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CLARK COUNTY
WASHINGTON

COMMUNITY PLANNING

Planning Commission Recommendation to the Clark County Board of County Commissioners

FROM: Steve Morasch, Chair
Valerie Uskoski, Vice-chair

PREPARED BY: Jose Alvarez

DATE: November 4, 2014

SUBJECT: CPZ2014-00003 NE 10th Ave

PLANNING COMMISSION RECOMMENDATION:

Planning Commission heard this matter at a duly advertised public hearing on May 15, 2014. The Planning Commission voted 4 to 1 to recommend approval to amend the comprehensive plan designation of Rural with R-5 zoning to Rural Commercial with CR-1 zoning, subject to adequate review between the cities of Battle Ground and Ridgefield and the county. The County has met with the representatives of the City on two occasions since the Planning Commission hearing on June 18th and July 11th of 2014 to discuss the cities concerns. The county received a letter from the City of Ridgefield attorney on October 2, 2014 with their concerns about the incremental changes to commercial around the Duluth intersection and requesting a meeting prior to moving forward with the proposal. The county replied on October 15, 2014. See Exhibits 1 and 2 for the parker letter and county response).

PROPOSED ACTION:

The applicant requests the Comprehensive Plan designation be amended from Rural (R-5) with Industrial Urban Reserve Overlay (UR-20) to Rural Commercial (CR) with implementing zoning designations of CR-1 on four parcels totaling approximately 20 acres.

BACKGROUND:

In 2013 the property owners of approximately 15 acres submitted a request to amend the Comprehensive Plan designation and zoning from R-5 with Industrial Urban Reserve Overlay (UR-20) to CR-1. The Planning Commission made a recommendation to the Board of County Commissioners to expand the request to include the abutting 20 acres to the north and approve the proposed amendment. The Board of County Commissioners approved the original request for the 15 acre property and requested that the northern 20 acre be considered as a docket item in 2014 citing concerns of a

lack of environmental review. An environmental checklist was prepared and a Determination of Non-Significance was issued.

The site is located approximately 700 ft. north of the NW corner of the intersection of NE 10th Ave. and SR-502.

GENERAL INFORMATION:

Parcel Numbers: 216895000; 216948000; 216954000; 216955000; 216972000

Location: NW intersection of NE 10th Ave. and SR-502

Area: 20 acres

Owner(s): Carlos Benavidez;
James and Leslie Currie; and
Mark and Wanda Dougherty

Existing land use:

Site: Three residences on three lots and one vacant lot

North: One acre residential cluster subdivision

South: Vacant Rural Commercial

East: Vacant land; restaurant and gas station zoned rural commercial.

West: Vacant land

SUMMARY OF COMMENTS RECEIVED

Staff received comments from WSDOT regarding CPZ2014-00003. A copy of the letter can be found in Attachment A of this staff report. WSDOT's comments are as follows:

- The traffic impact study [for CPZ 2013-00012 Bishop] for the 15 acre rezone stated the site would generate 2,377 daily trips with 247 of those in the PM Peak hour. Of those 247 trips, 108 would be turning left from 10th Avenue into the site. If you increase this proportionally with the increase in acreage for the 20 acre rezone, you have approximately 3,160 daily trips for the new proposal with of those 144 turning left from 10th Avenue in the peak hour. If you combine the trip generation for the two rezone proposals, you now have over 250 trips in the PM Peak hour turning left from 10th Avenue into the site.
- WSDOT is concerned with the number of northbound left turning vehicles and the possible impact they may have on the SR 503/NW 10th Avenue intersection.
- When a development on this property is brought forward for review, WSDOT will request a traffic impact analysis. This analysis will need to specifically address the impacts to the SR 502/NE 10th Avenue intersection and suggest mitigation measures to maintain the current level of service and meet WSDOT safety requirements.

APPLICABLE CRITERIA, EVALUATION OF REQUEST AND FINDINGS

In order to comply with the Plan Amendment Procedures in the Clark County Code, requests to amend the Comprehensive Plan land use map must meet all of the criteria in Section 40.560.010G, Criteria for all Map Changes. Requests to amend the zoning map must meet similar criteria (CCC Section 40.560.020H). For clarity, Criteria A-E in the following staff report summarizes all of the applicable criteria required for both plan and zoning map amendments.

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, Clark County 20-Year Comprehensive Plan, and other related plans. (See Sections 40.560.010G(1) and 40.560.020H(2).)***

Growth Management Act (GMA) Goals. The GMA goals set the general direction for the county in adopting its framework plan and comprehensive plan policies. The most pertinent GMA goals that apply to this proposal are, Goal 2, Goal 3 and Goal 5.

- (2) Reduce Sprawl. Reduce the inappropriate conversion of underdeveloped land into sprawling, low density development.*
- (3) Transportation. Encourage efficient, multi-modal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.*
- (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 for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.*

Finding: The proposed amendment is consistent with State GMA Goals 2, 3 and 5. The proposal would not convert land into low density development (Goal 2). The change to Rural Commercial would permit commercial development on the site, and will allow a greater variety of uses that provide employment opportunities (Goal 5). The subject parcel is located at the NW corner of the intersection of NE 10th Ave and SR-502. The proposed amendment to the comprehensive plan map would locate allow for a small commercial development at the intersection of arterials (Goal 3).

RCW36.70A.070 Comprehensive Plan – Mandatory Elements

36.70A.070(5) Rural Element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources.

36.70A.070(5)(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

(A) A commercial, industrial, residential, shoreline, or mixed-use area shall be subject to the requirements of (d)(iv) of this subsection, but shall not be subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity shall be consistent with the character of the existing areas. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5);

Finding: The proposed amendment is consistent with RCW36.70A.070(5)(d)(C). The amendment will allow for limited commercial uses as allowed by CCC40.210.050 Rural Commercial Districts (CR-1) this zone serves areas of existing commercial activity in the rural area outside of rural centers and is the most restrictive commercial designation in the county. The intention is to primarily serve the existing and projected rural population as addressed in the market analysis below.

Community Framework Plan and Countywide Planning Policies. The Community 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.

Policies applicable to this proposal include the following:

Policy 3.0 The County shall recognize existing development and provide lands, which allow rural development in areas, which are developed or committed to development of a rural character.

9.0 Economic Development

Policy 9.1.8 The County and cities will provide for orderly long-term commercial and industrial growth and an adequate supply of land suitable for compatible commercial and industrial development.

Finding: With a location that is in close proximity to existing rural commercial, but directly on a state route, the proposed re-designation of the subject site would allow more intensive commercial development that supports the surrounding community.

Clark County 20-Year Comprehensive Plan. The Clark County Comprehensive 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:

1.4.4 *Compact nodal commercial development shall be encouraged. Strip-type commercial development shall be discouraged.*

3.2.4 *Rural commercial development should support the needs of rural residents and natural resource activities rather than urban uses.*

9.1.3 *The county and cities will encourage long-term growth of businesses of all sizes, because economic diversification and stratification are important factors in overall job growth for the county and cities.*

Finding: Re-designation of this land to expand the commercial node in the Duluth area would encourage economic development in the rural and better serve rural residents.

Chapter 5 Transportation Element

Finding: *Please refer to Transportation Impact Analysis, where transportation goals and policies are addressed.*

Conclusion: The proposed Rural Commercial designation and CR-1 zoning designation may result in increased employment opportunities on the site, due to the retail and service uses, and at greater intensities, satisfying economic development policies. The proximity to the existing commercial node should serve rural residents.

B. *The proponent shall demonstrate that the designation is in conformance with the appropriate locational criteria identified in the Clark County Comprehensive Plan and the purpose statement of the zoning district. (See Sections 40.560.010G(2) and 40.560.020H(2).)*

Rural Commercial (CR-1)

This commercial district is located in rural areas outside of urban growth boundaries in existing commercial areas and within designated Rural Centers. These are generally located at convenient locations at minor or major arterial crossroads and sized to accommodate the rural population.

Additional Commercial Criteria

Amendments to the plan map for designation of additional commercial land or for changing the zoning from one commercial district to another shall meet the following additional requirements:

1. *A market analysis using the weighted block group centroid retrieval method shall be submitted which verifies the need for the new commercial area or center; and*
2. *A land use analysis of available commercially designated and zoned land in the market area of the proposed site shall be submitted which demonstrates that the existing commercial land is inadequate. The most recent vacant lands model must be used for the land use analysis.*

Finding:

The site is located at the intersection of arterial crossroads outside of urban growth boundaries. Staff relied on the market and land use analysis used last year to evaluate the need in the area between the Ridgefield, Battle Ground and Vancouver UGAs for small scale commercial uses, such as those allowed in the CR-1 zone. The analysis discusses factors that may contribute to the commercial success of locating a business in the vicinity, as well as why locating a small scale commercial business on the property would not compete with other commercial activities in any of the nearby UGA's. The analysis in part provides:

Current residents and future growth within one mile of the site will drive demand for local retail goods and services. There are currently 570 residents living within one mile of the subject property. Residents have a collective Personal Income (PI) of \$21.5 million. Population within one mile of the site is expected to grow by another 70 residents and \$2.6 million of PI. The small purchasing power of the immediate area means that commercial retail will be a limited option.

The subject area does have a significant volume of pass by traffic. Its' easy access gives it opportunities for small-scale convenience retail. This drives the need for additional rural commercial services in the subject area that will complement the adjacent rural commercial uses, but not compete with or detract from larger and more intense commercial uses in the nearby urban areas. The intersection of 10th Ave. and SR-502 has an average of 16,000 vehicles passing through each day. Along I-5 at the mile Post along 219th, there is an average of 75,000 vehicles passing through each day.

The report also finds that non-retail employment opportunities would be available and should be considered for this site:

The subject site is within 3 miles of the Ridgefield junction and should indirectly benefit. Being located along I-5 and in close proximity to two major employment centers will drive market interest to the subject area. The site is well suited for small-scale technology, commercialized R&D, private data analytics, small-scale manufacturing, and other employment related office uses. The area is too small to directly compete with any existing employment centers, but is a natural start to establishing an area that can support the economic activities of Battle Ground, Ridgefield, and Salmon Creek.

Many startup companies begin within a private residence. As a company matures and establishes itself in the marketplace, business owners will consider moving the business out of their private residences into nearby established employment centers. Allowing the subject area to be designated to CR-1 would foster this economic gardening that would in turn provide neighboring urban areas a base of growing business prospects over time.

Conclusion: The proposal meets all of the locational criteria. The proposed Rural Commercial designation and CR-1 zoning meets the additional commercial criteria. The market analysis supports the need for the new commercial area and the land use analysis demonstrates that the existing commercial land is inadequate. 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. (See Sec. 40.560.010G(3).)***

Finding: See discussion above of commercial demand analysis.

Conclusion: The amendment is suitable for the proposed designation. There is sufficient information to conclude that there is a lack of appropriately designated commercial sites within the vicinity. 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. (See Sections. 40.560.010G(4)and 40.560.020H(3).)***

Finding: The map amendment (a) responds to a substantial change in conditions applicable to the area within which the subject property lies. In addition to the 20 acres to the south of the site that was amended last year to CR-1 the construction of the 219th St interchange exacerbates the already less than ideal situation for residential uses on the site given its location along SR-502 and NE 10th Ave.

