




---

## COMMUNITY DEVELOPMENT DEPARTMENT

510-B Pioneer Street | PO Box 608 | Ridgefield, WA 98642  
 (360) 887-3908 | Fax: (360) 887-2507 | ridgefieldwa.us

---

### Notice of Decision: Cloverhill Ph 2 Lot 130 Administrative Adjustment File No. PLZ-21-0096

<b>Decision Date</b>	December 16, 2021
<b>Proposal</b>	The applicant proposes to reduce the minimum width of the street side setback by 9.6% from the minimum of ten feet to 9.04 feet to accommodate the pre-existing 3' sidewalk easement present on the lot and allow for the construction of a single-family residence.
<b>Project Location</b>	4306 S 14th Way/ Ridgefield, WA 98642. CLOVERHILL PUD PH 2 LOT 130 NE ¼ S29 T4N R1E. Assessor's #986057910, 0.16A
<b>Applicant/ Property Owner</b>	Jarret Helmes, New Tradition Homes 11815 NE 113th Street / Vancouver, WA 98662 Contact: 360.448.4719, jarret.helmes@newtraditionhomes.com
<b>Applicant's Representative</b>	Drew Helmes, New Tradition Homes 11815 NE 113th Street / Vancouver, WA 98662 Contact: 360.448.4719, drew.helmes@newtraditionhomes.com
<b>Zoning</b>	Residential Low Density (RLD-8)
<b>Review Type</b>	Type II administrative review – Administrative Adjustment
<b>SEPA Determination</b>	Exempt
<b>Applicable Criteria</b>	RDC 18.205, Uses; 18.220 Residential Medium Density Districts; RDC 18.310.070, Type II Procedure; RDC 18.350.020, Adjustments; RDC 18.350.030, Decision Standards for Adjustments
<b>Public Review</b>	21 days: November 11, 2021-December 2, 2021
<b>Staff Contact</b>	Anne McNamara, Planner I Contact: anne.mcnamara@ridgefieldwa.us, 360.857.5047
<b>Decision</b>	<b>Approved, subject to conditions</b>

## I. BACKGROUND INFORMATION AND PROPOSAL

The site is located at 4306 S 14<sup>th</sup> Way and is zoned Residential Low Density 8 (RLD-8). The site is currently vacant but will be the site of a one proposed single-family residence. Nearby lots do contain critical areas, however these were addressed in the review of the Cloverhill Preliminary PUD PLZ-16-088. The adjacent parcels are also zoned RLD-8. The applicant is proposing to reduce the minimum street side yard setback by 9.6%, from them minimum of 10 feet to 9.04 feet, to accommodate previously unaddressed staff error carried over from a in a previous decision.

## II. PROCEDURE

The following summarizes key application processing procedures for the proposal in accordance with RDC 18.310, Procedures:

<b>October 15, 2021</b>	Application materials submitted
<b>November 4, 2021</b>	Technically complete notice issued
<b>November 11, 2021</b>	Public notice of land use review issued
<b>December 2, 2021</b>	Comment period ended
<b>December 16, 2021</b>	Decision issued

## III. PUBLIC COMMENTS

The City issued a notice of pending land use review on November 11, 2021, following the requirements in RDC 18.310.070.A. The public comment period ended on December 2, 2021. No public comments were received during this period.

## IV. FINDINGS

### A. Uses (RDC 18.205)

#### Proposal

The project site is zoned RLD-8 and is currently vacant, with plans to construct a new single-family residence as part of the Cloverhill subdivision.

#### Findings

Single family detached residential dwellings are a permitted use in the RLD-8 zone per RDC Table 18.205.020-1.

### B. Zoning: Residential Low-Density Districts (RDC 18.210)

#### Proposal

The project site is zoned RLD-8 and the proposed development is subject to the relevant standards in RDC 18.210. As demonstrated in the Cloverhill Preliminary PUD PLZ-16-088, the applicant proposes to the meet the base zone standards. The applicant proposes to reduce the minimum street side yard setback from 10 feet to 9.04 feet to accommodate for previously unaddressed staff oversight on a similar lot, where the

minimum side yard setback was applied rather than the minimum street side yard setback. see Sections IV.C-D for analysis.

### Findings

Staff finds that the proposal meets the aforementioned dimensional standards in RDC 18.210.040 with the exception of the minimum street side setback, which is addressed through the administrative adjustment review in Section V.D-E. The following **condition of approval** applies:

- Development on Lot 130 shall continue to comply with all other applicable standards in RDC 18.210 approved through PLZ-18-0088

## C. Adjustments (RDC 18.350.020)

Adjustments are limited to modifications of twenty percent or less to any numerical standard in the code, per RDC 18.350.020.

### Proposal

The proposed adjustment reduces the street side yard setback by 9.6%, from 10 feet to 9.04 feet.

### Findings

Staff finds that the proposed reduction of the setback by 9.6% is within the adjustment limitation of no more than twenty percent per RDC 18.350.020

## D. Decision Standards for Adjustments (RDC 18.350.030)

Any decision approving an adjustment request shall be supported by findings of fact demonstrating that the decision standards (A-H) of 18.350.030 have been satisfied.

### Proposal

The applicant proposes to reduce the street yard side setback by 9.6%, from 10 feet to 9.04 feet, to accommodate applicant error.

### Findings

The applicant submitted a narrative demonstrating that the proposed administrative adjustment meets each of the standards A-G as follows. Therefore, compliance with H is not required.

