

# TYPE II-A APPLICATION FOR MASTER PLANNED DEVELOPMENT

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8713 NE 94<sup>TH</sup> AVE, VANCOUVER, WASHINGTON 98662



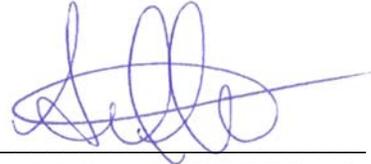
*Prepared for*  
**CLARK COUNTY**  
VANCOUVER, WA  
*July 26, 2016*  
*Project No. 9059.07.03*

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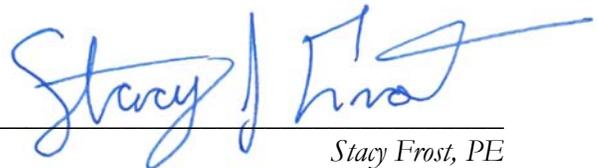
*The material and data in this report were prepared  
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# 1 PROPOSAL SUMMARY

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## 1.1 Site Information

**Address:** 8713 NE 94<sup>th</sup> Ave, Vancouver, WA 98662

**Zoning:** Light Industrial (IL), Single-Family residential (R1-7.5)

**Property Identification Numbers:** Area 1—Leichner Campus: 105740000, 199863000, 199864000, 199845000; Area 2—Future Right-of-Way (ROW) or Open Space: 199856000, 199866000, 199865000; Area 3—Leichner Fields: 19858000, 199843000, 199869000

**Site Size:** Area 1—Leichner Campus: 35.19 acres; Area 2—Future ROW or Open Space: 18.99 acres (7.96 acres residential); Area 3—Leichner Fields: 74.14 acres; **Total Master-Plan Development Area: 128.32 acres.**

### 1.1.1 Applicable Sections of Code

The following sections of the Clark County Code (CCC) and Washington Administrative Code (WAC) are addressed in this narrative:

- CCC 40.230.010, IL Zoning Districts
- CCC 40.520.070, Master Planned Development
- CCC 40.520.040, Site Plan Review
- CCC 40.320, Landscaping
- CCC 40.410, Critical Aquifer Recharge Area—Category 1
- CCC 40.350, Transportation
- CCC 40.385, Stormwater and Erosion Control
- CCC Title 14, Buildings and Structures
- CCC Title 15, Fire Protection

### 1.1.2 Proposal and Reason for Request

Clark County (the applicant) acquired the entire 128.32 acres in December 2012 and initiated the master plan process in Fall of 2013. Efforts included regular public engagement, outreach to real estate experts, and analysis of the market, site conditions, land use regulations, and environmental regulations. The Reuse Analysis for the subject area began in winter 2014, the purpose of which was to characterize existing conditions and identify reuse opportunities. The Reuse Analysis included a

market opportunity assessment, evaluation of infrastructure, environmental conditions, and land use regulatory issues.

A Real Estate Experts Workshop was held on April 10, 2014, which hosted regional specialists in the areas of real estate development, brokerage, appraisal, marketing, and construction. The workshop included a tour of the subject area and a facilitated discussion of opportunities and constraints related to the redevelopment of the property. On April 19, 2014 the applicant hosted an Open House to inform the community, surrounding property owners in particular, of the master planning process. The Open House provided information regarding existing site conditions and obtained community input on the master plan design. Two weeks prior to the event, a flier was mailed to 1,386 residents and property owners advertising the event. Fifty people attended and engaged with the applicant in discussions related to traffic circulation, site access, project schedule, the applicant's development plans, and the potential impacts of the project on traffic.

The results of the Reuse Analysis, Real Estate Experts Workshop, and Open House were used to inform a Design Charrette that was held with the applicant and the department directors for Clark County and the City of Vancouver on June 6, 2014. The purpose of the charrette was to develop conceptual site designs for the subject area. The charrette addressed street layout, public open space, vehicular circulation, infrastructure, market opportunity and demand, and impact on the surrounding neighborhoods. The Design Charrette yielded three potential site layout options. A cost analysis of the infrastructure improvements for these three concepts in order to refine site-specific market support, identify the potential sale price for the land, and evaluate potential economic benefits (namely jobs created) and direct tax revenues to Clark County.

A meeting of the department directors for Clark County and the City of Vancouver was held on January 23, 2015 to review the conceptual site plan options in order to select a preferred option(s). The meeting focused on discussing the relative economic benefit, cost, and impact to the surrounding community. A second Open House was held on April 23, 2015 to share the preferred options as well as preliminary redevelopment site plans and illustrative exhibits showing potential site development, including building location, parking, and landscaping.

The applicant now intends to sell the portion of the subject area in Area 1—Leichner Campus for eventual development by the private sector. Prior to selling, the applicant wants to establish parameters for development that are acceptable to both the neighborhood and a future purchaser. Approval of this Master Planned Development application will pre-establish the acceptable parameters and development requirements.

