature trees on or near residential lots typically boost the selling prices by 3.5% or more.⁵ In other words, Lennar should be able to enhance its return on its investment in this project by becoming better aligned with the recommendations of the SWMMWW and with the City's stated policy of Low Impact Development⁶⁷.

2. A Sequoia tree (#12026, with DBH of 24 inches)⁸ currently anchors the northeast corner of the planned Lot 68 and sits just a few feet from the border of Open Space Tract F. The Sequoia is a logical extension of those trees currently stabilizing the slope on Tract F. As this lot is expected to be at least 143 feet deep, the Sequoia is likely 30 feet or more from any planned house foundations. I urge Lennar and the City to revise its plan to remove this tree and preserve it instead. By reducing grading plans for this area and sparing this tree, Lennar could save on expenses and enhance its revenue stream, netting a higher ROI on this lot for all of the reasons cited previously.

3. Oregon White Oak #12302. The State of Washington encourages preservation of Oregon White Oaks⁹. In addition, the City of Camas stipulates that "When determining where to retain or plant trees ... mature trees shall have priority when there are feasible alternative locations on site for proposed buildings and site improvements to achieve the minimum tree unit density per acre. This may require site redesign..."¹⁰. Mature oak tree #12302 is situated at the rear of planned lot 97 (Development Plan P11). It is likely at least 30 feet from any house foundation. The terrain in the area is quite level and the preliminary grading plan shows no meaningful change in the grade in the vicinity of this tree (Development Plan P6). And yet the tree is slated for removal owing to "lot grading." The grading plan does show a storm drain (STM) planned for the area. But as noted previously, the SWMMWW asserts that "saving existing vegetation will prevent erosion better than constructing BMPs (Best Management Practices)" (P260). I urge Lennar to comply with the recommendations of the SWMMWW and utilize the most effective storm water management system available: the Oregon White Oak that is already in place. Lennar should be able to reduce expenses by not removing this tree, enhance runoff control, and increase its revenue, as a mature tree in the back yard of this lot will enable Lennar to obtain a premium for this lot as cited previously.

4. Oregon White Oak #12301. This tree, with a DBH of 34-inches is a majestic specimen, that unfortunately lies in the middle of the planned road N 86th Avenue, and is slated for removal¹¹. I want to encourage Lennar and The City to engage in some creative thinking that could potentially enhance Lennar's ROI. Instead of a through road at this location, envision two cul-de-sacs from each direction that terminate at a green space anchored by this tree. Add a little grass and some park benches and this location becomes the gathering place for the area. The houses in the vicinity would no doubt sell for a premium that would accrue nicely to Lennar's bottom line. To work, the houses facing the tree would

5 https://www.oregonlive.com/environment/2008/08/portlandarea_communities_look.html. Mature trees added \$7,020 to the average home price in Portland in 2008, or approximately 4.12% based upon an average price of \$169K in Aug 2008. https://www.naturewithin.info/Policy/Hedonics_Citations.pdf cites many additional examples and studies.

6 CMC 14.02.080 https://library.municode.com/wa/camas/codes/code_of_ordinances?nodeId=TIT14STPR_CH14.02STCO_14.02.080LOIMDE "new development and redevelopment projects shall meet the LID (Low Impact Development) performance standards, as outlined in the stormwater management manual."

7 <https://www.epa.gov/nps/urban-runoff-low-impact-development>. "LID refers to systems and practices that use or mimic natural processes... An approach to land development... that works with nature to manage stormwater."

8 Tree Report, pages 11,17.

9 <https://wdfw.wa.gov/publications/00030> "Management Recommendations for Washington's Priority Habitats: Oregon White Oak Woodlands."

10 CMC 18.13.052 A https://library.municode.com/wa/camas/codes/code_of_ordinances?nodeId=TIT18ZO_CH18.13LA_18.13.052TRNAVEPR

11 See Addendum – Pictures.

probably need to be set back a bit. But the lots are relatively deep (110 feet or more) and may accommodate such an adjustment. I acknowledge that underground utilities present yet another challenge, but not necessarily an insurmountable one.

