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CLARK COUNTY
WASHINGTON

COMMUNITY PLANNING

PLANNING COMMISSION RECOMMENDATION

TO: County Council
FROM: Ron Barca, Planning Commission Vice-Chair
PREPARED BY: Alvarez, Planner III
DATE: October 13, 2017
SUBJECT: CPZ2017-00022 Riverview Asset Trust

PLANNING COMMISSION RECOMMENDATION

The Planning Commission heard this matter on June 15, 2017 and voted 5 to 1 to recommend **DENIAL** of the proposed action to amend the comprehensive plan and zoning from Industrial with Business Park zoning to Urban Low Residential with and R1-6 zoning and one acre to Commercial with Neighborhood Commercial zoning.

PROPOSED ACTION

The applicant requests the comprehensive plan and zoning map be amended from Industrial with Business Park zoning to Urban Low Residential with an R1-6 zoning and one acre to Commercial with Neighborhood Commercial zoning on three parcels that are approximately 80 acres.

BACKGROUND

The properties involved in this request were brought into the Vancouver UGA in 2004 as part of the comprehensive plan update and designated Employment Center with an Urban Holding Overlay. The Urban Holding Overlay was removed in April 2007 as part of the Development Agreement for the Orchards sub area. The Battle Ground School District purchased tax parcel 200305000 approximately 20 acres in September of 2016.

The Columbia River Economic Development Council published a land inventory and site readiness analysis in November of 2016. The property was not included in the three Tiers which required 20+ developable acres, site development within a range of time 6 months for Tier 1 to greater than 30 months (Tier 3), infrastructure proximity and willingness to transact. The CREDC study excluded some property in the inventory if it was reported as being in the process of being rezoned. The study identified other sites that were excluded because the use is planned for or has been rezoned or is owned by an existing company for future development. Staff contacted CREDC for input on the proposal. No comment has been received to date.

GENERAL INFORMATION:

Parcel Numbers: 200326000; 200355000; 200305000

Location: NE 152nd Ave north of NE 99th St.

Area: 80 acres

Owner(s): Riverview Asset Management & Trust Co-Trustees

Existing land use:

Site: Vacant
North: Large lot with a residence
South: Residential
East: Residential subdivisions
West: Residential subdivisions

SUMMARY OF COMMENTS RECEIVED

Columbia River Economic Development Council (CREDC) submitted a letter encouraging careful consideration of the zone change. They suggest considering replacement options before proceeding with the proposed zone conversion on 80 acres from Industrial with Business Park zoning to Urban Low Density Residential with R1-6 zoning.

City of Vancouver submitted a letter in support of the staff recommendation to deny the proposed amendment. The letter cited the potential loss of family wage jobs and the lack of similarly zoned sites in the vicinity. The letter also noted the proposed action would leave a 20-acre parcel to the north with BP zoning which would then be difficult to develop.

APPLICABLE CRITERIA, EVALUATION AND FINDINGS

CRITERIA FOR ALL MAP CHANGES

A. The proponent shall demonstrate that the proposed amendment is consistent with the Growth Management Act (GMA) and requirements, the countywide planning policies, the Community Framework Plan, Clark County 20-Year Comprehensive Plan, and other related plans.

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 GMA goals that apply to the proposed action are Goal 1, Goal 4 and Goal 5.

- (1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*

- (4) Housing: Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.*

- (5) *Economic Development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and disadvantaged persons and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services and public facilities.*

Finding: The proposed amendment is within the urban areas and would be served by public facilities and services and developed at urban densities. The proposal would allow for market rate housing on 6,000 sq. ft. lots and the proposal would lead to the potential for construction jobs. However, the proposed amendment would remove 80 acres of 120 acres from an area designated Industrial. Therefore, the proposed amendment is not consistent with the applicable State GMA Goals.

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:

9.1.0 Encourage a balance of job and housing opportunities in each urban center. Provide sufficient land for business as well as homes. Businesses within the community should provide a range of job types for the community's residents.

9.1.1 Encourage industrial uses in major urban centers, small towns and community centers.

9.1.6 Establish incentives for the long term holding of prime industrial land. Encourage local jurisdictions and special districts to hold prime industrial land for future development.

County-wide Planning Policy

1.1.12 Coordination of land use planning and development:

9.1.11 Conversion of industrial or employment lands to non-industrial or non-employment center districts may occur within the following parameter:

- o Protect and preserve lands zoned heavy industrial for heavy industrial uses.*
- o Protect employment center lands from conversion to residential.*
- o Consider rezoning of employment center lands to non-retail commercial or business park if the proponent can show that (a) the zone change would accommodate unforeseen and rapidly changing commercial development needs and (b) the proposed designation is more suitable than the current designation given the land's site specific characteristics and (c) the proposed zone change will generate jobs at a higher density than the current comprehensive plan zone allocation.*

Finding: The proposed plan amendment and rezoning does not encourage a balance of jobs and housing opportunities. While there is a need for residential housing in the county, there is a very limited supply of industrial land of this size and topography with so few environmental constraints. The applicant has offered to provide an acre of commercial land to serve the residential areas however, the site is located in area almost exclusively residential.

The county has no established incentives for the long term holding of prime industrial land but does have the authority to identify and maintain industrial zoning on land for future uses. Under Policy 1.1.12 and 9.1.11 the county is to consider rezoning of industrial land if all three of the criteria above are met. The proposed change does not accommodate unforeseen and rapidly changing commercial development needs nor does the proposed change generate jobs at a higher density than the current Industrial designation of 9 jobs per acre.

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:

Goal: Adopt Urban Growth Area (UGA) boundaries to efficiently accommodate residential and employment increases projected within the boundaries over the next 20 years.

1.2.2 The UGA's shall be consistent with the following more specific criteria:

- Each UGA shall provide sufficient urban land to accommodate future population/employment projections through the designated planning period.*

Finding: The County updated its 20 year comprehensive plan in June of 2016. The existing plan designates sufficient land for residential and employment growth through 2035. The applicant has not demonstrated a need for additional residential land.

Goal: Assure an adequate supply of industrial sites to meet market demands for industrial development over the planning horizon to create an environment conducive to the startup, growth and expansion of industries.

9.3.4 Conversion of industrial or employment lands to non-industrial or non-employment center districts may occur within the following parameter:

- Protect and preserve lands zoned heavy industrial for heavy industrial uses.
- Protect employment center lands from conversion to residential.
- Consider rezoning of employment center lands to non-retail commercial or business park if the proponent can show that (a) the zone change would accommodate unforeseen and rapidly changing commercial development needs and (b) the proposed designation is more suitable than the current designation given the land's site specific characteristics and (c) the proposed zone change will generate jobs at a higher density than the current comprehensive plan zone allocation.

Finding: See Community Framework Plan and Countywide Planning Policies, above.

Conclusion: Criteria A has not been met.

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 40.560.010G(2) and 40.560.020H(2).)

Urban Low Density Residential (UL)

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

40.220.010 Single Family Residential Districts (R1-20, R1-10, R1-7.5, R1-6 and R1-5)

A. Purpose.

1. *The R1-20, R1-10 and R1-7.5 districts are intended to:*
 - a) *Recognize, maintain and protect established low-density residential areas.*

- b) *Establish higher densities where a full range of community services and facilities are present or will be present at the time of development.*
- c) *Provide for additional related uses such as schools, parks and utility uses necessary to serve immediate residential areas.*

2. The R1-6 and R1-5 districts are intended to provide for higher single and duplex densities where a full range of community services and facilities are present or will be present at the time of development.

Neighborhood Commercial (NC)

These Commercial center areas provide services within walking distance for the frequent needs of the surrounding residents and are implemented by the Neighborhood Commercial base zone. These areas are located in the urban growth boundary and will generally be small areas which are generally designed to serve neighborhoods. Developments in these areas will be designed to be compatible with the surrounding residentially zoned neighborhoods.

New neighborhood commercial areas should generally be less than five acres in size, spaced less than five miles from similar uses or zones, serve a population of up to 10,000 and locate at neighborhood collector or larger crossroads and serving a primary trade area within a 1.5 mile radius. In addition, all new commercial applications should address the criteria for zone changes below.

40.230.010 Commercial Districts (NC, CC, GC)

A. Purpose.

- 1. Neighborhood Commercial (NC) District. These commercial areas of limited size are intended to provide for the convenience shopping needs of the immediate neighborhood. This district is permitted under the neighborhood commercial and mixed use comprehensive plan designations.*

Finding: The proposed comp plan amendment and rezoning is in conformance with both the locational criteria in the comp plan and the purpose of the proposed zoning districts.

Conclusion: Criteria B has been 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 40.560.010G(3).)*

Finding: The proposed map amendment is suitable for the proposed designation however there is not a lack of appropriately designated alternative sites. The site is surrounded by 370 acres of R1-10 zoning to the southeast and approximately 500 acres of R1-5 to the northwest. In addition, the county approved a comp plan amendment and rezone in 2013 to convert approximately 70 acres from Mixed Use to Urban Low density with R1-7.5 zoning less than a 1/3 of a mile to the west of the site.

Conclusion: The site is suitable for the requested Urban Low (UL) designation and acre of Neighborhood Commercial given the amount of residential land. However, the applicant has not shown that there is a lack of appropriately designated residential sites within the vicinity. Criterion C is not 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 40.560.010G(4) and 40.560.020H(3).)

Finding: The applicant addresses this requirement in their narrative by stating that the proposed land use amendment (b) better implements applicable comprehensive plan policies than the current map designation. The applicant states that the current map designation is isolated and surrounded by residential development. In addition, the abutting property purchased by the Battle Ground School District, would be incompatible with Business Park development. The applicant also argues that the site's close proximity of the proposed Industrial Land Bank could meet the county's employment goals. The rural industrial land bank designation is under appeal and the outcome is uncertain.

