

Initial Project Review

Major Amendment to Preliminary Plat: Canyon Rim Estates

Application Number: 908878

Related Application Numbers: 214689, 214690, 236203, 392763, 702045, 712201

Tax Parcel Number: 0420307025

Mid-County Advisory Commission (MCAC) Public Meeting: August 13, 2019, 6:30 p.m.,
Mid-County Community Center, 10205 – 44th Avenue East, Tacoma, WA.

Proposal: In 2011, the Pierce County Hearing Examiner approved the Preliminary Plat (subdivision) of an existing 39-acre surface mine into 16 single-family residential lots and three tracts. The lots were going to be located at the bottom of the mine. The subdivision has not yet been built. The Applicant now seeks a Major Amendment to allow the lots to be relocated to the top of the mine (along 62nd Avenue East). On the west side of 62nd Avenue East, 10 feet of additional road right-of way would be dedicated to the County, street improvements (including a paved pathway) would occur, and every two lots (of the 16 lots) would share an access. Each lot would be 27,180 square feet in size while the vast majority of the site would consist of three tracts of land for set-aside/open space, wetlands/creek, and septic drain fields. The former mine would continue to be reclaimed in accordance with State Department of Natural Resources (DNR) requirements. Water service would be from Summit Water Company. The site is in the Mid-County Community Plan area, and Rural Separator (R-Sep) and Mineral Resource Overlay (MRO) zone classifications.

Project Location: South of 72nd Street East / 72nd Street Court East and west of 62nd Avenue East, within Section 30, T20N, R4E, W.M., in Council District #5.

Review Summary: Staff has reviewed this proposal for compliance with all policies, codes, and regulations, and finds the proposal can be modified or conditioned to be consistent with the County's policies and regulations.

State Environmental Policy Act (SEPA): An environmental checklist will be required but has not yet been submitted per Pierce County Code Title 18D. For the existing preliminary plat approval, the County issued a Determination of Nonsignificance (DNS) on July 29, 1999. No appeal was filed. In 2011, two Addendums (amendments) to the DNS were subsequently issued in 2011 for various minor changes. Another Addendum is likely to be issued for the current proposal.

County Contact: Ty Booth, Planner, 253-798-3727, ty.booth@piercecounitywa.gov

Pierce County Online Permit Information:

<https://pals.piercecounitywa.gov/palsonline/#/permitSearch/permit/departmentStatus?appID=908878>



