



# Pre-Application Conference FINAL Report

<b>Project Name:</b>	Promenade North
<b>Case Number:</b>	PAC2019-00031
<b>Location:</b>	NE 116 <sup>th</sup> Street and SR 503
<b>Parcel Number(s):</b>	200200-000
<b>Site Size:</b>	3.45 acres
<b>Request:</b>	A request to amend the Comprehensive Plan and Zoning Maps from Commercial (Community Commercial) to Urban High Density Residential (R-30).
<b>Applicant:</b>	Bill Maitland 13511 SE Rivercrest Dr, Vancouver, WA <a href="mailto:micheleme@comcast.net">micheleme@comcast.net</a> 360-609-1110
<b>Contact Person:</b>	Mike Odren, Olsen Engineering <a href="mailto:mikeo@olsonengr.com">mikeo@olsonengr.com</a> 360-695-1385
<b>Property Owner:</b>	John and Sandra Klavano

**DATE OF CONFERENCE:** December 18, 2019

**STAFF CONTACT:** Sharon Lumbantobing, Clark County Annual Review Coordinator  
(564) 397-4909 Sharon.Lumbantobing@clark.wa.gov

**PRESENT AT CONFERENCE:**

<b>Name</b>	<b>Contact Information</b>
Sharon Lumbantobing	Clark County Community Planning (see above)
Gary Albrecht	Clark County Community Planning, (564) 397- 4318
Mike Odren	Olsen Engineering, 360-695-1385
Jeff Barsness	WSDOT, 11018 NE 51 <sup>st</sup> Cr, Vancouver, WA, 98684, barsnes@wsdot.wa.gov
Bob Larsen	pseinc@gmail.com
Frank Charbonneau	Frankatch@bonneauengeer.com
Wayne Maitland	micheleme@comcast.net, 13511 SE Rivercrest Dr, Vancouver, WA 98683

**Disclaimer:** The following is a brief summary of issues and requirements that were identified at the pre-application conference based on the information provided by the applicant. This summary may contain supplemental information which was not discussed in the conference and is intended to aid the applicant in preparing a complete Annual Review application and/or to provide the applicant with additional information regarding the subject site. Staff responses and information contained in this pre-application report are preliminary in nature, and do not constitute an approval or denial. The determinations contained in this report were based upon information submitted by the applicant, and may be subject to change upon further examination or in light of new or revised information contained in the formal application.

**APPLICATIONS REQUIRED**

The requested Comprehensive Plan map and concurrent zone map amendments require an Annual Review/Zone Change Application to be completed. The application will be processed through the Type IV Review process. A SEPA checklist is required to be completed as a part of the Annual Review application.

Estimated fees:\*

Combined Annual Review/Rezone.....	\$8,113.00
Issuance Fee.....	\$94.00
Environmental Checklist Review (SEPA).....	\$1,987.00
Issuance Fee.....	\$53.00

**\*Fees cited are estimated and based upon the fee schedule in effect at the time of pre-application conference and are subject to change.**

**APPLICABLE POLICIES, CODES and CRITERIA**

The following list is not exhaustive of all county, state or federal regulations that may govern development of the site, but is inclusive of those addressed by the county in this comprehensive plan/zone amendment review process.

- WAC 365-196-300
- Clark County 20 Year Comprehensive Growth Management Plan Policies
  - Chapter 1 – Land Use Element
  - Chapter 2 – Housing
  - Chapter 9 – Economic Development
- Clark County Unified Development Code
  - Title 40:
    - Section 40.220 (Urban Residential Districts)
    - Section 40.500.010 (Procedures)
    - Section 40.560.010 (Plan Amendment Procedures)
    - Section 40.570 (SEPA)

Clark County Criteria for Map Changes (found within the text of this report)

- Section 40.560.010G (Criteria for all Map Changes)
- Section 40.560.020 (Changes to Districts, Amendments, and Alterations)
- Section 40.560.020G (Approval Criteria)