Conclusion: 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. (See Sections 40.560.010G(5) and 40.560.020H(4).)

Finding: Criterion E is not applicable since the comprehensive plan and the GMA prohibit urban services from being extended in the rural area and no such extensions are planned or needed for the property to develop with the limited uses allowed in the CR-1 zone.

Conclusion: Criterion E is not applicable.

RECOMMENDATION AND CONCLUSIONS

Based upon the information provided by the applicants and the findings presented in this report, the Planning Commission forwards a recommendation of **Approval** to the Board of County Commissioners to modify the Comprehensive Plan and Zoning Maps from a Rural designation with R-5 zoning and Industrial Urban Reserve Overlay (UR-20) to a Rural Commercial designation with CR-1 zoning subject to adequate review between the cities of Battle Ground, Ridgefield and County staff.

RECOMMENDATION SUMMARY

The following table lists the applicable criteria and summarizes the findings of the staff report by the Planning Commission for Annual Review Case CPZ2014-00003.

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	NA	NA
Recommendation:	Approval	Approval

Transportation Impact Analysis

Annual Review Case: CPZ2014-00003 NE 10th Avenue

Introduction

This report provides a transportation analysis of the proposed comprehensive plan amendment and zone change. The report identifies the likely localized and general transportation impacts and shows how applicable adopted transportation policies have or have not been met by the applicant's proposal. Subsequent development will need to comply with applicable county development regulations, including standards governing the design of access and those that ensure transportation system concurrency.

Requested Amendment

For CPZ 2013-00012 Bishop involved changing the comprehensive designation for 15 acres of property located just north of the intersection of NE 10th Avenue and NE 219th Street. The property owners of approximately 15 acres submitted a request to amend the Comprehensive Plan designation and zoning from R-5 to CR-1. The Planning Commission made a recommendation to the Board of County Commissioners to expand the request to include the abutting 20 acres to the north and approve the proposed amendment. The Board of County Commissioners approved the original request for the 15 acre property and requested that the northern 20 acre be considered as a docket item in 2014 citing concerns of a lack of environmental review and outreach to abutting property owners.

This application is implementing the Board's direction from last year. And this proposal is to amend the Comprehensive Plan designation and zoning for five parcels number 216895000; 216948000; 216954000; 216955000; 216972000. The change would be from a Rural Residential comprehensive plan designation with R-5 zoning, to a Rural Commercial comprehensive plan designation with CR-1 zoning.

Summary of Transportation Impact Findings

The transportation analysis demonstrates that the proposed land use change would not negatively, significantly impact the transportation system. Staff recommends **approval** of the proposed comprehensive plan amendment and rezone of the subject parcel.

The following analysis shows that:

- Under the current R-5 zoning, the subject parcel would generate approximately 30 trips per day.
- Per the traffic study submitted last year for CPZ 2013-00012 Bishop, there would be 2,377 net new trips and the applicant's traffic study indicates that the intersection would operate at an acceptable level of service. This proposal more than doubles the area to be rezoned from R-5 to CR-1, it is safe to assume the net new trips would more than double net new trips.

Public Comment

Staff received comments from WSDOT regarding CPZ2014-00003. A copy of the letter can be found in Attachment A of this staff report. WSDOT's comments are as follows:

- The traffic impact study [for CPZ 2013-00012 Bishop] for the 15 acre rezone stated the site would generate 2,377 daily trips with 247 of those in the PM Peak hour. Of those 247 trips, 108 would be turning left from 10th Avenue into the site. If you increase this proportionally with the increase in acreage for the 20 acre rezone, you have approximately 3,160 daily trips for the new proposal with of those 144 turning left from 10th Avenue in the peak hour. If you combine the trip generation for the two rezone proposals, you now have over 250 trips in the PM Peak hour turning left from 10th Avenue into the site.
- WSDOT is concerned with the number of northbound left turning vehicles and the possible impact they may have on the SR 503/NW 10th Avenue intersection.
- When a development on this property is brought forward for review, WSDOT will request a traffic impact analysis. This analysis will need to specifically address the impacts to the SR 502/NE 10th Avenue intersection and suggest mitigation measures to maintain the current level of service and meet WSDOT safety requirements.

Staff received the following comment last year from the County Public Works Department and the same comment would apply for this land use action:

- Although a traffic profile or traffic study for specific site development uses is not required to change site zoning, a Traffic Study may be required at the time of Preliminary Site Plan/Land Division Review. Furthermore, any potential on-site/off-site mitigations will be assessed at the time of Preliminary Site Plan/Land Division Review.

Compliance with Clark County Transportation Policy

Last year's transportation analysis for CPZ2013-00012 Bishop demonstrates that application is consistent with all applicable Clark County transportation policies and the same would apply for this year's application.

The following Framework Plan transportation policies are relevant to this application:

GOAL: Optimize and preserve the investment in the transportation system.

5.3 System Preservation Policies

- 5.1.3 *When county Road Projects are designed or transportation improvements are proposed through the development review process, the design of those transportation facilities should be consistent with the current adopted Arterial Atlas, Concurrency Management System and Metropolitan Transportation Plan.*

Finding: The trip generation from this site is assumed to be approximately 60 net trips per day. Per the previously mentioned letter from WSDOT, the applicant will need to

supply a traffic study to address the potential impacts of left-turns from NE 10th Avenue into the site during the PM peak hour.

5.3.1 Development projects shall adhere to minimum access spacing standards along arterial and collector streets to preserve the capacity of the transportation system. The county shall also work with the state to ensure that minimum access spacing standards for state highways are maintained.

Finding: If WSDOT has frontage control for the subject parcels, the applicants will need to work with WSDOT regarding access issues during the development review process. If the County controls access, the same coordination will be required of the applicant with the County when a development review application is submitted.

5.3.2 The efficiency of the county's transportation system shall be optimized through the use of Transportation System Management strategies such as signal interconnection systems, signal coordination, and synchronization, and other signal improvements where appropriate.

Finding: Since this proposal more than doubles the trip generation, future development will need to address potential impacts to the intersection of SR 502 and NE 10th Avenue. Under the development process, the applicant may have to address potential signal issues.

5.3.5 The local street system shall be interconnected to eliminate the need to use collector or arterial streets for internal local trips.

Finding: If the property owner redevelops the site in the future, the existing driveways may be reviewed and possibly consolidated during the site development review process. Access to these properties is under the jurisdiction of WSDOT in some locations and the applicant would have to follow their application process. For portions of 10th Avenue under the County's jurisdiction, the applicant will follow the County's codes regarding access requirements. During the development review process, the applicant will provide a circulation plan that complies with Title 40 of the County Development Code.

5.3.6 The County will protect the public's investments in existing and planned freeway and separated grade interchanges.

Finding: WSDOT has been consulted regarding this application and provided a letter that is found in Attachment A of this staff report. As previously mentioned, WSDOT has raised concerns regarding the potential impacts of the rezone that cumulatively doubles the amount of land zoned for rural commercial.

Analysis of Trip Generation

Under the traffic study from last year's annual review, the subject parcel would generate approximately 29 trips per day for 3 home sites that would be allowed on the 15 acre site. This new proposal has more than doubled the size of the area that would be rezoned from rural residential to rural center and therefore it is assumed the cumulative net trip generation might be 4,754 daily trips. As previously mentioned, WSDOT has raised concern regarding this level of trip generation and their letter is attached to this staff report. Staff defers to WSDOT's

comments and note that any future development will be required to provide a staff report per both the County's and WSDOT's specifications.

Site Specific Impacts

Future development will need to provide a traffic report to address potential impacts on both the County and the State's transportation facilities.

System Impacts

As previously stated, future development will need to provide a traffic report to address potential impacts on both the County and the State's transportation facilities.

Report Prepared By: Laurie Lebowsky, Clark County

Date: April 30th, 2014

Disclaimer: The trip generation and system analysis in this report provides a gross estimate of the likely impacts that will result from the action of approving this Docket request. The assessment of transportation impacts from subsequent development of the site occurs with a specific development proposal and the testing of that proposal under the County's Transportation Concurrency Management ordinance. Approval of this Docket request does not ensure that the transportation system will be concurrent at the time a specific development application is submitted.



**Washington State
Department of Transportation**

Lynn Peterson
Secretary of Transportation

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April 28, 2014

Jose Alvarez, Planner
Clark County Community Development
1300 Franklin Street, PO Box 9810
Vancouver, WA 98666

Re: Annual Review CPZ2014-00003 10th Avenue
SR 502 MP 0.56

Dear Mr. Alvarez:

The Washington State Department of Transportation (WSDOT) staff has reviewed the material submitted for this annual review. It is our understanding that this application is for a Comprehensive Plan Amendment and rezone only, and no development plans have been submitted. However, WSDOT would like to make the following comments at this time.

It's our understanding the applicant is asking to use a traffic study done in 2013 for rezoning the abutting 15 acres to the south. WSDOT has concerns with this approach as it does not take into account the cumulative impact from both rezones. In addition the current application is for approximately 20 acres and therefore the trip generation should be increased to match the increase in acreage.

The traffic impact study for the 15 acre rezone showed the site would generate 2,377 daily trips with 247 of those in the PM Peak hour. Of the 247 trips, 108 would be turning left from 10th Avenue into the site. If you increase this proportionally with the increase in acreage for the 20 acre rezone, you have approximately 3,160 daily trips for the new proposal with of those 144 turning left from 10th Avenue in the peak hour. If you combine the trip generation for the two rezone proposals, you now have over 250 trips in the PM Peak hour turning left from 10th Avenue into the site.

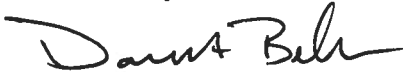
WSDOT is concerned with the number of northbound left turning vehicles and the possible impact they may have on the SR 503/NW 10th Avenue intersection. When a development proposal is brought forward for review, WSDOT will request a complete traffic impact analysis. This analysis will need to specifically address the impacts to the SR 502/NE 10th Avenue intersection and suggest mitigation measures to maintain the current level of service and meet WSDOT safety requirements.

These comments are based on a preliminary review of your project. As this project progresses, there may be need for additional information by this department for further review. There may be other issues and requirements by this department that are not stated here. Other issues or requirements may include, but are not limited to,

drainage, illumination, access, signing, and channelization. This review does not constitute final approval by WSDOT.

Thank you for the opportunity to comment on this project. If you have any questions or need additional information, please contact Jeff Barsness, Southwest Region Development Services Engineer, at 360-905-2059.

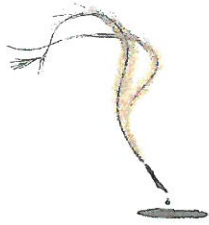
Sincerely,

A handwritten signature in black ink, appearing to read "Dave Bellinger". The signature is fluid and cursive, with the first name "Dave" and last name "Bellinger" clearly distinguishable.

Dave Bellinger
Design Services Engineer

DB: jb

RECEIVED OCT 15 2014



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October 2, 2014

Jose Alvarez, Planner
Clark County Community Planning
1300 Franklin Street
PO Box 8910
Vancouver, WA 98666

Oliver Orjiako, Director of Clark County Planning
1300 Franklin Street
PO Box 8910
Vancouver, WA 98666

Re: CPZ 2014-00004 NE 10th Avenue

Dear Mr. Alvarez and Mr. Orjiako:

I am writing to you on behalf of the City of Ridgefield as their City Attorney. A similar letter should be received soon by you from Brian Wolfe, City Attorney for the City of Battle Ground.

