



CLARK COUNTY WASHINGTON

COMMUNITY PLANNING

Staff Report

TO: Clark County Planning Commission
FROM: Oliver Orjiako, Director
PREPARED BY: Matt Hermen, AICP, Planner III
DATE: October 8, 2019
SUBJECT: CPZ2019-00017 TRANSPORTATION CAPITAL FACILITIES PLAN AMENDMENT

PROPOSED ACTION

Clark County Public Works is requesting an amendment to the Comprehensive Growth Management Plan 2015-2035 Transportation Capital Facilities Plan (CFP) to add, delete and amend transportation projects in the 20-year list. The proposed amendments to the CFP include:

2020 Change	Road	From	To	Total Project Costs
Deletion	NE 119th St.	NE 72nd Ave.	NE 87th Ave.	\$23,655,000
Deletion	NE 47th Ave. and NE 78th St. Intersection			\$2,623,000
Deletion	NE 94th Ave.	NE Padden Pkwy.	NE 99th St.	\$8,973,000
Deletion	NE 119th St.	NE 50th Ave.	NE 72nd Ave.	\$6,994,000
Deletion	NE 10th Ave.	NE 154th St.	NE 164th St.	\$22,751,000
Deletion	Traffic Signal Optimization			\$6,000,000
Cost Amendment	NE 179th St.	NE Delfel Rd.	NE 15th Ave.	\$13,100,000 <u>\$ 12,367,000</u>
Cost Amendment	NE 182nd Ave and SR-500 (Fourth Plain Blvd.) Intersection			\$3,000,000 <u>\$ 5,600,000</u>
Addition	NE 179th St.	NE 15th Ave	NE 50th Ave.	\$48,690,000
Addition	NE 179th St.	NW 11th Ave	Delfel Rd.	\$27,480,000
Addition	NE 10th Ave.	NE 164th St.	Amphitheater Entrance	\$7,130,000
Addition	NW 11th Ave.	NW 139th St.	NW 149th St.	\$13,640,000
Addition	Delfel Rd.	NE 179th St.	NE 189th St.	\$15,000,000
Addition	NE 137th/132nd Ave.	NE 99th St.	NE 119th St	\$20,000,000
Addition	NE 99th St.	NE 72nd Ave.	NE 94th Ave.	\$20,000,000
Addition	NE 10th Ave. and NE 139th St. Intersection			\$5,000,000
Deletion	NE 179th St. and 29th Ave. and 50th Ave. Intersections			\$15,000,000
Cost Amendment	NE 179th St. and 29th Ave. Intersection			\$9,000,000
Cost Amendment	NE 179th St. and 50th Ave. Intersection			\$6,000,000

The proposed amendments directly adjust the Traffic Impact Fee (TIF) rates for Clark County's four TIF districts. The proposed changes to the four Clark County TIF district rates are:

TIF District	2019 Rates	Proposed Rates	Increase
Hazel Dell	\$ 382	\$517	+\$135
Mount Vista	\$ 605	\$930	+\$325
Orchards	\$ 354	\$428	+\$74
Rural	\$ 298	\$412	+\$114

All TIF districts that represent portions of unincorporated Clark County are proposed for rate increase. Several projects are regional projects that serve and benefit countywide transportation trips. These regional projects include NE 179th St., from NE 15th Avenue to NE 50th Avenue, NE 179th Street, from NW 11th Avenue to Delfel Road, Delfel Road, from NE 179th Street to NE 189th Street, NE 10th Avenue from NE 164th Street to the Amphitheater Entrance, NE 11th Ave from NW 139th Ave to NW 149th Ave, NE 99th Street, from NE 72nd Avenue to NE 94th Ave and NE 10th Avenue at the intersection for NE 139th St. The costs of the regional projects are distributed to all TIF districts based on the districts' shares of trips on the road segment. Transportation projects that serve and benefit the district the project is located within are identified as local projects. The TIF associated with local projects is collected only within the district. Local projects include the extension of NE 132nd/137th Avenue, from NE 99th Street to NE 119th Street and the intersections of NE 179th Street with NE 29th Avenue and NE 50th Avenue.

