



CLARK COUNTY WASHINGTON
COMMUNITY PLANNING

TO: Clark County Council
 FROM: Ron Barca, Planning Commission Vice-Chair
 PREPARED BY: Jose Alvarez, Planner III
 DATE: September 17, 2019
 SUBJECT: CPZ2019-00002 NE 152nd Ave ANNUAL REVIEW FOR
 COMPREHENSIVE GROWTH MANAGEMENT PLAN AND MAP
 AMENDMENT

PLANNING COMMISSION RECOMMENDATION

On June 20, 2019, the Planning Commission voted 4 to 1 to approve the staff recommendation to amend the comprehensive plan designation and zoning from Commercial with Community Commercial zoning (CC) to Urban Low Density Residential with Residential (R1-6) zoning on parcel (154246000).

PROPOSED ACTION

The applicant is requesting to amend the comprehensive plan designation and zoning from Commercial with Community Commercial zoning (CC) to Urban Low Density Residential with Residential (R1-6) zoning on parcel (154246000).

BACKGROUND

The applicant owns parcel (154246000) that is designated Commercial (CC). Parcel (154246000) is 7.56 acres and is located southwest of the NE 152nd Ave. and NE 93rd St. intersection. This proposed comprehensive plan designation and zone change would allow this parcel to develop into low-density single family residential dwellings (R1-6).

The area was brought into the Vancouver Urban Growth Area in 1994 with a Commercial Comprehensive Plan designation and C-3 (now CC) zoning. There has been significant residential development in the Orchards area in the last 10 years. The site is located along NE 152nd Ave between Padden Parkway and NE 99th St. and is just north of the Fly for Fun airport. The airport is privately owned and houses 12 single engine airplanes.

The applicant has Preliminary and Final Site Plan approval for an RV Storage facility that was issued in June of 2018. The approval requires a fully complete building application be submitted within seven years of preliminary approval that was issued in February of 2018.

The site abuts NE 152nd Ave to the east, an existing private airport to the south, NE 150th Avenue to the west, and NE 93rd St to the north. The neighboring parcels to the north and west are zoned single family residential (R1-10 and R1-6, respectively), the abutting parcel to the south is zoned Airport (A), and the neighboring parcels to the east are single family residential (R1-6), and Public Facilities (PF). York Elementary located across NE 152nd Avenue is the singular parcel zoned PF.



GENERAL INFORMATION:

Parcel Numbers: 154246000

Location: NE 152nd Ave south of NE 93rd St

Area: 7.56 acres

Owner(s): TRS Investments, LLC

Existing land use:

- Site: Vacant
- North: Urban low density residential (R1-10)
- South: Airport runway zoned Airport
- East: Urban low density residential (R1-6), Elementary School zoned PF, developed
- West: Urban low density residential (R1-6), developed

SUMMARY OF PUBLIC INVOLVEMENT PROCESS

Sixty-day notice notification was sent to the Department of Commerce on April 1, 2019 under RCW 36.70A.106. A Notice of Determination of Non-Significance and SEPA Environmental Checklist was published in the Columbian newspaper on May 22, 2019. A legal notice was published for the Planning Commission hearing on June 5, 2019. A notice of application and hearing was posted on the property on June 5, 2019.

PUBLIC COMMENTS

Patrick Wright, Washington State Department of Transportation, Aviation Division

WSDOT is concerned that the current impacts of residential development in close proximity to the Fly-For-Fun airport have had detrimental effects on the airport and any future development could impede the full functions of the airport and pose a hazard to the public. If the proposal is adopted, WSDOT recommends an aviation easement be placed on the title of the property to inform the buyer of the existence of aviation operations nearby.