The County is about to take action on a request to change the above property to rural commercial implementing zoning designation of CR-1 on four (4) parcels. These parcels total about twenty (20) acres and are owned by Carlos Benavidez, James and Leslie Currie and Mark and Wanda Dougherty. The Cities of Battle Ground and Ridgefield have grave concerns over this proposal and encourage you to find another way to accomplish the needs or desires of the Applicants without making this zone change.

As you should recall, the County and the Cities of Ridgefield and Battle Ground entered into a Memorandum of Understanding dated May 22, 2012. In the MOU, the County indicated it would cooperate with the Cities to prepare and adopt general transportation drainage and sewage plans and work with the Cities to identify specific zoning designations to be applied to the area. The County made a promise to consult with the Cities prior to expanding any of the then existing CR-1 designations.

So while the uses designated within the CR-1 classification under Table 40.210.050-1 are not inherently threatening to either City, the real question is when is this proliferation going to cease? Do each of the small parcels surrounding the Duluth intersection get to gradually expand these designations until there is none left? What will the County do if there is a request for uses greater than CR-1?

The Growth Management Act (GMA) currently allows for small pockets of commercial activity outside the Urban Growth Boundaries known as "Limited Areas of More Intensive Rural Development (LAMIRD)." These areas are intended to serve immediate needs of surrounding rural areas but not allow urbanization. While land can be developed into more intensive uses within these rural areas, such as filling in gaps, said uses are not to be allowed to expand beyond historical border. This proposal continues an incremental expansion of the more historically commercialized area, thereby promoting urbanization into an area characterized as rural.

There are other policies that seem to be counter to the proposal. These include:

3.2.10 Commercial activities in rural areas should be located in rural centers. Commercial uses supporting resource uses such as packing, first stage processing and processing which provides value added to resource products may occur in a resource area.

Duluth is not technically a rural center. If the County considered re-designating the Duluth intersection, we would need the following policies to be processed:

3.2.11 A new rural center or boundary expansion of an existing rural center shall be considered and evaluated by the County through the annual review under CCC 40.560 and pursuant to RCW 36.70A.070(5)(d).

3.2.12 Before the County considers a new rural center the proponents shall submit to the County a petition signed by at least sixty percent (60%) of the property owners of the subject property.

One of your findings on page 4 of 14 indicates that re-designation of this land to expand the commercial code into the Duluth area would encourage economic development in the rural area. This seems to be a bold statement when related to this area. It is exactly the encouragement of economic development which the two Cities question. Cities have heretofore been designated as urban areas where the required services exist that go with economic development within an urbanized area. To encourage this type of development in a rural area without services seems to the Cities to be inappropriate.

For the foregoing reasons we believe that approval of this requested zone change in its present configuration would violate the Growth Management Act and the County Code. Before you proceed with the Commissioner Hearing on this matter, let's sit down together to see if we can find an alternative. The City of Ridgefield would very much like the opportunity to have the planning staff and attorneys for both cities meet with you to see if we can discuss

alternatives. Otherwise we will be forced to appeal the proposal pursuant to Clark County Code.

Sincerely,

A handwritten signature in black ink, appearing to read "Janean Parker". The signature is written in a cursive style with a large initial "J".

Janean Z. Parker
City Attorney
City of Ridgefield



proud past, promising future

CLARK COUNTY
WASHINGTON

EXHIBIT 2

COMMUNITY PLANNING

October 15, 2014

Janean Parker, City Attorney
City of Ridgefield
PO Box 298
Adna, WA 98522

RE: CPZ2014-00004 NE 10th Ave

Dear Ms. Parker

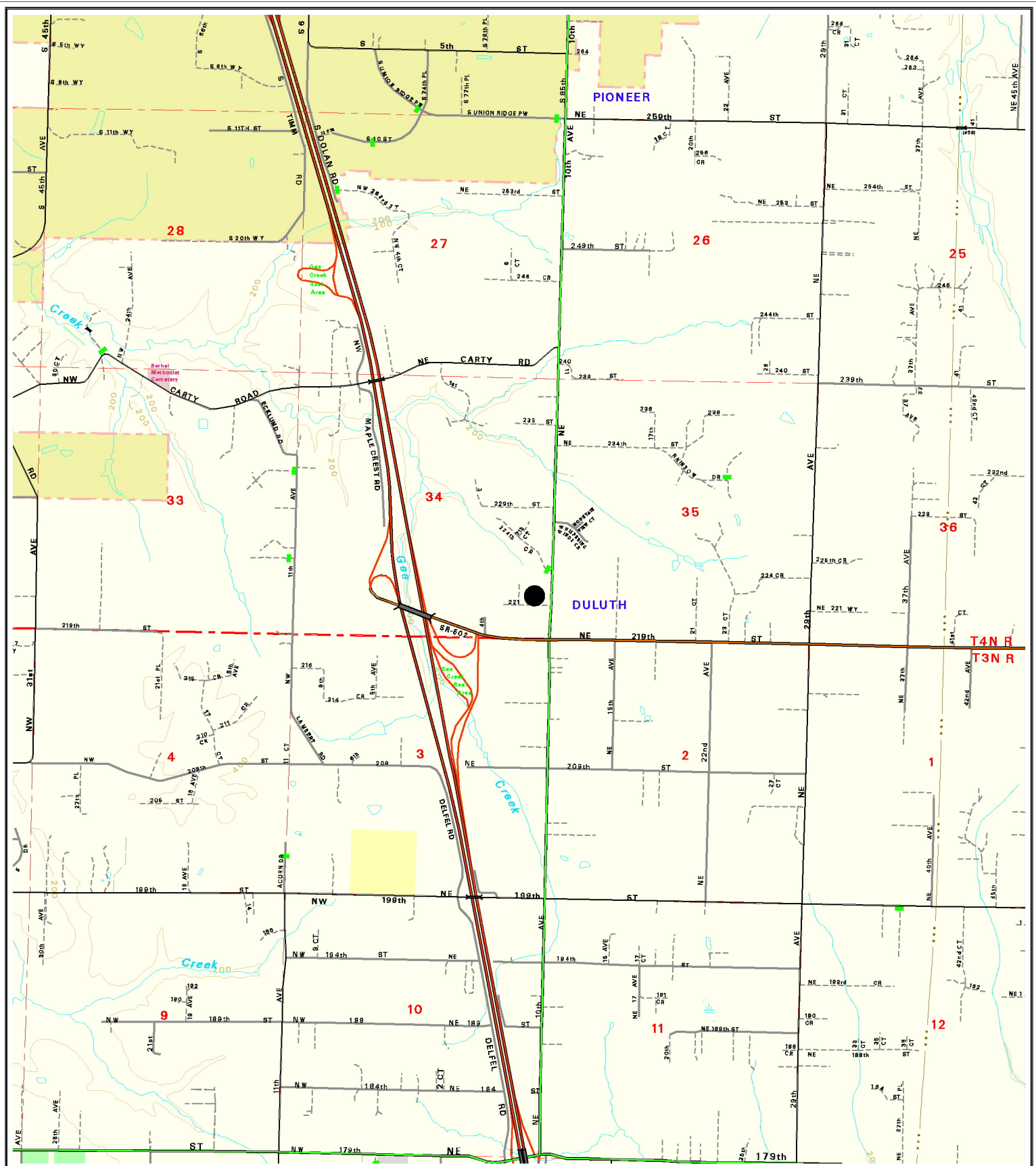
I am writing to acknowledge receipt of your letter dated October 2, 2014.

County staff has met with representatives of the cities of Battle Ground and Ridgefield on two separate occasions June 18th and July 11, 2014 to consult with the cities on alternatives in compliance with the Memorandum of Understanding dated May 22, 2012.

We would welcome a meeting with planning staff and attorneys for both cities to discuss possible alternatives.

Sincerely,

Oliver Orjiako,
Director of Community Planning



File # CPZ2014-00003, SN 216895000 216948000 216954000 216955000 216972000

Location: T4N R1E SEC 34

● Subject Property Location

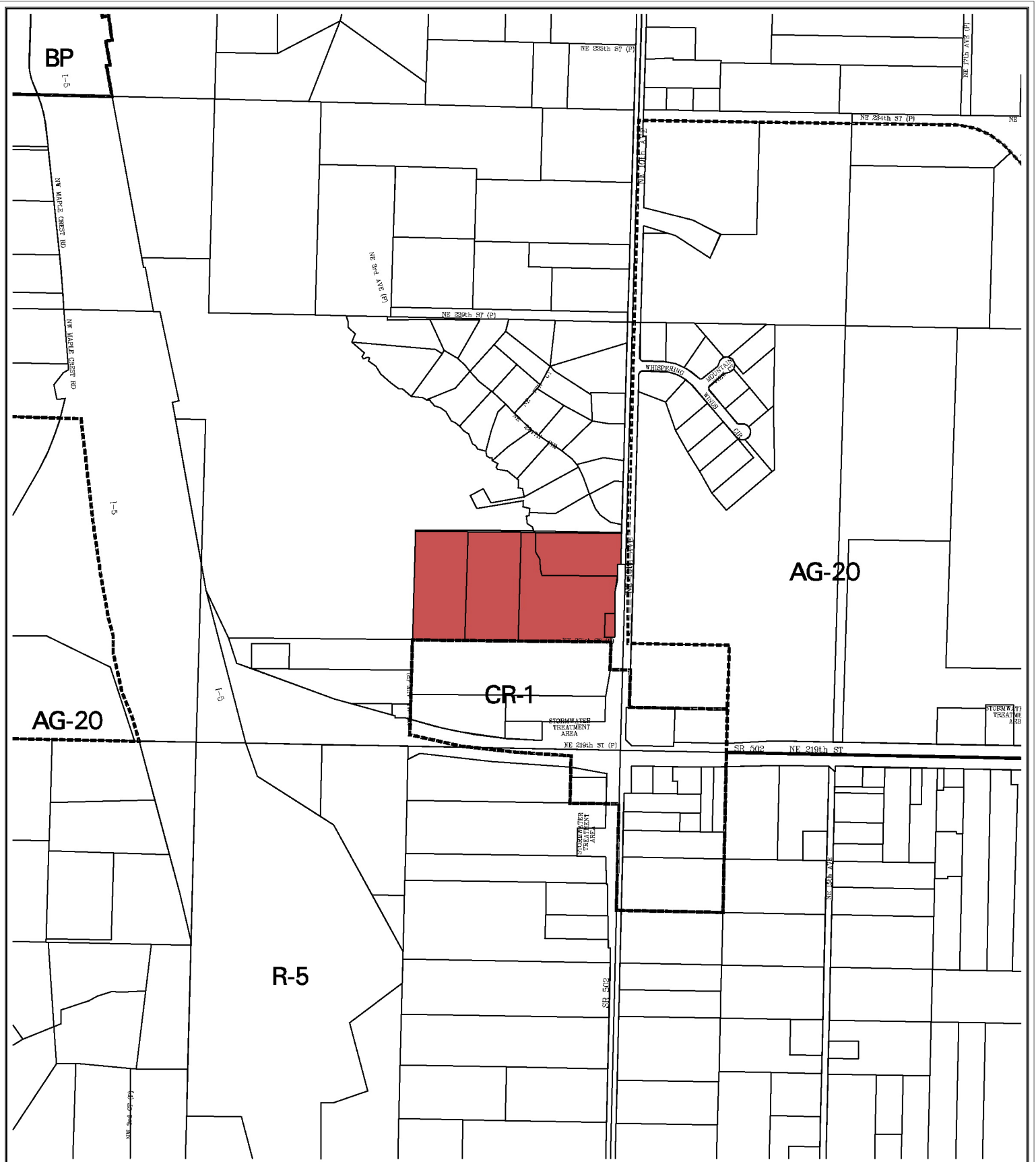
Comp Plan Change/Rezone/Text Change/Docket I