5. Mature tree priority. As noted previously, the CMC asserts that “mature trees shall have priority...”¹² and cites four conditions that may allow for removing a tree and implementing mitigation measures:

1. “In areas where there are currently inadequate numbers of existing trees to meet minimum tree density,
2. where the trees are inappropriate for preservation,
3. the soils are poor,
4. or there are significant invasive species,

then mitigation shall be required to meet the minimum tree density.”¹³ I urge Lennar and The City to interpret this section of code plainly, just as it reads, and not to stretch condition [2] into meaning anything other than what was obviously intended by its authors. A tree may be inappropriate for preservation if it is unhealthy, or if its location prevents a developer from implementing a project. But it is not sufficient for a developer to simply assert that they “wish to grade where the tree is”¹⁴ and disregard the guidance of the SWMMWW. A reason must be given explaining why any tree is inappropriate for preservation.

The CMC correctly gives priority to mature trees as such trees provide benefits that young saplings do not as confirmed by multiple studies. "If a typical tree’s diameter grows 10 times as large, it will undergo a hundredfold increase in leaf mass and a fifty-fold to hundredfold increase in total leaf area, ... the star players on the team are not the young 20-year-olds, but the 90-year-old [trees].“¹⁵ “The older a tree is, the better it absorbs carbon from the atmosphere. It's not just a matter of planting many more trees to make up for deforestation... We can't replace century old trees in a biosphere and expect the same results that nature has evolved.”¹⁶

I urge Lennar and the City to review all trees with a DBH of 24 inches or more and reconsider whether each one truly is “inappropriate for preservation.” Note that each tree with a DBH of 24 that is preserved earns Lennar a tree unit credit of 8¹⁷ (CMC 18.13.051).

6. Camas has stated that its long term goals include ensuring “that park and recreation opportunities are distributed equitably throughout the City”¹⁸. And yet Camas and Lennar are planning on creating a neighborhood with 120 or more houses with no neighborhood park. I join with others in decrying this plan¹⁹ as houses are being added to the area without any provision for the amenities that the future residents will expect. This is likely to put a strain on the nearby communities which have such parks, but are funded through the HOAs of those neighborhoods. I urge Lennar and The City to rectify this plan. An ideal location for such a park is at Lots 73 and 74. In response to feedback from The City,

12 CMC 18.13.052 A.

13 CMC 18.13.052 C

14 As was noted in paragraph [3] for tree #12302.

15 <https://www.pacificforest.org/ee-old-trees-store-more-carbon-more-quickly-than-younger-trees/>

16 <https://www.cbc.ca/news/canada/how-old-trees-help-climate-1.4252888>

17 https://library.municode.com/wa/camas/codes/code_of_ordinances?nodeId=TIT18ZO_CH18.13LA_18.13.051MITRDERE

18 http://ci.camas.wa.us/records_portal/Community%20Development/Camas2035%20Comprehensive%20Plan/Camas2035Comprehensive%20Plan.pdf LU-1.4, Camas Comprehensive Plan 2035, P23

19 Exhibit 24, Hearing Agenda PDF P712. Letter from Kim Bowman, March 8, 2022.

Lennar has proposed retiring lot 73, keeping it as open space, and retaining the two Oregon White Oaks on it. By also choosing to not develop lot 74, Lennar would realize a space of 168 x 140 feet that is an ideal location and size for a neighborhood park that would be anchored by the two oak trees. Such a park would enhance the appeal of the neighborhood to any potential buyers and would likely have a net positive impact on Lennar's overall ROI on the project.

7. Oregon White Oak #12300 potentially 200 years old. In correspondence from the Washington Department of Fish and Wildlife²⁰, biologist Amaia Smith recommends "that the applicant continue to explore alternative designs to preserve the 43-inch DBH Oregon white oak tree since a tree of that size could be 200 years old." And also states that "I do not agree that avoidance and minimization efforts were fully explored..." This tree, #12300, is on the planned lot 98²¹. If Lennar cannot find a way to develop this lot without removing this tree, then I urge Lennar and the City to convert this lot into open space and preserve this tree. It would enhance the appeal of the other lots in the area and would potentially improve Lennar's overall ROI on the project.

8. Easement. As a suggestion in the interest of prudent long term planning, I would like to propose that The City and Lennar include a utility easement to run from N 87th Avenue towards Country View Circle in the vicinity of lots 80 – 82. Such an easement should be routed such that it does not compromise the viability of trees #12049 and #12050 in the area. While there is no short term need for utilities on Country View Circle, future residents may desire a fire hydrant. Such a hydrant would not be possible without a water easement in place. I am not suggesting that any actual water main or other utilities be installed at this time, only that an easement be established to allow for the option in the future.