APPLICABLE CRITERIA, EVALUATION, AND FINDINGS

CRITERIA FOR ALL MAP CHANGES

- A. The proponent shall demonstrate that the proposed amendment is consistent with the Growth Management Act (GMA) and requirements, the countywide planning policies, the Community Framework Plan, Comprehensive Plan, City Comprehensive Plans, Applicable Capital Facilities Plans, and official population growth forecasts. [CCC 40.560.010(G)(1)].**

Growth Management Act (GMA)

The GMA goals set the general direction for the county in adopting its framework plan and

comprehensive plan policies. The GMA lists thirteen overall goals in RCW 36.70A.020 plus the shoreline goal added in RCW 36.70A.480(1). The goals are not listed in order of priority. The GMA goals that apply to the proposed action are Goals 1, 2, 4, and 5.

Goal 1 Urban Growth. “Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner”. [RCW 36.70A.020(1) and WAC 365-196-310(2)(i)].

Goal 2 Reduce Sprawl. “Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.” [RCW 36.70A.020(2)].

Goal 3 Transportation. “Encourage multi-modal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.”

Goal 4 Housing. “Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.” [RCW 36.70A.020(4)].

Goal 5 Economic Development. “Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and disadvantaged persons and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state’s natural resources, public services and public facilities.” [RCW 36.70A.020(5)].

WAC 365-196-410 Housing Element section provides recommendations for meeting the element requirements. Under WAC 365-196-410(2)(a)(iii)(B), “The housing element shows how a county or city will accommodate anticipated growth, provide a variety of housing types at a variety of densities, provide opportunities for affordable housing for all economic segments of the community, and ensure the vitality of established residential neighborhoods...

(iii) Housing goals and policies should address at least the following:

(A) Affordable housing;

(B) Preservation of neighborhood character; and

(C) Provision of a variety of housing types along with a variety of densities.” [WAC 365-196-401(2)(a)(iii)(B) and (C)].

RCW 36.70.547 General aviation airports – Siting of incompatible uses

Every county, city, and town in which there is located a general aviation airport that is operated for the benefit of the general public, whether publicly owned or privately owned public use, shall, through its comprehensive plan and development regulations, discourage the siting of incompatible uses adjacent to such general aviation airport. Such plans and regulations may only be adopted or amended after formal consultation with: Airport owners and managers, private airport operators, general aviation pilots, ports, and the aviation division of the department of transportation. All proposed and adopted plans and regulations shall be filed with the aviation division of the department of transportation within a reasonable time after release for public consideration and comment. Each county, city, and town may obtain technical assistance from the aviation division of the department of transportation to develop plans and regulations consistent with this section.

Any additions or amendments to comprehensive plans or development regulations required

by this section may be adopted during the normal course of land-use proceedings.

This section applies to every county, city, and town, whether operating under chapter 35.63, 35A.63, 36.70, [or] 36.70A RCW, or under a charter.

Finding: The proposed amendment is within the urban growth area and is served by public facilities and services to support the proposed amendment at urban densities. The proposed change from Community Commercial (CC) to Urban Low Density Residential (R1-6) zoning would increase the existing housing stock in the county. The proposed amendment is located in an area of existing urban development surrounded by residentially zoned and developed land. The proposed change from commercial to urban low density residential zoning would allow for short-term employment opportunities in the construction sector by developing an unused piece of property, but would reduce longer-term commercial employment in the area. The increased short-term construction employment and the development of low-density housing stock in an appropriate location, given the County's need for housing, outweigh the expected impact to commercial employment opportunities.

Staff consulted the WSDOT aviation division and the owner of the Fly-For-Fun airport. The owner did not object to the proposed amendment with the condition that 1) Future property owners will not interfere with the operations of the airport; and 2) The county inform future property owners on the subject property that they will be residing next to an active airport and of the potential inconveniences that may be associated with living next to an airport. The existing airport is surrounded by low density residential development that has developed over the last 25 years. The proximity of the airport to the residential is less than ideal, however based on the history of development in the area, it is difficult to conclude that low density residential development is incompatible with the existing airport use.

Therefore, the proposed amendment is consistent with the State GMA Goals 1, 2, 3, and 4, and with WAC 365-196-410(2)(a)(iii)(B) Housing Goals and Policies and RCW 36.70.547.