BACKGROUND

The Growth Management Act (RCW 36.70A) requires that the comprehensive plan include a transportation element that contains a multiyear financing plan based on the needs identified by the comprehensive plan. Clark County's transportation CFP serves as a 20-year transportation plan that identifies the capital projects needed to serve the forecasted population and economic development. The projects identified in the CFP address existing capital deficiencies, maintain existing capacity, are necessary for development, enhance the quality of life in the community, or meet other needs.

The County Council adopted the current CFP as part of the Clark County 20-Year Comprehensive Growth Management Plan 2015-2035 was by Ordinance No. 2016-06-12 on June 28, 2016. Since 2016, several transportation projects included in the existing CFP have been completed or revised. The need for other projects has increased as development has expanded in the unincorporated county. New transportation projects need to be added to the CFP to provide an efficient and safe transportation system.

On December 11, 2018, Clark County Council approved Resolution 2018-12-08, authorizing a development agreement between Clark County and SJO LO 90 B LLC. The resolution committed the county to evaluate whether a road connection on NE 132nd Avenue/NE 137th Avenue between NE 99th Street and NE 119th Street warrants inclusion on the Clark County CFP. Staff evaluated the extension and proposes to add the connection of NE 132nd Avenue/NE 137th Ave, from NE 99th Street to NE 119th Street to the CFP. The extension will add a new capital facility and allow a better distribution of vehicles throughout the transportation network.

On April 21, 2015, Clark County approved an agreement and covenant to rezone certain property and require transportation mitigation measures prior to the issuance of building permits for properties identified by numbers 185796000, 185700000, 185672000, 185726000 and 185727000, which are located in the vicinity of the NE 139th Street and NE 10th Avenue intersection.. The concomitant rezone agreement is recorded by the Clark County Auditor as document number 5170404. On December 19, 2018, Clark County Council directed staff to evaluate and analyze whether the conditions required by this concomitant rezone agreement warrant inclusion on the Clark County CFP. Staff hired the Kittleson and Associates engineering firm to conduct the analysis and report their findings. The analysis concluded that “capacity mitigation will be needed at the intersection of NE 139th Street and NE 10th Avenue to satisfy Clark County Code standards. As such, adding capacity mitigations at the intersection to the CFP is both reasonable and appropriate.”¹ The analysis also concluded that “modifying the north leg of NE 10th Avenue to include a northbound right-turn lane between NE 139th Street and NE 141st Street is an appropriate mitigation in conjunction with development of the concomitant rezone parcels but does not appear necessary as a CFP project.”¹ The NE 139th Street and NE 10th Ave intersection is proposed to be added to the CFP, based on the findings of the Kittleson and Associates analysis.

On August 20, 2019, Clark County Council approved Resolution 2019-08-05, selecting a public financing plan for public infrastructure in the vicinity of NE 179th Street and authorized entry into Developer Agreements between Clark County and owners of real property in the vicinity of NE 179th Street. Several Clark County Council decisions are necessary to implement the public financing plan, including: approval of the 2020-2025 Transportation Improvement Program (TIP), approval of the proposed funding package for the 2020 budget, amending the CFP, increasing TIF, and declaration of the critical links and intersection improvements necessary to remove urban holding are “reasonably funded”. Amending the CFP and increasing TIF is necessary to remove the urban holding overlays from the I-5/NE 179th Street area.

SUMMARY OF PUBLIC INVOLVEMENT PROCESS

A draft of the proposed changes to the Comprehensive Growth Management Plan 2015-2035 Map and zoning map was sent to the Department of Commerce on August 6, 2019 in compliance with RCW 36.70A.106. A Notice of Determination of Non-Significance and SEPA Environmental Checklist were published in the Columbian newspaper on September 6, 2019. An open house was held on September 10, 2019 at Alki Middle School to inform area residents of the necessary transportation projects and urban holding removal. A legal notice was published for the Planning Commission hearing on September 18, 2019. All public comments are included in the Planning Commission Hearing binder.