Order 121494 GIS Product 1_163



Owner: EASTER RICHARD









File # CPZ2014-00003, SN 216895000 216948000 216954000 216955000 216972000

Location: T4N R1E SEC 34

Comp Plan Change/Rezone/Text Change/Docket I

Owner: EASTER RICHARD

-  Subject Property
-  Zoning Boundary
-  Mining Combining District
-  Contingent Zoning
-  Urban Holding-10
-  Urban Holding-20



Clark County, Oregon
Order 12104 GIS Product 1_163





File # CPZ2014-00003, SN 216895000 216948000 216954000 216955000 216972000

Location: T4N R1E SEC 34

Comp Plan Change/Rezone/Text Change/Docket I

Owner: EASTER RICHARD

- Subject Property Location
-  Comp. Plan Boundary
-  Mining
-  Industrial Reserve
-  Open Space/Density Transfer
-  Columbia River Gorge N.S.A.



Order 12194 GIS Product 1_163



**CLARK COUNTY
PLANNING COMMISSION MINUTES
Thursday, May 15, 2014**

**Public Services Center
1300 Franklin Street
BOCC Hearing Room, 6th Floor
Vancouver, WA**

6:30 p.m.

I. CALL TO ORDER 6:30 P.M.

MORASCH: Well, good evening, and welcome to the hearing of the Clark County Planning Commission on May 15th, 2014. I will call the meeting to order. And can we get a roll call.

II. ROLL CALL & INTRODUCTION OF GUESTS

BARCA: HERE

BLOM: HERE

GIZZI: HERE

JOHNSON: ABSENT

QUIRING: ABSENT

USKOSKI: HERE

MORASCH: HERE

III. GENERAL & NEW BUSINESS

MORASCH: Okay. Moving on to general and new business, has everyone had a chance to review the agenda? Are there any changes? Then can we get a motion to approve the agenda.

A. APPROVAL OF AGENDA FOR MAY 15, 2014

GIZZI: I make a motion we approve the agenda.

USKOSKI: Second.

MORASCH: All in favor.

EVERYBODY: AYE

B. APPROVAL OF MINUTES FOR MARCH 20, 2014

MORASCH: Then the motion carries, the agenda has been approved. Moving on to approval of the minutes, has everyone had a chance to review the minutes from the March 20, 2014 meeting? Can I get a motion to approve the minutes.

USKOSKI: Motion to approve the minutes.

GIZZI: Second.

BLOM: Second.

MORASCH: All in favor.

EVERYBODY: AYE

MORASCH: AYE

USKOSKI: AYE

MCCALL: 5 in favor.

B. CPZ2014-00003 NE 10TH AVENUE

MORASCH: Okay, the motion carries. Thank you very much. Moving on to the next item. This is CPZ2014-00003, NE 10th Avenue, a proposal to amend the comprehensive plan and zoning designation from R-5 to CR-1 on four parcels. And we have Mr. Alvarez to give us the staff report.

ALVAREZ: Thank you, Commissioners. Jose Alvarez with Clark County Community Planning. The proposal is like you mentioned. Let me bring up the maps. This should look familiar to the Planning Commission. Some history.

Last year we came forward with an annual review for the 15 acres here at the corner of NE 219th and NE 10th Avenue to go from R-5 to CR-1. The Planning Commission approved that, and also made a recommendation to include the four parcels, 20 acres approximately to the north.

The Board of County Commissioners determined that there hadn't been sufficient notice to the neighbors, and there was no environmental analysis done on this property. So they asked us to bring this back as a docket item for 2014.

We have done the SEPA, issued a determination of nonsignificance which was final today. We sent out notice to all of the property owners within 500 feet and haven't received any comments other than in the staff report there's a comment from WSDOT regarding the number of trips on NE 10th and the potential for stacking and making left-hand turns on the property as it develops.

Had conversations with the cities of Ridgefield and Battle Ground regarding a Memorandum of Understanding that was adopted several years ago that requires us to consult with those cities regarding any changes in this area. The City of Battle Ground has a representative here that will testify. I haven't heard anything from the City of Ridgefield for the record.

Staff has made a recommendation of approval, and I'll be willing to answer any questions if you have them.

MORASCH: Okay, thank you. With that, I'll turn it over to the Planning Commission. Does the Planning Commission have any questions for staff at this time?

BARCA: So, Jose, concerning the WSDOT letter, I believe they're asking for an update on a traffic impact study to take in some additional concerns that they enumerated. Most of what I see it appears like we would normally handle at the time of application.

ALVAREZ: Correct. Yeah. So what we did was relied on the traffic study that was done last year and essentially prorated the number of trips by the acreage because there was a difference of 15 to 20 acres. So the number of trips essentially doubles, but we've determined that there's sufficient capacity. And, again, we would review that when a development application is filed at the time.

MORASCH: Are there any other questions? Okay. Well, with that, we will open the public hearing, and I have the first person on the list is Erin Erdman from the City of Battle Ground. Would you like to come up and give us some testimony?

ERDMAN: I'm Erin Erdman, Community Development Director for the City of Battle Ground.

MORASCH: Welcome. Thank you for coming.

ERDMAN: Thank you. The City of Battle Ground feels that there needs to be a little bit more discussion on this topic prior to making a recommendation to the Board. There was the MOU that Jose had referenced earlier that was entered into by Clark County, the City of Battle Ground and the

City of Ridgefield back in May of 2012, that was meant to serve as a blueprint for a guide to this planning process around this area.

There's language in there that states the County will consult with the cities prior to the expansion of any rural commercial zones and we just don't feel like we've had the opportunity to sit down and collaborate that. Also, talking with the City of Ridgefield, they weren't able to be here today, but they are on the same page with that understanding. We just would like to take the time to sit down and have a little bit better understanding of what the purpose of this is before moving forward.

And also just want to, you know, questioning the County's in the process of doing their overall comprehensive plan update right now for the 2016 update, and we were wondering if this would be better served as part of that overall update so we could get a little bit more in-depth analysis on that. So we'd just like to request that we take a step back --

MORASCH: Are we having a technical problem?

MCCALL: Technical difficulty. I apologize.

ERDMAN: Okay. So we're just requesting we take a step back and just give us a little bit more time to coordinate between all of the entities involved and either coordinate a little bit more, have a better understanding before moving forward, either that or roll this into the overall comp plan update. That's all I have.

MORASCH: Okay, thank you. Does any member of the Planning Commission have any questions? No? Okay, thank you for coming. Okay. The next person on the list, I'm having a little trouble reading the handwriting, but I think it's Ronnie Cook. Good evening.

COOK: Good evening. I'm Ronnie Cook and I live at 809 NE 224th Circle in Ridgefield, 98642.

MORASCH: All right. Welcome to the Planning Commission.

COOK: Thank you very much for having this for us and giving us a chance to speak about this zoning proposed change as well. I actually live in the neighborhood that borders the proposed rezoning change. And I'd like just for point of clarification to ask up front, do any of you know what that neighborhood is or have you ever seen it? Okay.

As you know it's a gated community. We took the roads private ourselves, so we maintain all the roads ourselves, we maintain the actual wastewater; we maintain everything, so... It's got 22 homes in it and there's close to 30 children that live in that neighborhood.

We already have a problem with traffic coming off of 10th that miss the intersection and they try to turn around in our neighborhood. And of course with the gate being there, we've got the concrete post in the middle with the key pad, so we already have a problem with traffic turning in and realizing it's a gated community. And then there's really no place to turn back around, so they back out onto 10th as we know which is a 50 mile an hour highway. So we've had some pretty near close calls with traffic accidents there.

The other thing is that with the kids, they catch the bus right there on the corner outside of the gate. And so our concern is with the additional left-hand turns at peak hours, which Washington State DOT brought up, you know, we don't want, you know, the kids being dropped off with the school bus there and people, you know. We're just worried about the additional traffic and safety of not only the kids, but the people driving up and down 10th Avenue.

It's, you know, that's where we are as a neighborhood is that, you know, it really borders the first lot that you see above where the property is actually one of our neighbors, and so that property would be directly behind one of the neighbors that live in our community.

So we're here just as a neighborhood to say that we are concerned. We're concerned. We're all about growth. I own two businesses in Clark County and generate plenty of revenue, and we all support growth and want to see it happen, but we're just concerned and agree with the Washington State Department of Transportation recommendation that that could cause additional traffic concerns. And we're concerned about the kids and the bus stops and what that would do ultimately, you know, to our property values with whatever ends up being there.

MORASCH: Okay. Well, thank you very much. Is there anybody on the Planning Commission that has any questions for Mr. Cook? All right. I guess you're free to go.

COOK: Thank you.

MORASCH: Thank you for coming.

COOK: Sure.

MORASCH: Next on our list we have Kevin Kelly.

MCCALL: Just a reminder, we need to have them up close to the mic, almost eating the mic, rather than sitting so far away.

MORASCH: Okay. I think the problem is when they sit close to the mic, they get feedback and start that buzzing, so...

BARCA: Let's try it.

MCCALL: Well, because I'm turning it up because they're too far away and I'm getting a low audio level.

MORASCH: Okay. We'll try that then. Good evening.

KELLY: Good evening. Can you hear me okay?

MCCALL: Get a little closer to the mic. That would be great.

KELLY: All right. Hi. Is that okay?

MORASCH: Yeah.

KELLY: Okay. Thank you for having this meeting and giving me a chance to express my concerns about this project. My name is Kevin Kelly. I live at 827 NE 224th Circle, Ridgefield, Washington 98642.

A few concerns I have is the density of this being so close to our neighborhood where we have valuable homes that we take pride in and keep up. There is a concern about decrease in the property value having a commercial zone so close. The noise of having commercial properties in our immediate backyard.

The biggest concern of mine is safety. 10th is a 50 mile an hour road, and there are many people that cruise even faster down that road, and they either have to stop or turn at 219th, but many people buzz by the entrance to our neighborhood already. With the Department of Transportation's concern and estimation of the amount of traffic of adding a 20-acre commercial zone next to an already approved I believe that one that's marked RC -- is that 20 acres or 15 acres?

ALVAREZ: About 15.