Community Framework Plan

The Community Framework Plan (Framework Plan) provides guidance to local jurisdictions on regional land use and service issues. The Framework Plan encourages growth in centers, urban and rural, with each center separate and distinct from the others. The centers are oriented and developed around neighborhoods to allow residents to easily move through and to feel comfortable within areas that create a distinct sense of place and community. Community Framework Plan policies applicable to this proposal include the following:

Goal 2.0 states that the Housing Element is to "identify sufficient land for housing to accommodate a range of housing types and prices." [Framework Plan, page 13].

The following housing policies apply to the proposed action:

"2.1.0 Communities, urban and rural, should contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries and to ensure an adequate supply of affordable and attainable housing." [Framework Plan, page 13]

"2.1.8 Housing strategies are to be coordinated with availability of public facilities and services, including human services." [Framework Plan, page 14]

Goal 9.0 states that the Economic Development Element is to "ensure that the type of economic development which occurs contributes to maintaining and improving the overall

quality of life in the county.” [Framework Plan, page 21]

The following Economic Development policies apply to the proposed action:

“9.1.0 Encourage a balance of job and housing opportunities in each urban center. Provide sufficient land for business as well as homes. Businesses within the community should provide a range of job types for the community’s residents.” [Framework Plan, page 21]

“9.1.4 Encourage appropriate commercial development in neighborhoods and rural centers that support the surrounding community.” [Framework Plan, page 21]

10.1.4. Establish development standards for higher densities and intensities of development along priority and high capacity transit corridors that encourage pedestrian, bicycle and public transit usage. [Framework Plan, page 22]

Finding: The subject site is within the urban growth area and located in an area of existing urban development surrounded by residentially zoned and developed land. While the Community Framework Plan encourages retention of employment land for commercial development, the Framework Plan also addresses the need for an adequate supply of housing at a range of prices. The one square mile area in the vicinity of the subject parcels is predominantly zoned Low Density Residential targeted at the middle of the housing market as outlined in the applicant’s economic analysis. The proposed amendment is consistent with the housing policies in the Community Framework Plan.

Countywide Planning Policies (CWPP)

The GMA, under RCW 36.70A.210, requires counties and cities to collaboratively develop Countywide Planning Policies (CWPP) to govern the development of comprehensive plans. The WAC 365-196-305(1) defines “the primary purpose of CWPP is to ensure consistency between comprehensive plans of counties and cities sharing a common border or related regional issues. Another purpose of the CWPP is to facilitate the transformation of local governance in the urban growth areas, typically through annexation to or incorporation of a city, so that urban governmental services are primarily provided by cities and rural and regional services are provided by counties.”

Policy 2.1 in the Housing Element states the following:

“2.1.1 The Comprehensive Plan of the county and each municipality shall identify sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing and group homes and foster care facilities. All jurisdictions will cooperate to plan for a “fair share” of the region’s affordable housing needs and housing for special needs population.

2.1.3 Link transportation and housing strategies to assure reasonable access to multi-modal transportation systems and to encourage housing opportunities in locations that will support the development of public transportation.

2.1.5 Link housing strategies with the availability of public facilities and public services.”

2.1.6 Encourage infill housing within cities and towns and urban growth areas.” [CWPP, page 72].

Finding: The proposed plan amendment and rezoning is consistent with policies in the Countywide Planning Policies. The subject sites are within the urban growth area and located in an area of urban development surrounded by residentially zoned and developed land. The proposal would provide more land for low density housing and could permit between five and seven dwelling units per acre.

Comprehensive Growth Management Plan 2015-2035 (2016 Plan)

The 20-Year Comprehensive Growth Management Plan contains many policies that guide urban form and efficient land use patterns. The most relevant goals and policies applicable to this application are as follows:

“Goal: Encourage more compact and efficiently served urban forms and reduce the inappropriate conversion of land to sprawling, low-density development.