Project Data

Application Date: April 23, 2019

Staff Report Mailed: August 6, 2019

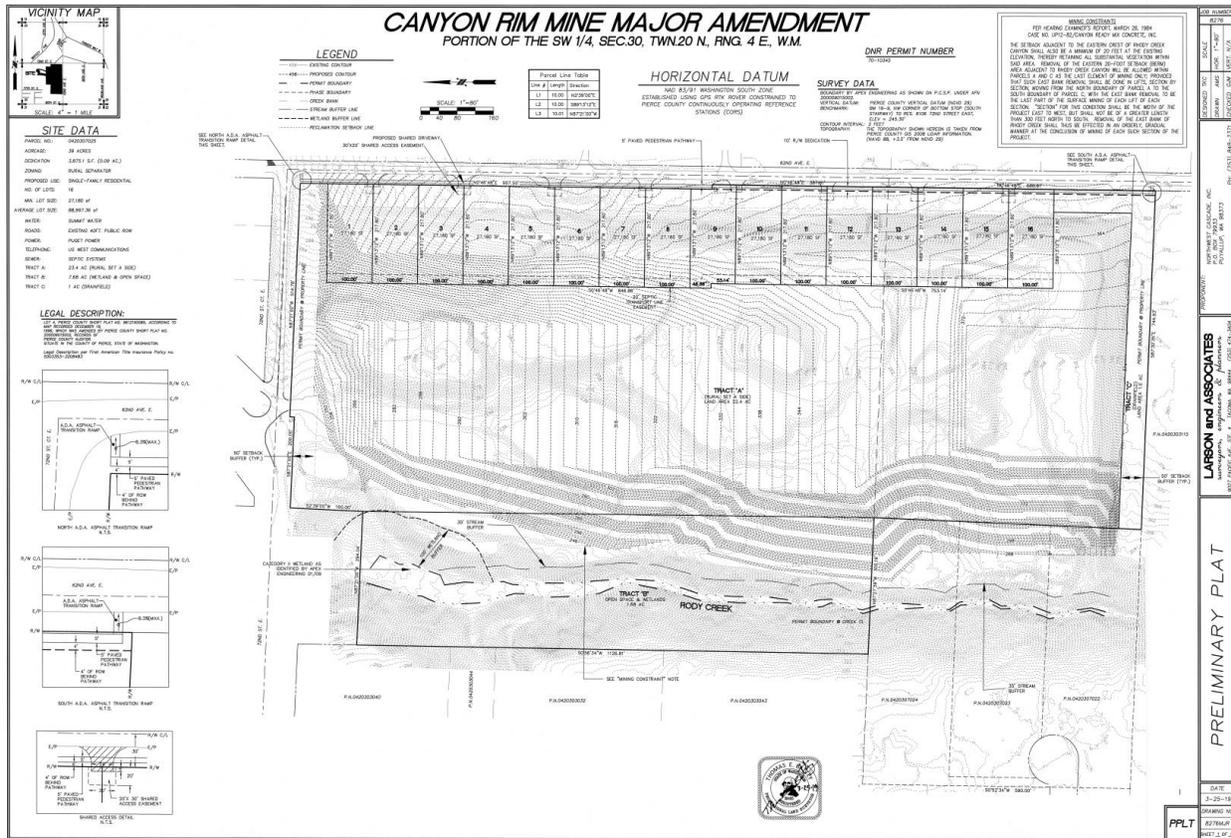
Owner/Applicant: Northwest Cascade, Inc.
Attn: Carl Liliequist
PO Box 73399
Puyallup, WA 98373
CarlLiliequist@nwcascade.com

Applicants'/Agent: Larson and Associates
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Tacoma, WA 98444
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Public and Legal Notice

- *May 7, 2019:* Notice of Application and Public Meeting Notice was sent to the following:
 - Property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property;
 - Parties of record from the last Examiner decision; and
 - Applicable governmental agencies
- *May 13, 2019:* Public Notice sign was posted on the site, confirmed with a Declaration of Posting.
- *June 10, 2019:* Rescheduling letter was sent to surrounding property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property.
- *July 31, 2019, and August 1, 2019:* Legal notice was published in the official County newspaper (*Tacoma News Tribune*), advertising the public meeting to be held by the Mid-County Advisory Commission.
- *August 2, 2019:* Rescheduling letter sent to parties of record that were not included in the June 10, 2019 mailing.

Site Plan



2017 County Photo



Comments from the Public and Agencies

1. Public: Although there have been a few public inquiries regarding the proposal, no written comments have been received.
2. Agencies:
 - A. County Development Engineering Division:
 - (1) No geotechnical report is required as the site consists of a surface mine under active reclamation.
 - (2) The County will require right-of-way be dedicated to bring the existing right-of-way up to the standard width. Therefore, a ten (10) foot wide strip of right-of-way shall be dedicated along the project's frontage with 62nd Avenue East along the southern portion of the parcel and a variable width strip along 72nd Street East to provide forty (40') from the centerline. In addition, a twenty (20) foot radius curve at the intersection of 72nd Street Court East and 62nd Avenue East is required.
 - B. County Resource Management Division: Rody Creek is a Type F1 water and should now have a 150-foot buffer and 15-foot building setback.
 - C. Washington State Department of Fish and Wildlife: They request more than a 35-foot buffer for Rody Creek.
 - D. Washington State Department of Ecology: The creek and other critical areas should be buffered in accordance with the County Critical Areas regulations.
 - E. Puyallup School District: Students would receive school bus service from Puyallup School District. The proposed pedestrian pathway along 62nd Avenue East would serve as an appropriate waiting area for students.