The provided justification for the adjustment under (A) is that an error by city staff in the review of a similar lot in Cloverhill led the applicant to reasonably assume that a minimum side yard setback of 5 feet rather than a minimum street side yard setback of 10 feet would apply to the east side of Lot 130. For a previous Cloverhill lot, staff allowed the incorrect (street side) setback to be applied and approved due to an adjacent private street incorrectly being treated as a tract. As a result, the applicant assumed that the same circumstances would apply to this lot, which is adjacent to a similar short, dead end private street. This is an appropriate justification to meet (A) for Lot 130. However, while city staff acknowledges the previous oversight in failing to clarify expectations, this error by staff does not establish any kind of precedent. Given this, staff finds that the adjustment granted by this decision applies only to Cloverhill PUD Phase 2 Lot 130, and the intent of this decision is to rectify the previous error. Therefore, as a **condition of approval** future lots will need to comply with the appropriate setback standard as dictated by RDC 18.210.030 and as printed on the final plat.

As required by (B), the requested adjustment will not have any cumulative effects as the proposed reduction will not encroach onto any other setbacks or concentrate drainage runoff onto neighboring

properties. The critical areas near the property have been sufficiently addressed through the Cloverhill PUD review, PLZ-18-0088 and are not located in the portion of the property where the proposed residence is to be located. Therefore, the adjustment is not anticipated to have any adverse impacts to the neighborhood or the environment.

As required by (C), the request will not create unsafe conditions, and is consistent with engineering principles. The proposed adjustment is not contrary to the purpose of RDC 18.350, which allows for minor modifications to standards.

The adjustment is minor in nature and therefore will not be contrary to the provisions of the Capital Facilities plan or the Ridgefield Comprehensive Plan as required by (D).

In accordance with (E), there are not any other provisions in the Ridgefield Development Code that will address the problems outlined in subsection (A) relating to the width of the setback, and the adjustment is in accordance with the required revision process for those lots in the final plat notes.

The proposed 9.6% reduction is the minimum necessary to accommodate the construction of the single-family residence while avoiding adverse impacts to neighboring properties, as required in (F).

As described in Section V.D of this report, the adjustment is less than twenty percent as required in (G).

Staff finds that the proposal meets the administrative adjustment decision standards set forth in RDC 18.350.030.

## E. Type II Procedure (RDC 18.310.070)

### Proposal

The proposal requires a Type II Administrative Adjustment subject to the procedural requirements of RDC 18.310.070.

### Findings

Staff received and processed the application for a Type II Administrative Adjustment consistent with the requirements of RDC 18.310.070. Technically complete notice was issued on November 4, 2021, and the notice of pending review was issued on November 11, 2021, per RDC 18.310.070.A-B. the public comment period ran from November 11, 2021 through December 2, 2021 and the decision was issued December 9, 2021 per RDC 18.310.070.C-E. The City did not receive any public comments during this period.

## V. DECISION

The City of Ridgefield, after review and consideration of the application materials, public comment, and applicable approval criteria, recommends **APPROVAL** of the **Cloverhill Ph2 Lot 130 Administrative Adjustment (PLZ-21-0096)**, subject to compliance with the following **conditions of Approval**:

### A. General Conditions:

1. Unless otherwise specified herein, at the time of construction and at all times thereafter, the development shall comply with all approval requirements established in applicable plans, policies, regulations and standards adopted at the time of this application, including but not limited to, the Ridgefield Urban Area Comprehensive Plan (RUACP), the Ridgefield Capital Facilities Plan (RCFP), the Ridgefield Development Code (RDC), the Ridgefield Engineering Standards for Public Works (Engineering

Standards), current water and sanitary sewer plans, the Stormwater Management Manual for the Puget Sound Basin (Puget Sound Manual), and applicable building codes.

2. If substantial construction of the project has not begun within three (3) years of the date of preliminary approval, the approval shall expire and all permits and approvals shall become null and void under RDC 18.340.070.B.
3. Pursuant to RCW 27.53.060 it is unlawful to remove or alter any archaeological resource or site without having obtained a written permit from the Washington State Office of Archaeology and Historic Preservation. Upon any discovery of potential or known archaeological resources at the subject site prior to or during on-site construction, the developer, contractor, and/or any other parties involved in construction shall immediately cease all on-site construction, shall act to protect the potential or known historical and cultural resources area from outside intrusion, and shall notify, within a maximum period of twenty-four hours from the time of discovery, the City of Ridgefield Community Development Department and the Washington State Office of Archaeology and Historic Preservation of said discovery.
4. Obtain any necessary building and engineering permits prior to site construction. The scope of this review was limited to the land use adjustment to the street side setback and is not to be interpreted as approval of any other aspects of the site proposal. All relevant building and engineering standards will apply to development of the site.
5. Development on Lot 130 shall continue to comply with all other applicable standards in RDC 18.210 approved through PLZ-18-0088.
6. Future lots shall comply with the correct setback standards, including street side yard setback standards adjacent to private streets, as required in RDC 18.210 and as printed on the final plat.

**Reviewed by:**

Anne McNamara, Planner I

[Anne.McNamara@ridgefieldwa.us](mailto:Anne.McNamara@ridgefieldwa.us), 360.857.5047

**Signed:**



Claire Lust, Community Development Director

## VI. APPEAL PROCEDURES

An appeal of a Type II land use decision must be filed with the City Clerk within fourteen days of the issuance of the land use decision, pursuant to RDC 18.310.100 and RCW 36.70B.

## VII. Exhibits

- Application materials, upon request