1.3.1 Urban densities and uses may occur throughout the urban growth area if it is provided with adequate services. Development and redevelopment in the UGA should be strongly encouraged to occur in greater intensity in major centers, transit routes and other areas characterized by both existing higher density urban development and existing services.” [2016 Plan, page 46].

“Goal: Provide for diversity in the type, density, location, and affordability of housing throughout the county and its cities. Encourage and support equal access to housing for rental and homeowners and protect public health and safety.

2.2.2 Encourage a variety of housing types and densities, including mixed-use centers, services and amenities.” [2016 Plan, page 72].

Finding: The proposed amendment to change the zoning from Community Commercial to Urban Low Density Residential (R1-6) zoning would allow low-density residential use and permit between five and seven dwelling units per acre.

Conclusion: Criterion A has been met.

- B. The proponent shall demonstrate that the designation is in conformance with the appropriate locational criteria identified in the plan and the purpose statement of the zoning district. [CCC 40.560.010(G)(2)].**

Land Use Element (pg. 33)

Urban Low

This designation provides for predominantly single-family residential development with densities of between five and ten units per gross acre. Minimum densities will assure that new development will occur in a manner which maximizes the efficiency of public services. New development shall provide for connection to public sewer and water. Duplex and attached single-family homes through infill provisions or approval of a Planned Unit Development may be permitted. In addition, public facilities, churches, institutions and other special uses may be allowed in this designation if certain conditions are met. The base zones which implement this 20-Year Plan designation are the R1-20, R1-10, R1-7.5, R1-6 and R1-5 zones. The zones may be applied in a manner that provides for densities slightly higher than existing urban development, but the density increase should continue to protect the character of the existing area.

A. Purpose.

1. The R1-20, R1-10 and R1-7.5 districts are intended to:
 - a. Recognize, maintain and protect established low-density residential areas.
 - b. Establish higher densities where a full range of community services and facilities are present or will be present at the time of development.
 - c. Provide for additional related uses such as schools, parks and utility uses necessary to serve immediate residential areas.

Community Commercial (CC).

A commercial center area provides services to several neighborhoods in urban areas of Clark County and is implemented with the Community Commercial zone. New community commercial areas should generally be between 5 and 20 acres in size, spaced two to four miles from similar uses or zones, serve a population of 10,000 to 20,000, locate at minor or major arterial crossroads and serve a primary trade area between 2 to 4 miles. [2016 Plan, page 34].

Finding: The proposed comprehensive plan amendment and rezoning is consistent with surrounding land uses and is served by public sewer and water, and is in proximity to commercial services. Public open space and recreation opportunities are available to the east, northeast, and south at the Elementary school, Otto Brown and Hockinson Meadows Community Park and Tiger Tree park, respectively. The parcel is located along NE 152nd Ave. (a two-lane collector). The proposed amendment is in conformance with both the locational criteria in the comprehensive plan and the purpose of the proposed zoning district. In the vicinity of the proposed change, the surrounding parcels are zoned Urban Low with the exception of the Airport zoned property to the south. There are two commercial locations within a mile of the site, one at NE 137th Ave and Padden Parkway and the other at Ward Road and NE 162nd Ave.

Conclusion: Criterion B is met.

C. The map amendment or site is suitable for the proposed designation and there is a lack of appropriately designated alternative sites within the vicinity. [CCC 40.560.010(G)(3)].

Finding: The proposed map amendment is suitable for the proposed designation. The site is approximately 7.5 acres and is located across the road from an elementary school and surrounded by similarly zoned residential properties. There is a large area within a mile of the site with R1-6 zoning but has very few parcels available for development. The applicant's analysis also indicates a higher concentration of market rate affordable housing. "...nearly 2/3 (65%) of the homes within one mile of the subject site are valued at between \$200,000 -\$400,000. This represents a more concentrated middle price point than is indicated by the 51% of owner occupied homes in the same price range throughout all of Clark County"

Conclusion: The site is suitable for the requested Urban Low Density Residential comprehensive plan designation with R1-6 zoning. Criterion C has been met.