Site Description

The site consists of an old surface mine, which has also been utilized for soil manufacturing and storage of construction equipment. The mining has created a deep hole. The site is currently being reclaimed. The site is surrounded by fencing. Entrance to the mine is from an access road located at the north property line at the intersection of 72nd Street East and 72nd Street Court East. The access road extends south into the site although a number of dirt roads extending across the site. The topography has historically sloped steeply upwards to the east and south at the boundaries of the mine. The entire west side of the parcel features Rody Creek and associated wetlands. The wetland is a series of small seeps. The creek/wetlands are located in a deep ravine at an elevation lower than the bottom of the mine. The ravine is vegetated with trees and bushes. At least two stormwater drainage ponds have historically been situated in the northwest quarter of the property.

The previously approved preliminary plat was to result in an internal road extending southward into the site from the north property line. The road was to extend about halfway into the site and terminate in a cul-de-sac. The lots were to be located on the east and west sides of the road. Tract C (stormwater drainage) was also to be located on the west side of the road in the approximate location of the existing, northernmost stormwater drainage pond. Tract B (creek and wetlands) were to be located west of Tract C and the lots. Tract A (set-aside lands) was to be located to the south and east of the lots.

The current proposal would re-locate the lots from the bottom of the surface mine to the top. The lots would be located along the east rim. At this location there is currently a flat bench and internal perimeter road. All 16 lots would be the same size/dimensions, 27,180 square feet in size. They would measure 217.80 feet long by 100 feet wide. Each lot would access directly onto 62nd Avenue East (existing County road). A total of 8 driveways would connect with the road as every two lots would share a driveway. A 5-foot wide pedestrian pathway would be constructed on the west side of 62nd Avenue East (between the road and lots). The new road proposed at the bottom of the surface mine would no longer be necessary. Separate from the lots would be three tracts of land. Tract A would be 22.4 acres in size and utilized for open space. Tract B would be located on the west side of the site, 7.68 acres in size, and be utilized for stream/wetland/ buffer area. Tract C would be located on the south side of the site, consist of one acre, and be utilized for septic drain fields.

Prior to submitting the major amendment application, Staff was informed that the soils at the bottom of the surface mine (being imported for reclamation) would not be conducive to supporting the plat infrastructure. As such, the proposal is being relocated to the top of the surface mine.

Utilities/Public Facilities

Utility service and public facilities are proposed as follows:

- Water – Summit Water
- Sewer- On-site septic disposal system (septic tanks/drainfields)
- School- Puyallup School District

Plat History

- On October 26, 1995, the application for the plat was submitted.
- On July 29, 1999, a DNS was issued for the plat.
- The plat proposal was scheduled to be heard at a public hearing by the Examiner in September 1999. The hearing was postponed as the Applicant was planning to revise the proposal to add one additional lot. The additional lot was allowed per the Zoning Code.
- Since 1999, the proposal was not a high priority for the Applicant or County as ongoing mining and reclamation activities were occurring.
- In 2004, given that one additional lot was proposed (at the time) and that time had gone by, the County sent revised notice of the plat proposal to adjoining property owners, parties of record, and reviewing agencies. Comments were received. Subsequently, the proposal was again not a priority due to continued mining and reclamation.
- In 2006, the Mid-County Community Plan became effective and other new County Codes (of various types) had been or were being adopted. As such, even though mining and reclamation was still ongoing, the County became increasingly concerned that as years went by this old application was becoming increasingly more inconsistent with County plans/ regulations.
- In November 2008, the County sent notice to the Applicant that action would be taken to expire the application if it was not actively pursued.