APPLICABLE CRITERIA, EVALUATION AND FINDINGS

CRITERIA FOR CAPITAL FACILITIES PLAN CHANGES

The county shall review capital facilities plan and updates at a minimum every four (4) years in Type IV public hearings for those facilities subject to county jurisdiction. In updating capital facilities plans, policies, and procedures, the county must determine that these updates are

¹ 10th Avenue Capital Facilities Plan Review. Kittleson and Associates. July 31, 2019. Pages 6-7.

consistent with applicable provisions of the GMA and WAC, and policies and implementation measures of the comprehensive plan, and in conformance with the purposes and intent of the applicable interjurisdictional agreements. [CCC 40.560.010.M]

Growth Management Act (GMA) and Washington Administrative Code (WAC)

The GMA goals set the general direction for the county in adopting its framework plan and comprehensive plan policies. The following statutes and regulations apply to this proposal:

Goal #12 speaks directly to public facilities and services. The goal guides local jurisdictions to “ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.” [RCW 36.70A.020(12)].

RCW 36.70A.070(6) and WAC 365-196-415 (Capital Facilities Element section) provides requirements and recommendations for meeting the GMA goal. WAC 365-196-415, requires that the capital facilities element of a comprehensive plan must contain an inventory of existing capital facilities owned by public entities, a forecast of the future needs for such capital facilities based on the land use element of the comprehensive plan, the proposed locations and capacities of expanded or new facilities, at least a six-year plan that will finance such capital facilities within projected funding capacities, and a requirement to reassess the land use element if probable funding falls short of meeting existing needs.

Finding: On June 28, 2016, the Clark County Councilors approved Ordinance No. 2016-06-12. The ordinance adopted the 2016 Clark County 20-Year Comprehensive Growth Management Plan 2015-2035 (2016 Comp Plan), implementing the GMA requirement to “review and revise, if needed” the county’s growth plan. The 2016 Comp Plan included an inventory of existing transportation capital facilities, a forecast of the future needs for transportation facilities, and the proposed locations and capacities of expanded or new facilities. Clark County adopts a 6-year transportation improvement program (TIP) annually. The TIP is financially constrained and balances expenditures with revenues. The 2020-2025 TIP is scheduled to be considered by the Clark County Council on November 5, 2019. The 2016 Comp Plan identifies strategies to balance the CFP, if probable funding falls short of meeting expenditures; including increasing TIF rates [2016 Comp Plan, Page 162-163]. This proposal to amend the CFP will increase the TIF rates for all the Hazel Dell, Mt. Vista, Orchards and Rural TIF districts. This proposal to amend the CFP will add, revise and delete transportation projects from the CFP approved in 2016. The projects proposed to be added have been identified to ensure safety and mobility for meeting the needs of the growing community. The projects proposed to be revised have been refined in scope or costs. The projects proposed to be deleted have completed construction.

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: Ensure that necessary and adequate capital facilities and services are provided to all development in Clark County in a manner consistent with the 20-Year Plan.”

“Goal: Ensure that capital facilities and services are provided in as cost efficient manner as possible and are consistent with the land use objectives of the 20-Year Plan and State Growth Management Act.”

6.1.1 Continue to plan for and provide capital facilities and services as necessary to support development consistent with the 20-Year Plan and coordinate and facilitate the planning and provision of such facilities and services by other public or private entities.

6.10.1 Coordinate land use planning and decisions with capital facilities planning and service provision. [2016 Plan, pages 186 and 192]

Finding: Amending the Transportation CFP is directly related to CPZ2019-00031, a proposal to allow urban density development by removing Urban Holding Overlays. The proposal will add and amend projects that are necessary to improve safety and mobility for urban development in the I-5/NE 179th St. Interchange Area On August 20, 2019, Clark County Council approved resolution No. 2019-08-05 selecting a financial plan for public infrastructure and ultimately remove the urban holding overlays in the vicinity of NE 179th Street. The resolution requires future Council actions to implement the financial plan. This proposal, amending the CFP, is one of those actions necessary for the selected financial plan to be put into effect. The proposed CFP amendment is consistent with policies in the 2016 Comp Plan.