The 120 acres of land designated Business Park amidst residential land is served by State Route 503 less than 2 miles to the west, NE 99th St. which is designated a Primary Arterial is less than 1,000 ft. south of the site. The City of Camas, recognized throughout the region as having attracted large employers in business park type environments have three large campuses that are surrounded by residential development. Sharp Electronics is within close proximity of Prune Hill Elementary School. In Vancouver, SEH is across the street from Fisher's Landing Elementary School. These campus developments have no better access to an arterial network than the location of this site. The business park districts are intended to provide the community with employment opportunities such as compatible office and attractive campus like development with higher jobs densities and family wage jobs than in traditional industrial areas.

The Battle Ground School district purchased property with a Business Park designation (that allows elementary and secondary schools as a conditional use) in September of 2016, to now use that as a rationale for a "land use conflict" is not credible. There are many uses allowed in the Business Park zone (Information, Finance and Insurance, Real Estate Rental and Leasing, Professional, Scientific, and Technical Services) not all involve truck traffic and since the land is vacant any imagined conflict is highly speculative.

In addition to employment, the Business Park designation provides an opportunity for school districts to have a more stable tax base.

The proposed Industrial Land Bank northwest of the site on the Lagler property was brought into the Urban Growth Boundary with the adoption of the 2007 comprehensive plan as Industrial Land. It was subsequently removed from the Urban Growth Boundary in response to a ruling of the Growth Management Hearings Board (GMHB). In 2016, the area was designated an Industrial Land Bank. In 2017, the GMHB ruled against the de-designation of the agricultural land and the creation of the Rural Industrial Land Bank. The GMHB decision is being litigated in the Washington State Court of Appeals. At this point, there is a great deal of uncertainty regarding the future of this property to satisfy the long term economic needs of the county.

Conclusion: The proposed change does not better implement the applicable comprehensive

plan policies than the current map designation. Criterion D has not 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 40.560.010G(5) and 40.560.020H(4).)**

Finding: The site is in the Vancouver Urban Growth area. It is expected that a full range of urban public facilities and services will be available to serve residential uses at the site.

Conclusion: Criterion E has been met.

RECOMMENDATION AND CONCLUSIONS

Based upon the information and the findings presented in this report and in the supporting documents, the Planning Commission forwards a recommendation of **DENIAL** to the Board of County Councilors

RECOMMENDATION SUMMARY

The following table lists the applicable criteria and summarizes the findings of the staff report and Planning Commission Recommendation for Annual Review Case CPZ2017-00022.

COMPLIANCE WITH APPLICABLE CRITERIA		
	Criteria Met?	
	Staff Report	Planning Commission Findings
Criteria for All Map Changes		
A. Consistency with GMA & Countywide Policies	No	No
B. Conformance with Location Criteria	Yes	Yes
C. Site Suitability and Lack of Appropriately Designated Alternative Sites	No	No
D. Amendment Responds to Substantial Change in Conditions, Better Implements Policy, or Corrects Mapping Error	No	No
E. Adequacy/Timeliness of Public Facilities and Services	Yes	Yes
Recommendation:	No	No

Transportation Impact Analysis

Annual Review Case: CPZ 2017-00022 Riverview Asset

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

The applicant is requesting to amend the Comprehensive Plan designation and zoning for the parcels #200305000, 20035500, and 200326000. The change would be from a comprehensive plan designation of Industrial and zoning of BP. The applicant proposes a combination comprehensive plan designations of Urban Low-Density Residential and Neighborhood Commercial with zoning respectively of R 1-6 and NC. The subject sites are cumulatively 59.68 acres and are located on the west of NE 152nd Avenue, between NE 101st Way and NE 111th Street.

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 applicant submitted a traffic impact analysis which concluded the site could generate 2,758 net new daily trips when rezoned to the new combination zoning R 1-6 and NC. The current BP zoning, when this site is fully developed, could generate 8,085 net new daily trips. Therefore, approval of the rezone to the combination of R 1-6 and NC zoning would generate 5,327 fewer daily trips than the current BP zoning. .

All of the study area intersections are projected to operate at acceptable levels of service in the 2035 "Existing Zoning Build-Out" and 2035 "Proposed Zoning Build-Out."

Public Comment

Staff has not received public comment regarding the transportation aspect of this annual review.

Chapter 5: Transportation

Countywide Planning Policies

5.0.8 The state, county, MPO/RTPO and local municipalities shall work together to establish a regional transportation system which is planned, balanced and compatible with planned land use densities; these agencies and local municipalities will work together to ensure

coordinated transportation and land use planning to achieve adequate mobility and movement of goods and people.

Findings: The proposed amendment is consistent with the applicable Countywide Planning Policies. The proposed land use will significantly decrease trips onto the surrounding transportation system.

County 20-Year Plan Policies

Goal: Develop a regionally-coordinated transportation system that supports and is consistent with the adopted land use plan.

5.1.3 Performance standards for the regional arterial system and transit routes shall direct growth to urban centers.

Findings: As previously mentioned, the proposed amendment is consistent with the applicable Countywide Planning Policies. The location of the proposed plan amendment is in the urban area.

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

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

Findings: As previously mentioned, the proposed amendment is consistent with the applicable Countywide Planning Policies. During the development review stage, the applicant will need to address applicable development code regarding street circulation.



June 12, 2017

Clark County Planning Commission

c/o Sonja Wiser, Program Assistant
Clark County Community Planning
PO Box 9810
Vancouver, WA 98666-9810
sonja.wiser@clark.wa.gov

Subject : 2017 Annual Review proposals in the Vancouver UGA

Chair Morasch and County Planning Commissioners:

Thank you for circulating the 2017 Clark County Annual Review proposals located inside the VUGA. The City of Vancouver has not always commented on VUGA site specific map change in the past, but will try to do so going forward given the ever increasing economic, public service and annexation linkages between the Vancouver UGA and city areas.

We have no comments on the two proposals from residential to commercial designations at 10008 NE 117th Avenue, and from mixed use and industrial to industrial at 11000 NE 117th. (CPZ 2017-00019 and CPZ 2017-00020)

For the third proposal, changing designations from business park to residential at 10512 NE 152nd Avenue (CPZ 2017-00022), we offer the following:

- We support the County staff recommendation to deny the proposal, and the CREDC comments letter recommending replacements for employment land conversions of this type.
- Rezoning the 60-acre Trust property to residential as proposed would make it more difficult to develop the abutting 20-acre Davis properties to the north under their current BP designation, as they would be left as a thin remaining BP district with relatively limited frontage to 152nd Avenue sandwiched between two residential districts.

- Removing 60 acres (and effectively 20 more) of Business Park lands would eliminate opportunities for family wage employment in an area that appears to lack them. The proposal site is in a corner of the Vancouver UGA zoned overwhelmingly for single family housing. Within one mile of the existing BP node the only similarly zoned lands are a five-acre BP property at 99th Street, and 19 acres of IL land at 119th Street. There are similarly few commercially zoned lands near the site either. In the entire Vancouver UGA area east of 117th Avenue there appears to be a relative scarcity of new employment opportunities of any kind, as the industrial zoning cluster just north of the Padden on the east side of 117th Avenue appears to be largely taken up with mining and other developments. In our view counting on the proposed industrial land bank outside the UGA to fix employment deficits in the broader area is premature, since the GMA Hearings Board has ruled against the land bank proposal, and it is unclear if or when that will be reversed.
- We have no concern with the Battle Ground School District constructing a school on the 20 acres of the proposal site they own (200305000), but understand this could be approved through a conditional use permit, normally a more expedient process than a legislative change to the Comprehensive Plan and zoning map. If a designation change is somehow needed for the school site, perhaps it could proceed independently of the larger remainder of the proposed rezone site (200326000).

Thank you for the opportunity to comment. This proposal is admittedly over a mile from Vancouver city limits, and impacts from an apparent lack of employment land in the form of fewer jobs and less revenue for public services will be felt first in the UGA. However, the City of Vancouver will be impacted as well, as employment, particularly high wage employment, is a regional concern regardless of annexation timing issues.

Sincerely,



Chad Eiken, AICP, Director
Community and Economic Development Department
chad.eiken@cityofvancouver.us

June 1, 2017

Oliver Orjiako, Director
Clark County Community Planning
PO Box 9810
Vancouver, WA 98666

RE: CPZ2017-00022 Riverview Asset Management & Trust Comprehensive Plan Amendment and Zone Change

Dear Mr. Orjiako:

The Columbia River Economic Development Council (CREDC) requests careful consideration of the zone change from Industrial with Business Park Zoning to Urban Low Density Residential with R1-6 zoning located at 10512 NE 152nd Avenue, Vancouver, WA 98682.

Serving as the Associate Development Organization for Clark County, the CREDC is a public-private partnership of over 150 investors and strategic partners working together to advance the economic vitality of the community through business growth and innovation. In support of this mission, two of our strategic initiatives that shape our annual work plan are fostering business growth with existing companies and recruiting high quality domestic and international companies to the region.

Part of this work includes monitoring and advocating for employment sites throughout Clark County. Our recent 2016 Employment Land Study determined the supply and readiness of employment sites to meet both short-term and long-term market demand for employment growth. The study identified 56 employment sites that are 20 acres and larger. The sites within the inventory are tiered based market considerations, land use, and physical characteristics to assess site readiness.