### 1.1.3 Site Information, Adjacent Zoning, and Land Use

The subject property is located slightly north of the city limits of Vancouver, Washington at 8713 NE 94<sup>th</sup> Avenue in unincorporated Clark County. The property consists of ten parcels (property identification numbers 105740000, 199863000, 199864000, 199845000, 199856000, 199866000, 199865000, 19858000, 199843000, and 199869000), which together encompass approximately 128.32 acres (see Table 1 below).

**Table 1. Master Planned Development Parcels**

	Property ID	Size	Zoning
<b>Area 1 - Leichner Campus</b>	105740000	25.49	IL
	199863000	7.42	IL
	199864000	0.16	IL
	199845000	2.12	IL
	<b>TOTAL</b>	<b>35.19</b>	<b>acres</b>
<b>Area 2 - Future ROW or Open Space</b>	199856000	11.03	IL
	199866000	7.13	R1-7.5
	199865000	0.83	R1-7.5
	<b>TOTAL</b>	<b>18.99</b>	<b>acres</b>
<b>Area 3 - Leichner Fields</b>	199843000	25.56	IL
	199858000	38.66	IL
	199869000	9.92	IL
	<b>TOTAL</b>	<b>74.14</b>	<b>acres</b>

Prior Land Use/Ownership History

The property was formerly used for sand and gravel mining in the late 1930s and was later converted to a landfill owned by Leichner Brothers Land Reclamation Corporation. In 1981, groundwater contamination was discovered at the landfill; the Washington State Department of Ecology issued a Consent Order requiring extensive monitoring of the site. The landfill closed on December 31, 1991. The County purchased the entire property in December 2012. The two properties are currently fenced with limited access through four gates and access provided by gravel roads. Development of the subject property will occur in three areas as described below. (See Appendix A for a map showing the areas).

**Area 1: Leichner Campus**

The first area is the Leichner Campus (formerly known as the Koski Property), which is located south and west of Leichner Fields and consists of approximately 35 acres of vacant land. However, some of this area is not developable due to the setback from NE 94<sup>th</sup> Avenue (15,100 sq. ft.), the buffer from the single-family residential area to the south (74,900 sq. ft.), and the areas with steep slopes (235,200 sq. ft.). This leaves 27.72 acres of developable area within the Leichner Campus. Once the master plan is in place, the County intends to sell this property to a private party for development. As a part of the proposed master planned development, the applicant would plan for a private street running east-west (NE 88<sup>th</sup> Street) to the south and a private street running north-south through the property (NE 96<sup>th</sup> Avenue) ending in a cul-de-sac before intersecting the existing gravel access road on the north end of this area. These streets will be constructed by a future developer.

**Area 2: Future ROW or Open Space**

This area consists of approximately 19 acres and includes both IL and R1-7.5 zones. The applicant acquired these parcels with the intention of using them for the future ROW or open space. The northern two parcels (parcels 199866000 and 199865000) in this area are zoned R1-7.5. The applicant has no plans for the development of these parcels. They may be used entirely for ROW improvement and stormwater management. The southern parcel (parcel 105740000) of this area is zoned IL and will be used entirely for ROW improvements.

### **Area 3: Leichner Fields**

Leichner Fields is approximately 74 acres with no vertical development other than the methane gas management plant located at the far southern end of the property. The applicant intends for Leichner Fields to be used as a park or other recreational space for the community in the future. However, the timing for the development of this area is currently undetermined. It will largely be dependent on the ability of the applicant to transact the Area 1—Leichner Campus property and improve the landfill so that it is suitable for public use.

### Regulatory

The subject property is located within Clark County in the urban growth area (UGA) of the City of Vancouver. Most of the property is designated “Industrial” in the 20-year comprehensive plan and is zoned for light industrial uses (IL). The northern parcels 199866000 and 199865000 are zoned for Single-Family Residential (R1-7.5) and are designated as Urban Low Density Residential in the 20-year comprehensive plan.

Adjacent land to the east, west, and south of the subject property is zoned for residential uses at varying densities (Single-Family Residential Districts (R1-7.5)). The subject property is also subject to a Consent Decree with the Department of Ecology that includes a restrictive covenant prohibiting the use of groundwater for drinking purposes as well some specific uses on the property.

## **2 MASTER PLANNED DEVELOPMENT**

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Development is subject to the criteria contained in CCC 40.520.070, Master Planned Development.