KELLY: 15 acres. -- and then adding another 20 acres in such a short distance of 219th, the amount of volume that the Department of Transportation has projected there is very concerning for accidents, pedestrians and us also exiting our neighborhood. There is about three miles north on 10th up in Ridgefield at that Ridgefield exit quite a bit of land that's already manufacturing and commercial that there are not a density like we have of homes, an area where there's residences

that would be more suitable for, you know, approval for commercial and manufacturing than right there at that intersection where it is going to be so busy. That intersection has already been expanded with the Battle Ground highway project, but I think it would clog up quite a bit pretty soon with the thousands of new cars, the new trips that Washington Department Transportation estimates.

So, again, my concern is making certain that safety, the volume of traffic and potential accidents and congestion, people trying to turn, you know, people getting turned around. I've also seen some close calls of people backing out onto 10th on that 50 mile an hour road making, I don't know if they're lost or whatever, pulling into our neighborhood and actually backing out onto that road. I can see that being disastrous with another the thousands of cars a day using that road.

MORASCH: Okay, thank you.

KELLY: That's all.

MORASCH: Does anyone on the Planning Commission have any questions? All right, thank you very much.

KELLY: Thank you for your time.

MORASCH: It looks like Tom McDonald.

MCCALL: We're going to switch out the mics, there's longer ones on the floor.

MORASCH: Okay. We'll give you a new mic, Mr. McDonald, and hopefully we'll all hear you better.

BARCA: Closer.

MCDONALD: Thank you. Tom McDonald. I also live at March Estates.

MORASCH: We're getting a little bit of that feedback again.

MCCALL: I have to turn it down.

MORASCH: Okay. Try it again.

MCDONALD: Thank you. Tom McDonald. I also live at March Estates. And I'm a bit concerned about reading the document that was well done. I would just reiterate the traffic issues which I assume --

MORASCH: Excuse me, we usually ask that people give their address at the beginning. I didn't think you did that. Can you give your address for the record?

MCDONALD: Yes. 603 224th Circle NE, Ridgefield.

MORASCH: Okay, thank you.

MCDONALD: And I echo the previous two speaker's comments, but won't repeat. But I have a concern about the principle that I read in a document that was prepared which is that to add more acreage into commercial space, one must demonstrate the need for the commercial space. We have just added 15 acres in the past 18 months. To my knowledge, I see no signs up on that acreage that says that somebody is putting in a business or going to do something or the future home of, and the buffer zone is now the 20 acres is being asked to be added between a fairly high density housing area with traffic issues.

And I would propose to the Planning Commission that a prudent concept would be based upon the testimony from the representative of Battle Ground that this needs to be studied a bit more, and this proposal to add these 20 acres should be tabled and looked at and be very careful in the analysis. Do we really need this commercial space?

We have in the area hundreds of square foot of commercial space unused for lease just down 10, and the new 15 acres which has no stated public plans at this point, and the other businesses at that corner that this affects, one, from a business standpoint would look at it and say it's very underutilized. So my point is, we're violating the planning principle of need before we add more commercial space, please table. Thank you.

MORASCH: Okay, thank you. Is there anyone on the Planning Commission that has questions for Mr. McDonald? All right, thank you very much. We have one more name on our list, that's Carolyn McDonald. Carolyn, would you like to add anything?

MCDONALD: No, thank you. It's been said.

MORASCH: It's been said. Okay, thank you. With that, I'll take it back to Mr. Alvarez. Do you have anything to add?

ALVAREZ: Staff wouldn't object to folding this into the comp plan for 2016 to look at it more comprehensively. In addition, the commercial uses that would be allowed in the zone are the more restrictive commercial, this is commercial outside of a rural center. For retail commercial it's a conditional use for anything up to between 5 and I think it's 25,000-square foot, there's no nothing beyond that would be allowed, but having a better policy or agreement among the jurisdictions.

The other issues, this is this area is in an industrial urban reserve overlay which would signal that when it gets brought into an urban growth boundary, the idea was that it would have -- it would be served -- it would be to serve as an employment area. But it is at a junction where commercial just seems to make sense, but it won't probably be built out fully until it becomes urbanized, but I can see both sides.

BARCA: So, Jose, for the record and understanding I think for the audience that's here, would you explain if it remains in industrial urban reserve, what the potential is for that and what actions would have to take place for it to convert.

ALVAREZ: So there's two issues. The industrial urban reserve overlay has its own set of uses that are not commercial. So if you keep the urban, the industrial urban reserve overlay, that will be the uses will be very similar to what an R-5 would allow. In order to remove the industrial urban reserve overlay, the area would have to be brought into one of the urban growth boundaries.

The Vancouver urban growth area currently extends to 209th Street, and to the north is the Ridgefield urban growth boundary. It hasn't been determined whose urban growth area this area would go into, that's still sort of a point of contention. I'm not sure that it would be addressed, but we could discuss that as part of the 2016 comp plan. It really kind of depends if there's a demand for expanding urban growth boundaries whether it would fall into one, and I can't say for certain at this time if it would.

MORASCH: Thank you. Any other questions for staff? Okay. Well, seeing none, I will -- well, before I close the public testimony portion, is there anyone in the audience that has anything else they'd like to add? Yes. Please come down and state your name and address for the record.

CURRIE: My name is Leslie Currie. Our address is P.O. Box 2051, Woodland, Washington. We're one of the owners of a five-acre parcel there that is in the review, and I testified before the Planning Commission the last time when you were here.

We purchased our property about 11 years ago -- and shortly -- with the intent to build a house on it on the five acres, and a few months after we purchased the property and had the plans for the house, the State of Washington said they were going to put the off-ramp through the property, so that stopped us from doing that portion of it.

We waited ten years. We found another thing. We came back and we were going to build on it

again, and the zoning to the south of us now is light industrial. So we're really stuck. We can't build on it. We can't build a house on it because it's kind of a no man's land. We can't sell it because we don't know if it's going to be commercial or zoned or how it's going to be zoned. And so we've been sitting on this piece of property, and I think that's where the Planning Commission said you're right, this is at an intersection and it makes sense to be commercial.

I certainly understand the concerns of the neighborhood to the north of us, but it's a gated community. It really should have -- no matter what we do with that property, it shouldn't have a lot of impact on their neighborhood.

MORASCH: Okay, thank you. Does the Planning Commission have any questions for Ms. Currie?

BARCA: No. I think it was valuable for you to come forward again and remind everybody about your previous testimony. Thank you.

MORASCH: Thank you. Is there anyone else who would like to speak before we close the public testimony? We see one more person. Please come down and give your name and address for the record.

RANDOLPH: Good evening.

MORASCH: Good evening.

RANDOLPH: James Randolph, 604 224th Circle, Ridgefield. I live in the same community. My wife and I have only lived here a year. And I wasn't going to speak, but then when I heard other testimony, there doesn't seem to be a clearly demonstrated need for making this change. And when you have the City of Battle Ground and the City of Ridgefield haven't even been thoroughly brought into the process, I agree with their recommendation that this at least be postponed and be considered as part of the 2016 development process.

Because right now what I've read so far and what I just sat here listening to, I can't see where anybody's demonstrated a clear need to take rural land and convert it into light commercial given what's going on in that area. Plus what's going on north of that area where there's a big commercial development, which is from what I can tell has not been developed to its fullest potential at all, much less converting another 20 acres to commercial and taking away the rural environment. And thank you.

MORASCH: Thank you very much. Are there any questions? Okay. Is there anyone else out there that would like to speak on this matter? I see one more person. Okay. Good evening. Please give your name and address for the record.

HAIDER: My name is Susan Haider and I live at 505 NE 224th Circle, so same community.

MORASCH: Welcome.

HAIDER: Thank you. Thank you for having this meeting. I would just like to reiterate, I'm not going to repeat what everyone else has had to say from our neighborhood, but I totally agree that there is definitely a safety issue with having the additional traffic and having the additional people turning in and out of an area so close to our community.

The other thing that I think hasn't been mentioned that I think is also important to consider is it is a two-lane highway, as it is with it being a 50 mile an hour two-lane highway. There is often times that I come up to turn left onto my street and I have to be stopped, because there's oncoming traffic and there's people coming up behind me too fast and want to zip around me to the right where there isn't room. To add to the traffic and to add to more people turning, it's going to cause more of an issue and there's ultimately going to be an accident there. And that's really all I wanted to say. It really is a safety issue.

MORASCH: Okay, thank you. Are there any questions? All right. Thank you very much. Okay. Is there anyone else who would like to say anything? Going once. Okay. I don't see anyone else raising their hand. With that, I will ask staff if they have any final thoughts before I turn it over to the Planning Commission for discussion.

ALVAREZ: I have no additional thoughts.

MORASCH: Okay, thank you. With that, we will close the public testimony portion of our hearing and turn it over to the Planning Commission for discussions. Ron, do you want to start us off?

BARCA: I know from our previous work and other comp plans, we have struggled to protect major intersections that are utilized for the sake of on and off-ramp activity. It becomes a very valuable commercial node, and when we do a poor job of planning that node, we end up in sub-optimizing the area.

I think our concern before with this area was really based on the idea that we didn't see it converting during the 2016 comp plan review. That leaving it in the R-5 designation appeared to leave it vulnerable to have it continue to develop at an R-5 standard and missing the opportunity for the node to become a job generating center.

That was part of why I recommended that we bring it forward and at least do what we could within our limited capacity, which at this point in time was we could not turn it into industrial outright, we could turn it into commercial. And then if it remained undeveloped and we ended up in an urban growth situation where the boundaries got to there, we could consider the industrial application for it.

When we look at this right now, I think we have already seen that the Board of County Commissioners has a very aggressive jobs agenda that's going to be before us and they're going to be looking for opportunities to have employment lands developed and employment lands designated. So I would say that there isn't anything that we have before us tonight that would change this other than the fact that the City of Battle Ground and Ridgefield appear that they have not had an opportunity to weigh in on this discussion.

I know they both have their own commercial lands that they'd like to get developed, and they certainly don't want to have another set of acreages put out there in competition, but we do have to have an understanding that without an urban reach to this intersection, this commercial node is in jeopardy and I think we need to be able to clarify our long-term position on wanting to get the highest and best use out of this intersection. I'm done.

MORASCH: All right, thank you. John.

BLOM: Just one quick question for Jose, and you may not be able to answer this. In your experience looking at once it got to the next stage, if someone put it in a plan for that 15 acres or that 20 acres, would that likely trigger an expansion of 502 where they'd add a northbound left-turn lane in there based on those trips? I mean would that -- would some of those traffic concerns be alleviated if it were developed at the next point, or it's just impossible to say?

ALVAREZ: I will let Laurie take a shot at that.

LEBOWSKY: Laurie Lebowsky, Community Planning. Typically what happens in this process is that through development review the applicant would come in with a traffic study, a detailed traffic study and look at trip generation, look at the impacts to the intersection. Since WSDOT is under, this is under WSDOT jurisdiction, they would be consulted, but typically the developer is required to improve the intersection.

BLOM: Okay.

MORASCH: Thank you. John, does that answer your question and do you have anything further?

BLOM: I think it's as good as it can be answered without having an application.

LEBOWSKY: Well, I think the bottom line is that in the application process through a traffic study they show what are their impacts, the impacts from that development.

BLOM: Right. Okay.

MORASCH: Okay. Valerie, do you have any comments?