Competition for locating regionally significant traded sector companies is growing. Clark County is no longer competing just with other U.S. regions to attract these high-paying jobs but is increasingly vying with metro areas around the world. The more limited the county's supply of development ready large industrial sites, the more likely it is that Clark County will miss opportunities to successfully attract these highly desirable firms.

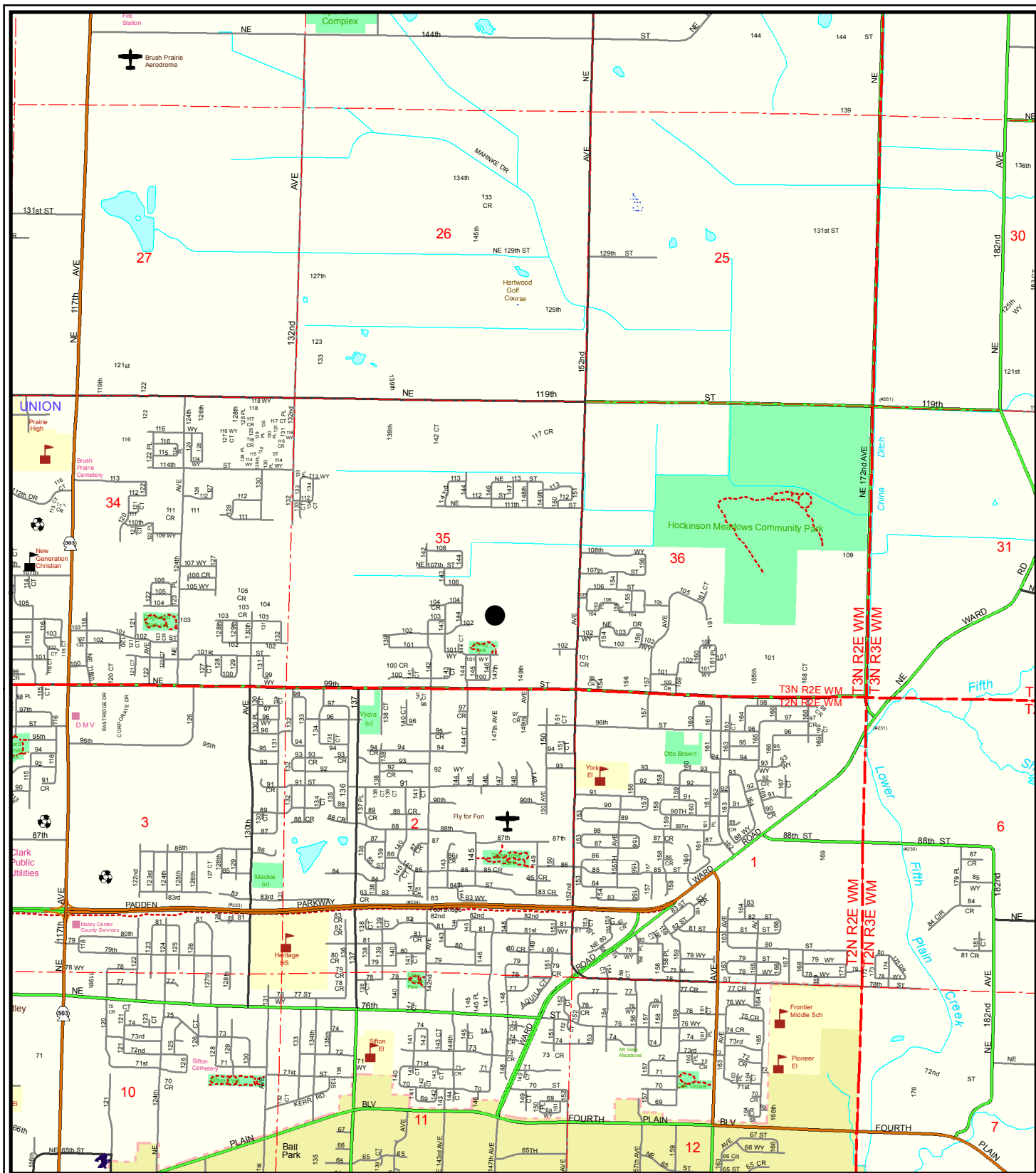
The CREDC supports policies that promote an adequate supply of employment land and limits the conversion from industrial or office to commercial or residential without sufficient replacements. We also support policies that provide for long-term preservation of key industrial sites.

We encourage Clark County to look at replacement options before proceeding with the zone conversion on 80 acres from Industrial with Business Park zoning to Urban Low Density Residential with R1-6 zoning located at 10512 NE 152nd Avenue, Vancouver, WA 98682.

Sincerely,



Mike Bomar
President, CREDC



File # CPZ2017-00022, SN 200305000 200326000 200355000

T3N R2E Sec 35

Preliminary Land Division

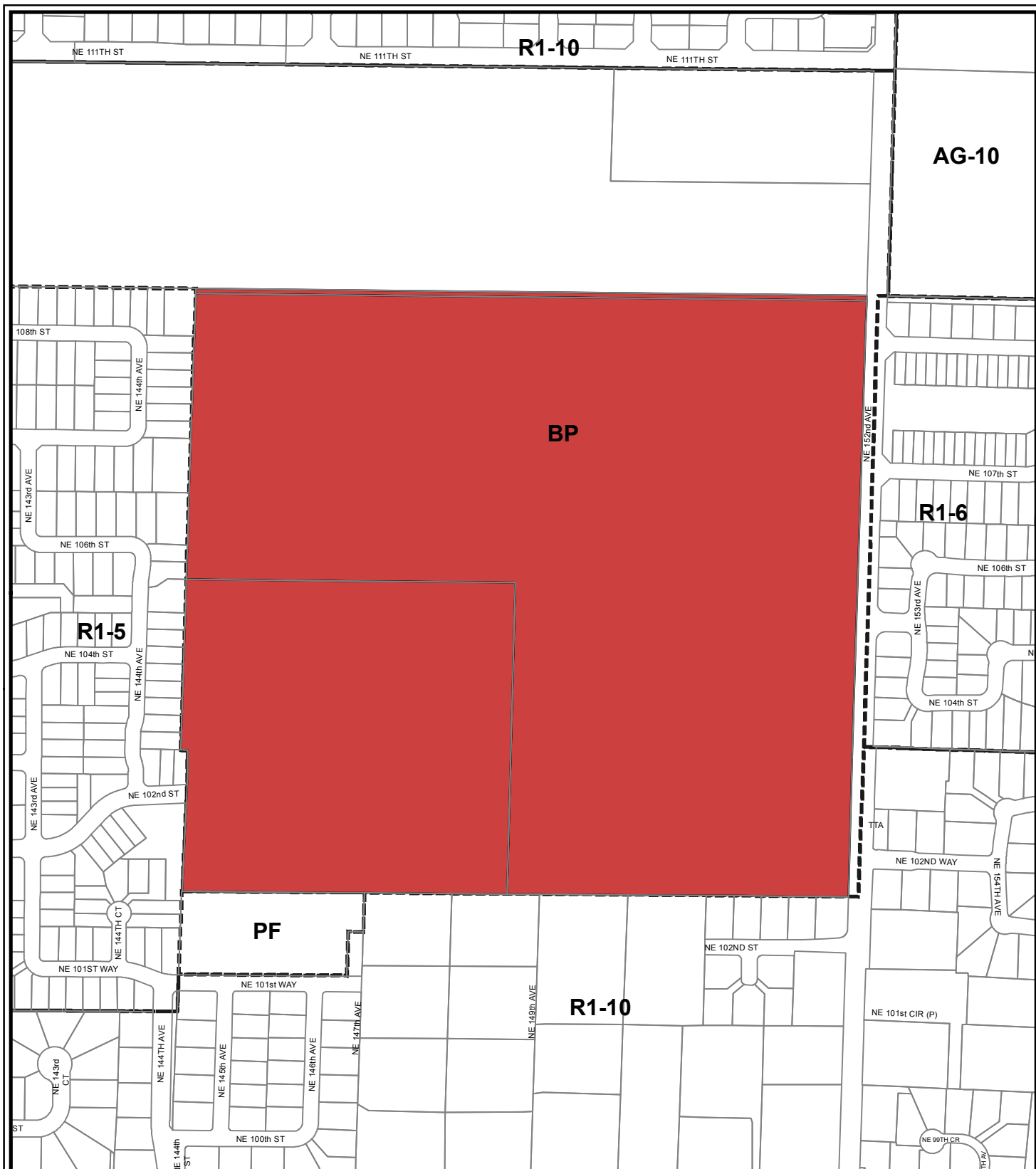
Owner: RIVERVIEW ASSET MANAGEMENT & TRUST

● Subject Property Location



Information shown on this map was collected from several sources. Clark County accepts no responsibility for any inaccuracies that may be present.

Geographic Information System
 Printed on: May 30, 2017
 Project: c:\usr_proj\xxOrdID178518_575738\AnnRev3.mxd ()









File # CP2017-00022, SN 200305000 200326000 200355000

T3N R2E Sec 35

Preliminary Land Division

Owner: RIVERVIEW ASSET MANAGEMENT & TRUST

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



Information shown on this map was collected from several sources. Clark County accepts no responsibility for any inaccuracies that may be present.



File # CP2017-00022, SN 200305000 200326000 200355000
 T3N R2E Sec 35
 Preliminary Land Division

Owner: RIVERVIEW ASSET MANAGEMENT & TRUST

- Subject Property Location
- Comp Plan Boundary
- Mining
- Industrial Reserve
- Columbia River Gorge N.S.A.



Information shown on this map was collected from several sources. Clark County accepts no responsibility for any inaccuracies that may be present.