- Since November 2008, the County was working with the Applicant to re-review the proposal and obtain all necessary information to allow the matter to proceed to hearing.
- On April 27, 2011, an Addendum to the 1999 DNS was issued for a 15-lot plat proposal (the Applicant switched back to proposing 15 lots). A copy was sent to those members of the public that have previously submitted comments, as well as all applicable agencies.
- Upon issuance of the Addendum, the County scheduled public hearings before the Mid-County Land Use Advisory Commission (MCAC) as well as the Hearing Examiner.
- On June 14, 2011, the Mid-County Land Use Advisory Commission (MCAC) heard the proposal for 15 lots. There were only three MCAC members present, but there was a quorum. The MCAC, after hearing testimony from the applicant, applicant's agent, two members of the public, and Mr. Booth, voted to approve the proposal 2-0 (the Chair did not vote).
- On July 8, 2011, the Applicant submitted a modification to the proposal to again allow a 16th lot. The 16th lot was allowed at the time of application and is still allowed under current regulations.
- On July 11, 2011, the Applicant's Agent reposted the site.
- On July 21, 2011, new notice was provided to abutting property owners and reviewing agencies.
- On July 21, 2011, Mr. Booth sent Deputy Examiner McGoffin a letter asking if he wanted the modified proposal to go back to the MCAC.
- On August 24, 2011, Deputy Examiner McGoffin wrote Mr. Booth a letter stating that the matter did not have to go back to the MCAC but that he wanted to provide them an opportunity to comment on the proposal.
- On August 30, 2011, the County issued a SEPA Addendum to address the modification.
- On August 31, 2011, notice was provided to the MCAC informing them of the modification and providing them an opportunity to provide comments. No comments were received.
- On October 6, 2011, Deputy Examiner McGoffin held a public hearing.
- On October 18, 2011, the Examiner issued a decision approving the proposal subject to conditions. Per State/County regulations, a final plat was to be recorded within 7 years (unless an extension was requested).
- Prior to expiration of the application, the Applicant/Agent discussed (on more than one occasion) with staff about submitting an amendment to revise the plat layout.
- On October 18, 2011, the preliminary plat expired. However, the County Planning Manager extended it for six months to allow the Major Amendment application to be submitted (note, factoring into the decision is that current zoning would allow the same proposal).

Surface Mine History

- On November 22, 1982, the County issued a Mitigated Determination of Nonsignificance (MDNS) for UP12-82. The MDNS contained six mitigation measures.

- On January 27, 1984, Examiner Backstein issued a decision approving Unclassified Use Permit Case No. UP12-82. The UP authorized the expansion of an existing 24-acre surface mine by 18 acres. The UP was approved subject to conditions. Condition a) stated that the permit shall be considered valid for 25 years or less unless otherwise revoked by the County.
- On March 26, 1984, Examiner Backstein issued a decision on a Request for Reconsideration. The decision modified one of the conditions.
- In 1996, Northwest Cascade purchased the site.
- In the fall of 1996, Northwest Cascade imported 18,000 cubic yards of Nutramulch and piled it on the top of the pit adjacent to the south property line.
- Neighbors complained to the County about odors, truck traffic, potential water contamination, etc. The County investigated and found that U12-82 did not allow the import of material nor did it allow topsoil production.
- On December 20, 1996, the Planning Department sent a letter to Northwest Cascade requesting that they cease importing compost material and producing topsoil and to file an application for a conditional use permit to add topsoil production as an authorized use on the site.
- On January 9, 1997, a Conditional Use Permit (CP) was applied for to allow organic and inorganic material to be imported to the site to be utilized in the manufacture of topsoil. The inorganic material is limited to use in the reclamation of the mining pit site. The case was known as CP2-97.
- On February 19, 1997, the Planning Department issued a Cease and Desist Order to Northwest Cascade for the stockpiling of the 18,000 cubic yards of composted material and for the ongoing production of topsoil in the pit.
- On March 11, 1997, Examiner Causseaux issued a letter stating that he would not grant a temporary stay of the Order.
- Northwest Cascade subsequently appealed the Order to the Examiner.
- On April 8, 1997, Examiner Causseaux issued a decision that denied the appeal of the Cease and Desist Order but amended the Order. On the same day, the County also issued an MDNS for the proposed CP.
- On May 13, 1997, a modified MDNS was issued in response to comments received during the comment period. There was no new comment or appeal period. No appeal of the MDNS was filed.
- On June 3, 1997, Examiner Causseaux issued a decision that denied a Request for Reconsideration filed regarding the decision issued on April 8, 1997.
- On September 29, 1997, Examiner Causseaux issued a memo stating that he would no longer be the Examiner on this matter due to a potential conflict of interest. He appointed Deputy Hearing Examiner Keith McGoffin to assume responsibility effective immediately.
- On October 28, 1997, Examiner McGoffin issued a decision denying a request to amend the Cease and Desist Order.