USKOSKI: Yeah, I do. Well, just first of all to kind of follow on to what John's question was, they will be required to maintain the current level-of-service in that area. If they cause any safety issues, they'll have to fix those before they're able to move forward with the development. So whatever safety upgrades they have to make that -- and like you mentioned, it's hard to say what those might be without the actual application in front of us.

Going back to the RC zone that we have right now, I see that we've got the stormwater facility there in the corner of that 15-acre block. Didn't WSDOT also own a couple of other parcels right in there that -- and then along with that habitat area that maybe we didn't have the full 15 that was developable? Am I remembering that correctly?

ALVAREZ: So the idea was, I think at the corner there's a stormwater facility here, there were some wetlands in here, so we didn't anticipate the whole 15 acres being developable. And that they own, WSDOT owns the property abutting I-5, that was the other issue.

USKOSKI: Okay. Well, my inclination is to go more along the lines of where Ron was thinking. That we do need to protect this land as a jobs producing intersection, and that if we're not careful looking ahead, we will lose that opportunity. And what we have now, although it does look like a fairly good sized chunk when you look at it without the environmental constraints, when you add those on, there's really not a lot of developable land in there. And my inclination would be to protect that land that's before us now.

MORASCH: All right, thank you. Jim.

GIZZI: Well, I start with what Ron said, and it was that when we look at these intersections and we just expand them without the proper amount of planning, we end up with problems. And here having been involved in the first hearing and knowing how easy and quick it was to expand the 15 acres to 20 with basically just an inadvertent discussion concerns me that moving that 20 into RC would be compounding the problem.

We have processes. The comprehensive plan process is coming up. When we all agreed to look at that 20-acre piece, we had no idea that there were agreements in place between the County and Ridgefield and Battle Ground that it sounds like we might be violating.

So, you know, we looked at the word jobs, and it is a I'll say a common sense place to think that we could create jobs on that property, but... Well, we all know that sometimes common sense doesn't pan out. So I know we did it quickly. I think we did it for the right reasons, but I'm inclined to feel that maybe a little more planning and thought would be a good idea on this parcel.

MORASCH: Okay, thank you. Well, I guess my thoughts, I'm finding myself agreeing with Ron and Valerie. I think there is potentially more planning that could be done on this property, but I'd hate to lose an opportunity to preserve it for commercial/industrial type use. Also, with the 2016 comp plan coming up, whatever we do here today, it may not be the last word because it could always get tweaked through the comp plan process. So I guess those are my thoughts. If anyone else has anything to say, say it now or else we'll ask for a motion. All right. Does anyone have a motion?

MOTION & ROLL CALL VOTE

BARCA: I'd like to make a motion that we go ahead and accept staff recommendation for the proposed action CPZ2014-00003, NE 10th, with it being subject to adequate review between Battle Ground and Ridgefield and County staff prior to going to the County Commissioners.

BLOM: Second.

MORASCH: Okay. The motion has been made and seconded. Can we have a roll call, please?

BARCA: AYE

BLOM: AYE

GIZZI: NO

MORASCH: AYE

USKOSKI: AYE

MCCALL: 4 in favor, 1 against. Motion passes.

MORASCH: All right. The motion carries. Thank you everyone. And don't forget to go to the Board of County Commissioners' hearing which is upcoming on this matter.

PUBLIC: Nice job. Thank you.

MORASCH: Thank you.

PUBLIC: Nice job.

MORASCH: Okay. Well, I guess you can stay put.

ALVAREZ: Yeah.

C. CPZ2014-00004 CLARK REGIONAL WASTE WATER DISTRICT

MORASCH: We will move on to the next item on our agenda, CPZ2014-00004, Clark Regional Wastewater District. And, Mr. Alvarez, can we have the staff report, please.

ALVAREZ: Yes, you may. So this proposal is to amend the comprehensive plan text to reflect the agreement between the City of Ridgefield and Clark Regional Wastewater District transferring ownership and operation of the city's local wastewater collection system to the district, and that happened January 1 of 2014. This is a summary of the proposed text changes. There are five proposed text changes, three of them are in Chapter 6 of the comprehensive plan. They're all very minor changes that just essentially change the wording from Ridgefield to Clark Regional Wastewater District just to reflect the agreement that was made. And if you have any questions, I'll be happy to answer those.

MORASCH: All right. Does anyone have any questions? No questions. Do we have a sign-in sheet?

MCCALL: There is no one signed up.

MORASCH: No one signed up. Is there anyone in the audience who would like to testify on this matter? No one coming forward. With that, we will close the public hearing portion and turn it over to the Planning Commission for deliberation. We'll start with you, Jim, this time. Do you have any deliberation on this matter?

GIZZI: No, I don't. Thanks.

MORASCH: All right. Valerie.

USKOSKI: I'm good.



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COMMUNITY PLANNING

Today's Date:	April 3, 2014
File Name:	NE 10th Ave
File Number:	CPZ2014-00003
Publication Date:	May 1, 2014
Comment Deadline Date:	May 15, 2014
Project Manager:	Jose Alvarez

Attached is an environmental Determination of Non-significance (DNS) and associated environmental checklist issued pursuant to the State Environmental Policy Act (SEPA) Rules (Chapter 197-11, Washington Administrative Code). The enclosed review comments reflect evaluation of the determination within fourteen (14) days of the DNS publication date. The lead agency will not act on this proposal until the close of the 14-day comment period.

Please address any correspondence to: **Clark County Community Planning**
RE: SEPA Comments
P.O. Box 9810
Vancouver, WA 98660-9810
Or e-mail: commplanning@clark.wa.gov

Federal Agencies:	
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US Forest Service, NSA Office, Hood River, OR	rshoal@fs.fed.us
Native American Interest:	
Chehalis Tribal Council	gconnelly@chehalistribe.org
Chinook Nation/Indian Country	PO Box 304; Ilwaco, Indian Country 98624
Columbia River Inter-Tribal Fish Commission	croj@critfc.org
Confederated Tribes of Grand Ronde	info@grandronde.org
Confederated Tribes of Warm Springs	rcraig@wstribes.org
Cowlitz Tribe, Longview WA	permitreview@cowlitz.org
Nisqually Indian Tribe	cushman.joe@nisqually-nsn.gov
Quinalt Nation Business Committee	cwilson@quinault.org
Shoalwater Bay Tribe	PO Box 130, Tokeland WA 98590
Yakima Indian Nation	PO Box 151, Toppenish WA 98948
Nez Perce Tribe, Lapwai, ID	nptec@nezperce.org
State Agencies:	
WSDOT, SW Region, Donald Wagner	klockek@wsdot.wa.gov
WSDOT, SW Region, Jeff Barsness	barsnei@wsdot.wa.gov
WSDOT, SW Region, Ken Burgstahler	burgstk@wsdot.wa.gov
State Agencies Required by Department of Commerce:	

1300 Franklin Street • P.O. BOX 9810 • VANCOUVER, WASHINGTON 98666-9810
 (360) 397-2280 • FAX (360) 759-6762 • TDD Relay 711 or (800) 833-6388

Department of Commerce, Ike Nwankwo	ike.nwankwo@commerce.wa.gov
Dept. of Commerce, Review Team	reviewteam@commerce.wa.gov
Dept. of Corrections, Olympia, WA	ilmurphy@doc1.wa.gov
Dept. of Health, Drinking Water	mike.means@doh.wa.gov
Dept. of Ecology, SEPA Unit	gmacoordination@ecy.wa.gov
Dept. of Ecology, Env. Review	sepaunit@ecy.wa.gov
Dept. of Fish & Wildlife, Region 5	teamvancouver@dfw.wa.gov
Dept. of Fish & Wildlife, Priority Habitats	anne.friesz@dfw.wa.gov
Dept. of Fish & Wildlife, Shorelines	margen.carlson@dfw.wa.gov
Dept. of Fish & Wildlife, Review Team	wfoctap@fws.gov
Dept. of Natural Resources	SEPACENTER@dnr.wa.gov
Dept. of Social & Health Services	robert.hubenthal@dshs.wa.gov
Dept. of Transportation, SW Region	wagnerd@wsdot.wa.gov
Parks & Recreation Commission	randy.kline@parks.wa.gov
Utilities & Transportation Commission	geckhard@utc.wa.gov
WA Office of Archaeology & Historic Preservation	rob.whitlam@dahp.wa.gov
Regional Agencies:	
Regional Transportation Council	lynda.david@rtc.wa.gov
SW Clean Air Agency	bob@swcleanair.org
C-TRAN, Development Review	devrev@c-tran.org
C-TRAN, Jeff Hamm, Exec. Director/CEO	jeffh@c-tran.org
Cowlitz-Wahkiakum Council of Gov'ts	cwcog@cwcog.org
Local Agencies:	
Clark County CommDev-Building Division	jim.muir@clark.wa.gov
Clark County Commissioners Office	tina.redline@clark.wa.gov
Clark County Fire Marshall	firemar@clark.wa.gov
Clark County Public Works-78 th Street	corrie.guardino@clark.wa.gov
Clark County Environmental Services	joanne.berg@clark.wa.gov
Clark County PW/Transportation	rob.klug@clark.wa.gov
Clark County Sheriff's Office	garry.lucas@clark.wa.gov
Clark County Emergency Management	doug.smith-lee@clark.wa.gov
Clark County Prosecutor's Office-Civil	christine.cook@clark.wa.gov
Clark County Health Department	csowder@clark.wa.gov
Cowlitz County Planning Department	raiterg@co.cowlitz.wa.us
Vancouver-Clark Parks & Recreation	parksrec@cityofvancouver.us
Cities & Town:	
City of Battle Ground, Planning	robert.maul@cityofbg.org
City of Camas, Planning	pbourquin@cityofcamas.us
City of La Center, Planning	dmiller@ci.lacenter.wa.us
City of La Center, Mayor	jirish@ci.lacenter.wa.us
City of Ridgefield, City Manager	phil.messina@ci.ridgefield.wa.us
City of Ridgefield, Mayor	ron.onslow@ci.ridgefield.wa.us
City of Vancouver, Community Planning	bryan.snodgrass@cityofvancouver.us
City of Vancouver, Community Planning	chad.eiken@cityofvancouver.us
City of Vancouver, Community Planning	sandra.towne@cityofvancouver.us
City of Vancouver, Mayor	tim.leavitt@cityofvancouver.us
City of Washougal, Planning	mkneipp@ci.washougal.wa.us
City of Woodland, Planning	smellera@ci.woodland.wa.us
Town of Yacolt, Jeff Niten, Planner III	jeff.niten@clark.wa.gov
Town of Yacolt, Mayor	mayorcarothers@centurytel.net
School Districts:	
Battle Ground School District	lynn.marybeth@battlegroundps.org
Battle Ground School District	jolma.kevin@battlegroundps.org