BARCA: And I'll bring it back to the Planning Commission. Deliberation?

RETURN TO PLANNING COMMISSION

SWINDELL: Again, seems pretty straightforward. It just makes sense.

BARCA: All right. Then I'll entertain a motion.

BENDER: I make a **MOTION** that we accept staff's report and recommendation for CPZ2017-00020, Mill Plain.

GRIMWADE: I'll **second** it.

BARCA: Okay. It's been motioned and seconded. Let's go ahead and do roll call.

ROLL CALL VOTE

SWINDELL: AYE

WRIGHT: AYE

JOHNSON: AYE

GRIMWADE: AYE

BENDER: AYE

BARCA: AYE

BARCA: Motion passes.

And we are moving to CPZ2017-00022, Riverview Estate or Asset Management & Trust.

PUBLIC HEARING ITEMS, continued

- C. **CPZ2017-00022 Riverview Asset Mgmt. & Trust:** A proposal to amend the comprehensive plan and zoning map from a designation of Industrial (Business Park) to Urban Low with R1-6 zoning and one acre of Commercial with Neighborhood Commercial zoning on the following parcel(s): 200305000; 200326000 and 200355000.

ALVAREZ: Thank you, Councilor. This proposal is a request to amend the comprehensive plan from industrial with a BP zoning designation to urban low density residential R1-6 zoning on approximately 80 acres. This is along 152nd Avenue between 99th Street and 119th Street. You should have received a letter from the Columbia River Economic Development Council and also the City of Vancouver, and this morning, the -- well, you should have received something from the applicant in response to the staff report and I think both of the letters from CREDC and the City.

We are recommending denial of this application. Primarily it's a policy issue in terms of balancing industrial versus residential land. While we're cognizant of the need for residential land and the cost of land, we think that the preservation of industrial land is paramount at this point. We don't have a policy in place that requires us to look at adding additional industrial land if it's removed from our inventory. The only way to protect industrial land that we currently have is to not change the designation to it. So we don't feel that the application meets the applicable criteria for change to urban low density residential.

Are there any questions you have at this point?

BARCA: Questions for staff?

JOHNSON: Jose, just for clarification, didn't Battle Ground School District own it after this?

ALVAREZ: Yes. So there's a 20-acre piece on the southwest corner of this 60-acre piece that was purchased by the Battle Ground School District last September. So taking that out, that still leaves you with 60 acres of business park that's not -- that wouldn't have the school on it.

There's also a 20-acre piece of business park to the north that's not part of this application, but if this was changed, that would just be kind of an isolated 20-acre piece. It wouldn't make a whole lot of sense to just leave that there.

WRIGHT: This isn't a question of staff, but I am pointing out that on Page 8 of 8 pages of the staff report, there's a nice little table that summarizes five different points of compliance or not with the criteria and similar to what was on the two prior, but...

ALVAREZ: Right.

WRIGHT: I found this to be pretty interesting and useful information.

GRIMWADE: Is there any consultation with Battle Ground School District?

ALVAREZ: We did not, no. We did recommend when we had a pre-application with the applicant originally, the Battle Ground School District wasn't part of the proposal, we suggested they include it so that similar to the parcel to the north, you wouldn't leave that strip of 20 acres out. If you were going to change it, you might as well change it all.

BARCA: Are we done with Jose? Questions for staff are complete?

BENDER: Yeah, I have a question. How long has Riverview Asset Management owned the property?

ALVAREZ: I'm not sure. It's in trust. The applicant can probably answer that question. It seems like it's been in trust for a while.

BARCA: Okay. Seeing no other questions for staff, I'm going to open it up to the public.

And public testimony would start with Kristin French.

PUBLIC TESTIMONY

FRENCH: Good evening. Kristin French with the firm Jordan Ramis here on behalf of the applicant. The last name is spelled French, F-r-e-n-c-h, and the business address is 1499 SE Tech Center Place, Suite 380, Vancouver, Washington.

And I think I'd like to start off on a point that Jose brought up, which was the balancing of interests in this case. And so he mentioned the balancing of residential and industrial, and I would like to reiterate that in addition, we're looking at balancing issues that relate to the siting of a school, and that is a really big issue and it's a current issue that the legislature is really focusing on and, in fact, our own comprehensive plan here in Clark County speaks to that. And the supplement that we submitted, I believe you've got that in hand, my plan would be to first just walk through briefly the content in that and how that relates to the school district analysis.

So we understand and appreciate the CREDC comments and those from the City, but what we've really focused on is the difficulty that school districts have in identifying and acquiring appropriate acreage for their school facilities. And so in this case, we do have a piece of property that has actually been purchased and committed for school district development that causes us to look at the immediately surrounding lands that are adjacent to and particularly within one-half mile of that property. We've cited for you in our supplement a number of sources that really focus on the current emphasis on getting children to school through safe walking routes and bicycling routes and the particular emphasis that's being placed on integrating communities with the schools to serve as sort of a community feature and kind of the hub of a community, serving more than just school purposes but those of the surrounding houses. And so you'd find that we attached several example photo sets, and I don't know if you have the hardcopy packets in front of you, but just to walk you through that.

The first is Exhibit A and we provided that just as a quick snapshot of the history of this parcel. This Riverview parcel was originally included on a list. There was a 2016 employment lands study that was completed and the exercise included coming up with a list of properties that might be focused on for employment lands purposes, and so you'll see this master list at Page 1 of 1 on Exhibit A and we highlighted that the subject Riverview parcel at that time was noted as a possible candidate.

Then we at Exhibit B, Page 1, and if you flip to Page 2, we highlighted our particular Riverview

site was actually then strategically cut from that list and this was a process of vetting lands and they noted that it was being cut because it would be used for public schools. So at present, this subject acreage is not included on the employment lands list of the most significant parcels and we thought that beared noting.

If you could flip to Exhibit C, Page 15 of 18, I also think that this is a good visual representation of what we're talking about tonight. You'll see our subject parcel labeled Riverview Asset Management and then just slightly to the northwest, you'd see some large parcels, the 45 and 44 numbers. So just to briefly touch on the question of available acreage, that is the property that's known as the Lagler industrial bank land and we had pointed to that as a better and more viable industrial lands acreage possibility and staff did raise concerns about the status of that given our Growth Management Hearings Board complications.

So we wanted -- one thing we thought would be relevant to consider is the Senate Bill 5517 that's now made great progress through the legislature and is anticipated to pass and that would essentially ensure that this subject substitute Lagler acreage will be available to the extent that it's adjacent to the Short Line Railway and that would accomplish a significant acreage that we could count on knowing that it would be available as a better situated substitute that would alleviate the school compatibility concerns.

And then the exhibit set D, we wanted to provide some visual representations to kind of frame up the school compatibility points that we're making. Exhibit D, Page 1 of 6, is a school that we found to nicely illustrate how housing is being integrated with schools, and particularly if you flip through this, you'll see walkability and bicycling is better served by compatible residential development surrounding the schools than to contrast it with the last two examples.

Those last two examples are F and G, and you'd see, for example, Exhibit F, Page 2, you can see the wire fencing at Orchards Elementary, and that wire fencing is what you see when you look at a school site that abuts a commercial development and the traditional pattern is that you'll see this fencing and even barbed wire fencing with a big sort of dead space where they're trying to separate the business or the industrial type uses from the school type uses. And it would be our hope that the acreage that's in the immediate vicinity of the school piece could be more compatibly developed than what we saw on those sites.

In terms of the acreage to the north, the Davis parcel, we did speak with Planning staff and we understood that there was a goal, if we were to be redesignated, they would appreciate that that northern piece be redesignated to ensure compatibility, and we did reach out by several mailings to that family. We didn't receive a negative response. We just didn't receive any response at all. And our thought on that would be if this were deemed to be an appropriate redesignation, the County would be positioned to initiate that with respect to that piece to the north in a way that where as a private applicant, we're not. So to the extent we deem it a fit, it could be a fit for the entire chunk there.

I think that I kind of opened by saying school siting really is a big, a big deal. If we look at our current legislature action, we've got the Senate Bill 1017 which will become effective this July 2017 and it's titled School Siting and it's speaking about the difficulties that school districts have in identifying the appropriate ground for their school facilities. And in relevant part, it's trying to say when would it be appropriate for a school district to site outside of the UGA and they have a laundry list of sort of criteria that you'd work through, but they're saying school districts need to be integrated into the annual -- into the periodic update process and they need to be identifying school sites where students can safely walk and bike to school from their homes.

And so that is just a very current example of a law that's coming into effect here in the next month that's been the result and culmination of a great, sort of -- it's not that it's been a new attention paid, but it's a real strong current public recognition of the fact that our schools play an important role and how we situate them with respect to where their students live is as equally important as the other somewhat competing interests that we're balancing in terms of the industrial land analysis.

So I think I'd wrap up, we did provide a lot of written material that you would be able to leaf through, but credible sites that we wanted you to see your own, the Clark County comprehensive plan and what it provides particularly finding that districts have to compete with private developers in trying to acquire these sites, under the current growth conditions, land speculation driving the cost of land up, and so the fact that here we do have a school district that did secure a viable site, it's not something to take lightly. We talked about the State Superintendent of Public Instruction and their school siting suggestions and guidelines and we also referenced a good EPA manual that talks about the social and economic and policy considerations that go into school siting. So that's really I think something we would really hope to focus on.