Conclusion: The proposed amendment to the CFP and TIF rates is necessary to serve urban development while maintaining the county’s level-of-service standards. The amended CFP meets the state requirements (RCW 36.70A.070(6) and WAC 365-196-415), satisfying Goal 12 of the GMA. The proposal is consistent with the 2016 Comp Plan, planning for capital facilities to meet the demands of future growth while maintaining established level of service standards. The criterion applicable for this proposal has been met.

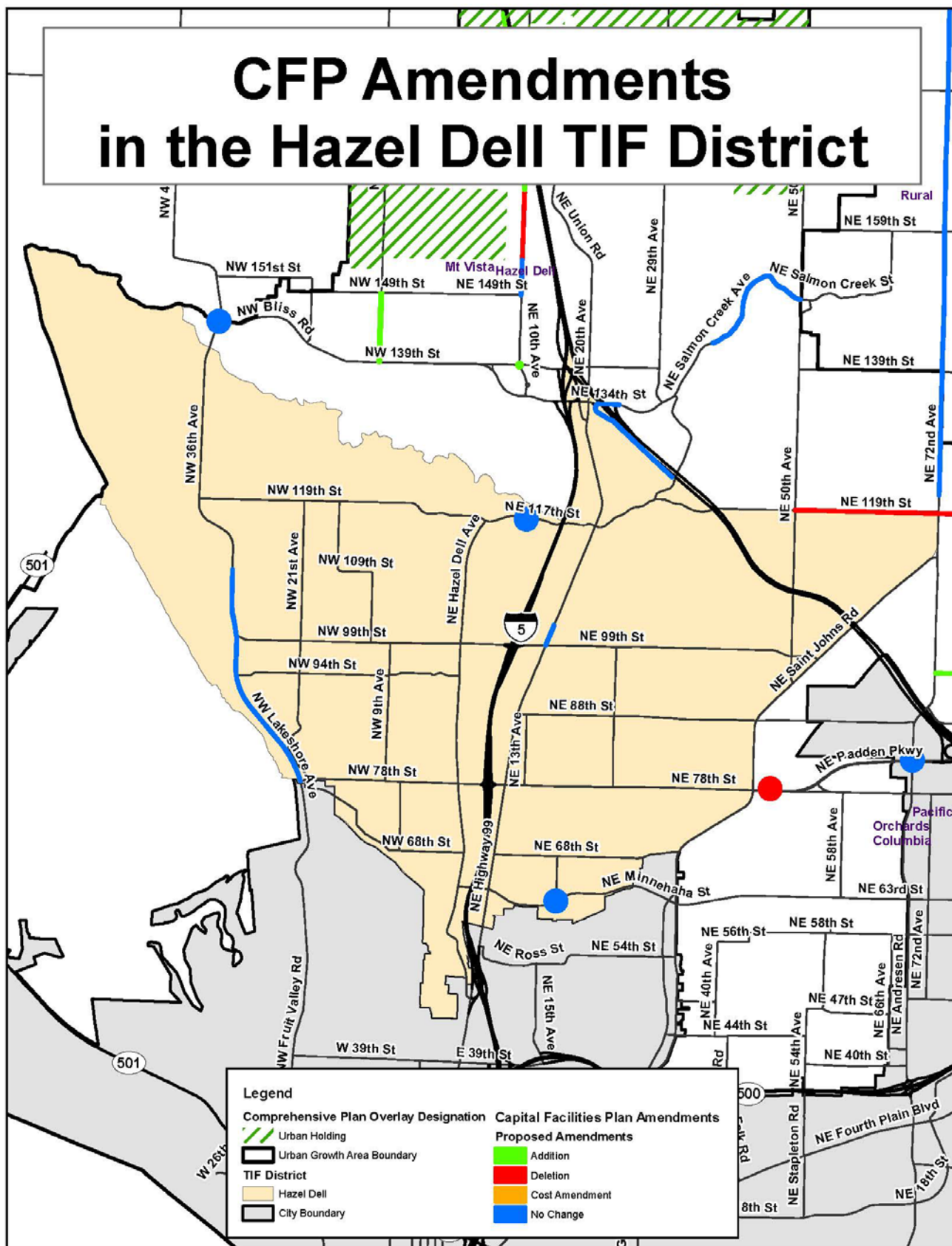
RECOMMENDATION AND CONCLUSIONS

Based on the information presented in this report, staff recommends that the Planning Commission forward a recommendation of **APPROVAL** to Clark County Councilors.