Camas School District	mike.nerland@camas.wednet.edu
Camas School District	helen.charneski@camas.wednet.edu
Evergreen School District	rgood@egreen.wednet.edu
ESD 112	marnie.allen@esd112.org
Green Mountain School District	joe.jones@greenmountainschool.us
Hockinson School District	sandra.yager@hock.k12.wa.us
La Center School District	mark.mansell@lacenterschools.org
Ridgefield School District	art.edgerly@ridge.k12.wa.us
Vancouver School District	todd.horenstein@vansd.org
Vancouver School District	jennifer.halleck@vansd.org
Washougal School District	joe.steinbrenner@washougalsd.org
Washougal School District	dawn.tarzian@washougalsd.org
Woodland School District	steent@woodlandschools.org
Special Purpose Agencies:	
Clark County Public Utilities (PUD)	dallen@clarkpud.com
Clark Regional Wastewater District	dkiggins@crwwd.com
Col. River Economic Dev. Council (CREDC)	lnisenfeld@credc.org
Natural Resources Conservations Service	rebecca.morris@wa.nrcs.usda.gov
Vancouver Housing Authority	tdrawz@vhausa.com
Ports:	
Port of Camas-Washougal, Exec. Director	david@portcw.com
Port of Camas-Washougal, Mtc./Logistics	larry@portcw.com
Port of Ridgefield, Executive Director	bgrening@portridgefield.org
Port of Vancouver, Environ. Services	pboyden@portvanusa.com
Port of Vancouver	info@portvanusa.com
Libraries:	
Battle Ground Community Library	jspurlock@fvrl.org
Camas Public Library	rmartin@ci.camass.wa.us
Cascade Park Community Library	ttores@fvrl.org
Vancouver Community Library	kford@fvrl.org
Ridgefield Community Library	P.O. Box 547, Ridgefield, WA 98642
Van Mall Community Library	bmeisenheimer@fvrl.org
Washougal Community Library	smcgill@fvrl.org
Woodland Public Library	jkeeler@fvrl.org
Fire Districts:	
East County Fire & Rescue	skoehler@ecfr.us
Clark County Fire & Rescue & District #2	dennis.mason@clarkfr.org
Fire Protection District #3	steve@clarkcofd3.org
Fire Protection District #5	dave.vial@nwrtrc.org
Fire Protection District #6	jerryg@ccfd6.org
Fire Protection District #10	gordon.brooks@clark.wa.gov
Fire Protection District #13	b.peeler@northcountryems.org
Media:	
Camas-Washougal Post Record	heather.acheson@camaspostrecord.com
Columbian	stephanie.rice@columbian.com
KGW NW TV Channel 8	newsdesk@kgw.com
KOIN News Center 6	koindesk@koin.com
KPDX FOX 49	foxdesk@kpdx.com
Oregonian	abrettman@oregonian.com
Reflector	steve@thereflector.com
Neighborhood Associations:	
Andresen/St. Johns N.A.	n.chambers@comcast.net
East Fork Frontier N.A..	gabriel364@aol.com

East Fork Hills Rural Association	coyoteridge@tds.net
East Minnehaha N.A.	tonysuel@aol.com
Enterprise/Paradise Point N.A.	balancediw@gmail.com
Fairgrounds N.A.	bridget@bridge-i-t.com
Felida N.A.	gaudeamus@earthlink.net
Fern Prairie N.A.	fernprairieNA@hotmail.com
Greater Brush Prairie N.A.	rpearson7@gmail.com
Green Meadows N.A.	davesoco@comcast.net
Heritage N.A.	vancouver.heritage.na@gmail.com
Meadow Glade N.A.	18210 NE Cramer Rd., Battle Ground WA 98604
NE Hazel Dell N.A.	bsvanc@aol.com
North Fork Lewis N.A.	P.O. Box 2121, Woodland, WA 98674
North Salmon Creek N.A.	NSCNA+president@salmoncreeklive.com
Pleasant Highlands N.A.	abramson@lifescipartners.net
Proebstel N.A.	proebstelnawendy@yahoo.com
Ridgefield Junction N.A.	marc.krsul@edwardjones.com
Roads End N.A.	5513 NE 40 th St., Vancouver WA 98661
Sherwood Hills N.A.	vicki.fitzsimmons@edwardjones.com
Sifton N.A.	sifton-na@comcast.net
Sunnyside N.A.	flute_maker@comcast.net
Truman N.A.	trumanneighborhood@gmail.com
Washougal River N.A.	brendanaddis@comcast.net
West Hazel Dell N.A.	ilastanek@hotmail.com
Neighborhood Assn. Council (NACCC)	dougballou@comcast.net
Other Interested Parties:	
BIA of SW WA (Building Industry Assn.)	sb.madsen@hotmail.com
Clark County Natural Resource Council	karpjd@comcast.net
Clark County Association of Realtors	coe@ccrealtors.com
Clark County Citizens in Action	1017 NE 107 th St., Vancouver WA 98685
Clark County Citizens United	cccuinc@yahoo.com
Clark County Citizens United	nickredinger@hotmail.com
Clark County Public Health Advisory Council	colliersepticconsult-design@comcast.net
Clifford Aaby	flyboy256@q.com
David Cooper	27715 NE 197 th Ave., Battle Ground WA 98604
David Taylor	davet@ccfd6.org
Eric Fuller & Associates	efuller@ef-inc.com
Foster Pepper & Shefelman	washj@foster.com
Friends of Clark County	charlene.welch@comcast.net
Friends of Columbia Gorge	rick@gorgefriends.org
James Howsley	jamie.howsley@jordanramis.com
Ken Hadley	kenhadley@comcast.net
Kent Landerholm & Associates, Inc.	kent.landerholmandassociates@comcast.net
Landerholm, P.S.	randyp@landerholm.com
Landerholm, P.S.	stacey.shields@landerholm.com
Pam Mason	nwzephyr@msn.com
Rural Clark County Preservation Assoc.	ddykes@tds.net
Stoel Rives LLP	mrfeichtinger@stoel.com
SW WA Contractors Association	mike@swca.org
WSU Finance & Operations	lvalenter@vancouver.wsu.edu
Wuanita Herron	wmherron@juno.com

#END OF LIST#

DETERMINATION OF NON-SIGNIFICANCE

Description of Proposal: Amend the comprehensive plan and zoning map from R-5 to Rural Commercial (CR-1) on approximately 20 acres on the following parcels: 216954000; 216955000; 216948000; 216895000; and 216972000

Proponent: Clark County Community Planning

Location of proposal, including street address, if any: Northwest of NE 221st St and NE 10th Ave

Lead Agency: Clark County, Washington

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below.

Comments must be submitted by: May 15, 2014

Responsible Official: Oliver Orjiako
Position/title: Director
Address: **RE: SEPA Comments**
Clark County Community Planning
1300 Franklin Street; 3rd Floor
P.O. Box 9810
Vancouver, WA 98666-9810

Date: 4-3-14 **Signature:** Oliver Orjiako

The staff contact person and telephone number for any questions on this review is Jose Alvarez, Planner III, (360) 397-2280 ext. 4898.

**Clark County SEPA Environmental Checklist
Washington Administrative Code (WAC) 197-11-960**

A. BACKGROUND

- 1. Name of proposed project, if applicable:**
CPZ2014-00003 NE 10th Ave
- 2. Name of applicant:**
Clark County
- 3. Address and phone number of applicant and contact person.**
*Oliver Orjiako; Director
Clark County Community Planning
P.O. Box 9810
Vancouver, WA 98666-9810
(360) 397-2280 extension 4112*
- 4. Date checklist prepared:**
February 27, 2014
- 5. Agency requesting checklist:**
Clark County, WA
- 6. Proposed timing or schedule (including phasing, if applicable):**
If approved by the Clark County Board of Commissioners, Comprehensive and Zoning from R-5 to Rural Commercial (CR-1) would become effective on January 1, 2015.
- 7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**
No, as this is a non-project action.
- 8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**
None
- 9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.**
None
- 10. List any government approvals or permits that will be needed for your proposal, if known.**
Board of County Commissioners approval of proposed Comprehensive Plan and zone amendment.
- 11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.**
Amend the comprehensive plan and zoning from R-5 to Rural Commercial (CR-1) on approximately 20 acres.
- 12. Location of the proposal.**
Northwest of NE 221st St. and NE 10th Ave

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. **General description of the site: Flat, rolling, hilly, steep slopes, mountainous, other.**
Mostly flat.
- b. **What is the steepest slope on the site (approximate percent slope)?**
The majority of the property is in the 5-10% range. There is a small portion on the northern center part of the property that is between 15 and 25%.
- c. **What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**

The site has a four soil types, as follows: Gee Silt Loam with 0 to 8 percent slopes and 20 to 30 percent slopes; Hillsboro Silt Loam with 0 to 8 percent slopes; and Odne Silt Loam with 0 to 5% slopes.
- d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**
None known. However, on the steeper areas of the property there are areas of potential instability.
- e. **Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**
Not applicable. This is a non-project action. No development is anticipated as part of this application.
- f. **Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**
There are no indications of severe erosion hazard per GIS mapping.
- g. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**
Not applicable. This is a non-project action. No development is anticipated as part of this application.
- h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**
None. This is a non-project action.

2. Air

- a. **What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**
None, this is a non-project action.
- b. **Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**
Not applicable.

- c. **Proposed measures to reduce or control emissions or other impacts to air, if any:**

None are proposed as part of this non-project action.

3. Water

a. **Surface:**

- 1) **Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

There is a fish bearing stream that runs through the site. The County's wetland modeling indicates there may be a wetland on the site.

- 2) **Will the project require any work over, in, or adjacent to (within 200 feet) the described water? If yes, please describe and attach available plans.**

No.

- 3) **Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

None.

- 4) **Will the proposal require surface water withdrawals or diversions. Give general description, purpose, and approximate quantities if known.**

None.

- 5) **Does the proposal lie within a 100-year flood plain? If so, note location on the site plan.**

No.

- 6) **Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

No.

b. **Ground Water:**

- 1) **Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.**

No.

- 2) **Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals . . .; agricultural; etc). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

Not applicable.

c. **Water Runoff (including storm water):**

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable. This is a non-project action.

2) Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable.

d. **Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:**

No mitigation measures are proposed as part of this non-project action.

4. Plants

a. Check or circle types of vegetation found on the site.

 x deciduous tree: alder, maple, aspen, other

 x evergreen tree: fir, cedar, pine, other

 x shrubs

 x grass

 x pasture

 x crop or grain

 x wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

b. What kind and amount of vegetation will be removed or altered?

None as part of this non-project action.

c. List threatened or endangered species known to be on or near the site.

None known. There is a Riparian Habitat Conservation area on site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any;

None proposed as part of this non-project action.

5. Animals

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, **songbirds**, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

b. List any threatened or endangered species known to be on or near the site.

None observed.

c. Is the site part of a migration route? If so, explain.

Not applicable.

d. Proposed measures to preserve or enhance wildlife, if any:

None are proposed as part of this non-project action.

6. Energy and Natural Resources

- a. **What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**
Not applicable.
- b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**
No.
- c. **What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**
None. This is a non-project action.

7. Environmental Health

- a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.**
None.
 - 1) **Describe special emergency services that might be required.**
None.
 - 2) **Proposed measures to reduce or control environmental health hazards, if any:**
None proposed as part of this non-project action.
- b. **Noise**
 - 1) **What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**
None.
 - 2) **What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.**
None.
 - 3) **Proposed measures to reduce or control noise impacts, if any:**
None.