9. NE 28th Street and 232nd Avenue: The traffic study indicates that the nearest intersection of NE 28th St and 232nd Ave does not require any upgrading as a consequence of this development. But I believe that by incorporating the most recent collision data available, this intersection is flashing yellow and merits proactive attention by The City. Pages 21 and 22 indicate that the intersection has a "crash rate" of 0.48 crashes / million vehicles entering the intersection based upon six collisions during the five year study period of 1/2015 - 12/2019. But by utilizing the most recent data from the WSP database²² we see seven crashes in the most recent three calendar years: 2019, 2020, and 2021²³. By utilizing an Annual Average Daily Traffic volume for the intersection of 6,880 as assumed by the traffic study, we get 0.93 collisions per million vehicles entering the intersection for the last three years. I urge The City to proactively monitor traffic volumes at this intersection, collecting data at least bi-annually, including all turn data, and monitor annually for collision rates. Should collision rates exceed 1.0 during any three year period, I urge The City to pause all subsequent development until this intersection is upgraded. I acknowledge that city officials often prefer a five year average for such calculations. But there has been an exponential rise in the number of homes and drivers in the vicinity of this intersection over the last decade that is likely to continue. I believe that a shorter measurement window for collision rates is appropriate under these circumstances.

20 Exhibit 34, Hearing Agenda PDF P739.

21 Tree Report, P16 and 19.

22 <https://fortress.wa.gov/wsp/collisionanalysistool/Query/SearchCriteria>.

23 They are: E923671 5/23/2019, EA02765 12/20/2019, EA84265 11/24/2020, EB10619 2/28/2021 (involving a bicyclist), EB42601 6/15/2021, EB53840 7/20/2021, EB69640 9/21/2021.

10. A plea for an unambiguous decision that cannot be misinterpreted. Resident Kim Bowman in comments to The City on this project²⁴ states the following in regards to the adjacent Green Mountain Estates project:

“Holt Homes has been permitted to demolish an obscene number of trees for their phase 4 - 6+ of the Glades. Leveling an entire green hilltop has environmental impact as well as an impact on residents.”

A number of the trees that Ms. Bowman is referring to were actually protected according to these instructions:

44. “The applicant shall analyze the health of the trees within 10 feet of the rear of Lots 139-150. If trees are deemed healthy by the project’s arborist, and the trees will not be impacted by site grading, then the trees will not be removed. Trees shall remain within subject lots until occupancy.”²⁵

Those trees were never analyzed by a project’s arborist and were cut down anyway on May 28, 2021. When we took issue with this action, the attorney for Holt replied to our attorney asserting that the grading plan called for installing a storm drain where the trees had been and was therefore justified. This is not a valid argument. As stated previously, the SWMMWW asserts that preserving those trees would have been “the single most effective method for reducing erosion.”²⁶

I urge therefore in this case, that the hearing examiner who authors the final decision for Camas Heights, allow no room for any misinterpretation of his instructions. If Lennar is allowed that a “grading plan” may possibly be a justification for removing some trees, then Lennar should be required to show that there was a genuine conflict between the actual grading and tree preservation plans and that Lennar is still in alignment with the SWMMWW and CMC. “Grading plan” should never be allowed as a type of pass code to escape responsibility.

Conclusion:

I am a believer in property rights and support Lennar’s right to develop their property in accordance with the City’s municipal codes. I also believe just as earnestly in our mutual responsibility towards each other to ensure that we are good stewards of the environment that we are privileged to live in. These are not mutually exclusive choices. The healthiest communities are the ones that have come to understand that they can embrace both.

I urge Lennar to recognize that mature trees in particular are not just an asset to the community, but to them as well. By treating them as assets, Lennar can not only enhance its project, but improve its return on its investment.

As noted by the City’s native son and founder of Earth Day, Denis Hayes, “Camas is in one of the most spectacularly beautiful and biologically diverse parts of the planet...”²⁷ I urge the City to continue to step up its game in overseeing development in an environmentally responsible manner that not only celebrates the natural beauty of the setting we are privileged to live in, but that does Denis Hayes, and all residents of Camas proud.

24 Hearing Agenda PDF, Exhibit 24, P712.

25 Final Order Green Mountain Estates, City of Camas, File Sub15-02, June 24, 2016, Judge Joe Turner.

26 SWMMWW, P270.

27 <https://www.camaspostrecord.com/news/2021/feb/18/creating-super-green-cities/>.

Addendum – Pictures



Tree #12301 - Oregon White Oak