And to wrap up, I wanted to touch on the question of housing and the need for additional residential zone to acreage. The County, the Planner had expressed some concern about a showing on that, so we did include in the supplement several references to address housing demand and we did that on Page 5 of our summary. So a couple of on-the-ground measuring sticks that we cited to, two residential developments in that immediate vicinity were completely purchased, 100 percent bought out immediately upon them becoming available to the public. Those were the Dunning Meadows and Urban Oaks developments. We've recently had the opportunity to look at 2016 census data, so we included a reference there and that data shows growth rates that exceed for this area. They exceed projected growth rates. And then we have the local reporting in the news that you see on a frequent basis and we just picked one current article that emphasizes the lack of housing stock and the need for that in the area.

So we, I guess, we would close by saying the industrial lands policy discussion does invite a bigger discussion and I think staff correctly alluded to that. We would hope that could happen, and that in the meantime, this uniquely situated acreage with the school district

development could be treated for what it is, which is somewhat uniquely situated. Thank you.

BARCA: Questions for the applicant?

JOHNSON: I have one. Have you met with Battle Ground School District specifically?

FRENCH: We have. We've worked with their facilities manager and we've worked with their counsel out of Seattle to review as we've worked through the application process.

JOHNSON: So have you asked them is there a specific plan or long-term plan to actually place a school on that property?

FRENCH: That's absolutely my understanding, and I wouldn't want to speak for them, but that's absolutely my understanding.

JOHNSON: Because I know that they -- they own lots of properties and many of the properties will never be used for schools.

FRENCH: Right. And, in fact, I can say that there's been a request that we place signage on the right-of-way to alert the public to the future development for a school site on that property, so I know that it's seriously contemplated.

BENDER: Did you ask Battle Ground to attend the meeting tonight?

FRENCH: No.

SWINDELL: Can I ask how long has that 80 acres currently been zoned the way it is now? How long has it been zoned that way?

ALVAREZ: I believe since 2004.

FRENCH: I was going to say 2004.

SWINDELL: 2004. And when did the school district purchase the property?

FRENCH: '15.

SWINDELL: 2015?

FRENCH: Yeah.

SWINDELL: So when they purchased it, they knew the zoning was industrial.

FRENCH: That's correct. And the zoning, that particular zoning does allow school district development within that zone.

SWINDELL: Yeah. And they knew that it would be adjacent to an industrial by purchasing that land; is that accurate?

FRENCH: Theoretically, yes. Yeah.

JOHNSON: Jose, just for clarification, then, that was purchased in '16.

ALVAREZ: The record I saw that it was last year in 2016, September of 2016. That's when the recording -- that's the recording date.

BARCA: Other questions?

WRIGHT: I have a question for staff.

ALVAREZ: Sure.

WRIGHT: If part of this is timing, when your analysis of this site was prepared and these recommendations submitted, was that in contemplation of the Lagler site would not be approved for industrial? I guess, let me rephrase that another way.

If the Lagler site is available for industrial development, would that change your thinking as far as meeting GMA and countywide policies as far as this site being necessary to be retained for industrial purposes?

ALVAREZ: So we didn't do that analysis. And just to remind you that when we adopted the comp plan last year, the Lagler piece wasn't considered part of the inventory. It's outside of the urban growth boundary still. Even if it is approved for a rural industrial land bank, it will still be rural, so it's not really counted in our inventory of industrial land.

WRIGHT: So is it fair then to say, regardless of what happens with the Lagler, your opinion is still the same?

ALVAREZ: Yes. We would keep the same thing, that's correct.

BARCA: I have a question for Ms. French. You alluded to the idea of the adjacent housing developments selling out so rapidly. Would you think, then, that if this converted, we would be able to see that inventory of land open up and sell out as rapidly?

FRENCH: Absolutely.

BARCA: So there really isn't a required amount of property that's this size that would really have an impact on a housing as far as shortages go. The market being what it is, you would anticipate whatever parcel size we could put on, the market would sell out?

FRENCH: If I understand your question, this could theoretically supply about 239 new single-family residences, and we see the demand is there for those in that location.

BARCA: Yeah, I would think it's every bit of that, wouldn't you?

FRENCH: Yeah, absolutely.

BARCA: Yeah. Okay. Any other questions for the applicant? Thank you.

FRENCH: Thank you.

BARCA: I only had one name on the sign-up sheet. If there's anybody else from the public that would like to come forward and speak on the Riverview Asset Management property, then we're certainly welcoming you up.

Okay. I'm not seeing anybody from the public. We're going to bring it back to Planning Commission. Deliberation.

RETURN TO PLANNING COMMISSION

BENDER: Yeah. One of the things that I attest to is there's a housing need, but there's also a need for industrial land so we don't send our citizens across the river to work over there and pay Oregon taxes. So I think the need for industrial land is just as vital as it is for residential.

BARCA: Other comments?

WRIGHT: Well, I'll be going with the staff recommendation on this, but it is still somewhat troubling. We have all these sites, but I don't see the world beating a path to develop them out. I would think at a certain point in the future if that continues to be the case, we might be open to rezoning on that parcel, but certainly stay the course at this point.

BARCA: Karl.

JOHNSON: You know, I'm -- we have two needs, but I'm not sure that one overrides the other, and I agree that we do have a lot. I'm not seeing a lot of industrial development, but I -- and I understand that we have a perfectly honest biased side to say that these would be sold rather quickly, so that begins to question staff's analysis of this and so I don't have the answer yet. I'm leaning towards no, just for the fact that there's a school coming in there, what type of

industrial that would look like next to a school. It's surrounded by -- somewhat surrounded on three sides by a residential area and so I'm not sure that the industrial need outweighs the residential need.

BARCA: Okay. So I think for my two cents on this matter, Battle Ground School District bought the 20 acres in good conscious that it was business park land. The compatibility to the 20 acres on the north side, I think, is completely put in jeopardy, and when we think about these zoning changes, we have to think about the impact and compatibility with the surrounding area and I think we completely isolate and gut that other 20 acres by making a choice of that nature. I think we would need thousands of acres to put even a dent in the idea of what the demand is for residential housing right now, and housing is going to trickle in in little bits and the demand is going to remain high and we're not going to swing the market and change that with 80 acres or 50 acres.

I think the most important thing we can do is try and get businesses willing to develop the business park model and keep that industry in Clark County rather than build the houses and send them across the river. So I think I will follow staff recommendation myself. And if there's no more deliberation.

BENDER: I have one other thing to say. Speaking from the Evergreen School District, which I'm familiar with, they really don't want more housing. They cannot handle the students they have now. I think maybe Battle Ground might be in the same position.

JOHNSON: Well, I mean, I'm not sure that a school district looks at, you know, students are always there and districts are always growing and I think it's the other way around. You try to meet the needs of those people. We've talked for many times about our issues with the housing. And, again, I'm not -- I'm like this -- I don't want to put too much emphasis on that, other than those needs to me, in my mind, are the same, and if we don't try to change those thousand households or thousands of needs for residential property, if we don't start somewhere, we'll never have it. So I just think it's a good place.

And like I said, I don't want to diminish what staff's done, because I get what you're saying, Jose. I just -- I'm stuck on that with the school there and surrounding it and just looking at it, I think you could go either way, so at least I could.

SWINDELL: Well, I guess to add to that, just that thought of from the school district, being on the Ridgefield School Board for a short amount of time, understanding looking out for growth, actually having some industrial land there to help with the tax base kind of helps as well and keeps the taxes down for all those new houses coming in, so it does help.

WRIGHT: I wonder if I might add another fact or two. Although this certainly might be mitigatable, residential has a lot higher traffic demand than industrial and this area is a very troubled area for transportation. There's not a lot of east/west and north/south circulation

other than going on onto SR-503 which anybody who's driven that knows what a mess that is, so...

BENDER: Anything failing out there now?

WRIGHT: Pardon me?

BENDER: Anything failing in that area?

WRIGHT: I wouldn't be able to tell you.

BARCA: Now you did it.

LEBOWSKY: Laurie Lebowsky, Community Planning.

No, there's not in that area. There's no failing intersections. Also you need to consider that as that area develops, circulation roads will be built.

BARCA: Thank you, Laurie.

LEBOWSKY: One more thing. Per the traffic study, actually trip generation with the -- actually with the residential would be lower.

BARCA: Okay. Thanks for clarifying that.

Ms. French, you look like you have some rebuttal.

FRENCH: Just on that issue.

BARCA: On what issue? Wait until you're in the mic zone.

FRENCH: Okay. I did just want to point out that we submitted a very thorough traffic study analysis which did demonstrate that trip generation would be substantially lower with our proposal as it would be under the business park development model. Thank you.

BARCA: Right. Thank you.

GRIMWADE: Mr. Chairman, I think there's been some interesting points made tonight and certainly pedestrian accessibility is very important, the needs of school districts are very important, the needs of industrial land are extremely important as is residential land. I have yet to be convinced that you cannot provide good accessibility to a school through industrial land.

There are many examples in the world where there are excellent industrial developments providing excellent accessibility routes to schools. There's also different educational models that can be put together with industry and schools side-by-side. For those reasons, I would like to move a **MOTION** endorsing the staff's recommendation for this item.

BARCA: There's been a motion. Do I hear a second?

BENDER: **Second.**

BARCA: Okay. So we have a motion and seconded. Any final discussion? Roll call, please.

BENDER: Would you like to re-clarify the motion, please.

BARCA: Please.

GRIMWADE: The **MOTION** is that we move with staff recommendation for CPZ2017-00022, Riverview Asset Trust.

BENDER: Thank you.

BARCA: Does your second stand?

BENDER: It stands.

BARCA: Okay. Roll call.

WRIGHT: AYE, assuming that's for **denial**.

BARCA: Yeah, that's correct. The motion was to accept staff recommendation.