- On January 8, 1998, Examiner McGoffin issued a decision on CP2-97. Of note, Condition 11 reiterated the 2009 termination date of the UP. Further, Conditions 14, 16 and 17 required water testing.
- On March 3, 1998, Examiner McGoffin issued a decision that denied the Requests for Reconsideration filed regarding the CP decision issued on January 8, 1998.
- On August 10, 1998, Examiner McGoffin issued a decision reiterating that water drilling and testing are required to be done under the supervision of the applicant's hydro geologist in consultation with PALS.

Staff Comment: The permit for the existing surface mine has expired (aside from reclamation of the site). Since then, it has appeared at times that the site was being utilized as a contractor's yard which is not allowed in the RSep zone. Staff has informed the Applicant on more than one occasion that use of the site for a contractor's yard (not related to site reclamation) is not allowed.

Surrounding Land Use / Shoreline / Zoning Designation: The site is adjoined on the north side by the intersection of 72nd Street East and 72nd Street Court East. Single-family residences are located across those streets from the mine. The east side of the parcel is bordered along its entire distance by 62nd Avenue East. Single-family residences, pasture land, and a cell tower are located across said street. The south side is adjoined by a mobile home park. Across the creek, the uses entail single-family residential lots and vacant property. The zoning on the adjoining sites is Rural Separator (RSep).

Initial Planning and Public Works Staff Review for Consistency with Land Use Policies and Regulations

Pierce County General Provisions (Pierce County Code, Title 18)

18.130.040 Major Amendment to Preliminary Plat.

A. General Requirements. The following is required for all proposed amendments to a preliminary plat that exceed the minor amendment criteria, PCC 18.130.020 A.4.

1. The Department shall set a date for public hearing before the Examiner after all requests for additional information or plan correction, as set forth in PCC 18.60.020 B., have been satisfied and, if applicable, either a determination of non-significance (DNS or MDNS) or EIS (FEIS or FSEIS), if required, has been issued. The public hearing shall follow the procedures set forth in Chapter 18.80 PCC, Notice, and Chapter 1.22 PCC, Pierce County Hearing Examiner Code.
2. Any amendment that requires a permit other than those granted in conjunction with the original preliminary plat approval shall require the approval of such permit before or with the decision on the proposed major amendment.
3. The Examiner's written decision on the major amendment shall include findings and conclusions, based on the record, to support the decision. The Examiner shall inquire into the public use and interest proposed to be served by the amendment of the subdivision and dedication. A proposed major amendment shall not be approved unless the Examiner makes written findings that:
 - a. The proposed major amendment addresses all applicable conditions of approval for the original permit;

- b. Appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, critical areas, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school; and
- c. The public use and interest will be served.

B. Approvals. The Examiner has the authority to approve or deny any proposed major amendment and may impose additional or altered conditions and requirements as necessary to assure that the proposal conforms with the intent of the Comprehensive Plan, applicable community plans, and other applicable County codes and state laws.

Staff Comment: The County determined that the proposal does not qualify for a minor amendment (notably because a different access point was proposed) and therefore requires a major amendment. At the time the major amendment application was submitted, there was an existing approved preliminary plat. Since the preliminary plat was submitted, various regulations have changed. The request to bring a proposal into further conformance with current regulations through a major amendment depends on what is reasonable given the changes being requested through the major amendment. In this case, the main change Staff recommends is that the buffer from Rody Creek be significantly increased.

1994 Pierce County Comprehensive Plan (Pierce County Code, Title 19A)
Mid-County Community Plan (Pierce County Code, Title 19A, Chapter 19A.10, Chapter 14, Appendix H)

Staff Comment: The prior plat was submitted prior to the effective date of the Mid-County Community Plan. As such, it was only reviewed under the general principals of the 1994 Pierce County Comprehensive Plan. For the current proposal, the Mid-County Community Plan is in effect. Staff has reviewed the current proposal's level of consistency with the Community Plan. Staff finds that the appearance of 16 single-family residences in a row may appear contradictory to the rural nature of the RSep zoning. Previously, the homes were proposed in the bottom of the surface mine where in some cases they were out of sight and therefore out of mind. With that said, the overall density of the site would remain consistent with current zoning for the RSep zone. Further, the proposal would result in preservation of a large tract of land and the potential for expanding the previously approved stream buffer from 35 feet wide to something much larger. It should be mentioned that the Community Plan does have policies that address the potential for acquiring surface mine reclamation sites for public park or open space purposes.