8. Land and Shoreline Use

- a. **What is the current use of the site and adjacent properties?**
The adjacent properties to the south were re-zoned for commercial last year. The properties to the north are residential, to the west is a cluster remainder lot across NE 10th Ave to the east is commercial and agriculture zoning.
- b. **Has the site been used for agriculture? If so, describe.**
Not recently.
- c. **Describe any structures on the site.**
There are five lots that make up the site. There are two single family homes, a mobile home, a stormwater facility, and several outbuildings on site.

- d. **Will any structures be demolished? If so, what?**
None as part of this non-project action.
- e. **What is the current zoning classification of the site?**
The zoning is Rural (R-5).
- f. **What is the current comprehensive plan designation of the site?**
The comprehensive plan designation on the site is Rural (R-5).
- g. **If applicable, what is the current shoreline master program designation of the site?**
Not applicable.
- h. **Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.**
A portion of the site is a Riparian Habitat Conservation area.
- i. **Approximately how many people would reside or work in the completed project?**
Not applicable for this non-project action.
- j. **Approximately how many people would the completed project displace?**
Not applicable.
- k. **Proposed measures to avoid or reduce displacement impacts, if any:**
Not applicable.
- l. **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**
Not applicable for this non-project action proposal.

9. Housing

- a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**
Not applicable.
- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**
The proposed amendment would reduce the potential for additional housing in the long term, however existing housing is an allowed use in the CR-1 zone.
- c. **Proposed measures to reduce or control housing impacts, if any:**
None are proposed for this non-project action.

10. Aesthetics

- a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**
None are proposed as part this non-project action.
- b. **What views in the immediate vicinity would be altered or obstructed?**
None.
- c. **Proposed measures to reduce or control aesthetic impacts, if any:**
None are proposed as part of this non-project action.

11. Light and Glare

- a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?**
None as part of this non-project action.
- b. **Could light or glare from the finished project be a safety hazard or interfere with views?**
Not applicable.
- c. **What existing off-site sources of light or glare may affect your proposal?**
Not applicable.
- d. **Proposed measures to reduce or control light and glare impacts, if any:**
None are proposed as part of this non-project action.

12. Recreation

- a. **What designated and informal recreational opportunities are in the immediate vicinity?**
None.
- b. **Would the proposed project displace any existing recreational uses? If so, describe.**
No.
- c. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**
None are proposed as part of this non-project action.

13. Historic and Cultural Preservation

- a. **Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.**
None known.
- b. **Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**
None known.
- c. **Proposed measures to reduce or control impacts, if any:**
None proposed as part of this non-project action.

14. Transportation

- a. **Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.**
Site is north of NE 219th St and NE 10th Ave intersection on the west side of NE 10th Ave.
- b. **Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**
No.

- c. **How many parking spaces would the completed project have? How many would the project eliminate?**
Not applicable.
- d. **Will the proposals require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).**
Not applicable.
- e. **Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**
No.
- f. **How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**
Not applicable for this non-project action.
- g. **Proposed measures to reduce or control transportation impacts, if any:**
None proposed as part of this non-project action.

15. Public Services

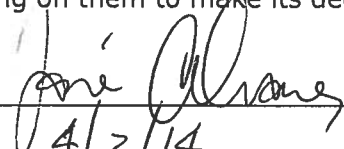
- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? if so, generally describe.**
No.
- b. **Proposed measures to reduce or control direct impacts on public services, if any.**
None proposed as part of this non-project action.

16. Utilities

- a. **Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.**
- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**
None proposed as part of this non-project action.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Date Submitted: 4/3/14

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent of the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

- 1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**
This application proposes a comprehensive plan and zone change. The change to commercial would allow for more intensive development of the site in the future and may increase air emissions. However, any future development would have to comply with existing environmental regulations.
- 2. How would the proposal be likely to affect plants, animals, fish or marine life?**
This application proposes a comprehensive plan and zone change. The change to commercial would allow for more intensive development of the site. Future applications will be reviewed for compliance with applicable ordinances and code sections including habitat, wetlands, archaeology, etc.
- 3. How would the proposal be likely to deplete energy or natural resources?**
This application proposes a comprehensive plan and zone change. The change to commercial would allow for more intensive development of the site. No development is proposed at this time.
- 4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection: such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**
This application proposes a comprehensive plan and zone change. No development is proposed at this time. Site plans for proposed development will be prepared and submitted at a future time. Future applications will be reviewed for compliance with applicable ordinances and code sections including habitat, wetlands, historic/archaeology, etc.
- 5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**
This application proposes a comprehensive plan and zone change. Any change would be evaluated for its' consistency with adopted land use plans.
- 6. How would the proposal be likely to increase demands on transportation or public services and utilities?**
This application proposes a comprehensive plan and zone change. The commercial designation may increase demands on transportation.
- 7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**
Future applications for development of the area will be reviewed for compliance with current and applicable code standards and guidelines. This application proposes a comprehensive plan and zone change. No development is proposed at this time.

**NOTICE OF PUBLIC HEARING
BOARD OF COUNTY COMMISSIONERS**

NOTICE IS HEREBY GIVEN that the Clark County Board of County Commissioners will conduct a public hearing on **November 18, 2014 at 10:00 a.m.**, at the locations listed below, to consider the following items:

2013 Annual Reviews and Dockets amending the 20-Year Growth Management Comprehensive Plan Map and Zone Map:

PUBLIC HEARING on November 18, 2014

LOCATION: Public Services Building, Commissioners Hearing Room,
6th Floor, 1300 Franklin Street, Vancouver, WA

TIME: 10:00 a.m.

1. **CPZ2014-00003 NE 10th Ave** – A proposal to amend the comprehensive plan and zoning designation from Rural (R-5) to Commercial (CR-1) on parcel numbers: 216954000; 216955000; 216948000; 216895000; and 216972000
Staff contact: Jose Alvarez 360-397-2280 ext 4898 or e-mail
Jose.Alvarez@clark.wa.gov

2. **CPZ2014-00004 – Clark Regional Waste Water District**
This proposal would amend text in the Comprehensive Plan to reflect that Clark Regional Wastewater District is the wastewater provider for the City of Ridgefield.
Staff contact: Jose Alvarez 360-397-2280 ext 4898 or e-mail
Jose.Alvarez@clark.wa.gov

3. **CPZ2014-00005 – Arterial Atlas - Fifth Plain Creek Area**
A proposal to amend the arterial atlas classification from rural to urban on the following:

Northeast 88th Street from Ward Road to Northeast 182nd Avenue to a C-2cb (2-lane urban collector with center turn-lane and bike lane); and

Northeast 182nd Avenue from Northeast 88th Street to Northeast Fourth Plain Road to a C-2cb (2-lane urban collector with center turn-lane and bike lane); and

Northeast 83rd Street from the existing NE 78th Street extending eastward to the urban growth boundary to a C-2b (2-lane collector with bike lane and no parking allowed).

Staff contact: Laurie Lebowsky 360-397-2280 ext 4544 or e-mail
Laurie.Lebowsky@clark.wa.gov

Anyone wishing to give testimony in regard to this matter should appear at the time and place stated above.

Approved as to Form only:

ANTHONY F. GOLIK
Prosecuting Attorney

By: _____
Christine Cook
Deputy Prosecuting Attorney

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MARCH FAMILY LIMITED PARTERSHIP
505 17TH ST
BELLINGHAM, WA 98225

MARCH FAMILY LIMITED PARTERSHIP
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MCDONALD PAUL/CARDLYN TRUSTEES
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September 30, 2014

Jose Alvarez, Planner
Clark County Community Planning
1300 Franklin Street
PO Box 8910
Vancouver, WA 98666

Oliver Orjiako, Director of Clark County Planning
1300 Franklin Street
PO Box 8910
Vancouver, WA 98666

Re: CPZ 2014-00004 NE 10th Avenue

Dear Mr. Alvarez and Mr. Orjiako:

I am writing to you on behalf of the City of Battle Ground as their City Attorney. A similar letter should be received soon by you from Janean Parker, City Attorney for the City of Ridgefield.

The County is about to take action on a request to change the above property to rural commercial implementing zoning designation of CR-1 on four (4) parcels. These parcels total about twenty (20) acres and are owned by Carlos Benavidez, James and Leslie Currie and Mark and Wanda Dougherty. The Cities of Battle Ground and Ridgefield have grave concerns over this proposal and encourage you to find another way to accomplish the needs or desires of the Applicants without making this zone change.

As you should recall, the County and the Cities of Ridgefield and Battle Ground entered into a Memorandum of Understanding dated May 22, 2012. In the MOU, the County indicated it would cooperate with the Cities to prepare and adopt general transportation drainage and sewage plans and work with the Cities to identify specific zoning designations to be applied to the area. The County made a promise to consult with the Cities prior to expanding any of the then existing CR-1 designations.

So while the uses designated within the CR-1 classification under Table 40.210.050-1 are not inherently threatening to either City, the real question is when is this proliferation going to cease? Do each of the small parcels surrounding the Duluth intersection get to gradually expand these designations until there is none left? What will the County do if there is a request for uses greater than CR-1?

The Growth Management Act (GMA) currently allows for small pockets of commercial activity outside the Urban Growth Boundaries known as "Limited Areas of More Intensive Rural Development (LAMIRD)." These areas are intended to serve immediate needs of surrounding rural areas but not allow urbanization. While land can be developed into more intensive uses within these rural areas, such as filling in gaps, said uses are not to be allowed to expand beyond historical border. This proposal continues an incremental expansion of the more historically commercialized area, thereby promoting urbanization into an area characterized as rural.

There are other policies that seem to be counter to the proposal. These include:

3.2.10 Commercial activities in rural areas should be located in rural centers. Commercial uses supporting resource uses such as packing, first stage processing and processing which provides value added to resource products may occur in a resource area.

Duluth is not technically a rural center. If the County considered re-designating the Duluth intersection, we would need the following policies to be processed:

3.2.11 A new rural center or boundary expansion of an existing rural center shall be considered and evaluated by the County through the annual review under CCC 40.560 and pursuant to RCW 36.70A.070(5)(d).

3.2.12 Before the County considers a new rural center the proponents shall submit to the County a petition signed by at least sixty percent (60%) of the property owners of the subject property.

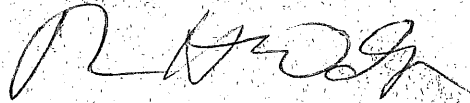
One of your findings on page 4 of 14 indicates that re-designation of this land to expand the commercial code into the Duluth area would encourage economic development in the rural area. This seems to be a bold statement when related to this area. It is exactly the encouragement of economic development which the two Cities question. Cities have heretofore been designated as urban areas where the required services exist that go with economic development within an urbanized area. To encourage this type of development in a rural area without services seems to the Cities to be inappropriate.

Jose Alvarez
Oliver Orjiako
September 30, 2014
Page 3

For the foregoing reasons we believe that approval of this requested zone change in its present configuration would violate the Growth Management Act and the County Code. Before you proceed with the Commissioner Hearing on this matter, let's sit down together to see if we can find an alternative. I will be out of the country until October 13th but soon after that the planning staff of both cities and the City Attorneys will be very pleased to meet with you to see if we can discuss alternatives. Otherwise we will be forced to appeal the proposal pursuant to Clark County Code.

Sincerely,

BRIAN H. WOLFE, P.C.



Brian H. Wolfe

BHW:rw

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