ROLL CALL VOTE

SWINDELL: AYE

JOHNSON: NO

GRIMWADE: AYE

BENDER: AYE

BARCA: AYE

BARCA: NO

BARCA: Karl wants his noted.

NARRATIVE – ANNUAL REVIEW APPLICATION

REVIEW REQUESTED: The Applicant requests a comprehensive plan map amendment and zone change, from Industrial (I) to Urban Low Density Residential (UL), with associated rezone from Business Park (BP) to single family residential (R1-6 zoning). The parcels subject to this application include: 200326000 and 200355000. Additionally, the Battle Ground School District has authorized its parcel 200305000 to be included in the Annual Review application, and submitted a letter in support (page three of application form, at Tab 1), in which the School District confirms that it will agree to appropriate rezoning of the District's parcel, provided the resulting designation is compatible with the District's capital facilities planning process. The proposed amendment appears compatible with the District's plan to construct a public school facility on parcel 200305000, and would facilitate compatible residential development on parcels 200326000 and 200355000.

The Applicant's primary goal and objective is to achieve a comprehensive plan map and zoning designation that is compatible with the surrounding low density single family residential lands. These surrounding lands are developing successfully, and the Battle Ground School District recently purchased parcel 200305000 with plans to construct a new school on that parcel. The Applicant looks forward to putting the subject property to a use that will benefit the children and families in the North Orchards area.

The current BP zoning designation requires conditional use permit review (with the associated cost implications and lack of certainty regarding outcome) for educational services including elementary and secondary schools. Additionally, the BP zone severely limits residential, institutional, office and other nonindustrial uses to those necessary for the convenience and support of the noncommercial economic development and employment opportunities authorized within the BP zone.

In contrast, Grade K – 5 public and private schools, including preschools, are authorized within the R1 – 6 zone as a use permitted outright. Also, residential development is permitted outright.

As analyzed in more detail below, the current BP zoning designation does not fit the subject property well, given the lack of common transportation infrastructure and market attributes that are necessary to support businesses. BP districts typically have good access to major roads and are associated with larger commercial clusters. However, in North Orchards, this BP district is remarkably isolated without convenient access to major roads or transit, and there are no complimentary commercial zones nearby. This has resulted in a lack of market interest despite many years of exposure. Active and ongoing marketing efforts have been very similar to those that resulted in the recent sale of parcel 200305000 to the Battle Ground School District, but have failed to attract interest for business park development. The

absence of lower intensity commercial to serve as a buffer creates the potential for land use conflicts between the BP district and the surrounding single family residential and school uses.

The proposed development of parcel 200305000 for Battle Ground Public School purposes, and recent acquisition of the parcel by Battle Ground Public Schools, lends further support to the position that the subject property is not appropriate for BP zoning. School development on parcel 200305000 will exacerbate the lack of compatibility with the BP zoning currently applicable to the subject property.

This site has been dormant for many years because there is simply no market interest in a business park at this location. Surrounding properties are zoned for single family housing and continue to successfully develop for that use. Urban Low Density Residential designation and R1-10 zoning is most appropriate for the subject property. The Applicant therefore requests a comprehensive plan map amendment and zone change.

The Applicant met in pre-application conference with Clark County planning staff, and has incorporated staff suggestions into the current application. In response to staff comments, the Applicant now proposes a R1-6 zoning, as opposed to R1-10. At staff's suggestion, the Applicant is willing to incorporate a small-scale commercial component, conceptually depicted as a 43,560 square foot "commercial area," in the southeastern corner of parcel 200326000. To facilitate consideration of this concept, the Applicant prepared photographs of existing small scale commercial development, attached as pages 4 – 15 under application Tab 8 (comparison site is located at 3604 NW 119th Street Vancouver, WA). The Applicant is willing to consider staff input and direction regarding how this small scale commercial concept would best be incorporated into final approval.

At staff's suggestion, the Applicant coordinated with the Battle Ground School District to obtain District authorization to include District parcel 200305000 in this Annual Review application, provided the resulting designation is compatible with the District's capital facilities planning process.

At staff's suggestion, the Applicant completed a thorough Traffic Impact Study. That document is included in the application packet. It compares and contrasts trip generation anticipated under the current zoning designation (BP), and the proposed R1-6 residential zoning requested by the Applicant. In sum, the data establishes that the proposed build out is expected to generate 5,327 fewer daily, 731 fewer A.M. peak hour (728 in, 3 out), and 550 fewer P.M. peak hour (51 in, 499 out) new net trips. The decrease in trips generated by the proposed amendment will significantly reduce traffic impacts compared to build out under the existing zoning. For the purposes of this Traffic Impact Study, the engineer assumed a residential zone of R1-6, with an estimated 239 single family units (per preliminary site plan developed by Olson Engineering, attached as page 2 under application Tab 8). The engineer also assumed a neighborhood commercial designation for the 43,560 square foot "commercial area" depicted on that preliminary site plan.

The preliminary site plan takes into account the County's arterial atlas, which indicates a proposed collector in the vicinity of the subject property's north line. This coincides with a row of Oak trees and a ditch area. The preliminary site plan reflects a determination that in light of critical area issues on the

subject site, and in light of the completed plat to the west, the collector will need to be to the north of the subject property.

In support of this application, the Applicant points to the availability of acreage in the vicinity that is better suited to serve the goals and objectives of the Business Park zone. See attached map of general acreage designated Industrial, "IL" zoning, with Rural Industrial Land Bank Overlay, and see map depicting proximity of this alternate acreage to the property subject to this Annual Review application.

Clark County Code section 40.230.085 defines the purpose of Employment Districts (which includes both IL and BP zones) as "providing a wide range of noncommercial economic development and employment opportunities that limit residential, institutional, commercial, office and other nonindustrial uses to those necessary for the convenience and support of such development and opportunities." The associated Table 40.230.085-1 supports the Applicant's suggestion that the IL zoned property identified on the attached map could provide acreage to meet the County's goals in this respect.

PROJECT LOCATION, IDENTIFICATION AND BACKGROUND: The subject property consists of three (3) individual, immediately adjacent parcels, totaling approximately 80 acres.

The address assigned to parcel 200326000 is 10512 NE 152nd Ave Vancouver, WA 98682.

Parcels 200326000 and 200355000 are owned by Riverview Asset Management & Trust, Dianne Dempsey, and Mary Ellen Wells, and adjacent parcel 200305000 recently transferred to the Battle Ground School District.

ADJACENT DEVELOPMENT:

NORTH – 200321000, 34 acres (Comprehensive Plan Designation – I; Zoning Designation BP)

EAST – across NE 152nd Avenue to the East: Residential lots (Urban Oaks LLC) (Comprehensive Plan Designation – UL; Zoning Designations including R1 – 6; R1 – 10;)

SOUTH – 200339056, 2.87 acre County Park (Comprehensive Plan Designation – PF; Zoning Designation PF); all other parcels are residential lots (Comprehensive Plan Designation – UL; Zoning Designation R1 – 10)

WEST – Residential lots (Comprehensive Plan Designation – UL; Zoning Designation R1 – 5)

SOUTHWEST CORNER - 200305000 recently transferred to the Battle Ground School District for school development purposes

ANALYSIS AND CITATIONS: GROWTH MANAGEMENT ACT, COUNTYWIDE PLANNING POLICIES, COMPREHENSIVE PLAN AND ASSOCIATED PLANS AND POPULATION/HOUSING STATISTICS

As analyzed, this project meets the following code criteria applicable to a comprehensive plan amendment and zone change:

CODE CRITERIA – COMPREHENSIVE PLAN AMENDMENT – CCC 40.560.010(G)

- (1) The proponent shall demonstrate that the proposed amendment is consistent with the Growth Management Act and requirements, the countywide planning policies, the community framework plan, comprehensive plan, city comprehensive plans, applicable capital facilities plans and official population growth forecasts;
 - o **RESPONSE:** This site was first designated for urban development several years ago; however the BP designation has failed to attract interest among employment users. GMA allows replacement of this employment area with other areas better suited for the desired use
 - Comprehensive Plan Policy 1.4.1 provides that interrelated uses should generally be encouraged to locate in close proximity of each other. The BP designation provides employment, but not the frequently used retail goods and services for nearby residents that this policy compels.
 - Policy 1.4.1 further provides that schools or other frequently used public facilities and the residential areas they serve should be allowed and encouraged to locate near to one another. The west portion of the subject site will likely become a public elementary school to serve the surrounding residential area, consistent with this policy. A prime example of this pattern is Grass Valley Elementary in Camas.
 - Policy 1.4.1 further provides that commercial, industrial or other employers and the residential areas they serve should be allowed and encouraged to locate near to one another, as long as negative impacts from nonresidential uses on the residential areas are mitigated. The employment uses intended for the BP district have not developed because the district is isolated from primary roads and other supporting commercial uses that employers need for support. The negative impacts from the BP uses, if developed, would be unmitigated because there are no suitable buffers. Rather, this large BP district was designated as an island surrounded by single family uses. This policy supports placement of employment uses near the major roads needed to serve them, and where they will not create land use conflicts with single family residential uses.
 - Housing Policy 2.1.5 requires that housing strategies and transportation are to be coordinated to assure reasonable access to public facilities and services. North Orchards continues to attract new families because the public facilities

and services they require and desire are available. This will be enhanced with the development of the new school.

