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BEFORE THE CITY OF CHEHALIS HEARING EXAMINER

In the Matter of:

UGA-PLAT-20-001

HOMEFIRST DEVELOPMENT, LLC,
Subdivision/Preliminary Plat Application
within the Urban Growth Area of City of
Chehalis,

FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND DECISION APPROVING
SUBDIVISION

Applicant

Applicant: Homefirst Development LLC
1868 State Avenue NE
Olympia, WA 98506

Represented by Hatton Godat Pantier
Jeff Pantier, PLS
3910 Martin Way, Ste B
Olympia, WA 98506

City of Chehalis Representative:

Gary Cooper/Tammy Baraconi
City of Chehalis
1321 S. Market Blvd.
Chehalis, WA 98532

Summary of Project Proposal

Proponent seeks preliminary plat approval for a 65-lot residential subdivision within the Urban Growth Area of the City of Chehalis. The subject property is approximately 22 acres and is adjacent to an existing residential subdivision.

FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND DECISION APPROVING SUBDIVISION - 1

CITY OF CHEHALIS HEARING EXAMINER

345 N.W. Pacific Avenue / P.O. Box 867
CHEHALIS, WASHINGTON 98532
PHONE: (360) 748-9281 / FAX: (360) 748-3184

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Location of Project

Lewis County Tax Parcel Number 017875734078, in the SW ¼, Section 14, Township 13 North, Range 2 West, W.M., Lewis County, Washington. The property address is listed as 0 Harold Drive, Chehalis, WA.

Summary of Ruling

The subdivision application is **APPROVED/GRANTED** subject to conditions.

Open Public Hearing

An open public hearing on this application was held before the Hearing Examiner of the City of Chehalis on August 26, 2021 at 5:15 pm.

Materials Submitted and Evidence

In advance of the hearing, the City submitted a staff report providing an overview of the application along with staff recommendations. The City's staff report, along with its exhibits A through D were presented at the commencement at the hearing and admitted into evidence based upon the agreement of the parties. Upon presentation by Mr. Pantier, on the applicant's behalf, submitted the previous plat map that was approved for the adjacent subdivision, the traffic impact study, and the environmental report, all of which were admitted into evidence without objection and upon agreement of the parties. During the open record hearing, no additional materials were submitted to the Hearing Examiner.

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Testimony at Public Hearing

At the hearing, the City provided an overview of its Staff Report and recommendations. Mr. Pantier, of Hatton Godat Pantier, appeared on behalf of the applicant and provided a thorough overview of the application and projected development, as well as the various components of the subdivision application and environmental reviews. Two members of the public spoke and provided comment on the application.

NOW THEREFORE, upon consideration of the testimony and materials submitted prior to, during, and subsequent to the open record hearing, the Hearing Examiner enters the following findings of fact and conclusions of law.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Jurisdiction. The City of Chehalis Hearing Examiner has jurisdiction over the subject matter and the parties hereto.
2. Incorporation. All materials contained in the foregoing sections above are incorporated herein by this reference and adopted by the hearing examiner in these Findings of Fact and Conclusions of Law.
3. Notice of Application and Notice of Hearing was properly given to the public and residents within 300 feet of the Subject Property. The procedures set forth in CMC 17.09.130, CMC 17.09.115(A)(2), and otherwise have been adequately satisfied and notice requirements are fulfilled.
4. The requirements of SEPA have been completed.
5. Under CMC 17.78.010 (uses categorized), the proposed use of the site for single-family residential use is permitted.

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- 6. Under CMC 17.72.020 (bulk regulations r-uga zone), as per the bulk regulation codes, the minimum lot size within the R-UGA zone is 6,000 square feet. The current proposal has an average lot size of 6,034 square feet and is consistent with this bulk requirement standard.
- 7. Under CMC 17.52.030 (parking and loading), the code requires any future development of residential lots to meet requirements of CMC 17.84 for parking and loading. The applicant's proposed lots are adequate to meet the parking and loading requirements of the code.
- 8. Under CMC 17.52.040 (fences, walls, and hedges), no fences are proposed in the application, but upon development each residential lot owner will be required to comply with fence, wall, and hedge requirements as set forth in the City code.
- 9. Under CMC 17.52.080 (essential services/utilities), the code requires that essential services be available and that utilities be approved by the public works director of Lewis County prior to the issuance of any development permits. Essential services, as defined in CMC 17.06.105, are available to the site, and sewer and water utilities are available to the site. Stormwater facilities have been given preliminary approval and will be subject to as-built approval at the time of final platting. To the extent approval is required by Lewis County or other agencies, the approval set forth by this decision is conditioned upon the approval of those agencies.
- 10. Under CMC 17.12.070 (general layout of lots) the code requires all lots within a subdivision to meet minimum lot size and dimension for the zoning district. The application complies with the code with an average minimum lot size of 6,034 square feet.