### **B. Applicability.**

#### **1. Light Industrial (IL) Zones.**

**Any development equal to or greater than fifty (50) contiguous acres in size shall be eligible to apply for approval of a master plan by the reviewing authority. A minimum of seventy-five percent (75%) of the area proposed for master planning shall be held under common ownership at the time of application. A minimum of eighty-five percent (85%) of the area proposed for master planning shall be zoned light industrial (IL), or a change in zoning requested to this effect, at the time of application. The master plan shall consist of both a concept plan which shows the location, distribution and phasing of land uses and related facilities and a development plan as each phase of the plan is developed.**

The subject property is currently held 100% in common ownership. Of the total 128.32 acres, 120.36 acres (or 94 percent) is zoned IL. The remaining 7.96 acres (six percent) of the area is zone R1-7.5. No change in zoning is being requested. No development has yet been planned for this site; therefore, a development plan and phasing is not included in this application (see Appendix B, Pre-Application Conference Report).

The criterion has been satisfied.

### **C. Approval Process.**

#### **1. Applications for a master plan shall be reviewed using a Type II-A process as described in Section 40.510.025, unless:**

This application is subject to a Type II-A process and follows the process described in Section 40.510.025. See Appendix C for materials related to public engagement.

The criterion has been satisfied.

**2. The master planning review is intended to provide a means of consolidating various reviews into a single master plan application and review, such that development subsequent to an approved master plan can be processed through site plan review. The master plan ordinance is not intended to integrate proposed large-scale zone or comprehensive plan changes to commercial designations, or to facilitate development to that effect.**

**3. Master plan review and subsequent site plan review shall serve to integrate the following review processes:**

- a. Conditional use review;**
- b. Mixed use review;**
- c. Zone changes, consistent with the procedural ordinance, necessary to meet the applicability requirement of this section;**
- d. Responsible official review;**
- e. Variance.**

**4. Proposed comprehensive plan map changes increasing areas of commercial designations shall be processed separately under Section 40.560.010.**

This application has been assembled such that various reviews can be consolidated into this single master planned development application and review, and so that subsequent development to an approved master plan can be processed through a site-plan review.

- There are no proposed changes to the comprehensive plan map.
- There are no proposed changes to the underlying zoning.
- This application is not being submitted with a subdivision or as part of a rural industrial land bank.

The criterion has been satisfied.

#### **D. Approval Criteria.**

In approving the master plan, site plans subsequent to master plan approval, or amendments to the master plan, the review authority shall make a finding that the following approval criteria are met:

1. All of the following general goals are met:

a. Achievement of the goals and objectives of the community framework plan and the comprehensive plan.

Of the 13 planning goals established per RCW 36.70A.020 and cited in the community-framework plan and comprehensive plan, the Applicant understands that the following five apply to the proposed master planned development:

**Goal—Urban Growth: Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.**

The subject property is located within the designated UGA of the City of Vancouver, and as such has been determined to be appropriate for more intensive development consistent with the underlying zoning. The surrounding property is currently developed with public utilities. Future development in this location can be considered “infill development,” not resulting in the outward extension of public facilities and services.

Master planned development is consistent with this goal.

**Goal: Reduce Sprawl.**

**Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.**

This area has been designated for urban growth and has been designated for industrial use in the Comprehensive Plan. The proposed master planned development would reuse brownfield sites that might otherwise go undeveloped. Master planned development approval will provide assurances to the surrounding residents (who have been actively involved in envisioning the master plan; see Appendix C) that there will be appropriate limitations on the type and size of development that will occur. The proposed master planned development also establishes landscaping to buffer adjacent residential areas and further reduce potential impact.

Master planned development is consistent with this goal.

**Goal: 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.**

The proposed master planned development is located within the Vancouver UGA and is zoned for industrial use. Subsequent development will support a wide range of industrial uses that will create

family-wage jobs and increase the tax base of the local government. Since the proposed master planned development is for the reuse of a vacant industrial property, impacts on the capacities of the state's natural resources, public services, and public facilities will be minimized. Future development will not sprawl outside of the Vancouver UGA, which would otherwise reduce green space and require extending infrastructure and expanding public services and facilities. Instead, the proposed master planned development will use an existing industrial site and the public services and facilities that already serve the area.

Master planned development is consistent with this goal.

**Goal: Open Space and Recreation.**

**Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.**

After approval of the master planned development; the applicant anticipates selling the initial Area 1 (the Leichner Campus property) to a private party. Area 3 would convert the existing "Leichner Fields" property into a public park or other recreational space, increasing local access to open space and recreational opportunities.

Master planned development is consistent with this goal.

**Goal: Citizen Participation and Coordination.**

**Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.**

Surrounding residents have been involved in this project since March 2014, when they were mailed an informational flyer and invited to the first open house of the master planning process. This first event engaged participants in a conversation around a redevelopment vision for Leichner Campus (Area 1). The applicant has held three total open-house events to ensure that residents are informed of the proposal and to address any concerns. The most recent event, on April 26, 2016, which was required per 40.510.025.C.2.a. Rather, it was important to the County to hear any feedback from residents before submitting an application for a master planned development (see Appendix C for public engagement materials).