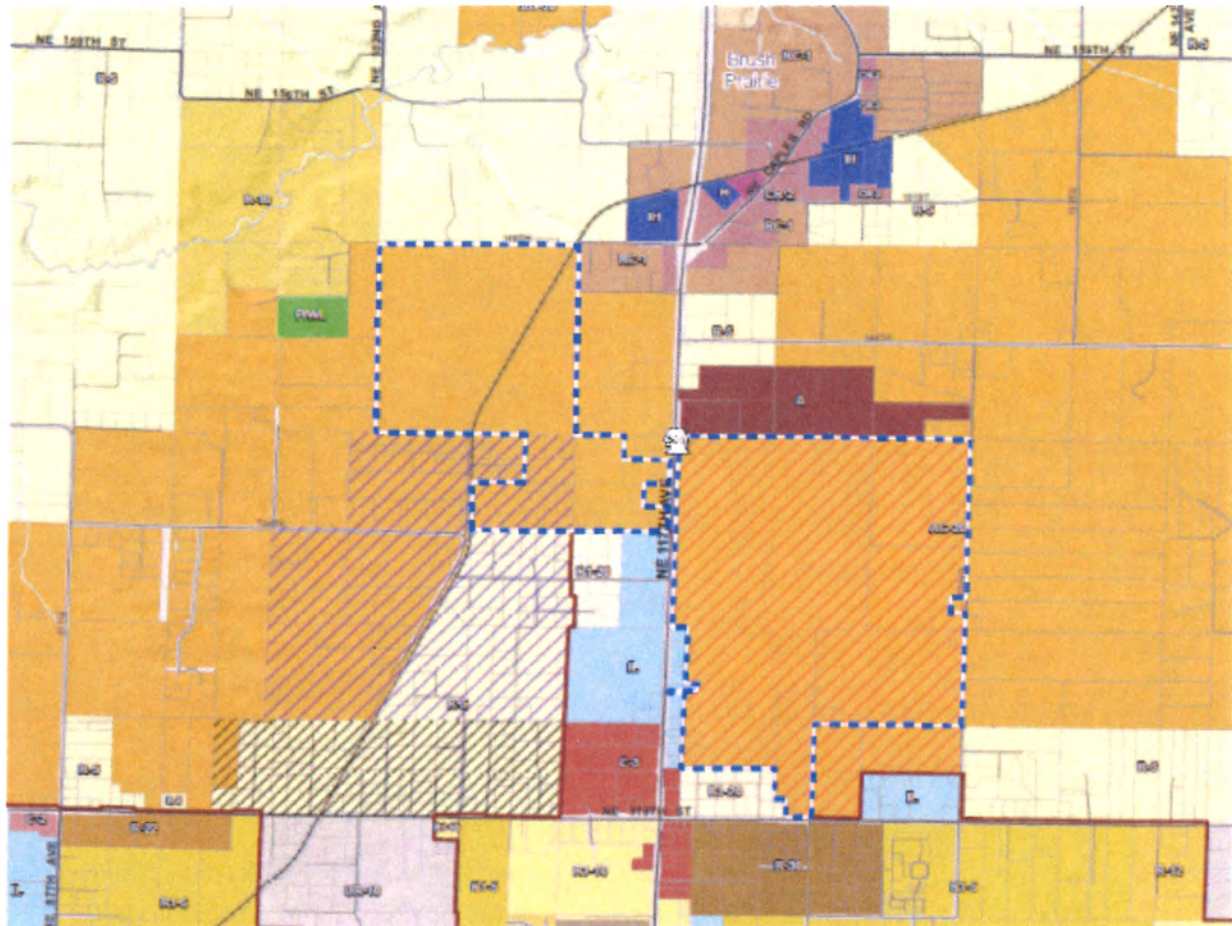
- (2) The proponent shall demonstrate that the designation is in conformance with the appropriate locational criteria identified in the plan;
 - **RESPONSE:** The Comprehensive Plan notes the location of housing stock is among the most significant policy issues. Here, North Orchards is a success story, and this site specific request builds on that success by placing a new school among the growing residential area. The school will be supported with additional housing needed to meet the continuing demand. The UL Urban Low Density Residential designation, with R1-6 zoning, is proposed to ensure compatibility with the surrounding land use pattern. This is consistent with the location criteria in Chapter 1, Land Use Element.
- (3) The map amendment or site is suitable for the proposed designation and there is a lack of appropriately designated alternative sites within the vicinity;
 - **RESPONSE:** North Orchards is running out of single family residential land. This drives up the price of what little residential land remains, which raises housing costs for everyone in the area. North Orchards has a successful track record for housing.
- (4) The plan map amendment either: (a) responds to a substantial change in conditions applicable to the area within which the subject property lies; (b) better implements applicable comprehensive plan policies than the current map designation; or (c) corrects an obvious mapping error;
 - **RESPONSE:** This request better implements plan policies than the current BP designation, because the BP district is misplaced within the surrounding single family North Orchards area, especially with the proposed school development. The school presents a land use conflict, particularly regarding traffic and access. The school will generate substantial traffic during the am peak hour and in the late afternoon. This traffic cycle typically interferes with adjacent commercial uses which have overlapping periods of peak use, which is one reason why schools are typically located away from commercial uses.
 - A second conflict results from the nature of employment uses and their adverse impacts on a school serving young students. School function as community centers nearly seven days a week; whereas employment uses are primarily active only during business hours. An adjacent business park simply does not support the adjacent school use the same way that housing does. The truck traffic alone presents an obvious conflict with the children.
- (5) Where applicable, the proponent shall demonstrate that the full range of urban public facilities and services can be adequately provided in an efficient and timely manner to serve the proposed designation. Such services may include water, sewage, storm drainage, transportation, fire protection and schools. Adequacy of services applies only to the specific change site.
 - **RESPONSE:** The full range of public facilities is available along NE 152nd, and will be extended into this large site when development is approved. The County's arterial atlas has long anticipated the development of this approximately 70 acre site as a business park, which would have greater traffic impacts than the single family residential. This

concept is analyzed in detail in the Traffic Impact Study attached in support of this application.

CODE CRITERIA – ZONE CHANGE – CCC 40.560.020(G)

- (1) The requested zone change is consistent with the Comprehensive Plan map designation.
 - **RESPONSE:** The Applicant is requesting a Comprehensive Plan Map designation amendment that will result in consistency with the requested zone.
- (2) The requested zone change is consistent with the Comprehensive Plan policies, locational criteria, and the purpose statement of the zoning district.
 - **RESPONSE:** See analysis under CCC 40.560.010(G)(2), and associated analysis, above
- (3) The zone change either:
 - a. (a) responds to a substantial change in conditions applicable to the area within which the subject property lies;
 - b. (b) better implements applicable comprehensive plan policies than the current map designation; or
 - c. (c) corrects an obvious mapping error
 - **RESPONSE:** See analysis under CCC 40.560.010(G)(4), and associated analysis, above
- (4) There are adequate public facilities and services to serve the requested zone change
 - **RESPONSE:** See analysis under CCC 40.560.010(G)(5), and associated analysis, above

General acreage that appears available to meet the County's goals and objectives: Approximately 800+ acres situated both east and west of SR 503



TRANSPORTATION ANALYSIS

REPORT

Dempsey Property Rezone Traffic Impact Study

January 30, 2017

H. Lee & Associates, PLLC

**DEMPSEY PROPERTY REZONE
TRAFFIC IMPACT STUDY**



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January 30, 2017

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SECTION I STUDY SUMMARY

INTRODUCTION

This traffic impact analysis has been prepared to assess transportation impacts related to the proposed rezone of the tax lot 200326-000 in Clark County, Washington. The existing zoning of the project site is BP (Business Park) and the proposed rezone is a combination of residential (R1-6) and neighborhood commercial (NC). The proposed zoning includes one acre as commercial and the remaining 58.68 acres as residential. The project site is located west of NE 152nd Street between NE 101st Way and NE 111th Street. Figure 1 shows the project vicinity.

Project Description

The proposed project site is 2,599,661 square feet which is 59.68 acres. The build out of the existing BP zoning was based on a floor area ratio (FAR) of 0.25. Applying this FAR to the size of the project site yields a build out of 649,915 square feet of business park space.

The build out of the proposed NC zoning was based on a floor area ratio (FAR) of 0.25. Applying this FAR to the proposed one acre commercial lot yields a build out of 10,890 square feet of commercial space. For trip estimating purposes, it was assumed that the commercial space would be specialty retail use. The remaining 58.68 acres is being proposed to be rezoned to R1-6. Figure 2 shows the preliminary site plan of the proposed rezone. Based on the preliminary site plan, up to 239 single family detached lots could be created with the R1-6 zoning.

Scope of Traffic Impact Study

The scope of the traffic impact study was developed from Clark County's Pre-Application Conference Summary and adjusted based on known Clark County traffic study requirements. From this information, the following intersections were determined to require analysis:

- NE 152nd Avenue/NE 119th Street
- NE 152nd Avenue/NE 99th Street
- NE 152nd Avenue/NE Padden Parkway
- NE 117th Avenue (SR 503)/NE 99th Street

The remainder of this report presents the following analysis:

- Existing P.M. peak hour traffic conditions in the project study area.

The 2035 “Without Project” P.M. peak hour condition was analyzed to establish the future baseline condition for rezone analysis. The 2035 “Without Project” condition traffic volumes were derived from RTC’s regional transportation forecast model. The RTC model link volumes were post processed to turning movement volumes based on the NCHRP 255 methodology and the TurnsW32 software. Since the RTC model included the build out of the project site assuming the existing zoning, these volumes were subtracted from the post-processed turning movement traffic volumes to arrive at the 2035 “Without Project” condition traffic volumes.