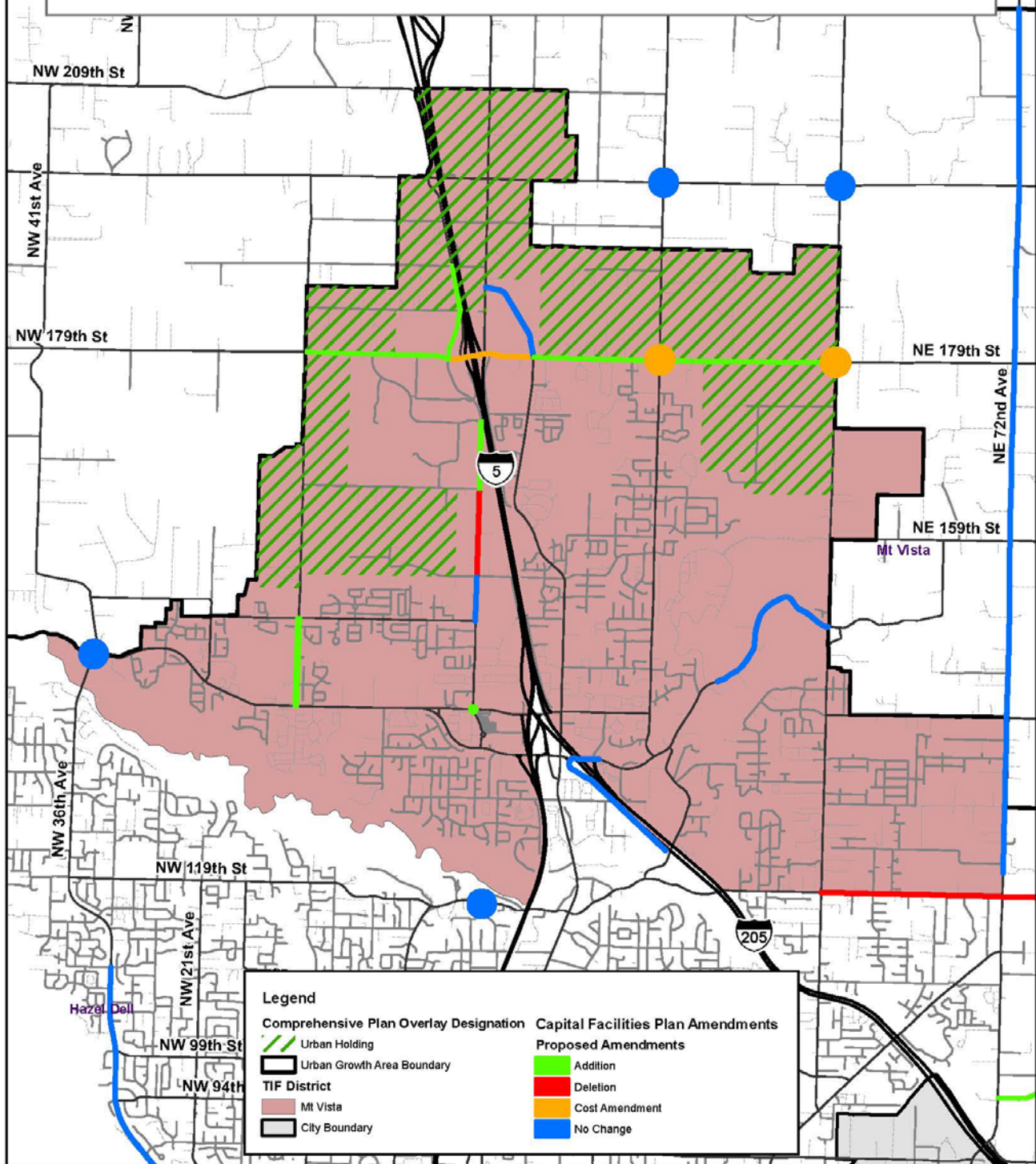
The following table lists the applicable criterion and summarizes the findings of the staff report for CPZ2019-00017. The Planning Commission findings will be added to the table after public deliberation at the Planning Commission hearing scheduled for this application.