The master planned development process has been consistent with this goal.

**b. Enhancement of economic vitality, particularly opportunities for high wage employment.**

The IL zone allows for a wide range of development types including manufacturing; retail and wholesale trade; and professional, scientific, and technical services. There are many different companies that could provide high wages in these sectors.

Subsequent development of Area 1 will satisfy this goal.

**c. Efficient provisions and use of public facilities and services;**

This property is located within the Vancouver UGA and constitutes infill development. Internal streets will be private and thus will be maintained by the future purchaser of the property. The proposed master planned development will use an existing industrial site and the public services and facilities that already serve the area. This means that future development will not require sprawling outside of the Vancouver UGA, the reduction of green space, or require the extension of infrastructure and expansion of public services and facilities. Instead, the proposed master planned development will use an existing industrial site and the public services and facilities that already serve the area.

The master planned development is consistent with this goal.

**d. Measures to reduce the number of automobile trips generated and to encourage alternative modes of transportation; and**

A traffic study (see Appendix D) considered the impact of a maximum number of vehicle trips that could be theoretically generated from development of Area 1. As development occurs, the number of trips generated by that use will be subtracted from the master-plan maximum. Any improvements to offset the impacts of increased traffic will be addressed at the time of development.

The criterion has been satisfied.

**e. Goals provided in the purpose statements of the applicable zoning district.**

Per CCC40.230.085(A), Employment Districts (IL, IH, IR, BP):

“Purpose.” The purpose of this section is to provide for 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 opportunities.”

The development standards proposed in this master planned development application reflect this purpose statement and are largely the same as the current development standards for the IL zone, with some additions from the Business Park (BP) zone to address concerns shared by the surrounding residential property owners at the various public meetings held. For example, additional screening is proposed in order to be considerate to the surrounding single-family residential neighborhood.

The criterion has been satisfied.

**2. All of the following conditions exist:**

**a. The master plan contains adequate provisions for ensuring that the original visions and goals as stated in the master plan will be implemented;**

The objectives for development of the subject area are as follows:

- Provide opportunities for job creation;

- Position the subject area to provide economic and public-access benefits for the community;
- Engage the public in the planning process;
- Create a streamlined strategy to expediently implement the redevelopment plan; and
- Integrate environmental controls into the redevelopment plan to ensure protection of human health and the environment.

The primary focus of Area 1—Leichner Campus is redevelopment of this area. Redevelopment will serve as a catalyst to help future improvements in the subsequent areas.

The criterion has been satisfied.

**b. The site of the proposed master plan is adequate in size and shape to accommodate the proposed uses and all yards, spaces, walls and fences, parking, loading, landscaping, and other features as required by this title, and to ensure that said use will have no significant detrimental impacts on neighboring land uses and the surrounding area;**

Area 1 development, (the Leichner Campus area) is approximately 35 acres, most of which is fairly flat in topography (less than three percent) with the exception of the northeastern border with Area 3—Leichner Fields where the slope is about 30 percent. The property’s size and shape will be able to accommodate potential future development that conforms to the development standards described in this master planned development application. The concept plan establishes a maximum development area, provides for a corresponding number of parking spaces, and establishes appropriate buffer areas.

The criterion has been satisfied.

**c. The site for the proposed uses relates to streets and highways that are or will be adequate in width and pavement type to carry the quantity and kind of traffic**

A traffic study (see Appendix D) evaluated the proposed development and its impact on adjacent streets and determined that with minor improvements, the quantity and kind of traffic generated by the uses allowed under this proposed master plan can be accommodated by the local streets system.

The criterion has been satisfied.

**d. Adequate public utilities are or will be available to serve the proposed project;**

The development is adjacent to the NE 94<sup>th</sup> Ave corridor. All public utilities that will be required for this project are available and adequate, assuring minimal additional installation and maintenance costs for the City and County.

The criterion has been satisfied.

**e. The establishment, maintenance, and/or conduct of the use for which the development plan review is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or welfare of**

**persons residing or working in the neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare, injurious to property or improvements in said neighborhood; nor shall the use be inconsistent with the character of the neighborhood or contrary to its orderly development;**

The site is currently zoned IL but is surrounded on three sides by an R1-7.5 zone. Based on neighborhood input and to ensure the health, safety, morals, and welfare of the people residing and working in the neighborhood, the following uses have been requested to not be permitted in approval of the master plan:

- Animal slaughtering and processing (31161)
- Forms of chemical manufacturing
  - Pharmaceutical and medicine manufacturing (3254)
  - Soap, cleaning-compound, and toilet-preparation manufacturing (3256)
- Waste-management and remediation services (562)

The criterion has been satisfied.