D. The plan map amendment either; (a) responds to a substantial change in conditions applicable to the area within which the subject property lies; (b) better implements applicable comprehensive plan policies than the current map designation; or (c) corrects an obvious mapping error. [CCC 40.560.010(G)(4)].

The proposed land use amendment (b) better implements applicable comprehensive plan policies than the current land use designation. The applicant submitted an economic analysis on national and local commercial market trends, which state that there is a reduced demand for brick-and-mortar retail that is resulting from the rise of e-commerce. According to the applicant, many retail properties, both developed and undeveloped, are suffering from this market trend. The economic analysis also indicates the size and location of the site is not well suited or situated to attract a commercial development. The site is on a collector with relatively low traffic volumes. Within less than a mile, there are two commercial developments with a former Albertsons and other retail establishments on NE 137th Ave. and Padden Parkway and the other at NE 162nd Ave and Ward Road, which the analysis indicates "have remaining space offering the appeal of higher traffic counts and with more urban residential development extending in all directions than the subject property which is more at the edge of the UGA". The analysis also indicates that "residents of the NE 152nd Ave corridor have substantial shopping opportunities available within an approximately 2-4 mile distance with existing or potential new retail development – via more heavily traveled corridors to the south and west."

Rezoning these lands for low density residential development would help address the need for more housing. R1-6 zoning is compatible with other nearby land uses, and is consistent with the way the area is developing with residential uses.

Conclusion: The proposed land use amendment (b) better implements applicable comprehensive plan policies than the current land use designation. The need for residentially zoned land to develop housing would better implement the comprehensive plan policies than maintaining this parcel as Community Commercial. Criterion D has been met.

E. Where applicable, the proponent shall demonstrate that the full range of urban public facilities and services can be adequately provided in an efficient and timely manner to serve the proposed designation. Such services may include water, sewage, storm drainage, transportation, fire protection and schools. Adequacy of services applies only to the specific change site. [CCC 40.560.010(G)(5).

Finding: The full range of urban public facilities and services are available to serve residential uses at the site. The site is in the Vancouver Urban Growth area. Water and sewer service in this area is provided by the City of Vancouver. Future development of all lots in the urban area will be required to provide a separate stormwater system at the time of development. The site is in the Evergreen School District. The site is currently in the C-Tran service area and is served by Fire District 5. Public open space and recreation opportunities are available across at York Elementary school, to the southeast at Tiger Tree Park and to the northeast at the Hockinson Meadows Community Park. Otto Brown park to the northeast is also under construction. The Transportation Impact Analysis shows a decrease in trips as a result of this request from 2,462 daily trips in Community Commercial zoning to 538 daily trips in the R1-6 zoning, a decrease of 1,924 trips per day.

The site is located adjacent to the Fly for Fun Airport to the south. See discussion above.

Conclusion: Criterion E has been met.

RECOMMENDATION AND CONCLUSIONS

Based on the information and the findings presented in this report, the Planning Commission forwards a recommendation of **APPROVAL** to Clark County Councilors with the condition that a plat note to alert any purchaser of any future lot be added as a condition of approval through the subdivision review process.

The following table lists the applicable criterion and summarizes the findings of the Planning Commission for CPZ2019-00002.

COMPLIANCE WITH APPLICABLE CRITERIA		
	Criteria Met?	
	Staff Report	Planning Commission Findings
Criteria for All Map Changes		
A. Consistency with GMA & Countywide Policies	YES	YES
B. Conformance with Location Criteria	YES	YES
C. Site Suitability and Lack of Appropriately Designated Alternative Sites	YES	YES
D. Amendment Responds to Substantial Change in Conditions, Better Implements Policy, or Corrects Mapping Error	YES	YES
E. Adequacy/Timeliness of Public Facilities and Services	YES	YES
Recommendation:	APPROVAL	APPROVAL