COMPLIANCE WITH APPLICABLE CRITERIA		
Criterion for Policy/Text Amendments	Criteria Met?	
	Staff Report	Planning Commission Findings
Consistency with GMA and WAC	Yes	
20-Year Comprehensive Plan	Yes	
Recommendation:	Approval	

EXHIBITS



CFP Amendments in the Mt. Vista TIF District



CFP Amendments in the Orchards TIF District

This map illustrates the proposed amendments to the Comprehensive Plan Overlay Designation and Capital Facilities Plan within the Orchards TIF District. The map shows a grid of streets, including NE 139th St, NE 119th St, NE 105th St, NE 99th St, NE 88th St, NE 83rd St, NE 78th St, NE 76th St, NE 63rd St, NE 58th St, NE 56th St, NE 49th St, NE 44th St, NE 40th St, NE 39th St, NE 28th St, NE 18th St, NE 164th Ave, NE 172nd Ave, NE 192nd Ave, SE 1st St, SE 15th St, and SE 20th St. Major roads like NE Saint Johns Rd, NE Padden Pkwy, NE Meadows Dr, NE Covington Rd, NE Fourth Plain Blvd, NE 137th Ave, NE 136th Ave, NE 138th Ave, NE 164th Ave, NE 172nd Ave, and NE 192nd Ave are also shown. The map includes a legend for Comprehensive Plan Overlay Designation (Urban Holding, Urban Growth Area Boundary, City Boundary), TIF District (Orchards), and Capital Facilities Plan Amendments (Proposed Amendments: Addition, Deletion, Cost Amendment, No Change). The map also shows the location of the NE 139th St, NE 119th St, NE 105th St, NE 99th St, NE 88th St, NE 83rd St, NE 78th St, NE 76th St, NE 63rd St, NE 58th St, NE 56th St, NE 49th St, NE 44th St, NE 40th St, NE 39th St, NE 28th St, NE 18th St, NE 164th Ave, NE 172nd Ave, NE 192nd Ave, SE 1st St, SE 15th St, and SE 20th St. The map includes a legend for Comprehensive Plan Overlay Designation (Urban Holding, Urban Growth Area Boundary, City Boundary), TIF District (Orchards), and Capital Facilities Plan Amendments (Proposed Amendments: Addition, Deletion, Cost Amendment, No Change). The map also shows the location of the NE 139th St, NE 119th St, NE 105th St, NE 99th St, NE 88th St, NE 83rd St, NE 78th St, NE 76th St, NE 63rd St, NE 58th St, NE 56th St, NE 49th St, NE 44th St, NE 40th St, NE 39th St, NE 28th St, NE 18th St, NE 164th Ave, NE 172nd Ave, NE 192nd Ave, SE 1st St, SE 15th St, and SE 20th St.

CFP Amendments in the Rural TIF District

This map illustrates the Comprehensive Plan Overlay Designation and Capital Facilities Plan Amendments for the Rural TIF District. The map shows a grid of streets with various colored overlays indicating different types of amendments. A legend in the bottom left corner explains the symbols and colors used.

Legend

Comprehensive Plan Overlay Designation	Capital Facilities Plan Amendments
Urban Holding (Green diagonal lines)	Proposed Amendments
Urban Growth Area Boundary (Black line)	Addition (Orange)
City Boundary (Grey line)	Deletion (Red)
TIF District (Yellow)	Cost Amendment (Green)
Rural (Light Green)	No Change (Blue)

The map shows a grid of streets with various colored overlays indicating different types of amendments. A legend in the bottom left corner explains the symbols and colors used.