**f. The proposed master plan facilitates quality development in an integrated manner which provides for a functional and design interrelation of uses and/or structures;**

In order to ensure site development is consistent with the surrounding area, additional development standards similar to those required under the BP zone will apply to the site. This includes additional requirements for landscaping and screening, reduction of blank walls, support of public transportation, setbacks, and pedestrian access. If local demand warrants commercial use, the master development concepts allow for that possibility (as discussed in the response to 40.520.0707.D.2.h.(1) below), which will open up the opportunity to provide amenities for the surrounding neighborhood.

The criterion has been satisfied.

**g. The master plan meets all submittal requirements of this section, and material submitted provides sufficient detail to enable review for compliance;**

This application conforms to all submittal requirements of this section and has provided material in sufficient detail to enable review for compliance. Attachments include:

- Appendix A: Master-Plan Area Map
- Appendix B: Pre-Application Conference Notes
- Appendix C: Neighborhood Meeting Materials and Notes
- Appendix D: Traffic Study
- Appendix E: SEPA Checklist
- Appendix F: Site Plans
- Appendix G: Road Modification Application
- Appendix H: Stormwater Technical Information Report

- Appendix I: Legal Lot Determination
- Appendix J: DAHP Letter
- Appendix K: Sight Distance Certification

The criterion has been satisfied.

**h. All areas of the master plan site to be developed with commercial uses shall be so delineated on the master plan.**

**(1) Light industrial (IL) zone: Commercially delineated areas proposed within industrially zoned areas of the master plan site shall account for no more than ten percent (10%) of the total area.**

At this time, there is no specific development proposed within Area 1—Leichner Campus. The site is zoned IL, which allows for no more than 10% of the total area to develop with commercial businesses. However, in order to create a development plan that is complementary to the surrounding residential area, several changes are proposed to the underlying IL development standards, as described in 40.520.070.F.2.c, below. These proposed changes include allowing additional types of uses permitted under the BP zone and increasing the amount of total area that can be used to develop commercial businesses to 20% of total area.

The criterion has been satisfied.

**3. The review authority may impose conditions as necessary to satisfy the requirements of this section.**

While the conditions are not known at this time, the applicant will comply with any reasonable conditions imposed by the review authority.

The criterion has been satisfied.

**4. The applicant may choose one (1) of two (2) options for environmental review:**

**a. Environmental review for buildout of the master plan. Projects included in the environmental review of the master plan shall not require additional environmental review; or**

**b. Environmental review of the conceptual master plan followed by project-specific environmental review to be completed at the time of individual project development. This option includes situations where the conceptual SEPA review for the master plan is completed concurrently with project-specific SEPA review on a first phase. The scope of a narrower review of project proposals may be based on relevant similarities, such as common timing, impacts, implementation or subject matter (per WAC 197-11-060(3)).**

The applicant has chosen to complete option (b) as described above. A SEPA checklist is being prepared in order to allow for environmental review of the master planned development (see

Appendix E). Project-specific environmental review will be completed at the time of individual project development.

The criterion has been satisfied.

#### **E. Site-Plan Review Process under an Approved Master Plan.**

**Development proposals submitted pursuant to an approved master plan shall be reviewed under Section 40.520.040, subject to a demonstration of consistency with the approved master plan and applicable conditions of master plan approval. Such development proposals do not require a public hearing on a project-specific basis so long as the original master plan is followed. The review authority may impose conditions of approval for such site plan proposal as necessary to ensure compliance with master plan approval criteria or conditions.**

Future development proposals shall be consistent with the approved master plan and applicable conditions of master plan approval. Such development proposals will be prepared according to conditions of approval to ensure compliance with master-plan approval criteria or conditions. The Applicant understands that additional conditions of approval may be applied at the time of subsequent site plan applications.

The criterion will be satisfied.

#### **F. Development Standards, Covenants and Guidelines.**

**1. Mixed use (MX) zoned lands shall comply with Section 40.230.020.**

**2. Light industrial (IL) and heavy industrial (IH) zoned lands: The applicant has two (2) options in establishing development standards to control development in the master plan area:**

**a. Incorporate the development standards as adopted by the ordinance codified in this section; or**

**b. Propose new development standards (which may incorporate some of the standards in this section). Development standards that differ from the existing land use code requirements will be reviewed as part of master plan review.**

The applicant is choosing to utilize the general development standards of the IL zone, with minor modifications to address the concerns and desires of the adjacent residents. In (c) below, it is indicated where development standards will or will not differ from what is codified under the IL zone.

The criterion has been satisfied.

**c. Development standards shall address:**

**(1) Permitted, accessory and conditional uses and uses permitted with administrative review;**

As described in the above response to 40.520.070.D.2.e, in order to ensure the health, safety, morals, and welfare of the people residing and working in the neighborhood, the following uses typically allowed in an IL zone are requested to not be permitted under this master plan:

1. Animal slaughtering and processing (31161)
2. Forms of chemical manufacturing
  - a. Pharmaceutical and medicine manufacturing (3254)
  - b. Soap, cleaning-compound, and toilet-preparation manufacturing (3256)
3. Waste management and remediation services (562)

Additionally, any permitted, accessory, and condition uses, as well as uses permitted with administrative review under the BP zone will be permitted in the same fashion under this master plan.

