

RESOLUTION NO. 1044

A RESOLUTION adopting Findings for Hancock Springs
Subdivision, SUB 05-03.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CAMAS AS FOLLOWS:

I.

THE COUNCIL makes the following Findings with respect to the application for preliminary plat approval for Hancock Springs Subdivision, SUB 05-03:

1. Private Capital, LLC, filed an application of February 9, 2005, to subdivide approximately 7.9 acres of real property into sixteen (16) single family residential lots.
2. The City issued a letter finding the application technically complete on June 16, 2005.
3. An MDNS was issued on August 26, 2005. The conditions of mitigation set forth in the MDNS related to erosion control, storm water runoff, noise, and emissions.
4. Charles and Billy Gaye Lawrence filed a SEPA appeal on September 9, 2005.
5. The Planning Commission conducted a hearing on October 18, 2005. The Planning Commission recommended approval of the subdivision application with conditions, and recommended denial of the SEPA appeal.
6. Both parties submitted written argument to the City Council. The Lawrences requested that the application either be denied or remanded to the Planning Commission for further consideration of issues relating to tree removal, wetlands, and hydro-geological issues. Prior to opening the closed record meeting on November 21, 2005, the Camas City Council unanimously voted to remand to the Planning Commission for additional testimony on wetlands and habitat.
7. The Camas Planning Commission held a second hearing on December 20, 2005, to take additional testimony regarding the contested issues of habitat and wetlands. The applicant proposed reducing the number of lots from 16 to 14 to further address wetland mitigation concerns. The Planning Commission recommended approval of a 14 lot subdivision with conditions, and recommended denial of the SEPA appeal.
8. The City Council conducted a hearing on January 17, 2006.
9. The applicant submitted a wetland mitigation study as required by City Code. The applicant initially reduced the proposed wetland fill from 0.47 acres to 0.37 acres. At the second Planning Commission hearing, the applicant further reduced wetland fill by reducing the number of lots from 16 to 14.
10. Camas Municipal Code 18.31.050 provides that the intent of the wetland regulations is to

avoid adverse impact to wetlands and wetland buffers, except where it can be demonstrated that such impacts are unavoidable and necessary, or that all reasonable economic uses of the property would be denied. The Council finds that the phrase "avoid adverse impacts" means to avoid adverse impacts to the functions and values of wetlands.

11. Functions and values of wetlands refer to the ability of a wetland to store water and protect against flooding, to provide habitat for water fowl and wildlife, to enhance water quality through filtration of runoff and assimilation of nutrients and toxicants by vegetation, and to support growth of native vegetation.

12. The wetlands on the subject real property are of low quality in that they provide little in the way of wetland values and functions.

13. The elimination of two lots coupled with the mitigation measures proposed by the applicant will result in improved wetland functions and values on the subject real property.

14. The applicant submitted a tree study that complies with code. The mitigation measures proposed by the applicant satisfy the preservation measures of CMC 17.19.030, and adverse impacts will be mitigated through replanting.

15. The applicant submitted a storm water treatment plan as required by code. The flow spreader, bio-filtration swale, and the underground detention facility proposed by the applicant will adequately treat storm water impacts from this development. There will be no increased runoff to neighboring properties.

16. The applicant has submitted a wildlife plan as required by code. Habitat conditions will be improved by mitigation measures to the wetlands and to the riparian corridor.

17. The Council incorporates by reference all Findings and conditions of approval as set forth in the Staff Report to the extent such Findings are not inconsistent with the Findings set forth herein.

18. The Council finds that appropriate provisions have been made for public health, safety and general welfare and for open spaces, drainage ways, streets and roads, alleys, and other public ways, transit stops, potable water supplies, sanitary waste, parks and recreation, playgrounds, schools and school grounds, and that the public use and interest will be served by platting of such subdivision and dedication.

II.

BASED UPON ON THE FOREGOING FINDINGS, THE COUNCIL MAKES THE FOLLOWING DECISION:

1. The recommendation of the Planning Commission, including the conditions of approval set forth therein, is hereby adopted, and the Preliminary Plat Application is approved subject to such conditions.

2. The SEPA appeal of Charles and Billy Gaye Lawrence is denied.

ADOPTED at a regular meeting of the Council of the City of Camas, this 6th day of March, 2006.

SIGNED: Paul D. [Signature]
Mayor

ATTEST: John M. Augie [Signature]
Clerk

APPROVED as to form:
[Signature]
City Attorney