- 1 11. Under CMC 17.12.075 (streets and roads), the code requires that lots within a subdivision
2 have direct legal access to either a public right of way or platted private street or road. The
3 applicant meets this requirement with all lots having access to a road that will be built to
4 public standards.
5
- 6 12. Under CMC 17.12.080 (utilities), the code requires proposed subdivision provide for
7 connections to water and sewer for each lot created. The applicant meets this standard with
8 all lots making provisions for access to sewer and water.
9
- 10 13. Under CMC 17.12.085 (dedication of open space), the code requires that any proposed
11 plat creating 10 or more lots shall provide a minimum of ten percent of the total gross area
12 of the plat for parks, open space, greenbelt, and/or buffer strips. Wetland and other sensitive
13 areas may be included in the 10 percent calculation, provided at least half of the
14 nonenvironmentally sensitive area shall be capable of use for active recreation. The
15 application meets this requirement. Total open space for he plat is 6.86 acres, which
16 exceeds the requirement of 2.2 acres. 1.02 acres is suitable for recreation.
17
- 18 14. Under CMC 15.30.030 and CMC 15.30.040 (review of storm drainage plans), the code
19 requires that a storm drainage plan be submitted that complies with the City's stormwater
20 management plans requirements contained in CMC 15.30.040. The stormwater plan was
21 submitted to and reviewed by the City Engineer and found to be in compliance with CMC
22 15.30.040.
23
- 24 15. The preliminary plat application conforms to the general provisions of the comprehensive
25 plan, as well as all applicable zoning regulations.
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1 16. The preliminary plat application makes adequate provisions for roads, wastewater
2 disposal, water supply and fire protection, stormwater drainage, park and recreational
3 facilities, schools, and other public and private facilities, utilities, and improvements.
4

5 17. All applicable requirements of SEPA have been met.

6 18. The Applicant's plat/subdivision application meets the requirements of the City Code and
7 the application is **GRANTED**, subject to the conditions set forth below.
8

9 **DECISION**

10 Based on the preceding Findings and Conclusions, the application is **GRANTED**, subject
11 to the following conditions.

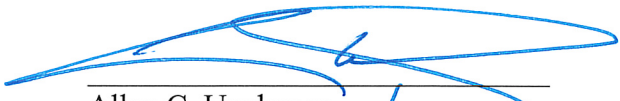
- 12 1. All improvements, as depicted on the preliminary plat map, including roads and
13 stormwater facilities, shall be constructed in accordance with the approved public
14 road standards, and in accordance with the approved stormwater management
15 plan.
16
- 17 2. Playground equipment shall be installed on the active recreation lot prior to final
18 approval and approved by the City.
- 19 3. A landscape plan prepared by a licensed landscape architect meeting the
20 requirements of CMC 17.52.070 shall be approved and implemented prior to final
21 approval.
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- 23 4. Applicant must obtain and comply with all required permitting for construction
24 and development.
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5. Applicant must obtain all other necessary approvals for final construction/development from the City of Chehalis and from any other required agency.

NOTICE: The decision of the Chehalis Hearing Examiner herein constitutes a Land Use Decision as defined under Chapter 36.70C RCW. Accordingly, an aggrieved party has a right of appeal to the Lewis County Superior Court by way of Petition filed within twenty-one (21) days of issuance of this Land Use Decision. Prior to six days after the date of mailing of the hearing examiner's written decision, any party of record may request reconsideration. The request shall set forth alleged errors of fact, law or procedure, or issues omitted from the hearing examiner's decision. Any request for reconsideration will stay further issuance of city permits, but shall not stay the time frame for filing any appeal of the hearing examiner's decision. Within seven days after receiving the reconsideration request, the hearing examiner shall either: correct or amend the original decision without an additional public hearing, or set the matter for an additional public hearing, in which case a new notice shall be published, including notice to all parties of record; or confirm the original decision.

DATED this 6 day of September 2021


Allen C. Unzleman
Hearing Examiner
City of Chehalis