Pierce County Zoning Code (Pierce County Code, Title 18A)

18A.27.020 Mid-County Rural Zone Classifications Use Table.

This section lists which uses are allowed in which rural zones. It lists that single-family residences are a permitted use in the Rural Separator (RSep) zone.

Staff Comment: The use is consistent with the RSep zone.

18A.15 Density, Setbacks, and Lot Dimension.

The number of lots is based upon dwelling units per acre (density). The density of a development is calculated by dividing the number of dwelling units proposed by the total acreage of a site. In the RSep zone, two dwelling units per 5 acres (0.4 du/ac), when 50 percent or more of the property is designated as open space, shall be permitted. The maximum number of dwelling units in one cluster shall not exceed 15 principal dwelling units.

A minimum lot dimension of 60 feet is required. There is also a 2 ½ acre minimum lot size requirement. However, there is an exception which states that minimum lot size may be reduced to 1 acre within a formal subdivision provided the formal subdivision remains in compliance with the density requirements of the applicable zone.

The RSep zone requires structures be set back 25 feet from all roads, 30 feet from rear property lines, 10 feet from interior (side) property lines, and be limited to a height of 40 feet.

Staff Comment: The proposed lots would be 27,180 square feet in size and below the required 1-acre minimum lot size. If necessary, the lots could be expanded to extend down the hillside. However, the lots would be somewhat larger than those currently approved in the bottom of the surface mine (they were going to have a minimum size of .46 acres, a maximum size of .57 acre, for an average size of .5 acre). As such, Staff believes the lot sizes are appropriate as proposed. In addition, a maximum of 15 lots are allowed in a cluster...and this proposal exceeds that by 1 lot. However, the current approved proposal had a cluster of 16 lots. Note, the Mineral Resource Overlay (MRO) basically just signifies that a surface mine exists (or did exist in the case) on the site.

Chapter 18A.50 Open Space Lands.

The purpose of this section is to outline the provisions for designating open space lands in conjunction with new development. Certain uses shall be permitted in areas which have been designated open space. Such uses are passive recreation and accessory structures; agricultural practices and associated structures; aquaculture; forestry practices based on an approved timber management plan as determined by the Department of Natural Resources or Natural Resource Conservation Service; pervious and impervious surface trails; private and public roads; utility easements; drainfields; and other infrastructure improvements.

When a property owner elects to designate open space land, then a restriction shall be placed on the title of the property which limits the activities that may occur on the tract(s) to those identified above. The restriction shall also indicate that the limitation on permitted uses shall continue until the Comprehensive Plan and Zoning Regulations have been amended to allow increased densities on the site.

Prior to or concurrent with final approval of the subdivision, the open space lands(s) shall be placed in a separate tract(s), protective easement, or similarly preserved through an appropriate protective mechanism as determined by the Department.

Staff Comment: The 16 lots are the maximum number allowed as at least 50% open space is proposed. Although not required, the Applicant has designed a proposal that leaves the majority of the site as open space lands (far more than required). However, the proposal needs to specify the intended long-term use of the Tract (after completion of reclamation).

If the zoning regulations change in the future, the open space land could be potentially developed further with residential uses, with the exception of the stream/wetland's areas.

It should be mentioned that County mapping shows the majority of the site as being within an open space corridor. However, the mapping does not include the eastern portion of the site where the homes are proposed to be located.

Chapter 18A.35 Parking. Single-family residences require two off-street parking spaces.

Staff Comment: *The proposal would meet this requirement.*

Pierce County Land Divisions and Boundary Changes (Pierce County Code, Title 18F)

The major purpose of the Pierce County Subdivision Code is to provide regulations that govern the development of subdivisions within unincorporated Pierce County. The following language is located in Section 18F.40.030 C.: Required Written Findings and Determinations. The Examiner's written decision on the preliminary plat shall include findings and conclusions, based on the record, to support the decision. The Examiner shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. A proposed subdivision and dedication shall not be approved unless the Examiner makes written findings that: 1. Appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, critical areas, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and all other relevant facts including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school; and 2. The public use and interest will be served by the subdivision and dedication.