The criterion has been satisfied.

**(2) Floor area ratios for office, commercial and industrial development, where permitted;**

This requirement is proposed to remain the same as it is currently allowed under the IL zone. However, the maximum amount of allowed commercial development will be increased to 20% of the total floor area, reflecting the allowance under the BP zone.

The criterion has been satisfied.

**(3) Maximum building heights;**

In order to accommodate the preferences of the residents living adjacent to the site, building height will be restricted to 50 feet as opposed to the 100-foot height limit typically allowed in the IL zone.

The criterion has been satisfied.

**(4) Maximum lot coverage (building and impermeable surface);**

Requirements will remain the same as they are under the IL zone:

“Maximum determined by compliance with screening and buffering standards contained in Chapter 40.320, Table 40.320.010-1, the Stormwater and Erosion Control Ordinance (Chapter 40.386), and all other applicable standards.” (Table 40.230.085-2)

The criterion will be satisfied.

**(5) Setbacks;**

Requirements will remain the same as they are under the IL zone: 20-foot front and street side setbacks and no setback on the side (interior) or rear. An additional landscape buffer is proposed on the southern end of the subject property, on the north side of the proposed private street to be constructed on the southern end of the subject area by a future developer.

The criterion has been satisfied.

**(6) Minimum spacing between buildings;**

As under the IL zone as provided in 40.230.085.D, there are no requirements for the minimum spacing between buildings.

The criterion will be satisfied.

**(7) Circulation/access to and within each lot and/or area;**

There are no specific requirements for circulation and access to and within each lot and/or area in the IL zone. However, development shall continue to conform to requirements under CCC 40.350, Transportation and Circulation. In order to reduce vehicular impact to the surrounding areas, vehicular access to Area 1—Leichner Campus will be limited to one intersection off of NE 94<sup>th</sup> Avenue and at NE 88<sup>th</sup> St. For more information, see Appendix D, Traffic Study.

The criterion has been satisfied.

**(8) Landscaping requirements (minimum landscaped area);**

In addition to the current landscaping requirements of a 10%-minimum landscaped area, this master plan will include the requirement for the maintenance of a 20-foot landscape buffer along the southern border of the property, on the north side of the new private road located on the southern end of the subject area (see Appendix F, Site Plans). This buffer is intended as a site-obscuring mechanism to accommodate adjacent residential development and buffer any unwanted light or noise.

The criterion has been satisfied.

**(9) Open space;**

There are no specific requirements for open space in the IL zone. In Area 3—Leichner Fields, the County will be adding over 60 acres of open space when this area is converted into a public park or other recreational space.

The criterion has been satisfied.

**(10) Parking requirements (location, design, amount);**

Requirements for the number of parking spaces will remain the same as they are under the IL zone as provided in 40.230.085.D.e, Off Street Parking and Loading, which requires adherence to Chapter 40.340.

The criterion has been satisfied.

**(11) Street standards;**

There are no specific street standards for private streets within the IL zone. However, the proposed private street will be 42 feet wide, identical to the Clark County standard Local/Industrial street design for public streets.

The criterion has been satisfied.

**(12) Signage; and**

Signs will be permitted according to the provisions of Chapter 40.310 as they are under the IL zone.

The criterion will be satisfied.

**(13) Handicapped accessibility.**

There are no specific requirements for circulation and access to and within each lot and/or area in the IL zone. However, development shall continue to conform to other general requirements for handicapped accessibility in the Clark County Code.

The criterion has been satisfied.

**3. Covenants, Conditions, and Restrictions. Notwithstanding any other provision in this section, the review authority may enter into developer agreements pursuant to RCW 36.70B.170 through 36.70B.210. The board may also declare the master plan a planned action pursuant to RCW 43.21C.031.**

**a. Other site development restrictions, such as easements and covenants, not covered by the development standards or applicable ordinances may be incorporated into the master plan, in a section stipulating covenants, conditions and restrictions that run with the land;**

The applicant acknowledges that additional requirements may be imposed by the review authority if found to be necessary and warranted. The applicant does not contemplate additional covenants for the subject property. Any easement required for common-area streets and utilities will be recorded by a future developer. The applicant understands that, in the future, the County may wish to assume ownership of the proposed private street. Therefore, the street is being planned to meet County road standards.