## **Comprehensive Plan Designation Map Change Criteria**

Comprehensive plan designation changes may only be approved if **all** the following criteria are met (40.560.010G):

1. *The proponent shall demonstrate that the proposed amendment is consistent with the Growth Management Act and requirements, the Countywide Planning Policies, the Community Framework Plan, the Comprehensive Growth Management Plan, applicable city comprehensive Plans, and including applicable capital facilities plans and official population growth forecasts; and*
2. *The proponent shall demonstrate that the designation is in conformance with the appropriate location criteria identified in the plan; and*
3. *The map amendment or site is suitable for the proposed designation and there is a lack of appropriately designated alternative sites within the vicinity; and*
4. *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; and*
5. *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.*

## **Zone Change Criteria**

The concurrent zone change may only be approved if **all** the following criteria are met (40.560.020G):

1. *Requested zone change is consistent with the comprehensive plan map designation.*
2. *The requested zone change is consistent with the plan policies and location criteria and the purpose statement of the zoning district.*
3. *The zone change 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.*
4. *There are adequate public facilities and services to serve the requested zone change.*

## **SUBMITTED MATERIALS REVIEWED**

The following materials were provided by the applicant and were reviewed by Clark County staff in advance of the pre-application conference:

- Application forms
- Narrative
- GIS Packet

## **BACKGROUND**

The applicant proposes to amend the Comprehensive Plan and Zoning Maps from Commercial (Community Commercial) to Urban High Density Residential (R-30) on a parcel that is split zoned with both Community Commercial and Urban High Density Residential (R-30).

## **SUMMARY**

The following comments and issues were discussed or identified during the pre-application meeting held on December 18, 2019.

### **Land Use**

#### ***Comments provided by Clark County Long Range Planning, Sharon Lumbantobing:***

Staff provided the applicant with a brief overview of how the pre-application conference would be conducted, including a summary of what information would be covered. Staff stated that a final staff report will be sent to the applicant within a week following the pre-app meeting. Staff stated that January 31 is the deadline to submit an annual review application.

CCC 40.560.040(B) Pre-application Review states:

1. The purposes of pre-application review are:
  - a. To acquaint county staff with a sufficient level of detail about the proposed development to enable staff to advise the applicant accordingly;
  - b. To acquaint the applicant with the applicable requirements of this code and other law. However, the pre-application conference is not intended to provide an exhaustive review of all the potential issues that a given application could raise. The pre-application review does not prevent the county from applying all relevant laws to the application; and
  - c. To provide an opportunity for other agency staff and the public to be acquainted with the proposed application and applicable law. Although members of the public may attend a pre-application conference, it is not a public hearing, and there is no obligation to receive public testimony or evidence.

Staff provided information regarding Clark County's obligation to plan under the State's Growth Management Act and the long-range, comprehensive planning exercise that concluded in 1994 with the adoption of the 20-Year Comprehensive Growth Management Plan and corresponding zone map. In 2016, the County adopted an updated 20-Year Comprehensive Plan and zone map.

**Comp Plan Criteria 1:** Staff said that the proposal to change the designation will need to be consistent with the Growth Management Act and **specific** county-wide planning policies. Staff proceeded to discuss with the applicant the Comprehensive Plan Designation Map Change Criteria that the applicant will need to address in an application.

Specific to this application, staff stated that the assumption is that the current comprehensive plan and zoning designation is still applicable to this area and that the applicant will need to demonstrate that a change to Urban High Density Residential (R-30) is appropriate and consistent with the County's Growth Management Plan and Unified Development Code, and how the proposed change is compatible with the neighborhood and surrounding area.

This parcel was split zoned during a boundary line adjustment in 2017 (BLA2017-

00014).

**Comp Plan Criteria 2:** The proponent shall demonstrate that the designation is in conformance with the appropriate location criteria identified in the plan.