Staff Comment: *The prior approved preliminary plat was submitted under the old Pierce County Subdivision Code (Pierce County Code, Title 16). The required findings in the old and new codes are similar.*

With regards to the current proposal, Staff finds that provisions are provided for open space. Tracts will be provided for open space, wetland/stream/buffers, and for a community drainfield. The tracts comprise the majority of the site.

The site contains steep slopes. The Development Engineering Section has determined that submittal of a geotechnical assessment and/or report (per the County Critical Areas regulations) for the proposed plat is premature at this time or not necessary. The determination was made as a surface mine has existed on-site. Considering the mining and reclamation activity, the slopes have been constantly changing. Therefore, a geotechnical assessment and/or report is not required now but could be prior to site development permit issuance for the proposed plat.

Staff is unclear if the revised proposal would require the need for storm drainage ponds. If so, the site plan should identify such. Further, the ponds should be located outside of any required buffers/building setbacks from the creek/wetlands. Should the preliminary plat be approved, prior to issuance of construction permits, a storm drainage plan would have to be submitted to and approved by the Pierce County Development Engineering Division. The storm drainage plan must show that any water-runoff associated with the development will not impact adjacent properties.

Appropriate provisions currently exist for streets, roads, and alleys in that County roads about the site.

A review of the proposal by the Pierce County Development Engineer indicates that the traffic volumes generated by the proposal would not result in significant adverse impacts to the local road network.

A park impact fee exists which requires new single-family residences to pay money to the County for the development of regional parks. The lots themselves are large enough to provide for the active recreation of plat residents. Further, the majority of the site would consist of open space lands which could be utilized for recreation (at least until if and when the zoning changes and more lots are developed on-site). Therefore, a separate lot for a playground would not be necessary at this point.

Schools and school grounds are addressed in that the applicant must pay a school impact fee to the Puyallup School District in order to mitigate for impacts resulting from increased enrollment. As for safe walking conditions, the area is rural and the streets surrounding the site do not have sidewalks. However, a pedestrian pathway is proposed along the east side of the proposed lots. The school district is fine with this pathway. The site plan should identify though a path or means for how lot owners would access Tract A. Staff would perhaps suggest extending the paved pathway to the north side of the site or a trail west of the proposed lots.

Overall, the surrounding area consists of single-family residences, mobile homes, agricultural lands, and vacant land that exist on primarily large lots. The applicant's proposed use of the site and lot sizes are consistent with the neighborhood.

Pierce County Design Standards and Guidelines (Title 18J, Pierce County Code)

This code deals with a variety of regulations including site design, site clearing, tree conservation, landscaping buffers, street trees, infill compatibility, noise attenuating barriers and structural walls, off street parking/pedestrian/bus/bicycle facilities, exterior illumination, parking lot landscaping, plant lists, plant sizes/soil amendment/mulching/irrigation, plant installation, plant protection/maintenance, low impact development, rural pathways for civic uses, mechanical equipment/outdoor storage screening, dry sewer lines, stormwater facilities, recreational areas, and others. It also includes, in Chapter 18J.70, specific design standards/guidelines for the Mid-County Community Plan area.

Staff Comment: This Title was not in effect when the preliminary plat was approved. Staff has reviewed the current proposal against this Title. It is somewhat difficult to apply the Title to this site as it is a former surface mine currently under reclamation (including later revegetation). With that said, it appears the only sections that apply would be 18J.15.050 (street trees) and 18J.15.170 (stormwater facilities). On those, Staff would recommend street trees be installed along the road where the proposed homes would be located. Staff also recommends that there are some existing trees along 62nd Avenue East and they should be retained to the maximum extent feasible. In addition, if any stormwater pond is required, it be designed so that it fits into the environment (more curvilinear than the standard square/rectangular pond).

Canyon Rim Estates PP Major Amendment MCAC-TB.doc