**b. Where separate ownership of lots within the master plan area may occur, to ensure consistency in development and protect the character of the development, the owners may be required, or may desire, to confer responsibility for maintaining common open space, communal recreational areas and facilities, private roads and landscaping to one (1) of the following:**

**(1) An association of owners that shall be created as an association of owners under the laws of the state and shall adopt and propose articles of incorporation or association and bylaws, and adopt and improve a declaration of covenants and restrictions on the common open space that is acceptable to the Prosecuting Attorney. Automatic membership in the association upon purchase of property and association fees shall be contained in covenants that run with the land. The association must have the power to levy assessments. Nonpayment of association fees can become a lien on the property; or**

**(2) Dedication to a public agency that agrees to maintain the common open space and any buildings, structures or other improvements which have been placed on it.**

This master planned development application does not propose to utilize the tools as described under b(1) and b(2) above. However, if a future purchaser and/or developer of the property would like to establish an organization to regulate design standards, he/she may do so.

The criterion has been satisfied.

**4. Other conditions which may be addressed in this section of the master plan document are agreements and assurances on the part of the applicant and on the part of the county with respect to future development. Other general provisions may be included in the final master plan: effective date, duration, cooperation and implementation, intent and remedies, periodic review, dispute resolution, assignment, relationship of parties, hold harmless, notices, severability and termination, time of essence, waiver, successors and assigns, governing state law, constructive notice and acceptance, processing fees.**

This application does not include any additional agreements and assurances.

The criterion is not applicable.

**5. The owner may choose to establish architectural design guidelines to promote consistency throughout the development. Administering the guidelines shall be the responsibility of the owner of the site or the association of owners. The guidelines may consist of, for example, roof pitches, building materials, window treatments, paving materials, and building articulation, etc.**

This application does not propose architectural design guidelines.

**6. The comprehensive plan map shall be amended to add the suffix “-mp” to the site at the time of annual review for all approved master plans approved in the previous calendar year.**

Acknowledged.

#### **G. Final Master Plan Review.**

**The final master plan shall be submitted in conjunction with the final construction/site plan application, as required under Section 40.520.040(F).**

The site plan is included in Appendix F of this application.

The criterion has been satisfied.

## H. Master Plan Approval Timelines.

The master plan approval timelines shall be those established under Section 40.500.010(B).

Acknowledged.

# 3 EMPLOYMENT DISTRICTS (IL, IH, IR, BP)

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This application is subject to the criteria contained in CCC 40.230.085, Employment Districts (IL, IH, IR, BP). No development of buildings is proposed at this time, but the master plan as proposed should ensure that future developers of the site will comply.

The Master Planned Development code, [CCC 40.520.070(F)] provides an opportunity to modify the development standards as part of the Master Planned Development process. The changes that are proposed in this application are the result of discussions with residents living in the areas adjacent to the site, in attempt to accommodate their desire for how their neighborhood will develop. As described above, the following adjustments will be made to the development standards to under this Master Planned Development:

- Uses not permitted:
  - Animal slaughtering and processing
  - Pharmaceutical and medicine manufacturing
  - Soap, cleaning-compound, and toilet-preparation manufacturing
  - Waste management and remediation services
- Any permitted, accessory, and condition uses and uses permitted with administrative review under the BP zone will be permitted in the same fashion under this master plan
- The maximum amount of allowed commercial development will be increased to 20% of the total floor area, mirroring the allowance under the BP zone
- Building height will be restricted to 50 feet as opposed to the 100-foot height limit typically allowed in the IL zone.
- In addition to the current landscaping requirements, this master plan will include the requirement for the maintenance of a 20-foot landscape buffer along the southern border of the property, on the north side of the new private road
- Requirements regarding maximum lot coverage, setbacks, minimum spacing between buildings, circulations/access to and within each lot and/or open space, parking, street standards, signage, and handicapped accessibility will remain the same (CCC 40.520.070(F)(c)(4-7, 9-13))

The criteria have been satisfied.

## 4 SITE PLAN REVIEW

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This master planned development application does not propose any new development and, thus, does not require a site plan review at this time. A future developer will go through the review process as required by CCC 40.520.040 at the time of development. This is acknowledged in the Pre-Application Conference Notes (Appendix B) where it is stated that: “The applicant is not proposing any site plan review approval along with the master plan review but will be required when specific users come forward.”

Site Plan Review is not applicable.

## 5 LANDSCAPING

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This application is subject to the criteria contained in CCC 40.320, Landscaping.

### **C. Landscaping and Screening Approval Standards – General.**

- 1. A landscape plan shall contain landscaping and screening consistent with the applicable design standards, based on Table 40.320.010-1 and other applicable provisions of this section.**

The landscape plan is included in Appendix F, Site Plans, and complies with the criteria based on Table 40.320.010-1.

The criterion has been satisfied.