- Trip generation estimates for the build out of the existing zoning and the proposed zoning.
- Trip distribution and assignment of trips generated by the build out of the existing zoning and the proposed zoning.
- The 2035 “Existing Zoning Build Out” and 2035 “Proposed Zoning Build Out” conditions were analyzed and compared to each other to determine the traffic impacts of the rezone proposal.

SUMMARY OF FINDINGS

The following are the findings and recommendations from the traffic analysis:

Findings

- The “Existing Zoning Build Out” is expected to generate 8,085 net new daily trips, 910 net new A.M. peak hour trips (773 in, 137 out), and 819 net new P.M. peak hour trips (215 in, 604 out) trips.

The “Proposed Zoning Build Out” is expected to generate 2,758 net new daily trips, 179 net new A.M. peak hour trips (45 in, 134 out), and 269 net new P.M. peak hour trips (164 in, 105 out) trips.

The “Proposed Zoning Build Out” is expected to generate 5,327 fewer daily, 731 fewer A.M. peak hour (728 in, 3 out), and 550 fewer P.M. peak hour (51 in, 499 out) net new trips. The decrease in trips generated by the build out of the proposed rezone significantly reduces traffic impacts compared to the existing zoning impacts.

- All of the study area intersections are projected to operate at acceptable levels of service in the 2035 “Existing Zoning Build Out” and 2035 “Proposed Zoning Build Out” conditions.

Recommendations

- Based on the traffic impact analysis documented in this report, no physical, off-site mitigation would be needed.
- Based on the traffic impact analysis documented in this report, the rezoning of the Dempsey property will not result in any significant degradation in traffic conditions nearby the project site. In fact, the build out of the Dempsey property with the rezone proposal results in less traffic impacts than the build out with the existing zoning.



Pre-Application Conference Final Report

Project Name:	Riverview Asset
Case Number:	PAC2016-00159
Location:	10512 NE 152 nd Ave
Parcel Number(s):	200326000; 200355000
Site Size:	69.55 acres
Request:	A request to amend the Comprehensive Plan and Zoning Maps from Industrial (Business Park (BP) to UL (R1-6)
Applicant:	James Howsley 1499 SE Tech Center Place, Ste. 380 Vancouver, WA 98683 P: (360) 567-3900 Jamie.howsley@jordanramis.com
Contact Person:	Kristin French 1499 SE Tech Center Place, Ste. 380 Vancouver, WA 98683 P:(360) 567-3900 kristin.french@jordanramis.com
Property Owner:	Riverview Asset Management & Trust et. al. Trustees c/o Dempsey Family Trust 900 Washington St., Ste. 900 Vancouver, WA 98660

DATE OF CONFERENCE: December 13, 2016

STAFF CONTACT: Jose Alvarez, Clark County Annual Review Coordinator
(360) 397-2280 – ext. 4898 annual.review@clark.wa.gov

PRESENT AT CONFERENCE:

Name	Contact Information
Jose Alvarez	Clark County Community Development (see above)
Laurie Lebowsky	Clark County Community Planning (Transportation) (360) 397-2375 – ext. 4544

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

APPLICATIONS REQUIRED

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

Estimated fees:*

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

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

APPLICABLE POLICIES, CODES and CRITERIA

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

- Clark County 20 Year Comprehensive Growth Management Plan Policies
 - Chapter 1 – Land Use Element
 - Chapter 9 – Economic Development
 - Chapter 11 – Community Design Element
- Clark County Unified Development Code
 - Title 40:
 - Section 40.230 (Commercial Districts)
 - Section 40.500.010 (Procedures)
 - Section 40.560.010 (Plan Amendment Procedures)
 - Section 40.570 (SEPA)

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

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

Comprehensive Plan Designation Map Change Criteria

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

1. *The proponent shall demonstrate that the proposed amendment is consistent with the Growth Management Act and requirements, the Countywide Planning Policies, the Community Framework Plan, the Comprehensive Growth Management Plan, applicable city comprehensive Plans, and including applicable capital facilities plans and official population growth forecasts; and*
2. *The proponent shall demonstrate that the designation is in conformance with the appropriate location criteria identified in the plan; and*
3. *The map amendment or site is suitable for the proposed designation and there is a lack of appropriately designated alternative sites within the vicinity; and*
4. *The plan map amendment either: (a) responds to a substantial change in conditions applicable to the area within which the subject property lies; (b) better implements applicable Comprehensive Plan policies than the current map designation; or (c) corrects an obvious mapping error; and*
5. *Where applicable, the proponent shall demonstrate that the full range of urban public facilities and services can be adequately provided in an efficient and timely manner to serve the proposed designation. Such services may include water, sewage, storm drainage, transportation, fire protection and schools. Adequacy of services applies only to the specific change site.*

Zone Change Criteria

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

1. *Requested zone change is consistent with the comprehensive plan map designation.*
2. *The requested zone change is consistent with the plan policies and location criteria and the purpose statement of the zoning district.*
3. *The zone change either:*
 - a. *Responds to a substantial change in conditions applicable to the area within which the subject property lies;*
 - b. *Better implements applicable comprehensive plan policies than the current map designation; or*
 - c. *Corrects an obvious mapping error.*
4. *There are adequate public facilities and services to serve the requested zone change.*

SUBMITTED MATERIALS REVIEWED

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

- Application forms
- Narrative
- GIS Packet

BACKGROUND

The applicant proposes to amend the comprehensive plan and rezone approximately 60(?) acres from Industrial designation with Business Park zone to Urban Low designation with an R1-6 zone.

SUMMARY

The following comments and issues were discussed or identified during the pre-application meeting held on December 13, 2016.

Land Use

Comments provided by Clark County Long Range Planning, Jose Alvarez:

Staff provided an overview of how the pre-application conference would be conducted and a summary of what information would be covered. Staff also provided Information regarding Clark County's obligation to plan under the State's Growth Management Act and the long-range, comprehensive planning exercise that concluded in 1994 with the adoption of the 20-Year Comprehensive Growth Management Plan and corresponding zone map. In 2004, 2007 and 2016 the County adopted an updated 20-Year Comprehensive Plan and zone map.

Specific to this application, staff stated that the assumption is that the current comprehensive plan and zone designation (Industrial, (BP)) was still applicable to this area and that the applicant will need to demonstrate that a change to a residential zone is appropriate and consistent with the County's Growth Management Plan and Unified Development Code. Staff said that the proposal to change the designation will need to be consistent with the Growth Management Act and the county-wide planning policies, (Growth Management Plan). Staff proceeded to discuss with the applicant the Comprehensive Plan Designation Map Change Criteria that the applicant will need to address in an application.

Staff mentioned that the property now owned by the Battle Ground School district would make sense to be added to the request in order to not leave an isolated pocket of Business Park zoned land, the same would be true for the property to the north of the site.

Staff mentioned that the R1-10 zone is probably not appropriate if the idea is to provide more affordable housing. Staff also noted that the concentration of residential development may need to be broken up with some commercial along the frontage of NE 152nd. Staff suggested the applicant may want to address the loss of job producing land or potential alternatives.

The applicant asked if there was some flexibility in proposing different zones on the property. Staff responded that there was some flexibility either before submittal or shortly thereafter, so that a review could be done in a timely manner.

Transportation

Comments provided by Clark County Community Planning, Laurie Lebowsky:

The approval criteria require that the applicant demonstrate that adequate transportation facilities can be provided to serve the proposed designation. This can be accomplished by submitting a traffic analysis which compares a reasonable build-out scenario under the existing and proposed designations. It is recommended that the study horizon be 2037 or an equivalent year representing build out of the adopted urban area. Network improvements should include all those projects that are in the financially constrained Regional Transportation System Plan.

Prior to conducting the traffic analysis, it would be advisable for the applicant to submit a comparison of the potential trip generation from the site under the existing and proposed designations. With that information, staff can better define the intersections likely to be affected.

NE 152nd Avenue is classified as a two-lane collector or C-2, with 60' of right-of-way and 38' paved width. The cross-section includes two travel lanes, parking on both sides, and sidewalk on both sides.

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

The applicant will need to provide documentation regarding any easements and also information showing how the applicant's property can be accessed.

NEIGHBORHOOD ASSOCIATION CONTACT

While not required of a complete application for a comprehensive plan amendment, staff recommended that the applicant talk to the neighborhood association chair for their area. The Greater Brush Prairie Neighborhood Association president is Larry Knight. (360) 518-3317 email: knighthawkprotection@comcast.net Staff also encouraged the applicant to discuss the proposed land use designation change with neighbors.

TIME FRAMES

January 1 through January 31 - Submit Final Annual Review Application

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

Fourth Quarter or sooner - Planning Commission will approve or deny request. If the Planning Commission approves the Board of Commissioners will review and make a final determination. If the Planning Commission denies the request, the applicant needs to appeal the denial. In practice staff forwards all recommendations to the Board of Commissioners for final resolution of the requests.

ADDITIONAL MATERIALS

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

ATTACHMENTS/REFERENCES

- Annual Review/Zone Change Application Form
- State Environmental Policy Act (SEPA) Review Handout
- SEPA Rules, Chapter 197-11 WAC

- <http://www.clark.wa.gov/longrangeplan/review/documents/sepa-wac.pdf>
- Clark County Growth Management Plan –
www.co.clark.wa.us/longrangeplan/review/adopted-plan-text.html
- Clark County Code Title 40 –
www.clark.wa.gov/commdev/development/developcode.html
- Growth Management Act and Related Laws – 2004 Update – (RCW 66.70A.020
Planning goals.)
<http://www.co.clark.wa.us/longrangeplan/review/documents/gma-related%20laws-pub.pdf>

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DEVELOPER'S GIS PACKET