**Comp Plan Criteria 3:** The applicant needs to demonstrate a lack of appropriately designated Urban High Density Residential (R-30) within the vicinity, **and** demonstrate how a change to Urban High Density Residential (R-30) better implements applicable Comprehensive Plan policies than the current map designation.

A market analysis is required for amendments to add or remove land with a commercial designation (CCC 40.560.040(2)(c)(5)). The applicant's narrative needs to address whether there is sufficient commercially zoned property in the vicinity and whether there is a need for more UH in the vicinity.

**Comp Plan Criteria 4:** The applicant needs to demonstrate how the plan map amendment either (a) responds to a substantial change in conditions **or** (b) better implements applicable comp plan policies.

The applicant's narrative sites a substantial change in conditions based on two WSDOT letters dated 2008. The applicant should include more recent letters to demonstrate a change in conditions **or** demonstrate how the amendment better implements applicable comp plan policies. Since the parcel was purchased in 2016, the 2008 WSDOT letter does not demonstrate a change in conditions since the parcel was purchased.

The applicant's narrative needs to describe the history of access rights to this property from SR-503, as recorded in the deed(s) or plat.

Staff stated that the applicant should confer with the neighborhood association.

## Transportation

***Comments provided by Clark County Public Works Transportation Planning, Gary Albrecht:***

NE 117<sup>th</sup> Avenue is a State Route, SR 503. NE 116<sup>th</sup> Street is classified as a commercial industrial road.

Staff reviewed the 2019-2024 Transportation Improvement Program, and found no existing projects that would impact the area immediately around the site of the proposed comprehensive plan amendment and zone change.

### **Annual review transportation analysis criteria**

#### **Transportation analysis**

CCC 40.560.040 (A)(2)(c)(6) requires a transportation analysis.

*"A Transportation Analysis. A transportation analysis may be waived by the Public Works Director as provided by Section [40.350.020\(D\)\(8\)](#); and"*

The applicant shall demonstrate the adequacy of transportation services to the specific site change.

CCC 40.100.070 (Definitions) defines a transportation analysis as a study done by a licensed engineer that compares a build-out scenario under the existing and proposed designations analyzing trip generation, modal split and distribution for a current Comprehensive Planning

twenty (20) year horizon. The applicant must show the Level-of-Service standards, per CCC 40.350.020.G.1.a-d, under the existing and proposed land use designations for both current and projected 20 years out.

The applicant needs to justify the number of trips associated with this annual review request to change a comprehensive plan designation of Commercial (C) with zoning Community Commercial (CC) to a plan designation of Urban High Density Residential (UH) with residential (R-30) zoning. Upon receipt of the number of trips, staff will work with the applicant to indicate which intersections and segments needs to be evaluated by the applicant for their transportation analysis.

### Access

The applicant needs to demonstrate access to the site.

WSDOT: When the parcel is being developed, the applicant should consider fencing across the property or installing a flashing rapid beacon system to deter pedestrians from crossing SR-503 in front of the property.

## **NEIGHBORHOOD ASSOCIATION CONTACT**

While not required of a complete application for a comprehensive plan amendment, staff recommended that the applicant talk to the neighborhood association chair for their area. The Greater Brush Prairie Neighborhood Association President is Rick DeNise. Contact at greaterbrushprairie@gmail.com or (530) 219-8419; Staff also encouraged the applicant to discuss the proposed land use designation change with neighbors.

## **TIME FRAMES**

January 1 through January 31 - Submit Final Annual Review Application

February 1 through to April 1 – Clark County staff will review and prepare a recommendation to the Planning Commission (**this period may be extended depending on staff work load**)

Fourth Quarter or sooner - Planning Commission will approve or deny request. Staff forwards all recommendations to the county council for final resolution of the requests.

## **ADDITIONAL MATERIALS**

A complete list of required documents is contained in the Annual Review application packet. A Completed SEPA checklist is required for the final application. **NOTE: Submit a copy of this summary with your final application.**