- 2. The applicant may provide landscaping and screening that exceeds the standards in this section; provided:**
  - a. A fence or wall (or a combination of a berm and fence or wall) may not exceed a height of six (6) feet above the finished grade at the base of the fence or wall (or at the base of a berm, if combined with one) unless the review authority finds additional height is necessary to mitigate potential adverse effects of the proposed use or other uses in the vicinity; and**
  - b. Landscaping and screening shall not obstruct sight distance at intersections as provided in Section 40.350.030 of the UDC.**

The application’s landscape plan includes additional buffering along the south property line but does not include any walls or fences. Proposed landscaping will not obstruct sight distance at intersections (see Appendix F, Site Plans).

The criterion has been satisfied.

**3. The responsible official may approve use of existing vegetation to fulfill landscaping and screening requirements of this section if that existing landscaping provides at least an equivalent level of screening as the standard required for the development in question.**

The applicant does not propose the use of existing vegetation to fulfill landscaping and screening requirements.

**4. As a condition of approval of a conditional use or the expansion or alteration of an existing conditional use or planned unit development, the county may require an applicant to provide landscaping and screening that differs from the standards in Table 40.320.010-1 and Section 40.320.010(C)(2) where necessary to comply with the other applicable approval standards for the use or development.**

This application will comply with any landscaping and screening requirements provided by the County and has provided allowance for an additional landscape buffer along the southern property line. This application complies with landscaping and screening requirements as addressed in the Pre-Application Conference notes (page 2, item 6).

The criterion has been satisfied.

**5. Landscaped areas required for stormwater management purposes may be used to satisfy the landscaping area requirements of this section even though those areas may be inundated by surface water. All stormwater facility designs shall meet the standards as defined in Chapter 40.386.**

Stormwater facilities are shown in Appendix F, Site Plans. These areas should be included as counting toward the landscaping and screening criteria if deemed applicable by the County. Future development will trigger a need for further stormwater facility development, which will comply with landscaping, screening, and stormwater facility design standards at the time of development.

The criterion has been satisfied.

**6. Required landscaping and screening shall be located on the perimeter of a lot or parcel. Required landscaping and screening shall not be located on a public right-of-way or private street easement, unless authorized under Section 40.320.020.**

Landscaping and screening are located on the perimeter of the Leichner Campus lot as shown in Appendix F, Site Plans.

The criterion has been satisfied.

**7. The responsible official may approve and condition an alternative landscape design and buffer standard that is compatible with existing, abutting landscaping that still meets the intent of the required buffer type, such as shared buffers between users.**

This application will comply with any landscaping design and buffer standard provided by the County. This application complies with these standards as addressed in the Pre-Application Conference notes (Appendix B, page 2, item 6).

The criterion has been satisfied.

**8. Required landscaping buffers shall not apply between buildings in common wall construction situations.**

No buildings are proposed as a part of this application. This will be met by subsequent review during the building permit-application process.

The criterion is not applicable.

**9. The exception to setback allowances under Section 40.200.070 shall not apply to landscape buffers except as follows:**

a. Eaves that are sixteen (16) feet or more above grade may project twenty percent (20%) of the width of the buffer, up to a maximum of two (2) feet.

b. Eaves seven (7) feet or more above grade may project ten percent (10%) of the width of the buffer, up to a maximum of two (2) feet.

No buildings are proposed as a part of this application.

The criterion is not applicable but will be satisfied during the building permit process.

## 6 CRITICAL AQUIFER RECHARGE AREA

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According to Clark County, Washington's MapsOnline GIS database, the parcels included in this application are not within a Critical Aquifer Recharge Area. Therefore, the criteria of CCC 40.410, Critical Aquifer Recharge Area—Category 1 do not apply.

The criterion is not applicable.

## 7 TRANSPORTATION AND TRANSPORTATION CONCURRENCY

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This application is subject to the criteria contained in CCC 40.350, which includes regulations regarding Transportation and Transportation Concurrency. The proposed master plan includes improvements along the property's NE 94<sup>th</sup> Avenue frontage, including a detached sidewalk. Within

the project site, improvements include private roadways, sidewalks, and associated easements (see Sheet C2.0, Appendix F). These improvements are subject to approval of the Road Modification Application attached to this application (Appendix G).

Transportation concurrency is addressed in Appendix D, Traffic Study.

## 8 STORMWATER AND EROSION CONTROL

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This application is subject to the criteria contained in CCC 40.386, Stormwater and Erosion Control. Stormwater concurrency is addressed in the Stormwater Technical Information Report (See Appendix H).

## 9 BUILDINGS AND STRUCTURES

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This application is subject to the criteria contained in CCC Title 14, Buildings and Structures. However, no buildings or structures are proposed as a part of this application. Compliance with this code section will occur at the time of site development.

The criterion has been satisfied.

## 10 FIRE PROTECTION

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This application is subject to the criteria contained in CCC Title 15, Fire Protection. No buildings are proposed as a part of this application. Future construction will comply with Title 15, Fire Protection at the time of development.

The criterion is not applicable.